

The Gender of Prison: the Prison of Gender

Kateřina Nedbálková

Introduction

Women and prison were for a long time understood as two unrelated entities, opposite poles, words that cannot be linked with the preposition 'in'. Women's participation in criminality appeared to be so low and their offences so light that it was considered a waste of time to deal with women in this respect. Women's criminality was not perceived as a social problem. A change occurred in particular with the appearance of the feminist movement and from the 1960s we have witnessed an increase in academic literature that deals with women and criminal conduct. From the initial concentration on causes and the specificity of women's criminality attention has gradually shifted to the ways in which women are treated within the system of criminal law and judiciary. In the following paper my interest lies above all in the institution of prison and within it the world inhabited by imprisoned women that is the prisoners' subculture. Prison subculture sets up an ideal stage for analyzing, interpreting and understanding the performed character of gender / sex system on all its three levels.

In the following chapters I will consider the ways in which the gendered social structure¹ finds its performative expression in the inmates' microcosms, that is, in the informal prison systems or subcultures. Besides following existing sociological, psychological and criminological conceptualization of the chosen topic, this paper is based on ethnographic research that I have conducted from May 2002 to April 2003 in one of the four women's prisons in the Czech Republic.

¹ The US philosopher Sandra Harding helps us understand this structure by distinguishing three analytical levels. The first of them is gender specific symbolism that provides the means or starting points of scientific knowledge. This symbolism creates hierarchically uneven dichotomies (it, however, is at the same time shaped by them), such as mind-body, culture-nature, I-the other, rational-emotional, abstract-concrete, objective-subjective, active-passive etc., in which the first element of the couple is clearly understood as a male element while women are usually attributed the opposite (the other) category of each dichotomy. In these dichotomies then our perception of the world and everyday life is created and structured. The second level of gender structure is based on the gender specific division of labour, that is the differentiation of gender specific activities. Through reproduction, including sexuality, family life, kinship and childrearing, the woman is directed into the private sphere with the central institution of maternity which relies on normative heterosexuality. Gender differentiated division of labour is linked in a complex manner to the third level which is the level of concrete gender identities, that is prescribed behaviour, expectations and roles which masculinity and femininity take up. The mentioned three levels overlap, reinforce and support each other and thus create a coherent gender system (Hartsock & Hintikka 1983; Harding 1983).



Subcultures

In addition to theories that conceptualize prison as a total institution (Goffman 1961) it is important to understand and interpret this institution as a part of wider societal structures and forces. Lesbian relationships together with pseudo-families are the major (albeit not the only) types of women's collective escape worlds in prison. What I understand by the term 'escape world' is the re-signification of the prison space through practices, roles, values and norms that enable the de-totalization of the institution of prison. Through relationships women tame the uniform, dull, and cold prison space, which then at least partially becomes their territory. I encountered these adaptation strategies frequently even before I embarked on the research itself as they are mentioned by a number of authors who venture into the field of prisoners' subcultures (Ward & Kassebaum 1965; Giallombardo 1966; Owen 1998; Watterson 1996). In order to capture this phenomenon it was necessary to have knowledge of the wider implications of these relationships in the formal conditions of the total institution of prison which define the context of such relationships.

Research on prisoners' subcultures shows in the long run that approximately every other woman in prison has direct experience of some form of homosexual relationship (Hersko & Halleck 1962; Heffernan 1972; Giallombardo 1966; Pollock-Byrne 1990; Owen 1998). The exact percentages differ with individual authors; however, they usually do not exceed the limit of fifty per cent. A relationship is usually defined in emotional, social, sexual or economic terms and some authors put homosexuality into a number of categories on the basis of which level dominates in a relationship or to what extent the individual elements are represented. Similarly the imprisoned women themselves differentiate various types within emerging relationships.

The phenomenon of lesbian relationships illustrates the process of gradual familiarization with the specific prison slang, so-called prison *argot*. During the fourth interview I realized that when women talk about their relationships with other women they systematically use the term 'girlfriend'. This struck me, as in the lesbian subculture this term is clearly linked with a love / sexual relationship which differentiates it from a 'friendship' denoting an amicable relationship. If in a question, mapping the social relationships among women, I used the word 'female friend' in interviews with inmates, in the reply my expression 'female friend' was replaced by the word 'girlfriend'. During an interview for which my interviewee was Ms Zita the meaning and logic of this distinction became explicit and thus also opened up an approach to the analysis of previous interviews. Ms Zita explained to me that in prison the distinction between 'female friend' and 'girlfriend' works exactly the opposite way as in lesbian subcultures and in

the wider society.

When I tried to trace the origin of such a distinction and naming, it turned out to be the case that the majority of women considered it so natural and ingrained that it was a problem for them to talk about the point of such a distinction. Many women just stated that «it is simply used so», some remembered their initial wonder and surprise over the fact that these terms are used in the outlined sense; but after a while they supposedly got used to it. Other women stressed the intentional character of the substitution of terms which should, according to them, confuse prison employees and outsiders and make it more difficult for them to orientate themselves in the everyday lived prison world. Familiarizing me with this distinction was a situation which I experienced many times during the research when I asked questions that disturbed the framework of usual ingrained routine and thus my lack of knowledge 'forced' the women to explain the naturalness of their routine.

'True' lesbians²

In prison women differentiate between so-called 'true' and 'fake' homosexuality. 'True' homosexuality or lesbianism is represented by a woman who accepts her homosexual orientation, i.e. she experienced coming out; before her imprisonment she had relationships exclusively with women and it is likely that following her release she will return to homosexual relationships. 'True' lesbians represent an absolute minority in prison. This fact should not surprise us if we take into account that 'true' lesbianism is in prison legitimized by its unchanging 'inborn nature'; the majority of women, conveying to the widespread perception, tend to think that homosexuality is genetically given or caused by development in early childhood. Thus in the prison population the percentage of lesbian women should be approximately the same as the percentage given for the general population, that is 4 – 5%³.

At the beginning I had the feeling that women who considered themselves lesbians also outside prison tended to refrain from forming relationships, rather they hid their homosexuality and belonged among solitary individuals who so to say 'go it alone'. Also, for example, according to Ward and Kassebaum 'true lesbians' do not enter into relationships at all as they have their referential relationship networks in the free world

² The division into 'true' and 'fake' lesbians is a simplifying analytical tool that enabled me to capture some of the differences in both types of relationships; in everyday reality though, this distinction has many fine layers.

³ Estimates of the occurrence of homosexuality should, however, be viewed cautiously due to the numerous and varied definitions of homosexuality.



or they only enter into relationships with other 'true' lesbians (1965: 118). Ms Zdena represents this type of a proud lesbian who does not enter into lesbian relationships in prison and disdainfully looks down on such so-called 'fake' relationships that occur in prison. Ms Zdena, similarly to other 'true' lesbians, thought that 'fake' lesbians⁴ «do not have any idea of what is going on and only play at something». Or in other words:

«[b]eing a dyke is shrewd and true lesbians that is feelings. Outside I have such relationships, of course. But not here. I cannot imagine that they would catch me with someone in bed here. That is probably not even possible, there are always checks here and at night they flash a light at your face every hour» (Ms Zdena).

In case a 'true' lesbian enters into a relationship in prison paradoxically she is much less visible in it than a 'fake' lesbian. Although these women came out and they do not hide their orientation to those close to them, they tend to hide it in public. They consider this approach fully justified as their experience tells them that sharing their sexual orientation openly is not appropriate in formal institutions or at least no advantage comes out of it. Often the opposite is true. Although the institution of prison does not formally define itself against homosexuality, in the internal rules the following statement mentions homosexuality explicitly: «The imprisoned women must not bother employees, fellow inmates and other people (this also involves restrictions on homosexual behaviour in front of another person)». Ms Zdena's utterance also shows carefulness and an ability to assess possible negative consequences which being caught might involve. The fact that women must continually negotiate the concrete form of their relationships depending on the limitations that are set by the employees of a total institution is also reflected in the utterance:

«It is not that difficult with sleeping here either. Usually twins are together on the floor in a room so there is a shower where they bathe together and they sleep together normally in one bed. Not much attention is paid to that here. Most importantly the number of inmates on the floor and in the room must be correct and that is enough» (Ms Zita, letter).

The previous two quotes insinuate the difference in perceiving the conditions that the prison context sets for relationships. It is remarkable that some women did not understand the employees as a significant restriction on their

⁴ I explain the term 'fake' lesbian in more detail in the second part of the text.

everyday living of relationships while other women were very worried about supervision and the possibility of being caught. It could be said that women who did not share these worries were exactly the ones who were actively involved in the collective worlds of the prison. The close bonds with other women then ensured their protection and possibly co-operation in cases when an activity had to be kept secret.

«We have it under control, we know when the screw⁵ comes and at night it is not so often. The girls climb over to their beds. [...] We keep watch» (Ms Míša).

The same way as women are used to co-operating during the day, for example, when keeping watch while sleeping as they are officially not allowed to stay in bed during the day, they signal to each other at night about the approaching prison guards. Thus following the warning those women who sleep in the bed of other women have enough time to return to where they are supposed to be for the duration of the check.

For 'true' lesbians the alternative sexual orientation bears no mark of novelty or uniqueness, it is not a situational experiment. On the other hand for 'fake' lesbians, as if allowing the situation in the prison to overcome them, part of this situation is the unique character of relationships; for true lesbians 'the prison love story' completely lacks any uniqueness. 'True' lesbians even think that other women spoil their reputation by these 'games' as they reduce (for themselves as well as others) the relationship between women to a temporary act of cheap fun, which in some cases is threatened by disciplinary punishment.

'True' lesbians about whom other women know that they prefer relationships with women also outside prison are valued and anticipated. Just as a woman in prison is preceded by the reputation of her crime, she can also be preceded by the reputation of her sexual orientation.

«Everyone in prison knows someone and in turn he knows someone, you are familiar almost before you arrive. A lesbian will arrive – much joy and then bang! nobody should come near me, I am not letting anyone close» (Ms Pavla).

'True' lesbians represent an elite in prison. They are respected above all for their authenticity, which consists partly in their 'inborn' homosexuality, further in the openness of their lesbian identity outside the prison context. The desire of a true lesbian on the other side is praised as 'natural' and authentic. It is

⁵ A slang expression for prison guard.



constantly present while the desire of a 'fake' lesbian is despised as momentary and temporary, caused by the unique nature of the environment and the absence of appropriate objects (men).

«It can be said that what keeps me alive here is my sexual orientation. I like the presence of women (it thrills me when they fight for me)» (Ms Jitka, letter).

'True' lesbians are not only fought for but it is also expected that they are constantly attracted by different women. If a woman encounters disinterest on the part of a 'true' lesbian she perceives it as a personal offence or as a shaming of her femininity as if she failed in the role of a temptress.

The following description is a typical narrative of a love relationship of 'true' lesbianism which is interesting in that the lesbian relationship is interpreted as the ideal fulfilment of love and relationship.

«Two and a half years ago I was escorted to the prison in Pardubice by guards. I was totally devastated until a woman started looking after me, she loves me even today and I love her too. [...] She started coming to me and I started coming to her. Less than a year passed when we began to feel that our relationship is more than friendship. We gradually fell in love but neither of us was able to tell the other. After some time they transferred me to Světlá and we were separated. I remember her last sentence before departure 'I will follow you with the first escort'. And she did. She arrived on 21 April and we shared a room and since her arrival till 8 June we were only 'girlfriends'. Until 8 June when we first kissed. Our first kiss. It was unbelievable the way it happened. Dani was 21 years older than me. I was 24 and she 45. A month later we slept together for 'the first time'. It was beautiful, I felt safe every moment she was with me when I felt her nearby. Two years later my love left for her home» (Ms Zita, letter diaries).

This story seems to embody the ideal of romantic love: friendship and understanding that gradually change into a sexual relationship in which both women find a safe haven for a lifetime.

«She is my darling for the whole life. [...] I'd give my life for her» (Ms Miša).

Moreover, in a written form, as Ms Zita captured it for her book⁶, it is a crystal clear form, a story that is to be constantly

⁶ Ms Zita planned to have her diaries published as a book following her release.

passed on and presented to the public. 'True' lesbian relationships between involved actors, as well as by women, who observe them in prison, are usually described as power balanced, long lasting and faithful. It is remarkable that equally egalitarian presentation of partnerships is often offered by gay and lesbian relationships in general when the partners state themselves strongly against the traditional gendered model. This presentation persists despite the fact that the everyday practice and dynamic of these relationships does embody a greater or lesser degree of gendered division of labour. In the narratives of women prisoners this ideal often becomes something that basically does not fit the previous lived experience of individual women. In most cases the narrative represents a kind of wish regarding what the relationship should be like. It is an ideal of mutual support and eternal love, a fantasy of something that the majority of women never experienced.

'True' lesbians have the power to formulate the narratives not only of their own relationships but their position also enables them to name other relationships, that is also 'fake' lesbianism, in ways that create meaning. It is interesting that research from the 1960s and 70s arrived at the conclusion that 'true' lesbians served for other women as models for behaviour strategies within relationships. In other words they shaped the ways of behaving in pseudo-homosexual relationships (Ward & Kassebaum 1965; Heffernan 1972). At the first glance my findings seemed to contradict this statement because, as becomes clearer further inside Světlá nad Sázavou, the strategies and complementary roles in both types of prison partnerships were described very differently. As already mentioned the partnerships of 'true' lesbians are believed and labelled to be power-balanced with little adherence to the gendered model of family, whereas the 'fake' lesbian's relationships are reportedly based on this traditional dichotomy. The assignment process of the gender difference within some partnerships however takes its course almost exclusively from the point of reference of the women who themselves do not participate in these relationships. 'Fake' lesbians did not call themselves 'fake' and they also didn't consider their relationships as adhering to strictly gendered norms. The emphasis on the gendered dynamic of those relationships was instrumental in discrediting the so-called 'fake' lesbians. The everyday lived experience of 'real' and 'fake' lesbian relationships was mostly hidden to me as a prison outsider, however presentation of these relationships offered to me by the women prisoners bears great importance to understanding the gender structure of prison.



'Fake' lesbians

This is a woman, who in prison enters into relationships with other women but does not consider herself homosexual, and did not have lesbian relationships before her imprisonment. The US sociologist Virginia Heffernan interprets these relationships as institutional replacements for heterosexual relationships (1972). In respect to the frequency of their occurrence, these are precisely the relationships that are most usual in prison.

«You know, Katko, I think that here in prison there probably are no true lesbians. Today in prison with your female friend and tomorrow at home with your husband and children. Well, can this be understood as a relationship? It is more about calculation – the bunker⁷. Certainly there are exceptions but only very few. In the whole camp two twins – the rest is not worth mentioning» (Ms Zita, letter).

One of the major characteristics of a so-called 'fake' lesbian relationship is its predetermined temporary nature and thus implicitly also the impossibility of continuing the relationship outside the prison. And that is either because these women have legitimate partners waiting for them outside or because they will simply have no reason for having an intimate relationship with a woman.

«There is a majority of female couples who have a husband or male partner outside. Such couples play mom and dad and usually they know nothing about lesbians. The fact that I sleep with a woman does not mean that I am a lesbian» (Ms Zita, diaries).

Once again, it is interesting that roles and relationships that make up 'fake' lesbianism are named, interpreted and attributed meanings in particular by women who consider themselves 'true' lesbians or by women who distance themselves from lesbian relationships. As already mentioned 'fake' lesbians themselves do not like to talk about their relationships in prison very much or their narratives stress the natural character and gradual formation of relationships (women often stated: «I did not think about it, it simply happened, I do not know what it means»).

As I noted earlier 'true' lesbians look down upon pseudo-lesbian relationships with disrespect and contempt. This finding is supported also by foreign research on women's subcultures (Watterson 1996; Owen 1998). Contempt is, however, apart from

⁷ Prison slang for locker where the inmates put their things.

the aforementioned temporary nature of relationships, also targeted at the traditionally stereotypical division of roles, which is the basis of these pseudo-lesbian relationships. If 'fake' relationships are understood as a replacement for heterosexual relationships from the outer environment, we should not be surprised that the strategy of practices in these lesbian relationships copies the division of gender roles. In Czech prisons various informal terms for mother and father are in everyday use to describe masculine and feminine roles: *mamča* and *tatka*; *máma* and *táta*; *mamča* and *fotr* or *mamča* and *fóťá*⁸.

Fotr (an informal form of father) is a term that describes women who in the relationship take up the masculine role while *mamča* (an informal form of mother) is an expression used for women taking up the feminine role. Masculinity is clearly linked with attributes such as respect, reliability, open-mindedness, strength, ability to set rules, while the feminine role is derived above all in the framework of physical attractiveness and empathic personality.

«*Fotrs* have the task of protecting *mamčas* so that nobody swears at them, offends them, takes away more of their things than is necessary and *mamčas* then look after them, provide food, look after and mend clothes» (Ms Zita, diaries).

Through the differentiation of these roles I have the opportunity to incorporate the already mentioned pseudo-families into the text, these were and are considered to be a dominant feature of women's prison subcultures. Prison pseudo-families or kinship, as I familiarized myself with them in particular in Anglo-American literature, overlap with the above described types of relationships and designate relationships among a few women whose mutual bonds imitate the social structure of the traditional family. Apart from positions that are normally taken up by women (mother, daughter, sister, aunt), women also represent male partners in the mentioned positions (father, son, brother, uncle). The family is usually started by the marriage of two women who form a strictly gender differentiated couple which means that one takes up the role of the butch and the other of the femme. The prison pseudo-family is an interlinked circle of individuals who can trust one another and always rely on one another. One of the surprising findings of my research is the fact that in the Czech context this phenomenon does not exist in its entirety. We could find a certain similarity in the case of so-called *kolkhozes* which operated in prisons prior to 1989. *Kolkhoz* was a slang expression

⁸ In English the terms 'butch and femme' that originated in the lesbian community of the 1950s.



that described a smaller group of inmates who were interlinked by social and economic ties. *Kolkhozes* existed in women's as well as men's subcultures and were unofficially supported by prison management as their existence helped eliminate eventual unrest supported by general inmate loyalty. The existence of *kolkhozes* broke down the unified community of inmates into smaller formations. In contemporary prisons we find *kolkhozes* mainly in men's prisons where they indicate couples of men who gather and handle common material (especially coffee and cigarettes).

If a woman 'plays' the feminine role she actually remains herself – she follows her 'natural' femininity while *fotrs* 'overact' a role that is not their own. It is interesting that although the role of a *fotr* in a relationship is viewed negatively this role is attributed higher status; similarly as in society masculinity is more prestigious than femininity. The higher status of the role of the *fotr* is also confirmed in foreign research (Ward & Kassebaum 1965; Giallombardo 1966). In terms of the importation theory that understands prisoners' subcultures as the reflection of the social practices of the wider society we could interpret this as the transposition and reproduction of the social habitus. Many women come to prison from a family or relationship background which is structured by the traditional concepts of masculinity and femininity: these women are used to being dominated and abused by men and that is why they find these dynamics tolerable also in the environment of a total institution. Some Anglo-American authors found that many imprisoned women had a previous direct experience of domestic violence or abuse in the family (Walker 1995). This habitus can then be projected in the relationship through the dichotomy of masculine-feminine roles with manipulative, dominant, tough and rude *fotrs* who stand by their submissive, nurturing *mamčas*.

This gendered pattern of relationships is first of all constructed by social scientists researching this topic but it is also presented in images that are conveyed by popular media, not least it also corresponds with ways women in prison structure their narratives about relationships they build and observe. Had I the opportunity to participate in prison everyday life in its complexity and witness the practical functioning and negotiating of relationships, I could perhaps critically review the possible interpretation of these relationships. Left with only research interviews, I captured the level of verbalized stories that women tell about those relationships.

The complement of the masculine and feminine roles is also embodied in the ways in which women shape their appearance. Masculine women – *fotrs* – enable the socialization into lesbian relationships by making their appearance and behaviour fitting for a specific role and thus they send a message

to other women (*mamčas* as well as *fotrs*)⁹.

«*Fotrs* are usually women who are stockier, with short, cut carefully combed hair, well, you would certainly recognize them if you saw them hand in hand, who of them is who. Clothes do not matter, there is not such a range – we don't have such choice» (Ms Pavla).

The partners of masculine women are feminine women who take up the traditionally feminine role in the relationship, defined by care and nurture. It is, however, not aimed only outside but involves also taking care of one's body which is understood as taking care of a body of a woman.

While masculine appearance and behaviour is dismissed as 'overacting' something that is not appropriate for women, the appropriateness and adequacy of femininity, on the other hand, are not questioned despite the fact that its performance requires at least the same effort and the constant active construction as that of the masculine role. Women, for example, spend a large amount of time dying and doing their hair or carefully applying make-up and nail polish. They are able to purchase the necessary goods in the prison canteen, which suggests that this care is also formally (by the management of the prison) approved. However, if a woman devotes equal care to creating an image, which is consequently perceived as masculine, she faces contempt. Women in prison did not challenge the hegemonic notions of femininity set upon them by the prison authorities in general, however, they pursued diverse gender roles through lesbian relationships.

The cultivation of the beauty of the female body is also drawn upon in programs that women are offered to attend in their free time. This is clearly illustrated in the entry in the field diary:

«I attend classes of good manners. The supervisor briefly states how important it is for every woman to take care of her body. In order to do this well we learn some tricks and advice in the classes. Every woman receives a card on which she marks how much the stated items apply to her or not. Each woman stands in front of the blackboard and

⁹ In the USA in the 1950s when the lesbian subcultures began to form, the socialization into these communities was conditioned by submission to the butch / femme role differentiation. It was the butch women who consciously distinguished their appearance from the current stereotype of femininity and thus made themselves publicly visible to other lesbian women, which enabled the forming of lesbian subcultures and the creation of the homosexual community. These women faced the risk of arrest or lynching as at the time dressing in the clothes appropriate for the opposite sex was classified as an offence and thus considered punishable (Faderman 1992; Kennedy, Davis 1994).



the supervisor measures them with a measuring tape. She stresses that the number of centimetres is not important but rather the proportionality of individual body parts. Following each measurement the supervisor turns to the women with questions like: 'So do you think that Ms Háčková has a double chin?' Or she makes judgements such as: 'You could have slimmer hands Ms Klucká. You should wear shoulder pads Ms Hlávková. Pleated sleeves? That is no longer in, Ms Háčková, really not.' – 'But I have a dress with them.' – Ms Háčková defends herself. – 'Well, you probably won't make much use of it then. You have big saggy breasts Ms Hejlová. If you have saggy breasts you should always wear a bra otherwise it is not aesthetically pleasing. You must make small breasts appear larger. The worst is to have a bigger belly than breasts. Well, a thick waist is not terribly aesthetically pleasing either'» (field notes).

If Erving Goffman states that gender is the opiate of the masses, Hensley makes an interesting observation for the prison context saying that stereotypical ideas of femininity and masculinity are the only legal drugs that the institution of prison offers (2002). Programs prepared by the prison management support the intoxicating nature of creating true femininity. The imprisoned women like to participate in them because they came across a similar ideal many times in their lives outside the prison – they were actually socialized into it. The intoxicating nature of strict gendered roles also brings with it the idea of the complement of these roles, which is then manifested in the gendered character of the 'fake' lesbianism of *mamčas* and *fotrs*.

Women in prison in some cases describe 'fake' relationships as calculating and shrewd, created purely for material benefit. A woman who in prison does not get the most valuable goods, such as coffee and cigarettes, searches for a partner who has such 'material' at her disposal. The female couples then found imaginary prison households in which they share the possessions.

«When *mamča* and *tatka* get together they mostly create a bunker (a locker where the inmates put their personal belongings such as coffee, cigarettes and toiletries). *Tatkas*, also called *fotras* are often short of these» (Ms Zita, diaries).

«It is usually *mamčas* who have supplies. Visitors, shopping, etc. It is certainly harder for them than for the other with whom she is having fun. If they run out of something it is again she who hunts for it and borrows.

Mamka irons and does the washing like women outside, *fotr* will have it off with her, sorry for putting it like that, like a man» (Ms Ludmila).

In this gender complementary couple the needy woman exchanges her masculinity for another woman's possessions who apart from her 'natural' femininity also has goods that are always lacking in prison. Apart from the aforementioned cigarettes and coffee, higher quality clothes or goods that are forbidden in prison can be one such asset. Women who participate in lesbian relationships mainly for material profit in prison are called 'canteen whores'.

«Such a woman only makes herself into a dummy. Many women have experience with prostitution, she does not have coffee, cigarettes and another one has them; it is more like prostitution than a relationship» (Ms Pavla).

In prison such relationships ensure the redistribution of goods and services through a network of informal relationships of the black market, which is one of the significant subcultural features.

It is also worth noticing that one of the attributes of femininity, that is the role of *mamča* in a relationship, is taking over the role of the breadwinner («hunt for stuff»), which is in terms of traditional perceptions of gender roles perceived as a masculine role. Heffernan offers an interesting interpretation within the US context; she emphasizes the different expectations of the content of masculine role according to social class. While man as breadwinner is the embodiment of the model of the middle class, for an Afro-American population of lower middle class origin this model is not relevant as the economic well-being of the family usually depends on the woman (1972: 96). Since the prison population is largely made up of members of the lower social classes, in the case of the USA often of Afro-American origin, the role of female breadwinner is not an offence against traditional role expectations. In the Czech context the situation of the Roma family could provide an interesting comparison. Raichová draws attention to the changing masculine and feminine roles in the modern Roma family. In it women are increasingly more often those who are in charge of the money. Due to high unemployment rates women's social benefits are in many cases the main source of family income. In contrast, as a compensation for the missing income from employment, men are expected to participate in childrearing and the running of the household which were previously exclusively women's domains (2001).

In the last quotation from Ms Zita, the reference to the sexual side of the relationship is worth attention. Although some



authors describe prisons as places where sexuality is subdued and paralyzed, my experience tended to confirm the opposite. The sexual side of lesbian relationships is usually not attributed much attention as the stereotype of feminine sexuality stresses, and probably also overestimates, the emotional aspect of emerging relationships. I think that physical sexuality in women's prison should deserve at least as much attention as sex in men's prisons. Sex is a significant criterion in distinguishing specific types of relationships and that is exactly why it is through a physical contact that the relationship in prison transforms from the friendship of two 'girlfriends' to the relationship of two 'female friends'. Sexuality forms part of 'true' as well as 'fake' lesbian relationships, the difference, however, is in how much importance is attributed to sex in each type of relationship.

«Sex is very important, first of all, one gets to know oneself best and explores, and mainly in the case of *fotrs* and *mamčas* it is the reason why they are in fact together. Sex and bunker – nothing else is involved for them» (Ms Zita, letter).

In 'fake' lesbianism sexuality is more of a commodity that women exchange among themselves while in 'true' lesbianism it is signified as an inseparable part of the true fulfilment of a relationship.

In case I managed to make the reader think that every imprisoned woman participates in some form of the above described lesbian relationships during their imprisonment, I will try to correct this impression. Although the majority of women were relatively tolerant of homosexual relationships, and that even of 'true' ones, I also encountered women whose attitude seemed to confirm Heffernan's finding who in 1972 wrote that 'true', or open, homosexuality if detected in prison is not very popular. Once homosexual relationships exceed the limits of 'sheer game' they began to be understood as pathological. While the supportive aspects of marriage roles can be transported to the prison without threatening women's self-perception as normal or confining with norms, an evident sexual aspect bears the connotation of perversion also in the prison context (Heffernan 1972: 98).

A closed environment from which one cannot escape without being punished provides ideal ground for forming relationships of affiliation as well as hatred. These take place in prison always in front of the eyes of the audience, on a stage which it is impossible to leave for the backstage because there is no backstage in prison. The individual is constantly exposed to the presence of other – welcome as well as unwelcome – individuals. In prison, relationships are a good topic for conversations and stories which keep the place alive. Women follow with interest the

love stories of other women, in particular their beginnings and endings. In the boredom of repeated routine when one day follows another very similar day, relationships provide the major interactive matter with which to work, the material that can be woven with stories, possibly imaginary ones. Through these stories and their circulation women who do not directly participate in the relationships enter them. 'True' as well as 'fake' lesbian relationships are all that the women 'have' in prison.

Conclusion

In prison, relationships are a central aspect of everyday prison life, they enable the inmates' self-fulfilment, the securing of basic material needs and a partial escape from the space of a totalising institution. The lack of work opportunities is in prison replaced by constant work on relationships. Such work does not require any special material or equipment, everything necessary is available also in the prison context and the specific nature of this environment, as if supported full-time preoccupation with relationships. At the same time relationships are a topic that everyone is competent to talk about.

The prison in Světlá nad Sázavou has a telling address in relation to my research: Pleasure 990. The prison together with the people also imprisons their pleasures and desires. This fixed desire then attempts to find its expression in permitted as well as forbidden ways, by projecting its desires on objects that are at the disposal in this specific context. Prison deconstructs the natural character of heterosexual desire and points out its socially enforced normativity. As if in the prison context compulsory heterosexuality rids itself of physical bodies since it can be reproduced and performed by two women. The dichotomous patterns of masculinity and femininity are thus preserved also in a context in which only representatives of the same sex are available.

Prison homosexuality is partly interpreted and perceived as a game that reflects the rules of heteronormative gender structure. It is a game determined by the same limits, with the same (gendered) types of actors who must play according to the same rules if they want to be comprehensible to others. The roles that are played, the costumes that go with them, are always in position of possible comparison with the normative ideal but the different meanings assigned to these structured performances are tied to contextual frames of interpretation. The complement of masculinity and femininity like that of the traditional family is projected in the prison relationships despite the fact that pseudo-families that were much stressed by authors in the past do not exist in the context of Czech prisons. Their basis in the form of a gendered couple is, however, present. Using the term 'game'



suggests imitation and imitation according to Butler carries the meaning of derivative or secondary, a copy of an original. But imitation does not copy that which is prior but produces and inverts the terms of priority and derivativeness (1991: 21-22). The prison setting provides a stage for living / performing this inversion.

Similarly gender is not the property of sex (Butler 1991). Also sexuality or gendered sexuality is not an inherent quality of persons or identities but can be more succinctly understood as structured interaction and contextual organizing principle of social reality. Sexuality also takes on the characteristic of a classifying scheme that is activated in order to idolize or discredit certain practices (as it is in the case of differentiation between the true and fake lesbians).

Kath Weston compares gender roles and their polarized contrasts of masculinity and femininity to the experience of prison because she thinks that these roles tie us up, constrict us, form us and restrict us in terms of opportunities and freedom (2002). Thus in its microcosm prison illustrates and actually embodies the restrictive binding of desire which also occurs in the wider society. Prison bridles desire, which was earlier trapped and shaped by the dichotomy of gender roles. In the same way as we are tied by gender socialization, prison also ties us although paradoxically through its same sex context, it helps to deconstruct the concept of the ontic determination of gender.

Bibliography

Acker, J. 1992, «Gendered Institutions, From Sex Roles to Gendered Institutions», *Contemporary Sociology* 21(5): 565-569.

Bauman, Z. 2003, *Liquid Love, On the Frailty of Human Bonds*, Cambridge: Polity Press.

Britton, D. M. 1997, «Gendered Organizational Logic: Policy and Practice in Men's and Women's Prisons», *Gender and Society* 11(6): 796-812.

Britton, D. M. 2002, *At the Work in the Iron Cage*, New York: New York University Press.

Faderman, L. 1992, *Odd Girls and Twilight Lovers: A History of Lesbian Life in Twentieth-Century America*, New York: Penguin.

Giallombardo, R. 1966, *Society Of Women. A Study of a Women's Prison*, New York: John Wiley & Sons, Inc.

Goffman, E. 1961, *Asylums*, New York: Doubleday.

Hersko, M, S. L. Halleck. 1962, «Behavior in a Correctional Institution For Adolescent Girls», *American Journal of Orthopsychiatry* 32(5): 911-917.

Harding, S. & M. B. Hintikka (eds.), 1983, *Discovering Reality, Feminist Perspectives on Epistemology, Metaphysics, Methodology, and Philosophy of Science*, Riedel: Dordrecht, Holland.

Hartsock, N. C. M. 1983, «The Feminist Standpoint: Developing the Ground For A Specifically Feminist Historical Materialism» in *Discovering Reality, Feminist Perspectives on Epistemology, Metaphysics,*

Methodology, and Philosophy of Science, Harding, S. & M. B. Hintikka (eds.), Riedel: Dordrecht, Holland.

Heffernan, V. 1972, *Making It In Prison: The Square, the Cool and the Life*, New York: Wiley & Sons.

Hensley, Ch. 2000, «Attitudes Towards Homosexuality in a Male and Female Prisons: An Exploratory Study», *Prison Journal* 80: 434-41.

Kennedy, E. L., M. Davis 1994, *Boots of Leather, Slippers of Gold: The History of Lesbian Community*, New York: Penguin Books.

Nedbálková, K 2003, «Má vězení střední rod aneb maskulinita a femininita ve vězeňských subkulturách», *Sociologický časopis* 39 (4): 469-486.

Owen, B. 1998, *In the Mix. Struggle and Survival in a Women's Prison*. Albany: State University of New York Press.

Pollock-Byrne, J. M. 1990, *Women, Prison & Crime*. Belmont: Wadsworth.

Raichová, I. 2001, *Romové a nacionalismus*, Brno: Matprint.

Wacquant, L. 2002, «The Curious Eclipse of Prison Ethnography In the Age of Mass Incarceration», *Ethnography*, 3(4): 371-397.

Walker, M. A. (ed.) 1995, *Interpreting Crime Statistics*, New York: Oxford University Press.

Ward, D. A. & G. G. Kassebaum, 1965, *Women's Prison, Sex and Social Structure*, Chicago: Aldine Publishing Company.

Watterson, K. 1996, *Women in Prison: Inside The Concrete Womb*, Boston: Northeastern University Press.

Weston, K. 2002, «Copycat» in *Sexuality and Gender*, Williams, Ch. L. & A. Stein (eds.), Malden: Blackwell Publishers.

Biographical Note

Kateřina Nedbálková works as an assistant professor in sociology at the Masaryk University in Brno (Czech Republic) where she teaches sociological theories of gender and methodology in social sciences. Her academic interests include in particular sociology of deviance, gender and sexuality and qualitative research.



«It Was Simply Human ...»: **Gender Subversion in Children's Performance**
Sean Edgecomb

«There is no gender identity behind the expressions of gender; [...] identity is performatively constituted by the very expressions that are said to be its results.» Judith Butler¹

«Now when people work and play together with their motivation drawn from the creative area, they inevitably respect each other, assist each other in a thousand ways, and arrive at an attitude toward their associates that far transcends the bare bones of [...] equality.» Russell and Rowena Jelliffe²

«'Simply Human' [...] it may be that this is the best way to characterize a large portion of Rowena Jelliffe's philosophy in dealing with people – in this case, with children's theatre personnel.» Reuben Silver³

Introduction

Most scholarly studies and articles about gender and performance focus on the analytical interpretation of amateur and professional theatre projects. Concerned with the exhibition of subversive and often sex-based themes, gender and queer theories form a genre espoused primarily by adults for adults. However, a gaping hole has been left in its application; I suggest that children's theatre and the technique of gender blind casting is an important early stage to consider in deconstructing standard norms of sex, gender, and desire. Using feminist and queer theorist Judith Butler's theory of the «anti-heterosexual matrix of desire» (that combats the patriarchal tradition of psychoanalysis and embraces Foucauldian thought as a concrete base), and supported by select studies in early childhood development, this paper examines the strengths and weaknesses of the theories in practice by reexamining the gender-blind children's theatre program at Karamu Theatre⁴, in Cleveland, Ohio – circa 1917. It is

¹ Judith Butler, *Gender Trouble* (New York: Routledge, 1999), p. 25.

² Russell and Rowena Jelliffe, in John Selby, *Beyond Civil Rights* (Cleveland: The World Publishing Company, 1966), p. 39.

³ Reuben Silver, *A History of the Karamu Theatre of Karamu House, 1915-1960* (Ph.D. diss., Ohio State University 1961), p. 54.

⁴ The Karamu Theatre of Cleveland was originally called the Playground Settlement House and not officially named *Karamu* (a Swahili word meaning 'house of feasting and rejoicing') until 1927, in conjunction with its adult theatre program. Because Karamu is used as the official name of the theatre in

important to apply contemporary theories (Butler) to the past (Karamu) in order to understand, as Postlewait and Davis state, the way that «terms and concepts continue to color the meaning of theatricality [...] as they develop and modify over time»⁵. Upon initial examination, the application of gender-blind casting at Karamu House appears to be an early attempt at what would become Butlerian subversion; however, this application was not as subversive as it initially appears due to the patriarchal veil of the period which inhibited the evolution of Children's Theatre as a device to disrupt social norms. Therefore, today, Karamu can act as an exemplar to avoid making the same mistakes in children's theatre (much unchanged since 1917).

In her arguably seminal 1990 text, Gender Trouble, Butler explores the necessity of subversion in combating Freud's primary «dispositions»⁶ of sexuality, introduced in his 1923 work, The Ego and the Id. By asking, «to what extent do we assume a 'feminine' or a 'masculine' disposition as the precondition of a heterosexual object choice?»⁷ Butler begins an innovative network of what is now assigned the title of 'queer theory'⁸ to combat the repressive Freudian hegemonic «object cathexes» by inserting the aforementioned «object choice»⁹ in order to write an anti-essentialist feminist genealogy. This new critique breaks down the 'heterosexual matrix of desire' by revolutionizing gender and desire as choice-based entities separated from biological sex and leaving the dialogue between gender and desire as independently negotiable variables.

With the resultant hypothesis of gender as performance, Butler also debunks Lacan's psychoanalytic 'masquerade' as an ambiguous and repressive negation of feminine desire. Because the psychoanalysis of both Freud and Lacan bases so much of its

dissertations and scholarly works, it will be implemented here, even though it was not used in conjunction with the children's theatre program until later in its life.

⁵ Thomas Postlewait and Tracy C. Davis, *Theatricality* (Cambridge: Cambridge University Press, 2003), pp. 2-3.

⁶ Sigmund Freud, «The Ego and the Id», volume XIX of the *Standard Edition of the Complete Psychological Works of Sigmund Freud*, ed. and trans. James Strachey (London: Hogarth Press, 1973-4), p. 367.

⁷ *Ibid*, p. 61.

⁸ Butler credits Teresa de Lauretis as coining the term 'queer theory'. She comments about an experience she had at a dinner at the Second Annual Conference of Lesbian and Gay Studies shortly after the publication of Gender Trouble, commenting to a guest who said that he was working on queer theory, «And I said: What's queer theory? He looked at me like I was crazy, because he evidently thought that I was part of this thing called queer theory. But all I knew was that Teresa de Lauretis had published an issue of the journal Differences called Queer Theory. I thought it was something she had put together. It certainly never occurred to me that I was part of queer theory». Interview by Peter Osborne and Lynne Segal, *Radical Philosophy* 67 (1994), <http://www.theory.org.uk/but-int1.htm> (last accessed 22 April, 2005).

⁹ *Ibid*, p. 367.



theory on childhood as the nexus of development, it is integral (though unconventional) to consider children's theatre in the application of Butler's theory of gender as performance in regard to theatre. For subversion to be most effective in combating patriarchal hegemony, it must be introduced normatively at an early age. A prime example of such subversion in practice is found in the early twentieth century children's theatre program at the Karamu Theatre, of Cleveland, Ohio. Far beyond its time in concept and application, the Karamu, led by director Rowena Jelliffe, began its practice of gender-blind casting as early as 1917. Karamu's philosophy of placing «emphasis [...] upon [a] child as a person rather than as a member of a particular race or sex»¹⁰ would seem to support the theatre program as a consummate example of Butlerian subversion that debases the 'heterosexual matrix' decades before Civil Rights and Post Third-Wave Feminism. However, upon closer inspection, one must consider the weight of male-centric plots, character types, and role selection in gender-blind casting. As in the case of the children's theatre program at Karamu, what initially seems to be subversive in the most Butlerian of senses, actually deflects back to inadvertently support the feminine as a subordinate to the traditional psychoanalytic male-ruled dominions of sex, gender, and desire.

Reexamining the 'heterosexual matrix'

Before using Butler's theory contextually to dissect the method behind the children's program at Karamu Theatre, it is important to simplify her theory of the 'heterosexual matrix' to better understand its function to the applicability of a theoretical gender. Thus, its use as a tool to further examine the practices of gender-blind casting at Karamu will become apparent. In The Ego and the Id, Freud discusses the consolidation of distinct masculine and feminine genders:

«The super-ego is, however, not simply a residue of the earliest object-choices of the id: it also represents an energetic reaction-formation against these choices. Its relation to the ego is not exhausted by the precept: 'You ought to be like this (like your father)'. It also compromises the prohibition: 'You may not be like this (like your father)' – that is, you may not do all that he does; some things are his prerogative»¹¹.

¹⁰ Rowena Jelliffe, interview by Noerena Abookire, *Children's theatre activities at Karamu House in Cleveland, Ohio* (Ph.D. diss., New York University, 1981), p. 50.

¹¹ Ibid, p. 24.

In Gender Trouble, Butler uses this passage to support the idea of the super-ego as «an interior agency of sanction and taboo which works to consolidate gender identity through the appropriate re-channeling and sublimation of desire»¹². This «taboo» when implemented successfully, places its restraint on homosexuality, creating a series of «rigid gender boundaries» that counteract homosexual tendencies with normative «stricter and more stable traits». Butler also challenges Freud's «dispositions» as they play into a 'heterosexual matrix of desire'.

Butler's editor, Sarah Salih, in considering Butler's argument, states that these dispositions «are no more than effects of the law»¹³, and in this case, a law set down by the hegemonic stronghold of the patriarchy. Butler challenges the legitimacy of these law-driven effects by incorporating Michel Foucault's interpretation of the «repressive hypothesis»¹⁴. Salih critiques Butler's argument for this Foucauldian ideology in debunking «the law which prohibits incestuous and homosexual unions [and assigns social gender norms] simultaneously invents and invites them in order to establish its own coherence and superiority». It is this projected «superiority» that acts to marginally sublimate and subordinate the incestuous and homosexual, but also places the gender of the 'heterosexual female' as secondary to the hierarchal 'heterosexual male'.

In order to understand Butler's innovative and aggressive response to the 'heterosexual matrix', first it is essential to understand how the traditional 'heterosexual matrix' works. Because the 'matrix' and its connection to gender only exists in discourse, this paper now presents an original set of visual diagrams that provide discernible context to the binary between psychoanalytic thought and Butler's feminism.

Freud's 'heterosexual matrix', constructed around the ever penetrating and restrictive keystone of social hegemony, operates as follows (refer to figure 1):

¹² Ibid, pp. 80-81.

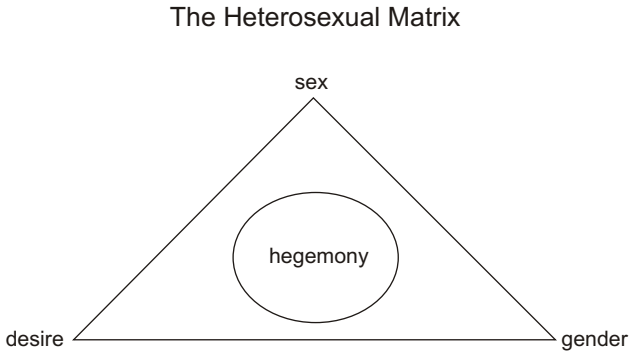
¹³ Sara Salih, Introduction to *Bodily Inscriptions, Performative Subversions* by Judith Butler (Malden, MA: Blackwell, 2004), p. 92.

¹⁴ A term that Foucault introduces in the History of Sexuality. It is the view that truth is repressed by a powerful force and that we can liberate ourselves by getting down to the truth. Foucault opposes the «repressive hypothesis». *A Dictionary for the Study of the Works of Michel Foucault*, www.california.com/~ratbone/foucau10.htm (last accessed 9 May, 2005).



The Heterosexual Matrix Model (Heterosexual Hegemony)

Figure 1:



Step 1.) SEX: in this case biological sex, represented by the phallus (♂) and womb (♀), initiates the process at the top of the pyramid.

Step 2.) GENDER: biological sex informs the gender affinity of male and female, these gender roles become «dispositions» and thus the laws of a normative and successful society.

Step 3.) DESIRE: gendered dispositions inform the prohibition of the object of what is taboo (incestuous, homosexual), the desire for the 'other' as an object cathexis.

Step 4.) SEX: desire connects back to step one, through the reproduction of biological sex, which in turn opens the possibility of reproduction, starting the process over again.

In order to dispute the model shown above, Butler has to find a way to define gender as an open-ended process, rather than a concrete sequence of graduating acts – resulting in fixed gender definitions. Butler accomplishes this by considering gender as something that someone 'does' rather than an identity of what he or she biologically 'is'. Butler writes,

«[g]ender is the repeated stylization of the body, a set of repeated acts within a highly rigid regulatory frame that congeal over time to produce the appearance of substance, of a natural sort of being»¹⁵.

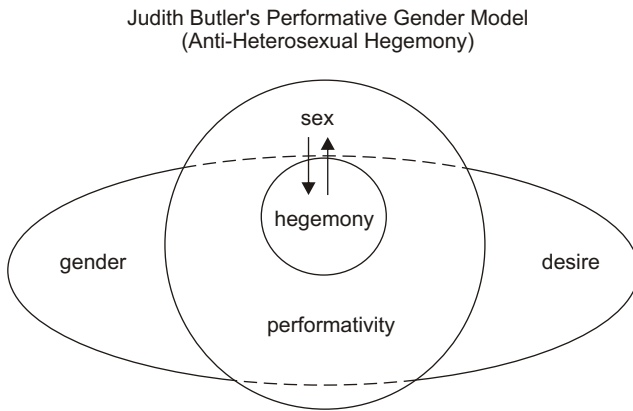
¹⁵ Ibid, p. 67.

When this «rigid regulatory frame» is loosened and the «repeated acts» deconstructed, gender becomes a verb rather than a noun¹⁶, and therefore a complex new genealogy of a performative gender. This performative gender commences from the same pinpoint of biological sex, as the heterosexual matrix, but it topples the equilaterally balanced triad by smashing the links that tie the reproductive gendered cycle together. Once again, this theory is initiated in part by Foucault and his theory of the «specific imaginary ideal». The specific imaginary ideal derives from the concept of the soul as the ideal by which the body is shaped and trained.

Judith Butler's Performative Gender Model epitomizes Foucault's «power», in that it works in part through discourse to undermine subjects, allowing for discourse to rename what it produces. It works like this (refer to figure 2):

Judith Butler's Performative Gender Model (Anti-Heterosexual Hegemony)

Figure 2:



Step 1.) **SEX**: biological sex still initiates the process, but it also disconnects itself from the limited components of the phallus (♂) and the womb (♀) model, and in this case, it includes all women, regardless of their reproductive abilities or choices, to destabilize culturally based hegemonic roles.

Step 2.) **SEX / RECOGNITION**: rather than immediately connecting to gender, the new self-aware biological sex informs itself by directly approaching the hegemonic force before returning

¹⁶ Gender becomes an 'I do' (verb) rather than an 'I am' (noun).

back on itself in order to provide information which the individual can subvert.

Step 3.) GENDER: gender is initiated as a self conscious subversive act regardless of what gender role has been assigned to the individual through normative biological traits, particularly the genitals. Gender remains as an independent variable that may or may not choose to identify with biological sex or desire because this is the gender of performance¹⁷.

Step 4.) DESIRE: desire is initiated by the individual rather than biological or performed gender. It may stem from traditional association with gendered desire (heterosexual, homosexual, bisexual, trans-sexual, etc.) or it may simply exist as a subversive choice with no promulgation from the other variables.

Step 5.) PERFORMANCE: as three independent variables, biological sex, gender, and desire allow for a new subversive gender performativity which in turn retrieves the body from the idealist norms of psychoanalysis and post-structuralism.

Step 6.) QUEERING: (optional) with gender as performance and the body as construct, individuals are free to experiment with gender, thus changing the concept of gender into a fluid variable that can shift at different times and in different contexts, making gender a universal 'what you do' rather than 'who you are'.

By clearly illustrating the binary between the traditional Freudian and Butlerian models of sex→gender→desire→sex, the subversive application of this theory is easier to identify, in realizing what it is trying to avoid and embrace. Because the performance of gender is not an essence of the inner self, but rather a free-floating reaction / subversion to society and hegemony, it provides the ideal opportunity for imposing self-promulgated affect back on society as a protest (against marginalization) that can undermine the foundations of what is normative. Judith Butler states, «queer is by definition whatever is at odds with the normal, the legitimate, the dominant»¹⁸. Thus, it is important to focus on the revolutionary Karamu Children's Theatre program not only as a subversive, integrated, and non gendered entity, but as a brave attempt at the very essence of what queer theory in application to theatrical performance intends at the most basic level.

¹⁷ In her essay *Imitation and Gender Insubordination*, Butler describes how she «can both 'be' [a lesbian] and yet endeavor to be one at the same time», showing the ability for gender and sexual desire to act as a redoubling, where Judith can both 'be' and 'play' a particular gender. *Judith Butler Reader*, ed. Sara Salih (Malden MA: Blackwell, 2004), pp. 124-25.

¹⁸ www.theory.org.uk/ctr.-butl.htm (last accessed 12 May, 2005).

Karamu: a new theatre concept

The Karamu Theatre of Cleveland, Ohio gained a respected place in American history between 1922 and 1939 for its innovative adult theatre program, as the foundation of Langston Hughes as playwright, and finally for its forward-thinking policy of fostering «an awareness of cultural diversity and an appreciation for [a] rich African American cultural heritage»¹⁹. However, because the Karamu has been celebrated mainly for its success as a 'black theatre', its attempted practices of gender-blind casting within the theatre program for children have been overshadowed by its other noteworthy accomplishments. To better understand the activity that took place prior to the adult theatre being founded, it is necessary to relate a brief history of Karamu's earliest roots, and thus how the children's theatre program came into existence.

Russell and Rowena Jelliffe, two young graduate students at the University of Chicago decided that they wanted to apply their passions and interest by working in Cleveland, drawn to its diverse population and New England-like liberalism. When a large portion of Cleveland's male population was drafted to fight in World War I, the city recruited immigrants and blacks from the South to work in the vacated factories and foundries. Because of this, an integrated neighborhood known as the Roaring Third sprang up – with a large population of African-Americans, as well as «Austrians, Italians, Russians, Jews, Syrians, and Asians»²⁰. It was the Roaring Third that drew the Jelliffes to the 'New American City'. With the philanthropic support of the Men's Club of the Second Presbyterian Church of Cleveland, the Jelliffes came to the Roaring Third in 1915, where they opened the Playground Settlement House²¹ as a community center. The Jelliffes' objective was clear, as Rowena Jelliffe related,

«Our intent [was] to meet the educational and recreational need of the neighborhood; to interpret the life, character, and ability of the neighborhood groups, and to foster and develop a just and genuine understanding and friendliness among American people»²².

Neither Russell nor Rowena Jelliffe had any theatrical training before their arrival in Cleveland; however, they chose to

¹⁹ www.Karamu.com (last accessed 8 May, 2005).

²⁰ Joseph McClaren, *Langston Hughes: Folk Dramatist in the Protest Tradition 1921-1943* (London: Greenwood Press, 1997), p. 31.

²¹ Renamed *Karamu* in 1927.

²² Abookire Noerena, *Children's theatre activities at Karamu House in Cleveland, Ohio: 1915-1975* (Ph.D. diss., New York University, 1982), p. 14.



use the medium of theatre because it was a typical settlement house activity and they saw its potential as a «consciously [...] educational force to release and attain the full creative potential of the children involved»²³. Rowena Jelliffe took the helm of the Children's Theatre and set forth four specific philosophies, as follows:

Karamu philosophy

- 1.) The play [is] never more important than the preparation of the performance.
- 2.) People of different cultures and races could work together toward the positive creative expressions of a story.
- 3.) The characters in a story would be acted out by several children in the group in an ensemble format; no one child ever 'owning' a part.
- 4.) There was a conscious effort to use the child regardless of sex and race, who would best create the character²⁴.

While all four tenets of the philosophy are potentially subversive, one must give considerable attention to the last two premises when attempting to use Karamu to support Butler's theory of the Anti-Heterosexual Matrix. The suggestion of «ensemble format» with no concrete assigned roles would suggest a reflection of gender performativity, leaving options of discovery in performance fluid and interchangeable. In fact, Rowena Jelliffe stressed that «emphasis was always placed upon a child rather than as a member of a particular race or sex», and she felt «that if one put limits on [a] child, the child would be limited in growth»²⁵. Though this concept is shockingly mature for a nation where segregation ruled and women could not yet vote, the history of performance at Karamu does not always support the Jelliffes' idealistic philosophies. There are no references to variable gender choice at Karamu in 1917 – boys played boys, and girls played girls or boys. Girls could play up to the gendered higher status of male, but for a boy to play a girl could be effeminizing, demeaning, or just plain ridiculous²⁶.

²³ Silver, p. 52.

²⁴ Rowena Jelliffe, interview, Cleveland, Ohio, 17 October 1978, in Noerena Abookire, *Children's theatre activities at Karamu House in Cleveland, Ohio: 1915-1975*.

²⁵ Abookire, p. 50.

²⁶ It would be feasible for a boy to play a girl as a caricature, such as an evil

This Karamu Practice was contemporary to when homosexuality was widely believed to be a «perversion»²⁷, and a male associating himself with traits or qualities that were supposed to be inherently female, would more than likely be considered as thus. It was Freud's psychoanalysis that introduced the idea that «developmentally the central task that every little boy must confront is to develop a secure identity for himself as a man»²⁸. Contemporary gender theorist Michael S. Kimmel, references this self-accumulation of masculinity as «the flight from women»²⁹ and psychologist Robert Brannon succinctly summarizes one of his four principle phrases of manhood: «'No Sissy Stuff'. One may never do anything that even remotely suggests femininity. Masculinity is the relentless repudiation of the feminine»³⁰. It is this very masculinity that is the soul of the patriarchal hegemony, which can only be combated with the subversion that Butler presents.

Rowena Jelliffe's last tenet clearly states her intention of casting juvenile actors regardless of their «sex and race». The usage of «sex» plays back into the psychoanalytic reverence to biology, which was incredibly abstract and liberal for Jelliffe to even be considering in the context of 1917. However, because the constructs of gender, desire, and race were perceived as predestined and informed by biology and hegemony, what initially seems revolutionarily subversive actually masks a network that is far more complex.

The prime example to study the complexity and problematic application of the Jelliffes' philosophy in children's performance was their production of Cinderella on George Washington's Birthday in 1917. The play garnered much attention and at the time was considered to be «the most important event in Karamu's short

stepsister or a buffoon, but to play a princess or fairy would have been deemed inappropriate.

²⁷ Freud wrote, «Inhibitions in [...] sexual development manifest themselves as the many sorts of disturbance in sexual life. When this is so, we find fixations of the libido to conditions in earlier phases, whose urge, which is independent of the normal sexual aim, is described as 'perversion'. One such development for instance, is homosexuality when it is manifest». Sigmund Freud, *An Outline of Psycho-Analysis* (London: W.W. Norton and Co., 1989), pp. 26-7. The Oxford English Dictionary defines 'perversion' as: abnormal or unacceptable sexual behavior, www.askoxford.com (last accessed 12 May, 2005).

²⁸ Sigmund Freud, *New introductory lectures on psychoanalysis*, ed. L. Strachey (New York: Norton, 1966), p. 23.

²⁹ Michael S. Kimmel, «Masculinity as Homophobia: Fear, Shame, and Silence in the Construction of Gender Identity», in *Toward a New Psychology of Gender: A Reader*, eds. Mary M. Gergen and Sara N. Davis (New York: Routledge, 1997), p. 229.

³⁰ Robert Brannon, «The male sex role – and what it's done for us lately», in *The forty-nine percent majority*, eds. Robert Brannon and David Davis (Reading MA: Addison-Wesley, 1976), pp. 1-40.

³¹ Selby, p. 41.

history»³¹. Today, the play is remembered as one of the first integrated performances in American children's theatre, but, for the purpose of this paper, it is also necessary to review it as an early attempt at an application of gender blind casting. Ormonde Forte, the editor of *The Cleveland Advocate* attended the performance of *Cinderella*, and responded in an editorial, writing:

«I beheld black children, brown children, white children – all mixed up in a glorious commonality – joyous, rollicking, delighted, care-free – black mothers and white mothers, and a sprinkling of fathers 'polka-dotting' the scene. But I had not yet seen all. Soon the play *Cinderella* was announced, and in came the characters. There was a Colored mother, one white and two Colored daughters – one of the latter being *Cinderella*. Prince Charming was white, his herald – who, during the play, patiently knelt to unlace the 'long boots' of 'Colored *Cinderella*' – was also white. The two stage carpenters – whose big job was to move a small table on and off the stage, were of different races, too, thus completing the wonderful color scheme. I watched the play closely. There was no seeming condescension on the part of white Prince Charming – who by the way was a girl – as she tripped the toe with brown-skinned *Cinderella* at the ball, or in the white fairy god-mother, as she clothed her Colored goddaughter in glad 'raiments' for the marriage with the prince. There was no cringing subservience on the part of dark-skinned *Cinderella*. It was simply human»³².

While Forte's article corroborates the magnitude of what Karamu was accomplishing in race-relations, it also clearly points out how an attempt at gender-blind casting can fall victim to the hegemonic gender-roles, racial stereotypes, and expectations that were a dominant part of American society in that era.

In order to understand the probable thoughts behind the choices by Rowena Jelliffe, it is necessary to refer to the seminal text of American children's theatre, Winifred Ward's *Theatre for Children*. Often considered to be the mother of the children's theatre movement in America, Ward was working with children in Chicago around the same time that Karamu was developing. The first issue to look into in considering the *Cinderella* performance of 1917 is that of casting. In *Theatre for Children*, Ward suggests that in casting a production one must announce the desired «sizes, types, and ages of the children acceptable for tryouts». The Jelliffes attempted to ignore the practice of 'type-casting' with the

³² Ormonde Forte, Editorial, *The Cleveland Advocate*, 24 February, 1917, p. 8.

purpose to «use the child regardless of sex and race», but, by failing to cast boys in the parts of girls, they only half achieved what they originally set out to do. Even theorist Moses Goldberg, over fifty year later, warned against challenging an audience's prejudices by casting alternatively and non-stereotypically because the audience member «may be slow to adjust as to lose most of the benefits of the play»³³.

These theories seem disturbingly one-sided in contrast to the contemporary theories of Butler, but, unfortunately, one cannot dismiss that the theory and growth surrounding theatre for children has remained fairly static and untouched since Goldberg was writing in 1974. One must also consider, that when Butler's theories are applied to performance more often than not, it is in reference to adult theatre for adults, and children's theatre is left by the way-side as irrelevant and not worthy of academic study beyond basic early childhood social development.

The second issue in need of examination within the Karamu production is the choice of the play Cinderella, and thus the stereotypical roles and hierarchies that are apparent in the work. Cinderella, Ward writes, «[is] a once-upon-a-time fairy tale which never loses its appeal», and she suggests that in operating a successful children's theatre program, one must,

«[A]ppeal to girls and boys. It is a matter of fact that girls will come to boys' plays more readily than boys will attend girls'. Therefore, a boys' play to open the season has certain advantages, especially if season tickets are sold. Plays with heroes, however, should not greatly overbalance those with heroines»³⁴.

At first glance, it would seem that the Jelliffes subverted the normative warnings of Ward by selecting Cinderella, which presents a heroine as the lead. Unfortunately, the character of Cinderella still plays back into the heterosexual matrix – as a co-dependent, who can only find happiness exchanging the role of a subservient daughter for that of a subservient wife.

In examining Cinderella through the Butlerian filter, it becomes obvious that the plot is playing into and reifying the gender roles set by patriarchal hegemony. The other dilemma of the Karamu production lies hidden within the then revolutionary practice of color-blind casting. While the Jelliffes on some level succeeded in their goal of displaying an aesthetic «emphasis on positive encounters among individuals of different racial

³³ Moses Goldberg, *Children's Theatre a Philosophy and a Method* (Englewood Cliffs, NJ: Prentiss Hall, 1974), p. 147.

³⁴ Winifred Ward, *Theatre for Children* (Anchorage, KY: The Children's Theatre Press, 1958), pp. 108-10.



backgrounds»³⁵, in Cinderella, one must also consider the implications made when the association male / white become a dominant discourse over female / black. Butler writes in her 1999 revised preface of Gender Trouble, on the subject of race in context to gender theory,

«The question of whether or not the theory of performativity can be transposed onto matters of race has been explored by several scholars. I would note here not only that racial presumptions invariably underwrite the discourse on gender in many ways that need to be made explicit, but that race and gender ought not to be treated as simple analogies. I would therefore suggest that the question to ask is not whether the theory of performativity is transposable onto race, but what happens to the theory when it tries to come to grips with race. Many of these debates have centered on the status of 'construction', whether race is constructed in the same way as gender. My view is that no single account of construction will do, and that these categories always work as background for one another, and they often find their most powerful articulation through one another. Thus, the sexualization of racial gender norms calls to be read through multiple lenses at once, and the analysis surely illuminates the limits of gender as an exclusive category of analysis»³⁶.

Butler clearly cautions theorists to tread carefully when considering the implications of the relationship between a performed gender and race, but in the case of Karamu it is essential to consider the way that gender and race 'worked as backgrounds' for each other in Cinderella as a contextual reflection of the political climate, circa 1917.

Though the characters of Cinderella and Prince Charming were both played by girls (subversively gender-blind), they were, perhaps, unintentionally categorized by making the female played male character of Prince Charming, white and the female played female character of Cinderella, black. This opens an entirely new Pandora's box of hegemonic control in the implication that the dominant character of the Prince who essentially comes to fetch Cinderella to meet his desire is cast as white, and the subordinate Cinderella who submissively waits to be claimed by the Prince, is black. Michael Kimmel points to the mid-nineteenth century in America when «black slaves had replaced the effete nobleman [and] [s]laves were seen as dependent helpless men, incapable of

³⁵ Abookire, p. 54.

³⁶ Butler, Preface (1999) to «Bodily Inscriptions, Performative Subversions», in *The Judith Butler Reader*, ed. Sara Salih (Malden, MA: Blackwell, 2004), p. 95.

defending their women and children, and therefore less than manly»³⁷. This relates the blurring of race and gender into socially assigned traits, and is concerned not with Butler's «construction of race» but rather, how race is perceived on *par* with gender and female subordination. In the same vein, one must also consider the implications of America's disjointed history of race relations in regard to the common practice of white men of high status having sexual affairs with their black female slaves, as opposed to the unthinkable possibility of white women forging the same relationship with black men pre-1917. Thus, the subversive attempt of Karamu remains a delicate and opaque surface that is easily cracked to reveal the 'heterosexual matrix' that is operating within.

Finally, in considering gender subversion in theatre for children in relation to Karamu, one must broadly consider the gendered heading that has been placed on the arts and theatre in general. Childhood theorist, Margaret White points to «the perception of male behavior as rational and female behavior as emotional and, by implication irrational»³⁸. Because the arts and theatre stem from an emotional sharing that may impart vulnerability, they therefore become gendered as 'feminine'. It is the 'threat' of feminine dominance over the male in this situation that reverts back to the social typing of gender boundaries. In her essay Gender and Children: Constructions of Difference, theorist Barrie Thorne writes,

«[boys] who frequently seek access to predominantly female groups and activities [like theatre] are more often harassed and teased by both boys and girls. But girls who frequently play with boys are much less often stigmatized, and they continue to maintain ties with girls, a probable reason that, especially in later years of elementary school, crossing by girls is far more frequent than crossing by boys»³⁹.

In 1977 a study was published in the journal Studies in Art Education, stating that the occurrences and results of sex discrimination in the arts are directly related to the «differential effects of teaching methodologies and role modeling on boys and girls»⁴⁰. While the Jelliffes of Karamu House made an earnest

³⁷ Kimmel, p. 236.

³⁸ Margaret White, «'The pink's run out!' The place of art making in young children's construction of the gendered self», in *Gender in Early Childhood*, ed. Nicola Yelland (London: Routledge, 1998), pp. 223-248.

³⁹ Barrie Thorne, «Children and Gender: Constructions of Difference», in *Toward a New Psychology of Gender: A Reader*, eds. Mary M. Gergen and Sara N. Davis (New York: Routledge, 1997), p. 195.

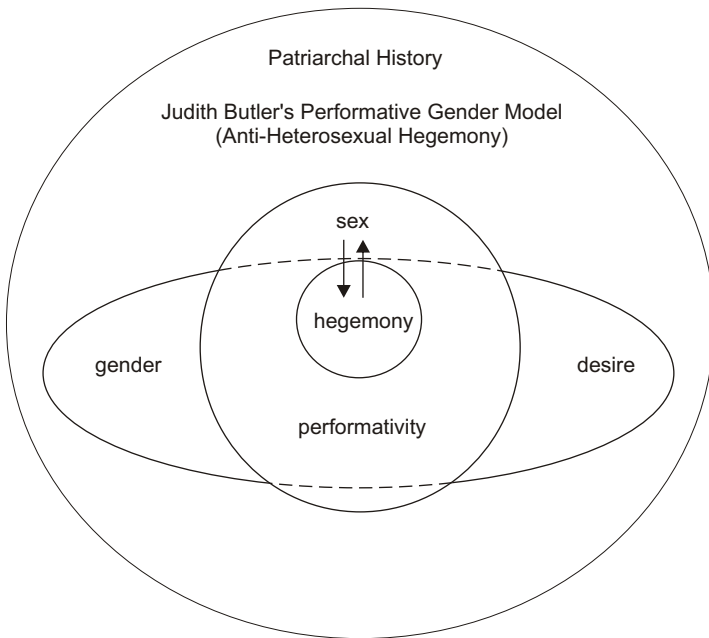
⁴⁰ S. Packard and E. Zimmerman, Editorial «Sex differences as they relate to art and art education», *Studies in Art Education*, 18, 2 (1977), pp. 5-6.

attempt to introduce a methodology that would erase patriarchal control, they were too far ahead of their time to make a lasting indent. Because the arts have been so codified by psychoanalytic thought, they remain entrenched in the 'heterosexual matrix' waiting to be released by actions inspired by Butler's theories.

Summation

It is not the intention of this paper to dismiss the innovative work of Karamu House and Russell and Rowena Jelliffe in 1917. At the advent of the research that inspired this study, I, in fact, assumed Karamu's methodology to be a discursive practice of the theory that Judith Butler would introduce over eight decades later – this, however, is not the case. The problem with Karamu lies not in what the Jelliffes did, but rather in what they were unable to see. Their philosophic tenets pointedly discern Butler's subversive attempt at separating gender from hegemonic norms and social morality; however, although their choices successfully combated the bigoted views of gender and race that were placed upon them by society, they were too far ahead of their time to realize that all of their choices were still being informed by an invisible veil of patriarchal history (figure 3).

Figure 3:



Using the awareness of the patriarchal veil that attempts to inform and silently destroy theories of gender and subversion, it is essential to embrace Butler's anti-heterosexual hegemony model to use in enlightening the form of Children's Theatre – normatively introducing new options that supercede the still impending force of masculine control promulgated by traditional psychoanalytic perceptions. It is important to study and learn from the innovative attempt at subversion of the Karamu Children's Theatre circa 1917, because children's theatre in America still falls victim to the same influence of the patriarchal veil.

Bibliography

- Abookire**, Noerena, «Children's theatre activities at Karamu House in Cleveland, Ohio», Ph.D. diss., New York University, 1982.
- Brannon**, Robert, «The male sex role – and what it's done for us lately», in *The forty-nine percent majority*, eds. Robert Brannon and David Davis, Reading MA: Addison-Wesley, 1976.
- Butler**, Judith, *Gender Trouble*, New York: Routledge, 1999.
- Butler**, Judith, *Bodies that Matter*, London: Routledge, 1993.
- Butler**, Judith, «Bodily Inscriptions, Performative Subversions», in *The Judith Butler Reader*, ed. Sara Salih, Malden MA: Blackwell, 2004.
- Butler**, Judith, «Foucault and the Paradox of Bodily Inscriptions», *Journal of Philosophy* 86:11 (1989): 601-7
- Forte**, Ormond, «Editorial» in *The Cleveland Advocate*, 24 February 1917.
- Foucault**, Michel, «Nietzsche, Genealogy, History», in *Language Counter-Memory, Practice: Selected Essays and Interviews*, trans. Donald F Bouchard, Ithica, NY: Cornell University Press, 1977.
- Freud**, Sigmund, «The Ego and the Id», in *The Standard Edition of the Complete Psychological Works of Sigmund Freud*, vol. 19, ed. and trans. James Stratchey, London: Hogarth Press, 1973 - 74.
- Freud**, Sigmund, *An Outline of Psycho-Analysis*, London: W. W. Norton and Co, 1989.
- Freud**, Sigmund, *New introductory lectures on psychoanalysis*, ed. L. Stratchey, New York: Norton, 1966.
- Gergen**, Mary M, and Sara N. Davis, eds. *Toward A New Psychology of Gender: A Reader*, New York: Routledge, 1997.
- Goldberg**, Moses, *Children's Theatre, a Philosophy and a Method*, New Jersey: Prentice-Hall Inc, 1974.
- Jackson**, Tony, ed. *Learning through Theatre: new perspectives on theatre in education*, London: Routledge, 1993.
- Jelliffe**, Rowena W, «Children's Plays in Settlement Houses», *Junior League Magazine*, 19:8, 1933.
- Kimmel**, Michael S, «Masculinity as Homophobia: Fear, Shame, and Silence in the Construction of Gender Identity», in *Toward a New Psychology of Gender: A Reader*, eds. Mary M. Gergen and Sara N. Davis, New York: Routledge, 1997.
- Klein**, Jeanne, ed. *Theatre for Young Audiences: Principles and Strategies for the Future*, Lawrence, Kansas: University Theatre of the



University of Kansas, 1988.

Liben, Lynn S., and Margaret L. Signorella, eds. *Children's Gender Schemata*, Directions for Child Development, no. 38, San Francisco: Jossey-Bass Inc, 1987.

McCaslin, Nellie, *Theatre for Children in the United States: A History*, Studio City, CA: Players Press, 1997.

McClaren, Joseph, *Langston Hughes: Folk Dramatists in the Protest Tradition, 1921 - 1943*, Westport: Greenwood Press, 1997.

Newman, Sharaine, L, *Karamu House Inc. 75th Anniversary Souvenir Book*, ed. Margaret Ford Taylor, Cleveland: Karamu House, n.d.

Osborne, Peter and Lynne Segal, *Radical Philosophy*, 67, 1994, www.theory.org.uk/butl-intl.htm

Packard, S. and E. Zimmerman, Editorial «Sex differences as they relate to art in education», in *Studies in Art Education*, 18:2, 1977.

Postlewait, Thomas, and Tracy C. Davis, *Theatricality*, Cambridge University Press: Cambridge, 2003.

Salih, Sara, ed. *The Judith Butler Reader*, Malden, MA, Blackwell Publishing, 2004.

Selby, John, *Beyond Civil Rights*, Cleveland: World Publishing Company, 1966.

Siks, Geraldine, *Creative Dramatics: An Art for Children*, New York: Harper & Row Publishers, 1958.

Siks, Geraldine, and Hazel Dunnington, eds. *Children's Theatre and Creative Dramatics*, Seattle: University of Washington Press, 1961.

Silver, Reuben, «A History of the Karamu Theatre of Karamu House», Ph.D. diss., Ohio State University, 1961.

Slade, Peter, *Child Drama*, London: University of London Press Ltd, 1956.

Thorne, Barrie, «Children and Gender: Constructions of Difference», in *Toward a New Psychology of Gender: A Reader*, eds. Mary M. Gergen and Sara N. Davis, New York: Routledge, 1997.

Ward, Winifred, *Theatre for Children*, Anchorage KY: The Children's Theatre Press, 1958.

Ward, Winifred, *Playmaking with Children*, New York: Appleton – Century – Crofts, 1957.

White, Margaret, «'The pink's run out!' The place of art making in young children's construction of the gendered self», in *Gender in Early Childhood*, ed. Nicola Yelland, London: Routledge, 1998.

Biographical Note

Sean Edgecomb, a native of Limestone, Maine, is a Ph.D. candidate in Drama at Tufts University in Medford, Massachusetts. His areas of interest include queer and gender theory, children's theatre, and theatre iconography. Recent conference presentations include the Queer Studies Conference at Sonoma State, and ASTR in Toronto, Canada.

Biology vs. Biologism – On the Current Use of Sex in Biology

Simon Gunkel

Sex as a term has existed before the modern life sciences emerged. Once they did, the word 'sex' was introduced at a very early stage in the disciplines. At that time sex was not dealt with as a problematic entity, and there was no process of defining sex in terms of life sciences. Darwin's On the origin of species by means of natural selection or the preservation of favoured races in the struggle for life (Darwin 1859), does not discuss sex at length, although the work contains a section on sexual selection. In later works, Darwin goes into more detail, showing an early treatment of sex in the new branch of evolutionary biology (Darwin 1871). In The descent of man and selection in relation to sex Darwin discusses problems with defining primary and secondary sex characteristics, stating that, «[u]nless indeed we confine the term 'primary' to the reproductive glands, it is scarcely possible to decide which ought to be called primary and which secondary». But apart from such statements, sex was not addressed directly.

As new disciplines in the life sciences developed, working definitions of sex were introduced allowing these fields to make statements about sex with data at their disposal. A geneticist does not have access to information concerning the reproductive glands. A behavioural biologist doing fieldwork on a bird species does not have genetic data at hand. Apart from the data, sex is used in these different fields to serve diverse theoretical needs. Apart from answering the question, «What is sex?», in its theories, each field has provided answers to the question of «What does sex do?». By comparing the definitions in these areas of work, sex as a single property of individuals comes into question.

Genetics is a discipline that has a constant output of sex-definitions. Growing amounts of data have led to the identification of many genes that can be used for 'sex determination', or as working definitions of sex. The earliest definitions were based on chromosomal makeup (Welshons WJ & Russell LB 1959). Even here a plurality exists. Sex can be defined by the number of X-chromosomes present (1 is male, 2 is female, more is hyper-female), or by the number of Y-chromosomes (0 is female, 1 is male, more is hyper-male), or by complete sets (XX is female, XY is male, X0 is Turner, etc.). Each definition allows different statements to be made about sex. «Males carry a higher risk than females to be affected by inherited diseases that are carried by recessive genes located on the X-Chromosome» is true for the definition by X-Number and the complete set definition, but not for the definition by Y-Number (a definition of sex that is not linked to the risk described at all). In the statement, 'male' is used instead of a list of chromosome sets (which would be X0, XY, XYY) as is



'female' (XX, XXX, XXY, XXYY, XXXY), which shortens the space used to convey certain information (10 instead of 33 letters). More recently, single genes and sites have become a focus, most famously the SRY, the «sex determining region of Y» (Berta et al. 1990), which again can be present (male) absent (female) or present multiple times (hyper male). In this region the TDF-Gene (testes determining factor) is found (ibid.), which activates several genes necessary for the development of testes, as long as the DAX1-Gene is present, which acts as a receptor for the TDF (Swain et al. 1998). Again presence / absence combinations serve as definitions of sex. To complicate matters even more, over 30 SOX (SRY-related high mobility group box) genes (Schepers et al. 2000) have been identified, which under certain circumstances can replace the SRY genes (Kent et al. 1996). Even more genes have been identified that can be used as working definitions, and, in total, genetics has produced 70 to 80 of them. All these definitions are well correlated, but still, for any two given definitions, individuals exist for which they will produce two different answers. About two in three humans have at least one such contradictory incidence in the genetic sector.

So far, individuals have been treated as genetically homogenous entities. While this is a standard definition of the individual, it is not an exact description of reality. Genetic differences between cells exist in most multi-cellular organisms, either by ontogenetic processes (fusing of non-identical twin embryos, or more frequently by exchange of tissue by non-identical twin embryos) or by chance mutations restricted to single cells or tissues. While chimaerism and mosaicism are relatively uncommon (between 1.5% and 1.6% of humans have different genetic codes at birth), roughly 1.4% diverge from at least one of the genetic sex definitions given above. This number seems surprising, because mosaicism and chimaerism with regards to sex are usually discussed only when they lead to intersex conditions, and they only compromise a very small fraction of intersex occurrences. However, mosaicism and chimaerism will only lead to intersex condition if cells with different genomes are present in the tissues that are relevant to genital and/or gonadal development. (This is only in a small fraction of cases. If a person's left middle finger, for example, contains tissue with different sex chromosomes from the rest of their body's, who would notice?) Chance mutations occur regularly. Judging from the estimates of intersex occurrences and the similarity of the processes that would lead to single cells acquiring differing genetic sex based on any of the definitions, we can conservatively estimate one cell in 10,000 to be divergent. With approximately 10^{14} cells in an adult human body, 10^{10} or 10 billion of them are estimated to diverge.

Evolutionary biology has made use of different sex definitions, primarily driven by the need to integrate sex into

evolutionary processes. Sex is defined by what it does, so evolutionary definitions hinge on its function. Sex can be defined as an intraspecies boundary to gene flow. Raup (Raup 1992, 14) writes, «All humans belong to a single species because they are all interfertile. Aside from gender itself, the only barriers to reproduction among members of our species are geographic and cultural». This definition long was thought to be binary, but reproductive technology has provided new data that shows there are at least four such sexes in humans. There are involuntarily childless couples, where both partners are fertile, yet who can not reproduce, even with technologies such as IVF at hand. Their gametes seem to be incompatible, thus there are more boundaries to reproduction in humans than one.

Figure 1:

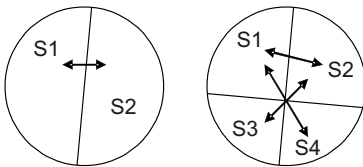


Figure 1 shows how an additional barrier to reproduction (bars) leads to additional sexes (S1 and S2 in the traditional view, S1 to S4 in the way the current data suggests), arrows indicate interfertility. There is no conceivable way of having three

sexes defined this way (a third sex would be interfertile either with one of the other two sexes or the other, therefore fulfilling no special qualities by itself). Apart from this definition, evolutionary biology explains the features contained in other definitions. The question, «Why did the Y-Chromosome evolve?» is an evolutionary one; the sex definition contained therein is not.

Closely related to evolutionary theory is population genetics, which does not use a definition of sex *per se*, but defines motherhood by the inheritance of mitochondrial DNA (mtDNA). Recent research has shown that at least in some cases mtDNA is inherited from both parents (Kraytsberg et al. 2004), making them both mothers, as far as population genetics is concerned. Up to now, the data suggests that these occurrences are very rare, and therefore there is no effort to change the definition of mother in this context.

Another closely linked discipline is paleontology. Dealing with fossils makes sex pretty much impossible to track. While sexual dimorphisms and polymorphisms are known in many recent species, it is difficult to show that two very different-looking fossils belong to the same species. If a case for polymorphism can be made, there is no way of showing that this is due to sex. Many species have age polymorphisms, such as larval states, and, without further data, no solid base for such a postulate can be found. The only way to show sexual polymorphism in an extinct



species would be in a fossil of two distinctly shaped individuals in the process of copulation.

Other definitions of sex rely on morphological features, like gonads, which in humans can take several forms – from ovaries through testes to ovotestes, steak gonads and more. Gonad development is influenced by several genetic as well as environmental factors. Other such morphological features include genitals (of various shapes), which are dependent on similar influences and 'secondary sex characteristics'. The secondary sex characteristics are subject to a far bigger variation than genitals and gonads, which is a sign of less selective pressure. Though none of them are, in the strictest sense, definitions of sex, they are most commonly used for identification of wild animals and in the social sciences (as well as in many judicial systems).

One morphological feature that has been used as a means of sex-recognition is the structure of the brain. While several definitions of the brain sex of a person exist (e.g. Baron-Cohen 2002) they usually have 'disclaimers' of some sort attached to them. Baron-Cohen writes: «The evidence reviewed below suggests that not all men have the male brain type, and not all women have the female brain type. Expressed differently, some women have the male brain type, and some men have the female brain type, or aspects of it. The central claim of this article is only that MORE males than females have a brain of Type S, and MORE females than males have a brain of Type E» (ibid.). While the data supports such statements, these definitions do not map well with the definitions of other fields, sometimes giving a 60% probability of matching results when comparing the 'brain sex' with other definitions. The practice of using terms like «male / female brain type» is therefore highly questionable, because while other definitions are at least significantly correlated to each other, these fall out of any acceptable range.

Finally, among features to define or determine sex are hormone levels, which most strikingly are not used as a sex-identifying feature at all in scientific work. This is so for the simple reason that transforming a continuous feature into a discrete set of values will create artificial results, if only because such a transformation requires arbitrary divisions. Various factors influencing testosterone levels have been identified, including things like barometric pressure (El Migdadi et al. 2004), age, other hormones (Szulc et al. 2001), smoking (English et al. 2001), exercise and nutrition (Volek et al. 1997). A similar list can be compiled for other hormones as well. With so many factors that are not related to sex (by whatever definition), and with some of them being very influential (age being one of the prime examples for this), one might as well use eye-colour for sex-recognition.

At this point, all mayor definitions of sex as found in the life sciences have been covered and some of the meanings the

general public ascribes to 'biological sex' have been challenged. It is now possible to ask, «Can biology answer the question what sex a single individual has?». And it appears the answer is, «It can not». While several sub-disciplines can answer that question, the answers will be divergent. Accordingly, biology can not answer this question in the totality the concept of sex implies. This is the outcome of the history of biology, which started with a singular notion of sex, as discussed above, which diversified as disciplines formed. The consequences have not yet become widely known, though. One of these consequences is false statements will result when taking statements about sex from different disciplines and combining them, without taking note of the shift in the meaning of the term sex.

A typical article in the popular press dealing with sex tends to follow the basic structure:

- 1.) Introductory statement explaining that current research has found men and women to differ in various aspects;
- 2.) Short jab at the notion of political correctness, which contradicts 'truth';
- 3.) Several parts dealing with statements made by different disciplines;
- 4.) The 'evolutionary just-so story'.

Taking Kimura (Kimura 2002) as an example for such an article, all parts are present. The article begins with a short paragraph containing the first two elements of the basic structure: «Men and women differ not only in their physical attributes and reproductive function but also in many other characteristics, including the way they solve intellectual problems. For the past few decades, it has been ideologically fashionable to insist that these behavioural differences are minimal and are the consequence of variations in experience during development before and after adolescence». Following this, results from several disciplines are discussed. Assuming that all these results are correct (which often is not the case – the claim that «Parts of the corpus callosum, [...] appear to be larger in women, which may permit better communication between hemispheres» had been found to be wrong even before the publication [Bishop & Wahlsten 1997]), the article's description of men and women applies only to a maximum of 35% of humans. Sixty-five percent will divert at least once from the described models. Interestingly, while the number of studies cited seems to lend weight to Kimuras claims, the more studies are used in a given article without differentiating



between definitions, the less valid it becomes from a scientific standpoint.

Finally we find the 'evolutionary just-so story'. Kimura writes:

«To understand human behaviour – how men and women differ from one another, for instance – we must look beyond the demands of modern life. Our brains are essentially like those of our ancestors of 50,000 and more years ago, and we can gain some insight into sex differences by studying the differing roles men and women have played in evolutionary history. Men were responsible for hunting and scavenging, defending the group against predators and enemies, and shaping and using weapons. Women gathered food near the home base, tended the home, prepared food and clothing, and cared for small children. Such specialization would put different selection pressures on men and women» (ibid.).

While the claim that brains have not changed markedly in the last 50 thousand years is very probably correct and is supported by the fossil record of our own species, it seems odd that Kimura then ascribes choice of 'more typically masculine toys' like cars to these processes. But the fundamental problem with this portion of the article is the description of evolutionary history. Kimura gives no source for the assertion that men were responsible for hunting, or that women prepared food and clothing 50,000 years ago. In fact, no data can be cited to support this thesis. While tools, which might point to special activities can be found up to 2.5 million years before present (Susman 1994), it is not possible to determine sex from fossil hominids, so whether hunting or food preparation were performed by groups depending on sex is pure speculation. Richard C. Lewontin remarks,

«[E]volutionary theory is invoked over and over again to tell 'just so'-stories about how we got to be way we are and how that makes us more fit. It is a form of justification of a whole variety of social phenomena which we may find destructive in some way or another, but they increase our fitness» (as cited by Graffin 2004, 140).

Then he dismisses these stories as useful tools for research stating,

«They are all plausible. [...] Even some things that are true are not very plausible. So plausibility is a weak measure of validity. You've got to have a minimum of plausibility, so that people will swallow the story. [...] I

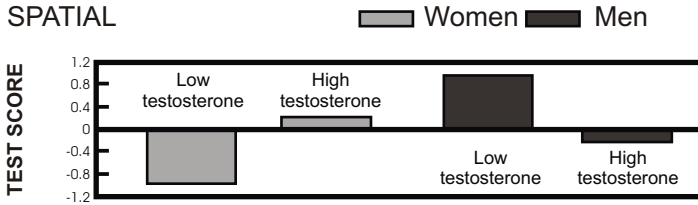
mean, I can just sit back and make it up as I go along» (ibid., 144).

What Kimura presents is circular reasoning. She says that current inborn differences between men and women are supported by the notion that different selection pressures on men and women did exist in the past, but the only thing that would point towards such different selection pressures are the proposed current differences. And the only thing that could sustain such different selection pressures over the time required for marked evolutionary change would be ... inborn differences between men and women. So this 'just so' story would not be a valid explanation, even if such inborn differences did exist. By way of example, obviously flying is a positive factor in the relative fitness of *Sus scrofa**, enabling individuals to escape predators. Taking into consideration the evolutionary history of *Sus scrofa* they have always been subject to predation, which made adaptation to flight as a defensive mechanism a necessary product of selection. By this line of reasoning, it is very easy to show that pigs can fly. The starting point in evolutionary theory is observed features, which then can be analysed. Reversing this process will not produce any sensible results. Another noteworthy phrase in the article is, «[E]valuating the role of experience, independent of physiological predisposition, [is] a difficult if not dubious task». This refers to any notion of 'blank slate' explanations a reader might have. But actually evaluating the role of experience, independent of physiological predisposition, is by far easier than finding evidence for such dispositions. Comparative cultural studies can point out that a certain behaviour is associated with different genders in different cultures and dominant physiological factors can be excluded. The same applies to history. In fact, finding that behaviour throughout history and finding no exceptional variance in that behaviour is one of only two ways to establish such claims in biology. The only alternative is identifying the way genes are responsible for behaviour, through neurobiological studies (which to the author's knowledge has not provided solid results, yet). Human ethology uses these methods to show that several gestures are universal, including laughing and crying. Calling the application of these methods to test the hypothesis of significant physiological predisposition 'dubious' is a way of discrediting valid criticism of the hypothesis, and in this case a very real possibility of falsification of said hypothesis. As stated before, at least some of the examples given in the article have been falsified. Labelling a key element of the underlying methods of life sciences 'dubious' does not shed a positive light on the discussion strategy employed by Kimura. Finally, a diagram appears in Kimura's article which

* *Sus scrofa* is the name of the common pig in biology.

illustrates the point made earlier regarding hormones (reproduced as Figure 2).

Figure 2:



This figure is described with the caption, «Women with high levels of testosterone perform better on spatial tasks than women with low levels do, but men with low levels outperform men with high levels».

This seems to imply that testosterone has different effects on men and women. But this suffers from the division of testosterone levels to a binary division into low- and high-testosterone groups. Doing so can lead to artificial results, as can be demonstrated by assuming no different effects and a standard distribution as a mapping function between testosterone and test scores (for the sake of argument, this ignores the question whether testosterone has an influence on this test).

Figure 3:

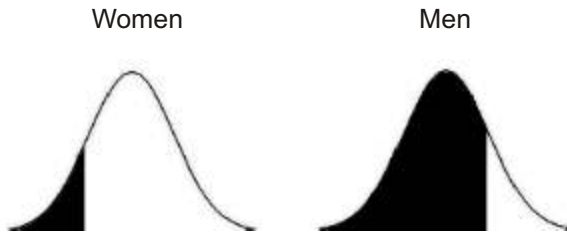


Figure 3 shows such a situation. The black areas represent low testosterone levels, assigned as arbitrary cut-off values. Test scores are mapped on the y-axis, testosterone levels on the x-axis. Both standard distributions show the same correlation. Still, when looking at the averages of the binary groups low testosterone women score worse than high testosterone women, while the effect is reversed in men, where high testosterone levels correlate with lower test scores than low testosterone levels. In other words, the relationship shown in the image from Kimura's article is reproduced with a set of data generated with the opposite

interpretation used as a defining factor. In fact, this is exactly what has been done to generate the diagram in Kimura's article (Kimura 2004). Using such an image and being aware it transports a false message is another cause for concern.

By and large, such results do not receive much attention from biologists studying evolution. Relatively few are willing to spend time and energy on this kind of debate because the results have no impact on their work. If enquired about the subject, there is a broad base of biologists who do not take it seriously as a research prospect. Richard C. Lewontin, who has written on the issue (Lewontin 1994), recently explains, «I don't any longer spend a lot of energy writing against evolutionary 'just so' stories. [...] I'm so tired of putting out those fires. Now, my view is, I can't stop these guys because that's the way to sell books and become famous» (as cited by Graffin 2004, 147). Why these 'just so' stories sell books is a question that lies outside of the domain of biology. Though Richard Dawkins might ask, «What is the survival value of having the kind of brain that lends itself to memetic exploitation?» (ibid., 120).

Bibliography

- Baron-Cohen S**, 2002: «The extreme male brain theory of autism», *Trends in Cognitive Sciences* 6: 248-254.
- Berta P**, Hawkins JB, Sinclair AH, Taylor A, Griffiths BL, Goodfellow PM, Fellous M, 1990: «Genetic evidence equating SRY and the testis-determining factor», *Nature* 348, 448-450, 29 November 1990; doi: 10.1038/348448a0.
- Bishop KM**, Wahlsten D, 1997: «Sex differences in the human corpus calosum: Myth or reality?» *Neuroscience and Biobehavioral Reviews*, Vol. 21, No. 5, 1997; 581-601 (21).
- Darwin, C**, 1859: «On the origin of species by means of natural selection or the preservation of favoured races in the struggle for life».
- Darwin, C**, 1871: «The descent of man and selection in relation to sex».
- El Migdadi F**, Shotar A, El-Akawi Z, Banihani I, Abudheese R, 2004: «Effect of fasting during the month of Ramadan on serum levels of luteinizing hormone and testosterone in people living in the below sea level environment in the Jordan Valley», *Neuro Endocrinol Lett*, Feb-Apr 2004; 25 (1-2): 75-7.
- English KM**, Pugh PJ, Parry H, Scutt NE, Channer KS, Jones TH, 2001: «Effect of cigarette smoking on levels of bioavailable testosterone in healthy men», *Clin Sci (Lond)*, June 2001; 100(6): 661-5.
- Graffin G**, 2004: «*Evolution, monism, atheism and the naturalist worldview*», Polypteros press, Ithaca, NY.
- Kent J**, Wheatley SC, Andrews JE, Sinclair AH, Koopman P, 1996: «A male-specific role for SOX9 in vertebrate sex determination», *Development*, September 1996; 122 (9): 281-322.
- Kimura D**, 2002: «Sex differences in the brain», *Scientific American, Special issue «The hidden mind»*, 12, 32-37.



- Kimura D**, 2004: «Human sex differences in cognition», *Sexualities, Evolution & Gender*, 2004, 6, 45-53.
- Kraysberg Y**, Schwartz M, Brown TA, Ebralidse K, Kunz WS, Clayton DA, Vissing J, Khrapko K, 2004: «Recombination of Human Mitochondrial DNA» *Science*, Vol. 304, Issue 5673, 981, 14 May 2004.
- Lewontin RC**, 1994: «Women versus the biologists», *New York Review of Books*, Vol. 41, No. 7, April 1994.
- Raup D**, 1992: «*Extinction: bad Genes or Bad Luck?*», Norton, New York.
- Schepers GE**, Bullejos M, Hosking BM, Koopman P, 2000: «Cloning and characterisation of the Sry-related transcription factor gene Sox8», *Nucleic Acids Research*, 2000, Vol. 28, No. 6, 1473–1480.
- Susman RL**, 1994: «Fossil evidence for hominid tool use», *Science*, September 1994; 265 (5178): 1570-3.
- Swain A**, Narvaez V, Burgoyne P, Camerino G, Lovell - Badge R, 1998: «Dax1 antagonizes Sry action in mammalian sex determination», *Nature* 391, 761-767 (19 February 1998); doi: 10.1038/35799.
- Zulc P**, Hofbauer LC, Heufelder AE, Roth S, Delmas PD, 2001: «Osteoprotegerin Serum Levels in Men: Correlation with Age, Estrogen, and Testosterone Status», *The Journal of Clinical Endocrinology & Metabolism*, Vol. 86, No. 7, 3162-3165.
- Volek JS**, Kraemer WJ, Bush JA, Incledon T, Boetes M, 1997: «Testosterone and cortisol in relationship to dietary nutrients and resistance exercise», *Journal of Applied Physiology*, Vol. 82, No. 1, 49-54, January 1997.
- Welshons WJ**, Russell LB, 1959: «The Y chromosome as the bearer of male determining factors in the mouse», *Proc. Natl. Acad. Sci. USA* 45, 560-566.

Biographical Note

S.Gunkel was born in 1981 and is currently a student of Geology and Paleontology at the Rheinische Friedrich Wilhelm Universität of Bonn, Germany. Apart from studying S. is doing research in evolutionary theory, currently focussing on the evolution of non-reproductive sexualities. At that same time S. is involved in the Cologne trans* scene.

Theoretical Inquiries

Where Men are Empty Overcoats Eszter Timar

In the 1931 Marx brothers movie, Monkey Business, the four brothers are stowaways on a transatlantic crossing, spending most of their time trying to run away from the crew chasing them. In one of the scenes, Groucho sneaks into a room of a couple disguising himself as the tailor delivering the wife's dress. He hides in the closet and when the husband leaves, he comes out to try to seduce the wife. The scene gathers up a variety of tropes now associated with male homosexuality, with gayness, to be more exact. Groucho's main tactic in both the seduction and in trying to deflect the husband's wrath is being flamingly effeminate and he puts a thick ironic coating on everything he says, not unlike a highly camp drag queen. «No children? That's the problem with this country!», he lets out a cry of woe, as if this was a turn-off (and not, what one would intuitively feel an incentive), as if, if we'd want to find coherence in the loosely connected nonsense he habitually uses to confuse and dumbfound conversation partners, the seduction is only taking place as part of a great vision of nationhood. The effeminateness is buttressed by his initial disguise as a tailor carrying a woman's dress into the room, and later, trying to use the same dress as a disguise while trying to sneak out. During the confrontation with the husband, he takes a position that we now readily recognize as campy flirtation. Whether it was decoded as such or as simple madness at the time, I don't know. Nevertheless, to get the most of this scene, I think we shouldn't hasten to insist on it simply being a closeted gay scene about the closet.

Nor should we deny that possibility, however. It is among these little trope-like formations that Groucho plays with the very literal image of the closet. He goes in to hide. Then he comes out unseen by the woman who is trying to coax him out. Once out, he continues his cocky coquetry: «Did you see me go in the closet? Did you see me coming out? Then how do you know I was in the closet?». Readers of deconstructive queer theory know this line of argument very intimately. For the possibility of the emergence of the figure of the proud gay individual, we (by this 'we' I mean everyone in the social game) need the image of the closet and with it, the figure of the repressed, unadjusted, hidden, oppressed, and so on, homosexual (or bisexual, or transgendered – with the possibility of more than just one closet).

While keeping this ambiguity hovering above possible interpretations, let me turn to the sentence that triggered me to think about this scene beyond the laughter. Similarly to what I said before,



I'm not quite sure how to read the sentence that's the topic of this paper. Michael P. Brown in Closet Space mentions, relying on multiple sources, that the image of the closet as the metaphor of hidden non-normative sexuality emerged in the 1950s at the earliest (Brown, 5). Of course, slang is hard to trace back (being often closeted from writing and leaving a trace), especially slang on secrecy, but it is possible that through this scene I would like to gain some insight about the relationship between gayness and citizenship which did not, for its producers and audience, carry any such significance (however unlikely that would seem to us nowadays). So let's continue hovering and have a close look at this sentence, uttered by Groucho at the moment of feigned frustration mentioned above:

«I'm going back in the closet where men are empty overcoats».

The figure of the closet has already been connected to the structure of the relationship between public and private (Kosofsky-Sedgwick, Warner). It is sort of intuitive: to come out is to make public what was privately closeted before. If we are willing to take Groucho's nonsense seriously, in other words, to treat it as poetry, we might see that it posits a different, perhaps more complex, relationship between these two structures.

Based on this sentence, we may infer that coming out of the closet transforms men into filled overcoats – it puts the men in those coats. At the heart of the inside is the emptiness (intimately bound to or being the property of the outside), on the outside comes substance or presence. A chiasmic structure gives poetic force to the statement. The terms of the chiasmus: inside, outside, absence and presence of subject-ness, however, echo or at least evoke enlightenment structures of public versus private in reverse.

A traditional anchor point in analyzing these structures is Habermas' *exposé* in The Structural Transformation of the Public Sphere (Habermas, 102-117). Without giving a detailed *exposé* of that *exposé*, let me only refer to the formula he is concerned with. For individuals to convene in a public sphere (here distinctly different from that of the state), a private sphere is posited as prerequisite. Generally, this sphere meant some kind of private ownership to guarantee the relative independence of the convening individuals. You could only be a *citoyen* if you could be as the private being an *homme*. The heart of the chiasmus is the radical conflation of inside and outside in the metaphor of the overcoats hanging in the closet. The deepest recesses of an inside ensconce the very essence of the outside. Men are not just empty clothing in the closet: they are empty overcoats, the piece of clothing that no further layer need be vested upon, the very boundary between the island-like individual and his surroundings. The private here does not divest one of his public attributes –

almost to the contrary, within its darkest, most claustrophobic figure, it promises the possibility of a public subject.

However, apart from that promise, he is nothing. It's not simply the case that the private (or private property), equips one with the necessary stuff of being a citizen subject. If being closeted means that one is an empty overcoat, it means that the relationship between the clothes that make the man and man himself is more complicated than just naked and dressed. This complication is a temporal one: one owns the overcoat that makes him the one that counts as citizen. Part of this temporal twist is that the figure of the *homme* cannot precede that of the citizen – at best, they co-emerge. I'd like to suggest that here clothes do not simply mean property – but that they stand for all that is 'the public'.

All this is hardly any news. There exists a deconstructive literature on the emergence of the citizen / subject, on the question on the dual figure of man and citizen (Balibar, Lefort). Why consult Groucho, other than to revel in the joy when we see something highly abstract and theoretical pop up in pop culture and as utter nonsense, at that? What's the purchase? What's the point when we don't even know if he's talking about or, more importantly, for queers or not?

In this sentence, Groucho poetically telegraphs the deconstruction of the closet and coming out (executed by Judith Butler). For there to be a figure of the person who is out, there needs to be a logically prior concept of being closeted, lacking substance, subjectivity even. His previous flirtatious teasing seems to move along the same lines: «Did you see me go in the closet? Did you see me coming out? Then how do you know I was in the closet?». It is coming out, again, that necessarily constructs and emphasizes a prior being in, secrecy and repression. However heavily the scene may be laced with overtones now decoded as queer; all this is embedded within a straight seduction attempt. We'd do violence to the scene if we insisted on a straight gay reading. For a straight seduction, the scene is remarkably gay, and for a simple gay reading, it is queerly straight.

It is at this point that I think we should take into account that Groucho here speaks as a stowaway, someone whose existence can only figure in the form of trying to pass as a legitimate being – if that is a way of figuring at all. In addition, that he employs a fairly regulated use of nonsense might be of relevance regarding such a status as well. This is not to suggest that the use of such nonsense is the only relevant tactic: all of the brothers use distinctly different strategies to handle their stowaway status. It's not that what he says doesn't make sense, it's that he doesn't have a voice of his own. He handles situations by appearing to quote, as it were, to voice positions belonging to radically different situations, where the voice quoted is the 'conquering' one, more powerful than that of the baffled



conversation partner could ever be (like that of a lawyer, a teacher, a flirt, etc). In other words, to prevent being proven to be illegitimate, Groucho randomly quotes voices that are clearly not his and that are taken from situations whose context render his position rule over the other's (sounding like a respectable citizen, a teacher or an effeminate man unworthy of revenge). As an illegitimate being, his survival technique is to foreclose by quoting or mimicking but in a way gone awry. It is mimicry in a non-fitting environment. He is a chameleon turning red in a green field but the authority so audaciously quoted transfers over and, coupled with the confusion, shuts up his adversary.

So the reason why I'd like to keep the interpretation of the scene indeterminately queer is because that hovering enables us to see the connection between the closet and coming out and our concept of citizenship or acknowledgeable subjectivity. As a stowaway, a non-citizen, Groucho is but an empty overcoat from a situation to situation. The scene, while it explores the tension between a stowaway and rightful passengers does contain in itself the tension of the gay closet, precisely to suggest that the latter, 'more particular' tension informs the former and is not just one of its ramifications (a case among others for inclusion). Not that I want to suggest some kind of hierarchy of the theoretical values in the series of such ramification («Whose rightlessness or oppression is worth the most theoretically or connected the most intimately with the inherent logic of democracy and rights?»). However, I do think that following Groucho from a simultaneous deconstruction of the closet as the deconstruction of the public / private binary concerning citizenship signals an intimate connection regarding authenticity between the two structures. Inauthenticity is at the heart of what can ever appear as authentic. It's what can hold the promise of the authentic at the cost of a later positing it as that which is inadequate. This is not a simple logical inference that for there being a category of the authentic, we always already need the category of the inauthentic, the inadequate. That reasoning may not be incorrect, however, it still keeps those categories neatly separate. Co-emerging but distinct. It is saying that if we want to be able to talk about paying passengers, we need stowaways – at least the possibility of them embarking on the journey as well. However, that reasoning would still enable us to think that once the category of the authentic has been established with the kind structural help of the inauthentic, the latter can somehow be discarded, the stowaways cleared from aboard. The chiasmus in Groucho's sentence, however, does not allow for such clean separation within the logic of stowaways and passengers, the rightless and those figuring as subjects, as men and citizens. Once we posit the latter, the coat, the attribute of subjectivity into the heart of the prerequisite of such subjectivity as the principle or figure of lacking that very subjectivity (an

emptiness, a coat filled by nothing), we cannot even conceptually distinguish between authenticity and inauthenticity any more. Being a passenger requires a conjuring, an imagining of an earlier, inauthentic pre-subject that we all must be or have been and therefore always are, as citizens. This is nonsense. Nonsense, according to any logic of democratic citizenship based on figures of authenticity, presence or legitimacy, however it should manifest itself as property, lineage or territory – I'm indexing here Derrida's analysis of the function of fraternity or friendship for democracy. What's exciting to me is that here's an instance that instead of urging us to ponder the possibilities for empowerment and inclusion via accessing equal rights, in other words, according to that authenticity-based logic, it encourages us to ponder the possibility that what we've come to think of specifically queer questions and issues stemming from homophobia as heterosexism, can in fact inform us about the more general logic of citizenship and rights and help us keep the promise of the (again, Derrida) democracy to come.

Bibliography

- Balibar**, Etienne. 1994. *Masses, Classes, Ideas: Studies on Politics and Philosophy Before and After Marx*. New York: Routledge.
- Brown**, Peter. 2000. *Closet Space: Geographies of Metaphor from the Body to the Globe*. London: Routledge.
- Butler**, Judith. 1993. «Imitation and Gender Insubordination». Henry Abelove et al. (eds.). *The Lesbian and Gay Studies Reader*. New York and London: Routledge. 307-321.
- Derrida**, Jacques. 1997. *Politics of Friendship*. London and New York: Verso.
- Habermas**, Jürgen. 1989. *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*. Cambridge, Mass.: MIT Press.
- Lefort**, Claude. 1988. *Democracy and Political Theory*. Minneapolis: University of Minnesota Press.
- Kosofsky-Sedgwick**, Eve. 1990. *Epistemology of the Closet*. Berkeley and Los Angeles: University of California Press.
- Warner**, Michael. 2002. *Publics and Counterpublics*. New York, Cambridge, Mass.: Zone Books.

Biographical Note

Eszter Timar, a Ph.D. candidate in Comparative Literature at Emory University, Atlanta, is writing her dissertation on queer citizenship. She is currently a Visiting Lecturer at the department of Gender Studies at CEU, Budapest where she teaches Queer Theory.



Cyborgs as (Post-Modern) Centaurs: Will and Desire to (become) Other*

Igor Marković

Cyborg(s)

«A cyborg is a cybernetic organism, a hybrid of machine and organism, a creature of social reality as well as a creature of fiction»¹. Although cyborgs are nowadays more and more present not only in theory and popular culture but also in physical reality (concerning the scope, function, and intention of artificial implants and neuroprosthesis²), the concept is still fit heavily into a theoretical realm. In that sense, when we are discussing the cyborgs we should make a division between cyborgs as a theoretical metaphor (in Donna Haraway's sense and the like), and cyborgs as possible new creatures with uncertain identities. For the purpose of this paper I will refer to cyborgs as theoretical constructs, though discussion of the identity and gender – or *vice versa* – of the technologically aided human beings might be even more interesting for this conference. Questions like «Do artificial hearts, transplanted limbs and the like remain 'foreign' objects to which the body is connected, or do they become so familiar as to be a part of our being-in-the-world?» and «What are they changing – or not changing – in the image and perception of the body and ultimately the Self?» will hopefully receive some attention at this venue.

Cyborgs in / as theory

Let me start with the most common notion of cyborgs as those who experience the advantages of two different, opposite worlds. The same idea of cyborgs became popular with Donna Haraway's «I'd rather be a cyborg than a goddess». However, that sentence would be more interesting if the gender part could be in/excluded from it, and I will take the liberty of re-phrasing it as «I'd

* For the numerous discussions leading to development of the ideas in this text I have to thank, among others, Biljana Kašić, Aleksandar Bošković, Faith Wilding, Diana McCarty and Irina Aristarkhova. Without them my notion of cyborgs, but also feminist theories of technology, identity, and body would be highly deficient. However, the only person solely responsible for its (and mine) existence is Ana Buneta, without whose support, respect, friendship, faith, investments, hugs, and the most important of all, incessant love, we would both remain unfulfilled, unconceived, and incomplete.

¹ Haraway: A Cyborg Manifesto. Science, Technology, and Socialist-Feminism in the Late Twentieth Century, in Haraway: *Simians, Cyborgs, and Women. The Reinvention of Nature*; Routledge, 1991.

² For closer look into this fast developing field see MacLahlan & Gallagher: *Enabling Technologies. Body Image and Body Function*; Churchill Livingstone, 2004.

rather be a cyborg than a god/des». The difference is important, since it deliberately cuts all possible guessing about cyborg's gender. The original phrase might be read as I'd rather be a female cyborg than a goddess, because the word «goddess» brings implications of gender transposition to cyborgs; although a cyborg is neither female nor male, but both female and male at the same time. It is something completely new, but definitely a bastard of two worlds, a hybrid. The notion of the cyborg implies the blending of (at least) two totally different worlds, the world of machines (technology), and the world of the human body (nature or life). Such a hybrid also presents «a condensed image of both imagination and material reality, the two joined centers structuring any possibility of historical transformation. [...] The cyborg is a creature in a post-gender world»³. This option may encourage one to take advantage of the flux and instabilities in boundaries (such as the ones opened up by new technologies); just as it may also provide for a total abolishment of a biologically-centered matrix of gender and gender relations. The concept of the cyborg seems easier to grasp than total absence, total potentiality. That's why the idea of cyborgs has recently become so popular. According to Haraway, in the ongoing complexities of the present world, only a cyborg would stand a chance of survival. Introducing life into technology or technology into life becomes the only option for adequate survival in a world of constantly shifting boundaries. The problem with cyborgs is that they are actually created (by an external force), and (sometimes) can regenerate themselves, but they are incapable of reproducing themselves – with a very few exceptions. That exposes the question of its usefulness in feminist as well as queer theory. The question remains, to what extent and in what ways is the ability to reproduce an integral part of creation and individual identity? Without going into much detail I will say that in general the reproductive contributes to, if it doesn't completely define, one's identity. (The experience of having a child changes the ways women think about themselves, as Martha McMahon's study clearly shows⁴.)

Donna Haraway's Manifesto uses the cyborg more as a concept than as a replacement of the human body. Since technology implies the possibility of reconstruction, it should give women the chance to reconstruct the whole social system, leading to liberation. She suggests that one should understand the cyborg in terms of networks. As information is shifted back and forth to other networks, a whole rhizome-like system is created which mirrors an ideal egalitarian social arrangement. In opposition, the traditional sense of being 'female' bound gender

³ Haraway, *ibid.*

⁴ McMahon: *Engendering Motherhood. Identity and Self-Transformation in Women's Lives*; Guilford Press, 1995.



consciousness (as well as race and class) into a historical experience of patriarchy, colonialism, and capitalism. This is, *en passant*, also the reason feminists criticize the scientific claims of objectivity, as science is based on patriarchal ideological assumptions. Moreover, scientific language consists of gendered metaphors that imbue patriarchal ideas about gender difference with a notion of absolute truth. As scientific ideas are components of larger cultural meanings, so has this notion often had an impact on dominant patriarchal views.

The cyborg is widely used as a concept to show the eliminated boundaries between humans and machines. If this is achieved, other traditional boundaries can be dissolved, too. That is why it is important, according to many contemporary authors, to encourage women to reject the technophobic strain of feminism that associates women with the so-called natural world only to reassert patriarchy, for technology cannot be denied. It should be considered as a reconstruction of social relations and notions of the self.

Cyborgs in / as popular culture

(Un)fortunately, the images of cyborgs in popular culture do not fit such a theoretical approach. Cyborgs share the same masculine / feminine stereotypes of the late twentieth century, propagating patriarchal notions of gender differences and the two-sex model. Technology is in service of either hypermasculinization (Terminator), or expressing (sexist and racist) anxieties of dissolving of boundaries through the metaphor of human devolution (Eve of Destruction). The second one is particularly interesting, since it follows the tradition of exposing dangers of human / animal crossbreeding (Island of Dr. Moro, Frankenstein); and anxiety over racial and species degeneration as well as an attraction to racial and species boundary crossing. In each of these texts, the notion of interspecies reproduction is linked to a fantasy of scientific control of reproduction, either to perfect the species or to annex abilities to one species that are customarily possessed by another. Race and sexuality are, as Susan Squier shows⁵, interchangeable in patriarchal fears of changes, derived from the process Bruno Latour⁶ describes: the denial of hybrids and consequent proliferation of them.

It is, therefore, only natural that cyborgs are sexually defined inside the realm of the two – clearly differentiated – sex model. Even though, as Claudia Springer pointed out, «cyborg imaginary in popular culture often exaggerates conventional

⁵ Squier: Interspecies Reproduction. Xenogenic Desire and the Feminist Implication of Hybrids; *Cultural Studies*, Vol. 12, No. 1, 1998.

⁶ Latour: *We Have Never Been Modern*; Harvard University Press, 1994.

gender difference, it does not always conform entirely to traditional sexual representation»⁷, the major picture of cyborg in popular culture mirrors human sexuality, regardless of numerous concepts of reproduction available: rhizomic replication, spore production, viral infection, symbiosis, bacterial recombination. The depressing part is that «such reproductive models challenge not only our humanness, but also (and perhaps more profoundly) our animalness»⁸, and therefore have an enormous potential in both theoretical and practical border-crossing from the old-fashioned binary model, whether we are discussing gender, sexuality or race.

Fascination with / fear of inter-reproduction is omnipresent. Just as the boundary-constructing concept of race is overshadowed by a desire to transgress those racial boundaries, and the taxonomic impulse that has given us the concept of species has, as its transgressive underside, the impulse to cross species boundaries, the concept of human / machine distinctiveness has as its constitutive part the desire to cross the alive / not-alive boundary. If «we can modify Robert Young's formulation of 'colonial desire' to theorize the existence of what we might call 'xenogenic desire' – a covert but insistent obsession with transgressive interspecies sex, hybridity, and interspecies reproduction or xenogenesis»⁹, then we can go one step forward, and in the same manner reach a 'cyborgenic desire' obsessed with cyborgian sexuality.

And we are fully entitled to do so, as in literature, the movie industry, and popular culture in general, the cyborg often «implies a wider range of sexualities»¹⁰. Although such an imagery does not fit necessarily a male wet dream of either women as sexual machines, or man as half-gods (Tetsuo) in most cases cyborgs are not only eroticized, but they also are playing more or less typical gender roles. After all, it's hard to escape from the fact that cyborgs have bodies, and such bodies are usually sexually defined. When they are not, the story is very often about the cyborg's wish to become one sex or another. I have no knowledge of any works where real cyborgs are presented as a gender of their own. Using cyborgs as a metaphor for gender-released bodies is therefore impossible, as they have never been released from society: they live in a gender-oriented world, and certain gender-based roles will be projected on them. No theories yet try to deal with that problem. For Haraway the cyborg was just a metaphor, but with development of medical and nano-technology

⁷ Springer: *Electronic Eros. Bodies and Desire in the Postindustrial Age*; University of Texas Press, 1996.

⁸ Squier: *Interspecies Reproduction*.

⁹ Squier, *ibid.*

¹⁰ Springer: *Electronic Eros*.



we won't have to wait long to witness the first human / body machines, and to face their unknown and uncertain bodies, gender roles, and even sexes.

As briefly shown here, the motif of cyborg in popular culture is still on the same old bi-gender and/or bi-sex division; therefore the theoretical praise of hybridity is not as useful as one may conclude regarding available cyborg imagery.

Centaur(s)

«A centaur is a therianthropic organism, a hybrid of an equine and a human, a creature of social reality as well as a creature of fiction», to paraphrase Donna Haraway. Therianthropic organisms, meaning the hybrid of human and animal, have a long documented history. Egyptian religion and mythology is full of creatures with human bodies and animal heads: baboon, ibis, crocodile, and (in the Ptolemaic period the most popular, and even today the favourite) the cat – e.g. the goddess Bastet. In Greek bestiary there are plenty of therianthropes – the faun, satyr, selenid, or Sphinx, to mention just a few. However, centaurs had a very specific and unique role in Renaissance and toward modern times perhaps even more then in Hellenistic times.

Why the horse? Horses, «the most highly cursorial and graceful perissodactyles»¹¹ had many desirable advantages, notably strength and speed («they are adapted to rapid cursorial locomotion»¹²), and in war horses conferred further great advantage. Horse taming and horseback culture evolved first in the southern steppe grasslands of Central Asia and their encounters with the pedestrian Hellenic world were shocking. But not only these early human societies were fascinated with the horse / rider figure. During the Conquistada, the Native Americans were convinced that the fierce warriors were a new composite animals, and occasionally portrayed them as such in (mostly Plains Indian) art¹³. Cavalries played a significant role during most Western warfare history, and often determined the outcomes of battles, even wars. The humans remained fascinated with horses even when their role in war or agriculture became redundant. This exclusivity is not surprising, given the equine animal's unique partnership role and the esteem in which the horse has been held throughout much of human history. The 'noble horse' is an archetypal concept, and the equine animal often has the capacity to confer that quality upon its human associates. «No human-

¹¹ Vaughan: *Mammalogy*; Harcourt, 1986.

¹² Vaughan, *ibid.*

¹³ Although, the horses evolved (and puzzlingly extinct) in the North America. Those artefacts might be read as a memory of their existence in the past.

animal relationship is more intimate, both mentally and physically, than that between mount and rider, for the two share an interspecies unity of understanding and kinetic communication that is unparalleled»¹⁴.

In Greek mythology, the centaurs (Κένταυροι) are a race part human and part horse, with a horse bodies and human heads and torsos. Dwelling in the mountains of Thessaly, the centaurs were the offspring of Ixion and Nephele, the rain-cloud. Alternatively, the centaurs were the offspring of Kentaurus (the son of Ixion and Nephele) and some Magnesians, or of Apollo and Hebe. It was sometimes said that Ixion planned to have sex with Hera but Zeus prevented it by fashioning a cloud in the shape of Hera. The Centaurs are best known for their fight with the Lapithae, caused by their attempt to carry off Hippodamia (a 'horse' woman herself) on the day of her marriage to Pirithous, king of the Lapithae, himself the son of Ixion. The strife among these cousins is a metaphor for the conflict between the lower appetites and civilized behaviour in humankind. Theseus, a hero and founder of cities who happened to be present, threw the balance in favor of the right order of things, and assisted Pirithous. The Centaurs were driven off (Plutarch: Theseus; Ovid: Metamorphoses, etc.)¹⁵. There are several theories of emergence of centaurs in Greek mythology. One, widely accepted, is that that the Greeks took the name and image from Mesopotamia, where it symbolized the god Baal (representative of rain and fertility).

Centaur move with an awkward grace. Centaurs have very few inhibitions in personal relations, and what they consider normal in that vein often gets them into deadly trouble in other societies. Alternately a few centaurs are said to be very prim, but these are rare. Male centaurs enjoy the company of females, especially women and mermaids, and like to carry them on their backs. When pressed by encroaching 'civilization', centaurs generally react badly. Many centaur legends state that they are very fickle creatures, and often look to the sky to determine the fates. They are great astrologers and have a love for divination (the most recent application is in the Harry Potter series).

For the Greeks, centaurs existed at the threshold of difference – «representing speculation about sexual, cultural, and species-related boundaries»¹⁶. The war with the Centaurs epitomizes the struggle between civilization and barbarism, but the creature is a striking representative of oppositions, stimulating the mind to contemplate and weigh contrasting qualities and values, both individual and societal: animal / human, wild / tame,

¹⁴ Game: Riding. Embodying the Centaur; *Body & Society*, Vol. 7, No. 4, 2001.

¹⁵ Facts are adapted from www.greekhistoryandmythology.com

¹⁶ Lawrence: The Centaur. Its History and Meaning in Human Culture; *Journal of Popular Culture*, Vol. 27, No. 4, 1994.



savagery / civilization, sensuality / spirituality, physical / intellectual, passion / reason, freedom / constraint, violence / gentleness, male / female, nature / culture.

However, the general character of centaurs is that of wild, lawless, drunken, lustful, physically and sexually violent creatures, with very few exceptions: Pholus, Nessus, and Chiron (reoccurring mostly in art), who expressed their 'good' nature.

The centaurs possessed dangerously exaggerated masculinity resulting from the human male element being combined with the perceived strong sexual potency of stallions (the similarity with Tetsuo is more than obvious), and thus they were characterized by violent lust. Female centaurs existed, but their image is overshadowed by the absolute maleness emanating from the typical human-equine forms. Although they reproduced (unlike other hybrids, who are sterile), most Greek centaurs, except for Chiron, do not seem to have had a domestic life. DuBois suggests that the scarcity of female companions and females of their own kind, coupled with their half-bestial nature, accounted for their «chaotic, rapacious behavior»¹⁷. A more interesting interpretation of the centaurs as a – for the most part – single-sex culture is that they represent anachronistic creatures from the distant past, antedating the separation between gods and people, «before work, cooking, death, and the evils culture brings»¹⁸, as well as before differentiation between the sexes. As a vestigial race belonging to a stage prior to human evolution, they are outside the limits of humanness, and may have expressed «an ambivalence characterized by nostalgia as well as loathing for the bestial creatures»¹⁹.

Yet, according to duBois, centaurs «share human desires as well»²⁰, an idea which moves them from the position of holistic figures, celebrating the oneness and complement of the human and equine natures, symbolically merging the physical aspects of being with the mental and spiritual and fusing the afore-mentioned divisions to become a still meaningful and valuable 'third value', but prevailing in favor of the dominant, patriarchal society.

Centaur in / as popular culture²¹

Of the various Classical Greek authors who mentioned centaurs, Pindar was the first who describes undoubtedly a combined monster. Previous authors (Homer, etc.) only use

¹⁷ duBois: *Centaur and Amazons*; University of Michigan Press, 1987.

¹⁸ duBois, *ibid.*

¹⁹ duBois, *ibid.*

²⁰ duBois, *ibid.*

²¹ In this short sketch of centaur representation through the history, term 'popular' is used for all artistic representation, belonging to 'high' or 'low' art.

words that could also mean ordinary men riding ordinary horses. In early Attic vase-paintings centaurs were represented as human beings in front, with the body and hind legs of a horse attached to the back; later, they were men only as far as the waist. The battle with the Lapithae, and the adventure of Heracles with Pholus are among favorite subjects of Greek art.

The mythological episode of the centaur Nessus carrying off Deianira, the bride of Heracles, also provided Giambologna (1529-1608), a Flemish sculptor, splendid opportunities to devise compositions with two forms in violent interaction. He made several versions of Nessus carrying off Deianira, represented by examples in the Louvre, the Grunes Gewölbe, Dresden, and the Frick Collection, New York. His followers, such as Adriaen de Vries and Pietro Tacca, continued to make countless repetitions of the subject. Pollauolo, Tiepolo and Botticelli either explicitly refer to the event in classical mythology, or the allegorical association of the centaur and the goddess of wisdom. Inclusion of centaurs in Dante's *Inferno* marks the first extensive reference after the Middle Ages. The tendency to associate centaurs with the classical myth, without any important changes (at least not for the purpose of this paper) continued well into the 19th and even 20th century, when a new image entered the popular mythology as the interesting and still theoretically fruitful concept of cowboys emerged. Difference between ranchers and cowboys is interesting in particular from the sight of human / equine merge, and cowboy's nomadic behavior, if not nature²².

Walt Disney's *Fantasia* (1940) places centaurs in the realm of children picture books, denying their wild (or any other, for that matter) nature and making them nice, white, innocent and pure, in accordance with the general image of his aimed audience²³.

Centaurs had their 'fifteen moments of glory' in 1961, when a flurry of articles in the popular and scientific press

²² That includes not only Hollywood-type cowboys, but also horseman from both Americas: *vaqueros*, *gauchos*, *huasos* and *llaneros*. For further insight see Slatta: *Cowboys of the Americas*; Yale University Press, 1990. Neglecting the further can be read from postcolonial discourse, but also from feminist and queer theories as example of WASP dominance.

²³ In a manner of hyperlink I'm offering here some thoughts on reasons for the shift from traditional representation of the centaurs: «One reason for this particular change might have to do with the frequency of modern young women's fascination for animals (especially horses) in our society. Contrast this with the modern adolescent boys' infatuation with automobiles and other heavy equipment. In either instance there is an instance of a large (adult), powerful and potentially dangerous object that can be learned to be controlled, perhaps so well as to become a 'part of oneself', and thus extend the youth's strength, importance in and influence on the world. Perhaps the skill and attributes of the centaur (or rather, the centauress) could be the ultimate goal (fantasy) of the young female equestrian», *Always: Centaur, Medieval to Modern*; The North American Therianthrop Journal, 1991.



(including the New York Times) brought the possibility of centauroid aliens to the public's attention for a brief time. The debate was about modes of alternative evolution, and possible evolution of hexapodal life, e.g. extraterrestrial world with an evolutionary track similar to Earth's, but with the vertebrates having six limbs rather than four²⁴. Even with names like John Gribbin involved, the only significant outcome were more centaurs in science fiction, recently with some new ideas about the behavior and origins of centaurs as inhabitants of other worlds or universes (Anderson, Hanson-Roberts, Wheatly); as resulting from the crossbreeding of human and animal (Piers); as the result of modern surgery (McIntyre); and as the result of genetic engineering (Williams). None of the above (or other) authors presented any new views on the possibilities of such a hybridity. But since mutation (natural or medically supported) refers to the physical process of metamorphosis, shape changing, becoming other, the mixture of qualities of two distinct known identities is a fruitful field for theoretical explorations.

The 'Hooves and Harlots' episode of Xena, Warrior Princess features a tribe of Amazons led by Queen Molosa, and a battle with centaurs resembling the traditional perception of wild, strong, masculine, war-loving, uncivilized beings. Curiously, the mixture of the two (cyborg-centaur), has at the moment been represented only in the presence of the minor character Dargoth (male cyber-centaur) in Zelazny's Creatures of Light and Darkness (1969).

Today centaurs symbolize intellect (Centaur programming language), strength (Centaur rocket), education and/or knowledge (sage and teacher), and medicine (healer) – the last two are based more on Chiron as an individual than centaurs as a race, but the distant echo of both primal nostalgia for unity of differences, and desire for instability of categories may be inscribed into it, especially if we take into account contemporary horse riding practices (to the extent of therapeutic 'horse whispering', used in alternative medicine).

Cyborgs as Centaurs as ...

The resemblance of the cyborg and centaur, at the level of social construction and theoretical modeling is by this point, I hope, apparent. Cyborgs are nothing new. As hybrid creatures between the human and the non-human, they existed long before the first machine was even dreamt of. The only difference between then and nowadays is the shift from natural other to

²⁴ For detailed account with the debate see Filpus: The Man-Horse from Outer Space. An Evolutionary View of Centauroid Aliens, in: Alwey (ed.): *The Catalogue of Centaur Art and Literature*, Vol. 1, 1986.

artificial other. In the same way old nations were fascinated with and frightened by nature, and creatures of nature – as opposed to humans – technological progress in the last few centuries turns our thoughts toward cybernetics, retaining the nature of the desirable object, the Other, differing significantly from us. Nature is not unknown any more; we even control it in until recently unimaginable ways. Therefore our desire is shifted and its objects changed. At the core of the whole cyborg hype, however, is a millennia-old story.

The story is a useful one, no doubt about it. The mixture, flux, instability and changeability of both forms can and already does serve as a nice concept for grasping the traditional ways of looking at the world and our place in it. Their hybridity offers insightful ways of (re)reading artifacts of contemporary (popular) culture. Even further, Homi Bhabha has argued that the recognition of the hybridity of all cultures can be «tactically deployed against racial purist claims»²⁵. But contingency, dislocation, mixed belongings and ambivalence are not characteristics unique only to the diasporic subject. The diasporic context offers just one example of the discursive framing of a particular range and type of hybrid cultural formation and experience. Transgender, transsexual, and all imaginable mixed and/or unstable identities can (and should) use their existence and model.

The centaur is a nomad, even more than the cyborg, as opposed to the fixed, stable (white, male, Anglo-Saxon, heterosexual ...) human subject. Figurations like cyborgs are tools for thinking through these connections and differences in theory-formation: they necessitate the understanding of differences as other than pejorative, and the notion of 'difference' as in itself split and multiple. For, as Rosi Braidotti warns, «the first and the foremost link between women, racialized, ethnic or technological others and monsters lies in the eyes of the Master colonizer. Only in His gaze are their respective differences flattened out in a general category of 'difference' whose pejorative status is structural to the establishment of a norm that is inevitably masculine, white, heterosexist»²⁶.

Located on the boundary between human and machine, the cyborg is «not inherently heterosexual, raced or gendered, but a model for feminist subjectivity, crossing and violating boundaries of sexuality, race or gender – as well as those separating human and technological: It is an alternative figuration for thinking about the possible relationship between women and technology, but also for conceptualizing 'woman' (both as subject

²⁵ Bhabha: *The Location of Culture*; Routledge, 1994.

²⁶ Braidotti, *Metamorphoses. Towards a Materialist Theory of Becoming*; Polity, 2002.



and category) split by differences»²⁷.

The centaurs of the past share the fate of the cyborgs of today. However, neither of the two is perfect. As Katharyne Mitchell notes, the contemporary celebration of the disruptive qualities of 'diasporic identity', 'hybridity' and 'third spaces' is premature. She concedes that while «there is clearly the potential for resistance to hegemonic narratives of nation and race in these positionings, there is also the potential for collaboration in the hegemonic narratives of capitalism»²⁸. Both cyborgs and centaurs – in their popular (re)incarnations – are good examples. From the initial, basic idea they have been transformed in the service of perpetuating the dominant structure. Maybe that's inevitable, in the sense of Judith Halberstam and Ira Livingston, who argue that «the human functions to domesticate and hierarchize difference within the human (whether according to race, class, gender) and to absolutize difference between the human and the nonhuman»²⁹.

Perhaps, however, we can break that vicious cycle. Cyborg Manifesto is not only, as stated by its author, «an ironic political myth», and the «lesson to be learned» from it and its academic «afterlife» concerns «breaking down and rethinking not only of the boundaries of the organic and the mechanic but more centrally [...] re-thinking the ways in which questions become marked as 'general' and ones 'of special interest', and addressing the issues of power involved in this»³⁰. Working between the opposites, including theory and practice, we must come to terms with the appeal of a model of interspecies (in any meaning) propagation that challenges the dominance of the simple duality between sexes within the same species, toward «the practice of [...] difference as a conceptual and political project»³¹.

Because, after all, «we are always already part horse, and horses, part human; there is no such thing as pure horse or pure human»³².

²⁷ Paasonen: *Cyborg & Cyclops*. The vision of a man-machine, in: Sihvonen & Väliäho (eds.): *Experiencing the Media. Assemblages and Cross-Overs*; Turku, 2003.

²⁸ Mitchell: *Different Diasporas and the Hype of Hybridity*; <http://faculty.washington.edu/kmich/diffdias.htm>

²⁹ Halberstam and Livingston: Introduction: Posthuman Bodies, in: Halberstam and Livingston (eds.): *Posthuman Bodies*; Indiana University Press, 1997.

³⁰ Paasonen: *Cyborg & Cyclops*.

³¹ Braidotti: *Nomadic Subjects. Embodiment and Sexual Difference in Contemporary Feminist Theory*; Columbia University Press, 1994.

³² Game: *Riding*.

Bibliography

- Alway** David: Centaur, Medieval to Modern; *The North American Therianthropoc Journal*, 1991.
- Bhabha** Homi: *The Location of Culture*; Routledge, 1994.
- Borer** Michael Ian: The Cyborgian Self. Toward a Critical Social Theory of Cyberspace; *Reconstruction* (www.reconstruction.ws) Vol. 2, No. 3, 2002.
- Braidotti** Rosi: *Metamorphoses. Towards a Materialist Theory of Becoming*; Polity, 2002.
- Braidotti** Rosi: *Nomadic Subjects. Embodiment and Sexual Difference in Contemporary Feminist Theory*; Columbia University Press, 1994.
- Burman** Erica: The Child and the Cyborg, in: Gordo-López Ángel & Parker Ian (eds.): *Cyberpsychology*; Macmillan, 1999.
- duBois** Page: *Centaurs and Amazons*; University of Michigan Press, 1987.
- Fernández** Mária & Malik Suhail: *Whatever Happened to the Cyborg Manifesto?*; Mute 20, 2001.
- Filpus** John: The Man-Horse From Outer Space. An Evolutionary View of Centauroid Aliens, in: Alwey (ed.): *The Catalogue of Centaur Art and Literature*, Vol. 1, 1986.
- Game** Ann: Riding. Embodying the Centaur; *Body & Society*, Vol. 7, No. 4, 2001.
- Gedalof** Irene: Identity in Transit. Nomads, Cyborgs and Women; *The European Journal of Women's Studies*, Vol. 7, No. 3, 2000.
- Graham** Elaine: Cyborgs Or Goddesses? Becoming Divine in a Cyberfeminist Age; *Information, Communication & Society* Vol. 2, No. 4, 1999.
- Gray** Hables (ed.): *The Cyborg Handbook*; Routledge, 1995.
- Halberstam** Judith and Livingston Ira: Introduction: Posthuman Bodies, in: Halberstam and Livingston (eds.): *Posthuman Bodies*; Indiana University Press, 1997.
- Haraway** Donna: A Cyborg Manifesto. Science, Technology, and Socialist-Feminism in the Late Twentieth Century, in: Haraway: *Simians, Cyborgs, and Women. The Reinvention of Nature*; Routledge, 1991.
- Haraway** Donna: Cyborgs to Companion Species. Reconfiguring Kinship in Technoscience, in: Ihde Don & Selinger Evan (eds.): *Chasing Technoscience. Matrix for Materiality*; Indiana University Press, 2003.
- Haraway** Donna: Modest_Witness@Second_Millennium.FemaleMan@Meets_OncoMouse™. *Feminism and Technoscience*; New York, 1997.
- Kull** Anne: The Cyborg as an Interpretation of Culture-Nature; *Zygon*, Vol. 36, No. 1, 2001.
- Latour** Bruno: *We Have Never Been Modern*; Harvard University Press, 1994.
- Lawrence** Elizabeth Atwood: The Centaur. Its History and Meaning in Human Culture; *Journal of Popular Culture*, Vol. 27, No. 4, 1994.
- MacLahlan** Malcolm & Gallagher Pamela: *Enabling Technologies. Body Image and Body Function*; Churchill Livingstone, 2004.
- Marković** Igor: *Cyberfeminizam [ver 1.0]*; Centar za ženske studije, 1999.
- McMahon** Martha: *Engendering Motherhood. Identity and Self-Transformation in Women's Lives*; Guilford Press, 1995.
- Mitchell** Katharine: *Different Diasporas and the Hype of Hybridity*;



<http://faculty.washington.edu/kmich/diffdias.htm>

Paasonen Susanna: *Cyborg & Cyclops. The vision of a man-machine*, in: Sihvonen & Väliäho (eds.): *Experiencing the Media. Assemblages and Cross-Overs*; Turku, 2003.

Paasonen Susanna: *Figures of Fantasy. Women, Cyberdiscourse and the Popular Internet* (Ph.D. Thesis, University of Turku, 2002); *Annales Universitatis Turkuensis, Series B*, University of Turku, 2002.

Slatta Richard: *Cowboys of the Americas*; Yale University Press, 1990.

Sofoulis Zoë: *Cyborgs and Other Hybrids. The Human, the Non-Human and the Sociotechnical* (unpublished); paper presented at the Future Bodies Conference, Köln 28 June – 01 July, 2001.

Springer Claudia: *Electronic Eros. Bodies and Desire in the Postindustrial Age*; University of Texas Press, 1996.

Squier Susan: *Interspecies Reproduction. Xenogenic Desire and the Feminist Implication of Hybrids*; *Cultural Studies*, Vol. 12, No. 1, 1998.

Vaughan Terry: *Mammalogy*; Harcourt, 1986.

Wolmark Jenny (ed.): *Cybersexualities. A Reader on Feminist Theory, Cyborgs and Cyberspace*; Edinburgh University Press, 1999.

Zylinska Joanna (ed.): *The Cyborg Experiments. The Extensions of the Body in the Media Age*; Continuum, 2002.

Biographical Note

Igor Marković (igor@mi2.hr) is a Zagreb based free-lance scholar and journalist. Beyond numerous articles and conference presentations he is the editor of Cyberfeminism [ver 1.0], Zagreb, 1999; and Post-colonial Studies Reader (to be published in 2006). He is co-founder and member of the Executive Committee of Croatian Sexological Association, co-founder and member of the Executive Committee of Croatian Association for Cultural Studies, and co-founder and co-editor of Limen – journal for theory and practice of liminal phenomena (www.mi2.hr/limen).

Female Homosexuality, Patriarchy, and Nationalist Communities

Irene Dioli

Introduction

Tutors of the patriarchal order have rarely addressed female homosexuality as a potential threat: being a relationship between two non-subjects¹, it easily slides into invisibility. How could two women exist, and relate to each other, without the male as polarising factor of their energy?

The mainstream perception of female homosexuality makes sense of women by means of male categories: thus, female homosexuality is seen as an appropriation of masculinity, usually by one member of the couple, while the other fulfils the woman's traditional passive role. Such interpretation defines the homosexual relationship as a protest of virility, constructed within, and as a reaction to, the patriarchal order: the male is only apparently excluded from the picture, but the principle of masculinity is always present. More than that, it is what informs the relationship and allows its very existence. In this perspective, a relationship between two women is not a danger to the patriarchal order; it is the exception confirming the rule of the male-female hierarchic relationship.

The aim of this essay is to argue, in the first place, that the subversive potential of female homosexuality does not lie in the usurpation of male prerogatives, but in challenging the very model of an uneven relationship based on pre-defined roles. The unquestioned, hierarchically charged dichotomy between male and female is the basic relational model informing the whole structure of the community: if its legitimacy and 'naturalness' are questioned, the whole set of patriarchal values is potentially threatened. In this light, we will be able to look at homosexuality (both female and male) as a social practice, the analysis of which can help in the deconstruction of hierarchic community structures.

This is especially true if we look at the relationship between gender roles and nationalist ideologies. The emphasis on a patriarchal model of community and national homogeneity is potentially threatened by homosexuality: the homosexual person does not fit in the gender role rhetoric of a nation made by Soldiers and Mothers. Indeed, nationalist communities perceive the homosexual and the feminist as the most dangerous traitors of the nation². Furthermore, the homosexual couple testifies, by its very

¹ The term 'subject' is a problematic one: in this essay, it will be used in order to indicate the autonomous entity, entitled to action, in opposition to the passive 'object'.

² See Pavlović (1999), Papić (1999), and Mertus (1999).



existence, the presence of otherness and the plurality of interpersonal and social relational models. Its social relevance lies in the fact that, by questioning the codification of gender roles and the hierarchic dichotomy male / female, it threatens the entire set of hierarchies constructing the model of national community.

Patriarchal interpretations of female homosexuality

In the patriarchal frame of mind, the woman exists only in relation to the man and inasmuch as she fulfils specific functions. A woman existing and acting outside the boundaries set for her is problematic, even in conceptual terms. In order to make sense of something that cannot make sense in this context, female homosexuality has been interpreted with reference to masculinity: thus, it has been conceived as imitation of men, appropriation of male prerogatives, or rebellion against patriarchy.

The commonplace assumption of the lesbian who 'wants to be like a man' has been reinforced by the advent of psychoanalysis: according to Freud, female homosexuality spreads from a masculinity complex of the active member of the couple, paired with the insufficient sexual development of the passive member; homosexual couples would reproduce either the man-woman or mother-child relationship³. This influential statement highlights a heterosexist bias which reduces the possibilities for multiple models of relationships to two basic units linked to the reproductive process, thus casting women in the exclusive realm of nature and 'naturalness' and simultaneously limiting their potential for participation and interaction in the social sphere. Such interpretations dismiss the homosexual relationship between two females as mere role-play. The possibility for genuine interaction between women is not recognised.

It is not only in the patriarchal frame of mind that homosexuality fails to be accepted as a legitimate social practice. Feminism traditionally looked at it with resistance and diffidence as well. The classic feminist text The Second Sex by Simone de Beauvoir for instance, though crucial in deconstructing the hierarchic sexual binary, casting the woman in the pure female principle and preventing her from achieving full individuality, ends up reproducing the heterosexist bias in her own analysis of female homosexuality. The feminist philosopher characterises female homosexuality as either rebellion, or as caused by fear of femininity and sexuality. According to de Beauvoir, a sexual interest in another woman is recognition of women in general as sexual objects, and it is, therefore, a reinforcement of women's passivity. A truly active female subject would face men and turn them into sexual objects⁴.

³ See Irigaray, 1974: 94.

⁴ See De Beauvoir, 1949: 463-5.

The lesbian, on the other hand, will suffer because she will not fulfil her potential of femininity: she desires to be «normal and complete»⁵ (!), but she is not able to have a relationship with a man. In the end, De Beauvoir's interpretation does not differ substantially from Freud's: homosexuality is an escape, a way of solving a problem⁶, and the problem, i.e. the origin, the founding principle, is the relationship between man and woman.

Gender roles and nationalism

In patriarchal terms the world is conceived as phallogocentric: a relationship between two women, excluding men, is hardly conceivable or likely to be considered as a serious issue. Even Christian predication, although very strict towards women, virtually ignored female homosexuality. A woman's morality is to be judged according to her behaviour towards her husband because that is what she exists for; as a consequence, women's sins are those involving their men's honour and moral salvation only⁷. Here Western religions parallel law: even authoritarian, conservative states that criminalise male homosexuality have rarely paid the same attention to female homosexuality. For example, in contemporary Croatia in spite of the ultra-conservative backlash and relentless re-sexualisation of politics, the repressive emphasis in relation to women is placed on feminism rather than on alternative sexual practices⁸ – female homosexuality is not criminalised.

Yet, if female homosexuality is acknowledged as a social practice, in that the focus is not on sexual activity only, but on what might be called 'homo-sociality', that is to say a relational model between same-sex people comprising sexual activity as well as the forming of stable couple and/or family relationships and social networks, it becomes highly problematic, because of the crucial role played by women in the building and maintenance of national communities. In this context, the female body does not belong to the woman herself, or to an individual man only; on the symbolic level, it is the collective property of the male-led community⁹. It is not a personal space or the *locus* of individuality, but a social territory, which can and must be used by and disputed between males¹⁰. As Friedland puts it, women are the oldest currency¹¹.

The stability of the community is therefore threatened

⁵ See De Beauvoir, 1949: 470.

⁶ See De Beauvoir, 1949: 482.

⁷ See Lupo, 1997: 192.

⁸ See Kesić, 2000: 69.

⁹ See Balibar and Wallerstein, 1991: 18.

¹⁰ See Iveković and Mostov, 2002: 10.

¹¹ Friedland, 2002.



when women happen to create an exclusive social bond and the female body becomes 'no man's land'. Women forming a homosexual couple symbolically leave the patriarchal community in which they are included as subordinates, and establish their own; by doing so, they also establish themselves as independent subjects. Instead of competing in looking for alliance with the superior cast, as demanded by patriarchal patterns of socialisation¹², women who replace loyalty to the other sex with loyalty to their own implicitly recognise themselves as subjects: from a psychoanalytical perspective, they give up self-denial to regain the narcissistic ideal denied them by male-centred mindsets¹³.

Homosexuality is particularly problematic in national communities based on ethnicity, which, as stressed by Rada Iveković in her analysis of gender in nationalist ideologies, set the most rigid boundaries for women, as their inclusion as subordinates and their proper functioning is essential to the maintenance of the community structural order. Indeed, even though the national community is based on the exclusion of women from the public sphere, it cannot exist without women themselves, as they are charged with the crucial task of reproduction on the biological as well as symbolical and ideological levels¹⁴. Women's functions in ethnic nations can be summarised as follows: biological reproduction, securing the continuity of the nation; reproduction of ideology, supporting and perpetuating the nation's ideological and moral standards, both through correct behaviour and the education of sons and daughters; reproduction of boundaries, with an emphasis on purity in the reproductive process and non-contamination with other nations: namely, the emphasis on motherhood is a way of constraining women's sexuality and sanctioning their bodies as a source of community legitimisation¹⁵. The last point may be considered the crucial one, as it explains the pervasiveness of the phenomenon of rape in ethnic wars, which serves as a means to weaken and contaminate, physically and symbolically, the women of the enemy nation, and thus the nation itself¹⁶.

Monique Wittig's statement that «lesbians are not women»¹⁷ applies appropriately in this context where women are identified with the functions assigned to them. Indeed, women engaged in homosexual relationships are less likely to cooperate and fulfil the functions assigned to them: even if they have

¹² See Iveković and Mostov, 2002: 16.

¹³ See Irigaray, 1974: 101.

¹⁴ See Anthias and Yuval Davis, 1989: 6-11.

¹⁵ See Butalia, 2000: 150.

¹⁶ See Thomas and Ralph, 1994.

¹⁷ See Wittig, 1992.

children, they do not correspond to the idealised notion of motherhood. As unmarried women, they have no place in the community because women, excluded from the social contract, can enter society only by signing the marriage contract¹⁸. Conversely, homosexual women do not belong to a male head of the family, who would mediate between the private and public spheres by exercising control over them in the name of the community and thus making their bodies 'viable' as social territory symbolising the collective space. Lastly, they are less likely to be mobilised for support of the dominant ideology, or to transmit patriarchal values, because it is not automatic for them to identify with the community overlooking their own selves.

Yet, what potentially undermines nationalism is not only the direct loss of control over women's bodies, but in a wider perspective, the very questioning of the hierarchic binary. Nationalistic ideologies can be made sense of through sexuality as they are based on two assumptions: one, the existence of ontological binary categorisations, the core one being male / female, which also translates as Self / Other on the psychoanalytical level and dominant / submitted on the political one; and two, the 'natural' and unquestionable hierarchic relationship between them. Sexuality and sexual / gender codes are therefore core elements of nationalism, as highlighted by Rada Iveković, because the sexual binary serves as an instrument to build, by means of analogy, other hierarchies based on race and class where the Other is debased and annihilated. This can be easily seen in ethnic wars, when violence is strongly gendered inasmuch as the victim is automatically perceived as feminine, and the dominant side is identified and invested with the feature of masculinity¹⁹. On the other hand, Ivan Iveković has shown the analogies in the treatment of women and ethnic minorities in Balkan neo-patriarchal regimes: women, as well as other minority groups, are excluded from full citizenship and equally excluded from full participation in the public sphere²⁰.

By looking at the erotic character of nationalism, it is easy to see that homosexuality, which by its very existence highlights the arbitrary character of the binary systems at the basis of nationalistic ideologies, can act as an instrument for questioning ideological and social homogenisation and for asserting pluralism in the social sphere.

¹⁸ See Pateman, 1997: 233.

¹⁹ See R. Iveković, 1996.

²⁰ See I. Iveković, 1996.



Conclusion: queering social structures

Patriarchal systems function by including women only as non-specific entities, defined by the function they perform²¹: they are not incorporated into society as fully autonomous individuals, but only as long as they fit the predefined model of femininity²². This is valid in the domestic as well as in the public domain: more precisely, the hierarchy established in the private sphere is the core and the structural model for building the collective space.

Any relationship not conforming to such patterns leaves space for a potentially equal and not pre-codified interaction: women are not confined by their very anatomy in a predefined role, as the patriarchal order demands. The very idea of a same-sex relationship undermines the unquestioned pre-determination of the individual's fate on anatomical grounds. Some homosexual couples may seem to reproduce the traditional roles of heterosexual relationships²³, yet this pertains to the individuals' choice, and it is not based on any pre-determined hierarchy. What characterises homosexual relationships is not necessarily the absence of roles, but the fact that they can be adopted or rejected, ignored or negotiated. The very notion of negotiation threatens the established order, because it shows the performative character of gender; it represents the space of potentiality in opposition to the reproduction of immutable codes. To use Judith Butler's categories²⁴, it stresses accomplishment over disposition. This is what makes homosexuality potentially subversive: by questioning the core hierarchic dichotomy (sex), it potentially threatens other hierarchic stratifications based on race, ethnicity or class.

Foucault suggested seeing sex through power. On the other hand, by looking instead at power through sex and thus unveiling the gendered roots of social inequality, sex and gender can turn from instruments of discrimination into potential instruments for social pluralisation. By asserting difference and the right to difference in the realm of gender identity and sexual orientation, as well as questioning the dogma of women's dependence upon men, female homosexuality testifies to the potential multiplicity of social and interpersonal relational models, thus on the conceptual level, contributing to a challenge to the unchangeable character of authoritarian and hierarchical social structures.

²¹ See Loraux, 2002: 28.

²² See Pateman, 1997: 234.

²³ See Bourdieu, 2001: 119.

²⁴ See Butler, 1997: 135.

Bibliography

- Anthias, F.**, and Yuval-Davis, N. (1989). *Woman – nation – state*. Basingstoke: MacMillan.
- Balibar, E.**, and I. Wallerstein (1991). *Race, nation, class. Ambiguous identities*. London, New York: Verso
- Bourdieu, P.** (1998). *La domination masculine*. Editions du Seuil. English edition by Richard Nice (2001). *Masculine domination*. Cambridge: Polity Press.
- Butalia, U.** (2000). *The other side of silence: voices from the partition of India*. Durham: Duke University Press.
- Butler, J.** (1997). *The psychic life of power. Theories in subjection*. Stanford: Stanford University Press.
- De Beauvoir, S.** (1949). *Le deuxième sexe*. Paris: Librairie Gallimard. Italian edition by R. Cantini and M. Andreose (1994). *Il secondo sesso*. Milano: Il Saggiatore.
- Foucault, M.** (1976). *Histoire de la sexualité. La volonté de savoir*. Paris: Gallimard.
- Friedland, R.** (2002). «Money, sex, and God: the erotic logic of religious nationalism». *Sociological theory*, 20:3 (November 2002). 381-425.
- Irigaray, L.** (1974). *Speculum de l'autre femme*. Paris: Les Editions de Minuit. Italian edition by L. Muraro (1975). *Speculum. L'altra donna*. Milano: Feltrinelli.
- Iveković, I.** (1996). «Neopatriarchy and political violence. Understanding Ethnic Conflict in the Balkans and Transcaucasia». Occasional paper 6. Bologna: Europe and the Balkans International Network & Ravenna: Longo Editore. www.eurobalk.net
- Iveković, R.** (1996). «Le pouvoir nationaliste et les femmes». Occasional paper 1. Bologna: Europe and the Balkans International Network & Ravenna: Longo Editore. www.eurobalk.net
- Iveković, R.**, and J. Mostov, eds. (2002). *From gender to nation*. Ravenna: Longo Editore.
- Iveković, R.**, and J. Mostov, (2002), «Introduction». In R. Iveković and J. Mostov (2002). 9-25.
- Kesić, V.** (2002). «Gender and ethnic identities in transition. The former Yugoslavia – Croatia». In R. Iveković and J. Mostov (2002), 63- 80.
- Lorau, N.** (2002). *The divided city. On memory and forgetting in ancient Athens*. New York: Zone Books.
- Lupo, P.** (1998). *Lo specchio incrinato. Storia e immagine dell'omosessualità femminile*. Venezia: Marsilio Editori.
- Mertus, J.** (1999). «Women in Kosovo: contested terrains. The role of national identity in shaping and challenging gender identity». In Ramet (1999), 171-186.
- Pateman, C.** (1997). *The sexual contract*. Italian edition by Biasini, C. (1998). *Il contratto sessuale*. Roma: Editori Riuniti.
- Papić, Ž.** (1999). «Women in Serbia: post-communism, war, and nationalist mutations». In Ramet (1999), 153-170.
- Pavlović, T.** (1999). «Women in Croatia: feminists, nationalists, and homosexuals». In Ramet (1999), 131-152.
- Ramet, S.P.**, ed. (1999). *Gender politics in the Western Balkans. Women and society in Yugoslavia and the Yugoslav successor states*. University Park: The Pennsylvania State University Press.
- Thomas, D.Q.**, and R.E. Ralph (1994). «Rape in war: challenging the



tradition of impunity». *SAIS Review*, 14:1 (Winter-Spring 1994).

Wittig, M. (1992). *The Straight Mind and Other Essays*. New York, London: Harvester Wheatsheaf.

Biographical Note

The author is a graduate student in Eastern European Research and Studies (University of Bologna, Italy), with specialisation in the socio-anthropological area. Research interests include queer studies and theatre. The dissertation, a research project on queer theatre and performers in former Yugoslavia, will be discussed in September 2006.

Gender and the Nemesis of Nature: On Magnus Hirschfeld's Deconstruction of the Sexual Binary and the Concept of «Sexual Human Rights»

J. Edgar Bauer

«[O]n the basis of what I have myself experienced, I am able to give a more detailed explanation of some Christian dogmas and how such things can come about through divine miracles. Something like the conception of Jesus Christ by an Immaculate Virgin – i.e. one who never had intercourse with a man – happened in my own body. Twice at different times [...] I had a female genital organ, although a poorly developed one, and in my body felt quickening like the first signs of life of a human embryo: by a divine miracle God's nerves corresponding to male seed had been thrown into my body; in other words fertilization had occurred.» Daniel Paul Schreber¹

1.) When the 19th century theorist of homosexuality Karl Heinrich Ulrichs defined the so-called 'third sex' as *anima muliebris virili corpore inclusa*², he unknowingly initiated a lasting

¹ Schreber, Daniel Paul: *Memoirs of My Nervous Illness*. Translated, Edited, with Introduction, Notes and Discussion by Ida Macalpine and Richard A. Hunter. London: Wm. Dawson & Sons Ltd., 1955, pp. 42-43. The German text reads: «Auf der anderen Seite bin ich in der Lage, für einige christliche Glaubenssätze auf Grund des von mir selbst Erlebten eine nähere Erklärung, wie dergleichen Dinge im Wege göttlicher Wunder möglich sind, zu geben. Etwas der Empfängniß Jesu Christi von Seiten einer unbefleckten Jungfrau – d.h. von einer solchen, die niemals Umgang mit einem Manne gepflogen hat – Aehnliches ist in meinem eigenen Leibe vorgegangen. Ich habe [...] zu zwei verschiedenen Malen bereits einen wenn auch etwas mangelhaft entwickelten weiblichen Geschlechtstheil gehabt und in meinem Leibe hüpfende Bewegungen, wie sie den ersten Lebensregungen des menschlichen Embryo entsprechen, empfunden: durch göttliches Wunder waren dem männlichen Samen entsprechende Gottesnerven in meinen Leib geworfen worden; es hatte also eine Befruchtung stattgefunden.» (Schreber, Daniel Paul: *Denkwürdigkeiten eines Nervenkranken*. Mit Aufsätzen von Franz Baimayer, einem Vorwort, einem Materialanhang und sechs Abbildungen herausgegeben von Peter Heiligenthal und Reinhard Volk. Wiesbaden: Focus-Verlag, 1973, p. 10.)

² I.e., «a woman's soul confined by a man's body». The phrase defines the «Urnig», a term Ulrichs coined to designate the male members of the 'third sex'. Ulrichs mentions the Latin phrase on several occasions in his writings. The most prominent locus is the title page of: Ulrichs, Karl Heinrich: *Memnon. Die Geschlechtsnatur des mannliebenden Urnings. Eine naturwissenschaftliche Darstellung [...] Abtheilung I.* [1868]. In: Ulrichs, Karl Heinrich: *Forschungen über das Räthsel der mann-männlichen Liebe*. Herausgegeben von Hubert Kennedy. Band 8. Berlin: Verlag rosa Winkel, 1994, p. I. Correspondingly, Ulrichs defines the «Urnigin» (i.e., the female member of the 'third sex') as «*anima virilis muliebris corpore inclusa*». (Ulrichs, Karl Heinrich: *Memnon. Die Geschlechtsnatur des mannliebenden Urnings. Eine naturwissenschaftliche Darstellung [...] Abtheilung II.* [1868]. In: Ulrichs, Karl Heinrich: *Forschungen über das Räthsel der mann-männlichen Liebe*, op.cit., p. XXV. Cf. the treatment of the issue in: Kennedy, Hubert: Ulrichs: *The Life and Works of Karl Heinrich Ulrichs. Pioneer of the Modern Gay Movement*. Boston: Alyson Publications, Inc, 1988, especially pp. 56-59.



trend to locate in the 'soul' potentials liable of disrupting the binary system of the body's sexuality. Downplaying from early on the theoretical import of anatomical or physiological anomalies for a principled elucidation of sexual difference, sexually-emancipatory discourses took mostly for granted the putative bodily rootage of binary sexuality; assuming that its pervasiveness could only be adequately questioned by recurring to non-corporeal levels of sexual description as the actual source of sexual anormativity. In its basic tendency, the very distinction between sex and gender was designed to support the analytical concentration on the psyche and its social interventions as sites of diversion from the imperturbable regime of the body's dual sexual system. On these assumptions, gender disruptions sought to contest the factuality of binomial sexuality with the aid of instrumentalities ranging from performative inversions to plastic surgery. Although the genetic constitution of the individual has set, for the time being, a crucial limit to the scope of current medical technologies, their availability entails consequences way beyond the range of merely anatomical or prosthetic correctives. For, regardless of histrionics and surgical changes, gender transgressiveness will necessitate a serious re-thinking of the corporeal foundations of sexual difference if and when the transgender option of 'male femininity' could include the possibility that a man becomes a mother.

2.) In his book The I[n] V[itro] F[ertilisation] Revolution, the renowned gynecologist Robert Winston considers male pregnancy to be a realistic possibility in the foreseeable future, and outlines the technical means needed to bring about such a pregnancy. While pointing out that «effectively, our man could suffer all the risks of an advanced and most dangerous form of ectopic pregnancy»³, Winston unequivocally asserts: «There is no doubt that men could get pregnant»⁴. If the expression 'male pregnancy' loses its current oxymoronic character, the femininity of males will be instrumental not just in dismantling social or ideological conventions of gender role and assignation, but in debunking the alleged naturalness of binary sexuality by the force of fact, and in opening up an uncharted dimension of sexual variability emerging from the depths of the body itself. By revealing – with the aid of medical science and technology – potentialities of nature that challenge the putative sexual divide, future male pregnancy calls for a re-conceptualization of sexual difference deeper than the mere re-structuring of gender options and their possible transgression⁵.

³ Winston, Robert: *The IVF Revolution. The Definitive Guide to Assisted Reproductive Techniques*. London: Vermillon, 1999, p. 207.

⁴ Winston, Robert: *The IVF Revolution*, op. cit., p. 207.

⁵ On October 25, 2005 – a couple of weeks after this paper was presented – the

3.) From early on, the emerging sexual minority rights movements sensed the need to rethink the principles and criteria of sexual distribution. Reflecting this need, the prevalent emancipatory discourses on the 'third sex' and its late-20th century equivalents aimed at complementing and completing the binary divide of the sexed body through constructions of third sexual alternatives configured at the level of the 'psyche' or 'spirit'⁶. In this understanding, the 'third sex' fulfilled a suppletive function with regard to the binomial regime of sexual distribution, i.e. it supplemented the sexual binary of man and woman through a sexual mode that closes the possibilities of what is representable as 'sexuality'. Opposing such categorial completions, Magnus Hirschfeld (1868-1935)⁷ conceptualized the 'third sex' in a quintessentially de-totalizing manner. Having contended that sexual difference should be re-framed within the ever-diversifying continuum of nature, he concluded that the categories of man and woman, as well as the third-sex excision, are actually only 'fictions'. On these assumptions, Hirschfeld attributed to the 'third sex' the function of a makeshift design to dissolve the sexual

French / German television channel ARTE broadcasted an evening program under the general heading: *Qu'est-ce qu'un homme? Qu'est-ce qu'une femme?* [What is a man? What is a woman?] / *Typisch Mann, typisch Frau* [Typically male, typically female]. The second film of the evening was a documentary by Sophie Lepault and Capucine Lafait (France, 2005, 45 minutes) with the telling title: *L'homme qui rêvait d'être enceint* [The man who dreamt of being pregnant] / *Wenn Männer Kinder kriegen könnten* [If men could give birth to children]. The film opens and closes with references to the work of two New Yorker conceptual artists dealing with the issue of male pregnancy whose work can be accessed via Internet: <http://www.malepregnancy.com>. During the discussion following the two films included in the program, the participants mentioned that researchers had already induced male pregnancies in mice, and that in China five hundred men were prepared to undergo a pregnancy treatment that will be available before the end of 2005. The telecast was produced in cooperation with the Parisian newspaper *L'Express* that had published on October 20 a dossier on *Sexe et sexualité* now accessible in the Internet: <http://www.lexpress.fr/info/societe/dossier/sexualite/dossier.asp>. Cf. especially the article by Gilbert Charles on *Les mystères de la différence*, where the author refers to the book by Henri Atlan *L'utérus artificiel* (Paris: Seuil, 2005). An alternative to the 'natural', ectopic pregnancy of males envisaged by Robert Winston seems to be one induced with the aid of an implanted artificial uterus.

⁶ For the modern history of the concept of 'third sex', cf.: Bauer, J. Edgar: *Third Sex*. In: *glbtq. An encyclopedia of gay, lesbian, bisexual, transgender & queer culture*. General Editor: Claude J. Summers. www.glbtq.com/social-sciences/third_sex.html, 2004.

⁷ The standard biography of Hirschfeld is: Herzer, Manfred: *Magnus Hirschfeld. Leben und Werk eines jüdischen, schwulen und sozialistischen Sexologen*. Zweite, überarbeitete Auflage. Hamburg: MännerschwarmSkript Verlag, 2001. For a biography in English, cf: Wolff, Charlotte: *Magnus Hirschfeld. A Portrait of a Pioneer in Sexology*. London / Melbourne / New York: Quartet Books, 1986. For a brief presentation of Hirschfeld's life and work, cf.: Bauer, J. Edgar: *Magnus Hirschfeld*. In: *glbtq. An encyclopedia of gay, lesbian, bisexual, transgender & queer culture*. General Editor: Claude J. Summers. www.glbtq.com/social-sciences/hirschfeld_m.html, 2004.

binary and introduce a potentially infinite series of sexualities coterminous with the actual number of sexed individuals. In Hirschfeld's serial understanding, the 'third sex' does not entail the finitization of sexual alternatives but, on the contrary, reflects the idea that, on principle, there is no final completion of the series of possible sexualities. Although both the suppletive and the serial conceptualizations of the third sex call to question the cogency of binomial sexuality from the liminal perspective of the excluded, they envisage very different emancipatory aims. While the tripartition model adds a third alternative without necessarily transforming the binomial self-understanding of the alleged majority, the open-ended model challenges from the outset the very possibility that such a majority be constituted by questioning the theoretical validity of its cohesion.

4.) Magnus Hirschfeld's «doctrine of sexual intermediaries» (*sexuelle Zwischenstufenlehre*)⁸ constitutes the systematic site in which he grounds and explicates his serial understanding of the third sex. Since this doctrine purports the inexhaustible variability of sexual constitutions, Hirschfeld insisted that it should be thoroughly distinguished from present or future sexual 'theories' aiming at the explanation of the phenomena depicted by the doctrine. As a meta-theoretical discourse intended to set the foundations for a conceptualization of sexual difference that supersedes closed systems of sexual distribution, Hirschfeld's doctrine asserts that all individuals artificially assigned to distinct sexual groups are actually transitions within the pervasive continuity of nature. As such, the idea of sexual gradation allows for limitless sexual constitutions depending on the way the poles of the masculine and the feminine combine at each of the different layers of sexual description. In Hirschfeld's times, such layers were assumed to range from the sexual organs and the secondary sexual characteristics, to the sexual drive and the way psychological traits attain their socio-cultural articulation⁹. Given

⁸ For a detailed analysis and interpretation of Hirschfeld's doctrine, cf.: Bauer, J. Edgar: Der Tod Adams. Geschichtsphilosophische Thesen zur Sexualemanzipation im Werk Magnus Hirschfelds. In: Seeck, Andreas (ed.): Durch Wissenschaft zur Gerechtigkeit? Textsammlung zur kritischen Rezeption des Schaffens von Magnus Hirschfeld. Münster / Hamburg / London: Lit Verlag, 2003, pp. 133-155. Reprint of: Bauer, J. Edgar: Der Tod Adams. Geschichtsphilosophische Thesen zur Sexualemanzipation im Werk Magnus Hirschfelds. In: *100 Jahre Schwulenbewegung. Dokumentation einer Vortragsreihe in der Akademie der Künste*. Ausgewählt und herausgegeben von Manfred Herzer. Berlin: Verlag rosa Winkel, 1998, pp. 15-45.

⁹ Cf. Hirschfeld, Magnus: *Die Homosexualität des Mannes und des Weibes*. Nachdruck der Erstauflage von 1914 mit einer kommentierenden Einleitung von E.J. Haeblerle. Berlin / New York: Walter de Gruyter, 1984, p. 357; Hirschfeld, Magnus: *Geschlechtskunde auf Grund dreißigjähriger Forschung und Erfahrung bearbeitet*. 1. Band: Die körperseelischen Grundlagen. Stuttgart: Julius Püttmann,

that, in Hirschfeld's scheme, sexual difference is not determined in relation to one single excluded alternative (male or female), but in relation to an open ended system of as yet only partially realized combinations of the masculine and the feminine at the different descriptive layers, the sexuality of each and every individual is characterized by a unique complexity¹⁰.

5.) Hirschfeld's life motto *per scientiam ad justitiam* offers a hermeneutical key to his encompassing sexological program that moves from lucid acknowledgment of the biological facts of human sexuality, to visions of a libertarian culture capable of coping with endless sexual diversity. Although this is clearly the ultimate emancipatory aim ensuing from Hirschfeld's re-conceptualization of sexual difference, the most visible level of discursivity in his work focuses on the urgent task of liberating the sexual minorities of his time from the oppression they endured. Thus, understandably, the issues related to allegedly non-normative sexual constitutions are dominant in his writings, while his ideas regarding the potentially infinite diversity of sexualities are sketched on several occasions, but never developed in a systematic and comprehensive manner. By and large, Hirschfeld's sexology and activism concentrated on those oppressed by the fictional framework of binary sexuality, while relegating the emancipation of the oppressors themselves who (misapprehending their own sexuality according to the dimorphic paradigm) felt free to deprive the so-called third sex of life options of which they also deprive themselves. Since Hirschfeld's emancipatory tactics were intended to win sympathy and understanding for sexual minorities from those who considered themselves perfectly 'normal' according to the binomial scheme, it would have been counterproductive to insist on the fact that the basic assumption of this ostensible majority regarding their own 'normality' was groundless.

6.) Hirschfeld does not conceptualize sexuality from the standpoint of a godly Creator contriving binomial sex to conform to the patterns of a sanctioned gender combinatory, but from the perspective of self-diffusive Nature inciting polymorphous sex to liberate its potentialities by giving rise to unlimited forms of gender. On this account, ascertainable sexual differences are the ever-

Verlagsbuchhandlung, 1926, pp. 547-548.

¹⁰ Cf. on this issue: Bauer, J. Edgar: «43 046 721 Sexualtypen». Anmerkungen zu Magnus Hirschfelds Zwischenstufenlehre und der Unendlichkeit der Geschlechter. In: *Capri. Herausgegeben vom Schwulen Museum*. Redaktion: Manfred Herzer. Berlin: No. 33, Dezember 2002, pp. 23-30; Bauer, J. Edgar: Geschlechtliche Einzigkeit. Zum geistesgeschichtlichen Konnex eines sexualkritischen Gedankens. In: *Capri. Herausgegeben vom Schwulen Museum*. Redaktion: Manfred Herzer. Berlin: No. 34, November 2003, pp. 22-36.



provisional result of a multi-leveled differentiation process whose evolving complexity contravenes the postulation of closed sexual identities and the fictitious sexual groups they eventually form. Attentive to the unique marks of sexual individuality, Hirschfeld sought to overcome the hypostatization of sexual categories practiced within taxonomic and medical discourses, while acknowledging the legitimacy of categorial reductions for the sake of research and therapy. Hence, Hirschfeld's doctrine implies that the sexological grasp of the individual constitutes an asymptotic task determined by the ultimate ineffability of his sexual complexity. Given Hirschfeld's critical limitation of the sexological ambit, the hiatus between 'science' and 'justice' is bridged by the non-subsumable individual, whose liberation begins with the dismantlement of all constraints imposed by the prevalent regime of gender on the natural diversification of sex.

7.) Hirschfeld's doctrine of sexual intermediaries does not merely entail the substitution of one conceptualization of sex by another. Rather, the dissolution of the sexual binary it brings about exposes the traditional view of the man / woman divide as an ideological construction of gender pretending to be a description of the naturally given sex. Arguing against the fictional character of such a construction, Hirschfeld's doctrine focuses on the variability of all descriptive levels of sexuality as the source of differences that make the sexed individual impervious to subsumptive procedures. Since, on these assumptions, individualized sexualities occupy a unique site within a system of natural continuity, Hirschfeld envisages an emancipatory program that, ultimately, is not hinged on the mere tolerance granted by the sexual majority, or on the proud self-assertion of sexual minorities fighting for their rights. Rather, such a program implies disrupting the self-perception of the putative majority as an ideological fiction that leads to the very real alienation of the minorities it calls into being. In its consequence, Hirschfeld's sexual libertarianism purports the recurrence to Nature as a dissolving principle of closed distributional schemes that reckon their fictional sets of gender to be real compartmentations of sex.

8.) Well aware of the immediate needs of the sexually oppressed, Hirschfeld distinguishes the provisory tactics deemed necessary for attaining their liberation from the overall emancipatory strategy that ensues from the essentialism of radical sexual diversity, and seeks to liberate both the oppressors and the oppressed. In its consequence, this essentialism debunks not only the fiction of a male / female divide, but also the resulting combinatories of man and woman according to the homo- / heterosexual scheme. In consideration of the epochal consequences of this deconstruction, it is significant that it was

Hirschfeld who, in 1933, publicized for the first time the concept of «sexual human rights» (*sexuelle Menschenrechte*)¹¹ that had been coined by the jurist and scholar Rudolf Goldscheid at a conference of the World League for Sexual Reform held in 1930¹². Given the politically turbulent times before Hirschfeld's unexpected passing, it is hardly surprising that he was not able to elaborate extensively on the scope and relevancy of the new concept. It is however beyond doubt that, in his understanding, «sexual human rights» could only be realized upon acknowledging the unique intersexed configuration of every individual. The new sexual ethics and politics Hirschfeld announces is the practical response to the self-limitation of sexology *vis-à-vis* unclassifiable humanity.

9.) The reception of Hirschfeld's doctrine of sexual intermediaries has been curtailed first and foremost by the distorting treatment of his work in Sigmund Freud's psycho-analytical corpus. Since Hirschfeld's radical deconstruction of binomial sexuality might have proven to be a menace to the psychoanalytical sanction of Oedipal heterosexuality, Freud flagrantly ignored Hirschfeld's serial understanding of the third sex, and, instead, imputed to Hirschfeld the suppletive theory of the third sex, which had been propounded decades before by Karl Heinrich Ulrichs¹³. Consistent with this blunt misrepresentation, Freud conveniently avoids mentioning Hirschfeld in a passage at the beginning of Drei Abhandlungen zur Sexualtheorie when he underscores:

«Even though separations might be justified, one cannot ignore that all intermediary degrees can be found in abundance, so that the formation of series suggests itself as it were automatically»¹⁴.

By referring to sexual intermediaries as a matter of

¹¹ Cf. Hirschfeld, Magnus: Was will die Zeitschrift «Sexus»? In: *Sexus. Internationale Zeitschrift für die gesamte Sexualwissenschaft und Sexualreform*. Herausgegeben vom Institut für Sexualwissenschaft, Berlin. Berlin (1933) No. 1, pp. 4-5.

¹² Cf. Goldscheid, Rudolf: Zur Geschichte der Sexualmoral. In: *Sexualnot und Sexualreform. Verhandlungen der Weltliga für Sexualreform*. IV. Kongress abgehalten zu Wien vom 16. bis 23. September 1930. Redigiert von Dr. Herbert Steiner. Wien: Elbemühl-Verlag, 1931, pp. 279-302, especially pp. 299-300.

¹³ Cf. Kennedy, Hubert: Ulrichs: *The Life and Works of Karl Heinrich Ulrichs*, op. cit., pp. 91-97.

¹⁴ Freud, Sigmund: *Drei Abhandlungen zur Sexualtheorie*. In: *Freud, Sigmund: Studienausgabe*. Band V: Sexualeben. Herausgegeben von Alexander Mitscherlich u.a. Frankfurt am Main: S. Fischer Verlag, 1972, p. 49: «Allein so berechtigt Sonderungen sein mögen, so ist doch nicht zu verkennen, daß alle Zwischenstufen reichlich aufzufinden sind, so daß die Reihenbildung sich gleichsam von selbst aufdrängt.»



course, Freud pre-empts the possible objection that he would overlook their existence, and, at the same time, avoids the intricacies of dealing explicitly with Hirschfeld's actual contentions regarding the universal scope of sexual intermediariness and the socio-cultural consequences it entails. Doubtless, Freud had good reasons for considering Hirschfeld's work and activism a serious threat to his Oedipal theories, since, as an advocate of homosexual emancipation, Hirschfeld pleaded for the liberation of those drives, which Freud was trying to render subservient to the ends of Oedipal-based and thus Phallic-centered culture. Embodying an emancipatory alternative to Freudian libidinal sublimation, Hirschfeld became the reminder of an achievable sexual freedom, and, therewith, the guilty conscience of Freud's cultural project.

10.) Since from the perspective of Freudian phallicism the destabilization of the binary scheme through the hypostatization of a third sex constituted a plausible and bad-enough scenario to provoke its rejection by psychoanalysis, Freud, on the one hand, falsely assigned such an hypostasis to Hirschfeld, and, on the other, undermined the need of positing such an hypostasis by transforming individualized homosexuality into a general component of the human psyche¹⁵. Once the alleged third sex has been denied existence in the real world by internalizing it, homosexuality can be restricted to an inadequate or 'wrong' combinatory of the two normative sexes. On these assumptions, the difference of the alleged third-sex people from heterosexuals becomes an acceptable deviation from the normative range, for, in the last resort, it corroborates the universality of the Oedipus complex and of the binary it is designed to sanction. Despite their inherent deficiency, the two possible same-sex combinatories (i.e., male-male, and female-female) have at least the advantage – from Freud's point of view – of not questioning the paradigm of sexual difference indispensable for maintaining the concept of normalcy. Against this backdrop, Freud's misrepresentation of Hirschfeld's actual premises evinces itself as a reaction against the dangers emanating from Hirschfeld's serial understanding of the third sex, for, being proto-typically anti-Oedipal, it cancels the sexual binary and leads toward what, following Gilles Deleuze and Félix Guattari, might be termed «n-sexes»¹⁶. Envisaging a diversification of sexualities without end and of the combinatories of sexed individuals that result thereof, Hirschfeld's doctrine effectuates an

¹⁵ Cf. Hocquenghem, Guy: *Le désir homosexuel* [1972]. Préface de René Schérer. Paris: Fayard, 2000, pp. 69-76.

¹⁶ Deleuze, Gilles and Félix Guattari: *Capitalisme et Schizophrénie. L'Anti-Œdipe. Nouvelle édition augmentée*. Paris: Les Éditions de Minuit, 1999, p. 352: «[...] des n ... sexes [...]».

anti-Oedipal decomposition of the mythical Phallus into the ascertainable sexual instantiations deployed within the penis / clitoris continuum.

11.) In view of the radical consequences that Hirschfeld's *Zwischenstufenlehre* entails, it is not surprising that post-World War II German scholarship found it easier to accept Freud's biased and thoughtless dismissal of Hirschfeld, than to take a precise account of his texts and deal with the deeper aspects of his sexological thought. The sexology and historiography of sexuality prevalent in Germany to this day has systematically decried Hirschfeld's actual contentions as 'naturalism' or 'biologism'¹⁷, and thereby contributed to the ongoing misunderstanding and underestimating of his work as a whole¹⁸. Not by chance is Hirschfeld almost totally absent from all substantial debates in GLBTQ studies, although he not only anticipated many fundamental issues prevalent in the current discussions on sex, gender and sexuality, but also foreshadowed the post-modern contestation of closed schemes of sexual subsumption. Actually, most scholars working in sex-related areas of research are barely aware that Hirschfeld's *Geschlechtskunde auf Grund dreißigjähriger Forschung und Erfahrung bearbeitet*¹⁹, the five-volume compendium of the sexologist's life work, includes perhaps the most radical refutation of the ideology of the sexual binarism pervading culture since prehistoric man articulated sexuality with the aid of the *lingam / yoni* alternance.

¹⁷ On the issue of Hirschfeld's German *Wirkungsgeschichte*, cf.: Bauer, J. Edgar: Über Hirschfelds Anspruch. Eine Klarstellung. In: *Mitteilungen der Magnus-Hirschfeld-Gesellschaft*. Herausgegeben von der Magnus-Hirschfeld-Gesellschaft e.V. Redaktion: Ralf Dose. Berlin: Nr. 29/30, Juli 1999, pp. 66-80; Bauer, J. Edgar: Magnus Hirschfeld: *per scientiam ad justitiam*. Eine zweite Klarstellung. In: *Mitteilungen der Magnus-Hirschfeld-Gesellschaft*. Herausgegeben von der Magnus-Hirschfeld-Gesellschaft e.V. Redaktion: Ralf Dose. Berlin: Nr. 33/34, 2002, pp. 68-90; Bauer, J. Edgar: Magnus Hirschfeld. Der Sexualdenker und das Zerrbild des Sexualreformers. In: *Capri. Herausgegeben vom Schwulen Museum*. Redaktion: Manfred Herzer. Berlin: No. 37, Mai 2005, pp. 5-18. Cf. also the forthcoming article: Bauer, J. Edgar: Magnus Hirschfeld: Sexualidentität und Geschichtsbewußtsein. Eine dritte Klarstellung. In: *Mitteilungen der Magnus-Hirschfeld-Gesellschaft*. Herausgegeben von der Magnus-Hirschfeld-Gesellschaft e.V. Redaktion: Ralf Dose. Berlin: Nr. 37/38, 2006.

¹⁸ For elaborations on this issue, cf.: Bauer, J. Edgar: Magnus Hirschfelds «Zwischenstufenlehre» und die «Zwischenstufentheorie» seiner Interpreten. Notizen über eine rezeptionsgeschichtliche Konfusion. In: *Capri. Herausgegeben vom Schwulen Museum*. Redaktion: Manfred Herzer. Berlin: No. 35, April 2004, pp. 36-44; Bauer, J. Edgar: Magnus Hirschfeld. Der Sexualdenker und das Zerrbild des Sexualreformers. In: *Capri. Herausgegeben vom Schwulen Museum*. Redaktion: Manfred Herzer. Berlin: No. 37, Mai 2005, pp. 5-18.

¹⁹ Hirschfeld, Magnus: *Geschlechtskunde auf Grund dreißigjähriger Forschung und Erfahrung bearbeitet*. 5 Bände. Stuttgart: Julius Püttmann, Verlagsbuchhandlung, 1926-1930. Literal translation of the title: «Sexual Science treated on the basis of 30 years of research and experience».

12.) In contrast with the overwhelming majority of Hirschfeld's critics in Germany, the French philosopher and writer Guy Hocquenghem (1946-1988) evinced a perspicuous understanding of the issues at stake in the sexologist's doctrine of sexual intermediaries. In *Race d'Ep. Un siècle d'images de l'homosexualité* (1979) Hocquenghem presents a scene where old Hélène, Hirschfeld's former secretary, evokes her experiences at the *Institut für Sexualwissenschaft* destroyed by the Nazis in 1933. Existing «only in the imagination of the author»²⁰, Hélène is actually Hocquenghem's *alter ego* reflecting his views on Hirschfeld's teachings when she recalls: «[...] the doctor thought that we ALL are, in one way or another, intermediary degrees between man and woman, and he set out to prove it. 'In confidence, Hélène', he often said to me, 'which are the true differences? I have a more developed and perforate clitoris, you have a larger pelvis, that's all, a matter of nuances, basically'»²¹. Despite the absence of conceptual technicalities, the passage conveys the kernel of Hirschfeld's doctrine by highlighting that the sexologist did not assume a dividing gap between two mutually exclusive sexes, but, instead, conceptualized sexual difference as a matter of nuances. On this assumption, the penis can be considered as a more developed, perforate clitoris, and, by implication, the clitoris itself as a less developed, non-perforate penis. The idea that sexual difference is not a matter of disjunctive qualities, but of degrees, is corroborated by the second example chosen to illustrate the general principle: the difference between the male and the female pelvis is a mere matter of size. In Hocquenghem's presentation it becomes apparent that, since no human being escapes the condition of sexual intermediariness, the sexual middle stages in the natural continuum – oftentimes considered as monstrosities²² – constitute as a matter of fact no exceptions, but just conspicuous instantiations of nature's principled deployment.

13.) Hirschfeld's deconstruction of the sexual binary seems to have had a considerable incidence on one of the most eloquent advocates of gay liberation, the Italian author and activist Mario

²⁰ Hocquenghem, Guy: *Race d'Ep. Un siècle d'images de l'homosexualité*. Avec la collaboration iconographique de Lionel Soukaz. Paris: Éditions Libres-Hallier, 1979, p. 145: «Une vieille dame qui n'existe bien sûr que dans l'imagination de l'auteur...».

²¹ Hocquenghem, Guy: *Race d'Ep*, op. cit., pp. 147-148: «Le docteur pensait que nous sommes TOUS, d'une manière ou d'une autre, des degrés intermédiaires entre l'homme et la femme, et il avait entrepris de le prouver. 'De vous à moi, Hélène', il me disait souvent, 'quelles sont les vraies différences? J'ai un clitoris plus développé et perforé, vous un bassin plus large, c'est tout, questions de nuances, en somme.'» (Emphasis added.)

²² Cf. for example the pictures in: Hocquenghem, Guy: *Race d'Ep*, op. cit., pp. 104-107.

Mieli (1952-1983). Although he never discussed the content and import of Hirschfeld's doctrine explicitly, his basic contentions concerning sexual difference can be regarded as explicatory variations on the insights Hirschfeld began to formulate as early as 1896. In his main work *Elementi di critica omosessuale* (1977), Mieli refers to Hirschfeld's emancipatory activism²³, and mentions two of his most important treatises²⁴, but circumvents Hirschfeld's theses regarding the universal scope of sexual intermediariness and the socio-cultural critique it implies. This notwithstanding, Mieli's key concept of a «'universal' transsexual (or polymorphous and hermaphrodite) human disposition»²⁵ seems to be heavily indebted to Hirschfeld's fundamental premises. When Mieli asserts, for instance, that «every human being, embryologically bisexual, retains in himself all his life, from a biological and psychological point of view, the presence of the other sex»²⁶, he seems to recapitulate passages in Hirschfeld's first sexological treatise titled *Sappho und Sokrates*, which includes the young author's earliest articulations of what he later designated as «*sexuelle Zwischenstufenlehre*»²⁷. Furthermore, once Mieli defines «transsexuality» as «the *telos* of the struggle for the

²³ Cf. Mieli, Mario: *Elementi di critica omosessuale*. A cura di Paola Mieli e Gianni Rossi Barilli. In appendice testi di Tim Dean, Teresa de Lauretis, David Jacobson, Christopher Lane, Claude Rabant e Simonetta Spinelli. Milano: Feltrinelli Editore, 2002, pp. 85, 91.

²⁴ Mieli, Mario: *Elementi di critica omosessuale*, op. cit., p. 85, footnote 45.

²⁵ Mieli, Mario: *Elementi di critica omosessuale*, op. cit., p. 20: «[...] universale disposizione transessuale (ovvero polimorfa ed ermafrodita) umana [...]»

²⁶ Mieli, Mario: *Elementi di critica omosessuale*, op. cit., p. 21: «[...] ogni essere umano, embriologicamente bisessuale, conserva in sé per tutta la vita, dal punto di vista biologico e psicologico, la presenza dell'altro sesso.»

²⁷ In a decisive passage of the treatise, Hirschfeld makes the following precisions: «Die menschliche Frucht ist bis zum Ende des dritten Monats wie die der niedersten Organismen während ihrer ganzen Lebensdauer vollkommen ungeschlechtlich (oder besser zweigeschlechtlich). Es ist bis zu dieser Zeit unmöglich zu unterscheiden, ob das betreffende Individuum ein Junge oder ein Mädchen werden soll. [...] In der Uranlage sind alle Menschen körperlich und seelisch Zwitter. [...] Doch ist es der Lupe des Forschers sehr wohl möglich, die Reste der ursprünglichen Zwitteranlage bis in das späteste Alter nachzuweisen. Jeder Mann behält seine verkümmerte Gebärmutter, den Uterus masculinus, die überflüssigen Brustwarzen, jede Frau ihre zwecklosen Nebenhodien und Samenstränge bis zum Tode. [...] Wir dürfen aber mit aller Bestimmtheit annehmen, daß auch hier [=die seelischen Zentralstellen der Geschlechtsempfindung] Residuen des zum Untergang bestimmten Triebes zurückbleiben, gleich der verkümmerten Gebärmutter des Mannes.» (Hirschfeld, Magnus: *Sappho und Sokrates. Wie erklärt sich die Liebe der Männer und Frauen zu Personen des eigenen Geschlechts?* Zweite Auflage. Leipzig: Verlag von Max Spohr, 1902, pp. 11-13. The first edition was published under the pseudonym "Th. Ramien" in 1896). / «The human embryo is until the end of the third month (like the lowest organism during their whole lives) completely a-sexual (or more accurately: bi-sexual). In this period it is not possible to tell whether the individual in question will be a boy or a girl. [...] In their primary disposition all human beings are, with respect to their bodies and souls, hermaphrodites. [...] However, for the magnifying glass of the researcher it is perfectly possible to ascertain the residues

liberation of Eros»²⁸, he recurs to argumentative strategies designed to overcome the sexual binary that are very similar to those utilized by Hirschfeld. Thus, his understanding of «homoeroticism» as an indispensable provisory to attain the liberation of polymorphous Eros is reminiscent of the Hirschfeldian recourse to the 'makeshift' of the third sex to overcome the simplistic sexual distribution into man and woman and introduce the idea of potentially inexhaustible sexualities²⁹. Finally, Mieli seems to follow Hirschfeld's call for a radical deconstruction of sexual 'fictions' – including the fictional (i.e. suppletive) third sex – when he proceeds to disrupt the very idea of a gay identity in the name of his own «anti-identificatory transsexuality»³⁰.

14.) Differing from Hocquenghem and Mieli, the lesbian writer and theorist Monique Wittig (1935-2003) never quoted or mentioned Hirschfeld in her published work. However, her challenge of binomial sexual difference for the sake of inexhaustible sexual diversity constitutes a decisive deepening of the insights expressed by the sexologist³¹. Wittig's primary emancipatory concern is «the destruction of heterosexuality as a

of the original hermaphrodite disposition until old age. Every man keeps his stunted womb – the uterus masculinus – and the superfluous nipples until death, every woman [keeps] her useless epididymis and her spermatic cord. [...] One can definitely assume that also here [=the psychic center of sexual sensibility] residues of the drive subsist that, is eventually destined to decline, like the stunted womb of the male.» (Translation by the author.) Similar formulations and arguments can be found throughout the comprehensive opus of Hirschfeld in connection with his elaborations on the doctrine of sexual intermediaries.

²⁸ Mieli, Mario: *Elementi di critica omosessuale*, op. cit., p. 31: «[...] il télos della lotta per la liberazione dell'Eros [...]»

²⁹ Tellingly, Mieli contends: «Se la forma imperante della monosessualità è l'eterosessualità, una liberazione dell'omoerotismo [...] costituisce una tappa imprescindibile del cammino volto alla liberazione dell'Eros. L'obiettivo [...] non è affatto quello di ottenere un'accettazione dell'omoerotismo da parte dello status quo etero-capitalistico: bensì di trasformare la monosessualità in Eros davvero polimorfo, molteplice; di tradurre in atto e in godimento quel polimorfismo transessuale che esiste in ciascuno di noi in potenza e represso.» (Mieli, Mario: *Elementi di critica omosessuale*, op. cit., P. 111). / «If heterosexuality is the pervasive form of monosexuality, the liberation of homoeroticism [...] constitutes an indispensable stage on the way toward the liberation of Eros. The aim is by no means to render homoeroticism acceptable to the hetero-capitalistic status quo: but rather to transform monosexuality in a truly polymorphous, multiple Eros; to translate into act and pleasure that transsexual polymorphism, which exists in each one of us potentially and repressed.» (Translation by the author.)

³⁰ Cf. on this issue the insightful clarifications by Paola Mieli, a sister of the author, in: Mieli, Paola: Premessa. In: Mieli, Mario: *Elementi di critica omosessuale*, op. cit., p. 247-252, especially pp. 250-251. In Italian the concept reads: «transessualità antiidentitaria» (p. 250).

³¹ Regardless of the question whether Wittig read Hirschfeld or not, it is highly probable that she knew *Race d'Ép. Un siècle d'images de l'homosexualité*, the book by her younger French contemporary Guy Hocquenghem where some of the basic premises of Hirschfeld's *sexuelle Zwischenstufenlehre* are depicted (cf. § 12

social system which is based on the oppression of women by men and which produces the doctrine of the difference between the sexes to justify this oppression»³². Far from disregarding or denying the import of sexual diversity as such, her criticism targets the obstruction of diversification ensuing from the naturalizing ideology, which sustains the binary scheme of sexual distribution. Thus, in the self-interpretive introduction to her parable Les Tchiches et les Tchouches, Wittig maintains that there is no «anatomical difference»³³ that would justify the construction of two mutually exclusive groups which, in fact, correlate with 'women' and 'men'. Even though «the physical appearance»³⁴ of Tchiches and Tchouches is indeed divergent, this ascertainable fact in itself does not contradict Wittig's fundamental contention that «one has to do with the same race»³⁵. In reverting the parable to its sexual literalness, it becomes apparent that Wittig aims at depicting a commonality of the human liable of encompassing the undeniable diversities of the sexual, while at the same time suggesting that the traits of these diversities do not warrant the formation of two asymmetrical groups connected through the bond of male supremacy.

15.) Given that heterosexuality, according to Wittig, attempts to justify its system of female subordination and homosexual phobias by referring to an allegedly «'already there' of the sexes»³⁶, the lesbian in Wittig's work counters the pervasive

above). More importantly, Wittig refers to the phrase concerning the «n-sexes» used by Gilles Deleuze and Félix Guattari in Capitalisme et Schizophrénie. L'Anti-Œdipe (cf. § 15 below). The passage where Deleuze and Guattari elaborate on the «n-sexes» (cf. footnote 16) is remindful of Hirschfeld's postulation of potentially infinite sexualities. It is perhaps no coincidence that, while Hirschfeld calculated in his *magnum opus* the existence of «43,046,721 *Sexualtypen*» on the basis of a very conservative estimate of sexual variables (cf. Hirschfeld, Magnus: *Geschlechtskunde*, op. cit., Vol. I, pp. 594-599), Félix Guattari edited the same year in which L'Anti-Œdipe was first published a collective work (including contributions by Gilles Deleuze and Guy Hocquenghem) under the title: Trois Milliards de Pervers. Grande Encyclopédie des Homosexualités (Paris: Recherches, 1973). Beyond the contingencies of statistics and calculations, Hirschfeld – like Guattari and Deleuze – was guided by the fundamental premise: «Die Zahl der denkbaren und tatsächlichen Sexualtypen ist unendlich [...]» (Hirschfeld, Magnus: *Geschlechtskunde*, op. cit., Vol. I, p. 599) / «The number of imaginable and factual sexual types is infinite [...]» (Translation by the author.)

³² Wittig, Monique: *The Straight Mind and Other Essays*. Boston: Beacon Press, 1992, p. 20.

³³ Wittig, Monique: *Les Tchiches et les Tchouches*. In: Wittig, Monique: *Paris-la-politique et autres histoires*. Paris: P.O.L., 1999, p.122: «[...] *différence anatomique* [...]»

³⁴ Wittig, Monique: *Les Tchiches et les Tchouches*, op. cit., p.122: «*L'aspect physique* [...]»

³⁵ Wittig, Monique: *Les Tchiches et les Tchouches*, op. cit., p.122: «[...] *on a affaire à la même race*.»

³⁶ Wittig, Monique: *The Straight Mind and Other Essays*, op. cit., p. 4.



regime of sexual oppression by assuming the role of an «escapee» or «fugitive slave». As a «not-woman» and as a «not-man»³⁷, the lesbian lays claim to a site beyond the categories of binomial sex difference in the name of a «science of oppression»³⁸ distilled from the quandaries she has endured. What is at stake for Wittig is the capacity to lose «the sense [...] of the stupid duality with all that flows therefrom»³⁹. While dull dualism is the characteristic scheme of thought of the «straight mind», the «oblique point of view» of the lesbian «standing at the outposts of humankind»⁴⁰ enables the envisioning of a non-exclusionary «beyond», where – in the words of Terence – «*humani nihil a me alienum puto*»⁴¹. Significantly, the most precise depiction of sexual subjectivities beyond alienation is offered by Wittig in *Paradigm*, a philosophical essay in which she declares: «For us there are, it seems, not one or two sexes, but many (cf. Guattari / Deleuze), as many sexes as there are individuals»⁴². Wittig is well aware that the culture of liberated sexuality she envisages can only be warranted if the naturalizing ideologies of binomial sexual difference yield to the evidence that, in the last resort, the corporeality of any subjectivity is configured by a radically individualized and therefore unclassifiable sexuality. On these assumptions, the «oblique mind», contravening the views of millennia, testifies to the necessary fragmentation of the human in the irreducible sexual diversity of its individual manifestations. Therewith, it becomes apparent that Wittig's passionate self-assertion as a lesbian does not pretend to achieve a general lesbianization of the world, but, rather, intends to show how the full assumption of an «ec-centric» sexual existence can be the source of empowerment for subjectivities deprived of the social validation of their uniqueness. Coinciding with Hirschfeld's doctrine, Wittig's critique of binomial sexual difference culminates in the assertion that the number of sexualities is coextensive with that of human beings.

³⁷ Wittig, Monique: *The Straight Mind and Other Essays*, op. cit., p. 13.

³⁸ Cf. Wittig, Monique: *The Straight Mind and Other Essays*, op. cit., pp. 18, 31.

³⁹ Wittig, Monique: *The Lesbian Body*. Boston: Beacon Press, 1986, p. 145. [The French original runs: «le sens [...] de la stupide dualité avec tout ce qui s'ensuit.» (Wittig, Monique: *Le Corps lesbien*. Paris: Les Éditions de Minuit, 1973, p. 165.)]

⁴⁰ Cf. Wittig, Monique: *The Straight Mind and Other Essays*, op. cit., p. 46.

⁴¹ The quote from Terence (Heauton Timoroumenos, 25) is part of the motto in Wittig's essay *Homo Sum* in the English version of her theoretical essays. (Cf. Wittig, Monique: *The Straight Mind and Other Essays*, op. cit., p. 46.) The French edition quotes Terence in French translation.

⁴² Wittig, Monique: *Paradigm*. In: Stambolian, George and Elaine Marks: *Homosexualities and French Literature. Cultural Contexts / Critical Texts*. Preface by Richard Howard. Ithaca and London: Cornell University Press, 1979, p. 119. [The French original runs: «Pour nous, il existe semble-t-il non pas un ou deux sexes mais autant de sexes (cf. Guattari / Deleuze) qu'il y a d'individus.» (Wittig, Monique: *La pensée straight*. Paris: Éditions Balland, 2001, pp. 107-108.)]

16.) In 1895 Friedrich Nietzsche wrote: «The degree and kind of a human being's sexuality reaches to the outmost summit of his spirit»⁴³. Exploring the organic depths from which sexuality emerges, Magnus Hirschfeld sensed that the complexities and subtleties of the psyche are all rooted in individual bodies that escape, in the last resort, the taxonomical grip of the spirit. Challenging the subsumptions of individuals under the binomial or any other closed categorizations of sexuality, Hirschfeld re-defined sexual difference within a framework of potentially infinite sexualities that can only be depicted by an asymptotical approach of the nuances constituting their unique complexity. Hocquenghem's insistence on the universality of sexual intermediariness, Mieli's idea of a polymorphous transsexuality of all humans, as well as Monique Wittig's conception of sexual individuality within an open-ended scheme of «n-sexes» resonate with essential aspects of Hirschfeld's *Zwischenstufenlehre*, and articulate the sexological basis of their late 20th century struggle for realizing what Hirschfeld would have termed «sexual human rights». Far from disregarding specific minorities, these thinkers move from a provisory and restricted conception of liberation focused on the oppressed, to a vision of sexual emancipation that supersedes the traditional excisions of the sexual continuum in the name of the sexual uniqueness inherent in the commonality of being human. Tellingly, queer theory followed these forerunners in rejecting closed schemes of sexual distribution and in insisting on sexual individuality as the touchstone of liberation⁴⁴. However, since queer theory has concentrated, by and large, on gender as the site of agitation against the putative constrictions of nature, it has failed to sketch out a phenomenology of the sexual $\sigma\tilde{\omega}\mu\alpha$ ⁴⁵ capable of exposing such constrictions not as a consequence of 'nature', but of the naturalizing ideology of the sexual binary. Leaving out of account the corporeal depth of Nietzschean «*Geschlechtlichkeit*», present-day advocates of social and cosmetic transgressions overlook that the profusion of unique

⁴³ Nietzsche, Friedrich: *Jenseits von Gut und Böse. Vorspiel einer Philosophie der Zukunft*. In: Nietzsche, Friedrich: *Sämtliche Werke. Kritische Studienausgabe in 15 Bänden*. Herausgegeben von Giorgio Colli und Mazzino Montinari. Band 5. München und Berlin: Deutscher Taschenbuch Verlag / de Gruyter, 1980, p. 87: «*Grad und Art der Geschlechtlichkeit eines Menschen reicht bis in den letzten Gipfel seines Geistes hinauf.*»

⁴⁴ On these assumptions, it is no wonder that in [A Genealogy of Queer Theory](#) William B. Turner writes: «Queerness indicates merely the failure to fit precisely within a category, and surely all persons at some time or other find themselves discomfited by the bounds of the categories that ostensibly contain their identities.» (Turner, William B.: *A Genealogy of Queer Theory*. Philadelphia: Temple University Press, 2000, p. 8.)

⁴⁵ The Greek concept of $\sigma\tilde{\omega}\mu\alpha$ can designate the material body, as well as the person and the individual. Interestingly, the apostle Paul uses the concept once in the sense of the carrier of the sexual functions (Cf. *1 Corinthians* 7,4).

sexual constitutions emerging from *natura naturans* – in Baruch de Spinoza's understanding of the term – necessitates a thorough deconstruction of all categorial fixations of sex. Under these circumstances, future male maternity constitutes a salutary reminder of how φύσις – actuating upon herself by means of τέχνη⁴⁶ – disrupts the discontinuities imposed on her since, at the dawn of civilization, *lingams* and *yonis* were taken to mark the allegedly insurmountable sexual divide. As a privileged locus where self-subverting Nature re-articulates the conditions for the emergence of an inviolable 'An-other', the male mother is a token of the disquieting freedom that ensues from the radical de-hierarchisation and de-binarization of the sexual.

Bibliography

- Aristotelis *Fragmenta Selecta***. Recognovit brevis adnotatione instruxit W.D. Ross. Oxonii e typographeo clarendoniano, 1958.
- Atlas**, Henri: *L'utérus artificiel*. Paris: Seuil, 2005.
- Bauer**, J. Edgar: Der Tod Adams. Geschichtsphilosophische Thesen zur Sexualemanzipation im Werk Magnus Hirschfelds. In: *100 Jahre Schwulenbewegung. Dokumentation einer Vortragsreihe in der Akademie der Künste*. Ausgewählt und herausgegeben von Manfred Herzer. Berlin: Verlag rosa Winkel, 1998, pp. 15-45.
- Bauer**, J. Edgar: Der Tod Adams. Geschichtsphilosophische Thesen zur Sexualemanzipation im Werk Magnus Hirschfelds. In: Seeck, Andreas (ed.), *Durch Wissenschaft zur Gerechtigkeit? Textsammlung zur kritischen Rezeption des Schaffens von Magnus Hirschfeld*. Münster / Hamburg / London: Lit Verlag, 2003, pp. 133-155.
- Bauer**, J. Edgar: Geschlechtliche Einzigkeit. Zum geistesgeschichtlichen Konnex eines sexualkritischen Gedankens. In: *Capri. Herausgegeben vom Schwulen Museum*. Redaktion Manfred Herzer. Berlin: No. 34, November 2003.
- Bauer**, J. Edgar: Magnus Hirschfeld. In: Summers, Claude J. (ed.), *glbtq. An encyclopedia of gay, lesbian, bisexual, transgender & queer culture*. www.glbtc.com/social-sciences/hirschfeld_m.html, 2004.
- Bauer**, J. Edgar: Magnus Hirschfeld: Der Sexualdenker und das Zerrbild des Sexualreformers. In: *Capri. Herausgegeben vom Schwulen Museum*. Redaktion Manfred Herzer. Berlin: No. 37, May 2003, pp. 5-18.
- Bauer**, J. Edgar: Magnus Hirschfeld: *per scientiam ad justitiam*. Eine zweite Klarstellung. In: *Mitteilungen der Magnus-Hirschfeld-Gesellschaft. Herausgegeben von der Magnus-Hirschfeld-Gesellschaft e. V.* Redaktion Ralf Dose. Berlin: No. 33/34, 2002, pp. 68-90.
- Bauer**, J. Edgar: Magnus Hirschfeld: Sexualidentität und

⁴⁶ Cf. Aristotle: Protrepticus, Ross 11 (Walzer 11). In: *Aristotelis Fragmenta Selecta*. Recognovit brevis adnotatione instruxit W.D. Ross. Oxonii e typographeo clarendoniano, 1958, p. 44: μιμείται γὰρ οὐ τὴν τέχνην ἢ φύσιν ἀλλὰ αὐτὴ τὴν φύσιν, καὶ ἔστιν ἐπὶ τῷ βοηθεῖν καὶ τὰ παραλειπόμενα τῆς φύσεως ἀναπληροῦν. / «For nature does not imitate art, but art imitates nature; art exists to aid nature and to fill up its deficiencies.» (Translation by the author.)

Geschichtsbewußtsein. Eine dritte Klarstellung. In: *Mitteilungen der Magnus-Hirschfeld-Gesellschaft*. Herausgegeben von der Magnus-Hirschfeld-Gesellschaft e.V. Redaktion Ralf Dose. Berlin: No. 37/38, 2006. (forthcoming)

Bauer, J. Edgar: Magnus Hirschfelds «Zwischenstufenlehre» und die «Zwischenstufentheorie» seiner Interpreten. Notizen über eine rezeptionsgeschichtliche Konfusion. In: *Capri*. Herausgegeben vom Schwulen Museum. Redaktion Manfred Herzer. Berlin: No. 35, April 2004, pp. 36-44.

Bauer, J. Edgar: Third Sex. In: Summers, Claude J. (ed.), *glbtq. An encyclopedia of gay, lesbian, bisexual, transgender & queer culture*. www.glbtc.com/social-sciences/hirschfeld_m.html, 2004.

Bauer, J. Edgar: Über Hirschfelds Anspruch. Eine Klarstellung. In: *Mitteilungen der Magnus-Hirschfeld-Gesellschaft*. Herausgegeben von der Magnus-Hirschfeld-Gesellschaft e.V. Redaktion Ralf Dose. Berlin: No. 29/30, July 1999, pp. 66-80.

Bauer, J. Edgar: «43 046 721 Sexualtypen.» Anmerkungen zu Magnus Hirschfelds Zwischenstufenlehre und der Unendlichkeit der Geschlechter. In: *Capri*. Herausgegeben vom Schwulen Museum. Redaktion Manfred Herzer. Berlin: No. 33, December 2002, pp. 23-30.

Charles, Gilbert: Homme-femme. Les mystères de la différence. *L'Express*. <http://www.lexpress.fr/info/societe/dossier/sexualite/dossier.asp> (20 October, 2005)

Charles, Gilbert and Claire Chartier: Dossier: Homme-femme. Les mystères de la différence. *L'Express international*. No. 2833. Week 20 – 26 October 2005, pp. 10-19.

Deleuze, Gilles and Félix Guattari: *Capitalisme et Schizophrénie. L'Anti-Œdipe*. Nouvelle édition augmentée. Paris: Les Éditions de Minuit, 1999.

Freud, Sigmund: Drei Abhandlungen zur Sexualtheorie. In: Freud, Sigmund: *Studienausgabe. Band V: Sexualleben*. Herausgegeben von Alexander Mitscherlich u.a. Frankfurt am Main: S. Fischer Verlag, 1972.

Goldscheid, Rudolf: Zur Geschichte der Sexualmoral. In: *Sexualnot und Sexualreform. Verhandlungen der Weltliga für Sexualreform*. IV. Kongress abgehalten zu Wien vom 16. bis 23. September 1930. Redigiert von Dr. Herbert Steiner. Wien: Elbemühl-Verlag, 1931, pp. 279-302.

Guattari, Félix (ed.): *Trois Milliards de Pervers. Grande Encyclopédie des Homosexualités*. Paris: Recherches, 1973.

Herzer, Manfred: *Magnus Hirschfeld. Leben und Werk eines jüdischen, schwulen und sozialistischen Sexologen*. Zweite, überarbeitete Auflage. Hamburg: MännerschwarmSkript Verlag, 2001.

Hirschfeld, Magnus: *Die Homosexualität des Mannes und des Weibes*. Nachdruck der Erstauflage von 1914 mit einer kommentierenden Einleitung von E.J. Haerberle. Berlin / New York: Walter de Gruyter, 1984.

Hirschfeld, Magnus: *Geschlechtskunde auf Grund dreißigjähriger Forschung und Erfahrung bearbeitet. 5 Bände*. Stuttgart: Julius Püttmann, Verlagsbuchhandlung, 1926 - 1930.

Hirschfeld, Magnus: *Geschlechtskunde auf Grund dreißigjähriger Forschung und Erfahrung bearbeitet. 1. Band: Die körperseelischen Grundlagen*. Stuttgart: Julius Püttmann, Verlagsbuchhandlung, 1926.

Hirschfeld, Magnus: *Sappho und Sokrates. Wie erklärt sich die Liebe der Männer und Frauen zu Personen des eigenen Geschlechts?* Zweite Auflage. Leipzig: Verlag von Max Spohr, 1902.



Hirschfeld, Magnus: Was will die Zeitschrift «Sexus»? In: *Sexus. Internationale Zeitschrift für die gesamte Sexualwissenschaft und Sexualreform*. Herausgegeben vom Institut für Sexualwissenschaft, Berlin. Berlin (1933) No. 1, pp. 4-5.

Hocquenghem, Guy: *Le désir homosexuel* [1972]. Préface de René Schérer. Paris: Fayard, 2000.

Hocquenghem, Guy: *Race d'Ep. Un siècle d'images de l'homosexualité*. Avec la collaboration iconographique de Lionel Soukaz. Paris: Éditions Libres-Hallier, 1979.

Kennedy, Hubert: Ulrichs: *The Life and Works of Karl Heinrich Ulrichs. Pioneer of the Modern Gay Movement*. Boston: Alyson Publications, Inc., 1988.

Mieli, Mario: *Elementi di critica omosessuale*. A cura di Paola Mieli e Gianni Rossi Barilli. In appendice testi di Tim Dean, Teresa de Lauretis, David Jacobson, Christopher Lane, Claude Rabant e Simonetta Spinelli. Milano: Feltrinelli Editore, 2002.

Mieli, Paola: Premessa. In: Mieli, Mario: *Elementi di critica omosessuale*. A cura di Paola Mieli e Gianni Rossi Barilli. In appendice testi di Tim Dean, Teresa de Lauretis, David Jacobson, Christopher Lane, Claude Rabant e Simonetta Spinelli. Milano: Feltrinelli Editore, 2002, pp. 247-252.

Nietzsche, Friedrich: Jenseits von Gut und Böse. Vorspiel einer Philosophie der Zukunft. In: *Nietzsche, Friedrich: Sämtliche Werke. Kritische Studienausgabe in 15 Bänden*. Herausgegeben von Giorgio Colli und Mazzino Montinari. Band 5. München und Berlin: Deutscher Taschenbuch Verlag / de Gruyter, 1980.

Schreber, Daniel Paul: *Denkwürdigkeiten eines Nervenkranken*. Mit Aufsätzen von Franz Baimayer, einem Vorwort, einem Materialanhang und sechs Abbildungen herausgegeben von Peter Heiligenthal und Reinhard Volk. Wiesbaden: Focus-Verlag, 1973.

Schreber, Daniel Paul: *Memoirs of My Nervous Illness*. Translated, Edited, with Introduction, Notes and Discussion by Ida Macalpine and Richard A. Hunter. London: Wm. Dawson & Sons Ltd., 1955.

Turner, William B.: *A Genealogy of Queer Theory*. Philadelphia: Temple University Press, 2000.

Ulrichs, Karl Heinrich: Memnon. Die Geschlechtsnatur des mannliebenden Urnings. Eine naturwissenschaftliche Darstellung [...] Abtheilung I. [1868]. In: Ulrichs, Karl Heinrich: *Forschungen über das Räthsel der mann männlichen Liebe*. Herausgegeben von Hubert Kennedy. Band 8. Berlin: Verlag rosa Winkel, 1994.

Winston, Robert: *The IVF Revolution. The Definitive Guide to Assisted Reproductive Techniques*. London: Vermillion, 1999.

Wittig, Monique: *La pensée straight*. Paris: Éditions Balland, 2001.

Wittig, Monique: *Le Corps lesbien*. Paris: Les Éditions de Minuit, 1973.

Wittig, Monique: Les Tchiches et les Tchouches. In: Wittig, Monique: *Paris-la-politique et autres histoires*. Paris: P.O.L., 1999.

Wittig, Monique: Paradigm. In: Stambolian, George and Elaine Marks: *Homosexualities and French Literature. Cultural Contexts / Critical Texts*. Preface by Richard Howard. Ithaca and London: Cornell University Press, 1979, pp. 114-121.

Wittig, Monique: *The Lesbian Body*. Boston: Beacon Press, 1986.

Wittig, Monique: *The Straight Mind and Other Essays*. Boston: Beacon Press, 1992.

Wolff, Charlotte: *Magnus Hirschfeld. A Portrait of a Pioneer in Sexology*.

London / Melbourne / New York: Quartet Books, 1986.

Wong, Vergil and Lee Mingwei: *Pop! The First Human Male Pregnancy*.
<http://www.malepregnancy.com> and <http://www.virgilwong.com/installations/malepregnancy/index.shtml?name1=RYT+Hospital&type1=2Select&name2=First+Male+Pregnancy&type2=3Active> (last accessed 24 November, 2005)

Filmography

«L'homme qui rêvait d'être enceint.» Réalisé par Sophie Lepault et Capusine Lafait. Coproduction: Doc en stock, ARTE France. France, 2005, 45 min.

«Sexe?» Réalisé par Fabrice Gardel et Sophie Nahum. Coproduction: Doc en stock. France, 2005, 42 min.

Biographical Note

J. Edgar Bauer, Ph.D. University appointments in Berlin, Edinburgh, Heidelberg, Jerusalem, Kiel, Lima, Paris, Stuttgart, Tübingen and Ulm. Writer. Publications in the areas of philosophy, gender studies, contemporary religious thought and the history of psychoanalysis. Most recent / forthcoming publications: On the Nameless Love and Infinite Sexualities: John Henry Mackay, Magnus Hirschfeld and the Origins of the Sexual Emancipation Movement. In: *Journal of Homosexuality*. John P. De Cecco, editor. The Haworth Press, Binghamton, New York, 2005, pp. 1-26; Mémeté and the Critique of Sexual Difference: On Monique Wittig's Deconstruction of the Symbolic Order and the Site of the Neuter. In: *C-Theory*. Editors: Arthur and Marilouise Kroker. <http://www.ctheory.net>, 2005.



Always Between the Two: The Playful Dialectics Between / With the Masculine and the Feminine

Jozef Miskolci

Introduction

Is there any way out of a dichotomic relationship? Will it change anything if we have more genders than the dichotomic 'two'? Is it necessary to expand the feminine and the masculine into oranges, apples, pears, and plums in order to eliminate discrimination and social Othering on the basis of a different gender? If we regard the project of establishing more than 'two' gender categories on a large social scale as a utopian scenario; or if we do not consider it to be an efficient tool to tackle gender oppression, is it possible to come up with a non-hierarchical and non-discriminatory social project which remains to operate with the 'twoness'? Utilising Julia Kristeva's psycho-linguistic theories I want to argue here that there is one way out of the oppressive hierarchies. But that requires going beyond the 'two' opposite categories while staying (or playing) with the 'two'. It requires destabilising the hegemonic position of the post-Oedipal Symbolic ordering and to raise the value of the pre-Oedipal Semiotic. It requires exposing all the consequences of favouring the strict linguistic and social Symbolic structuring at the expense of the fluid and malleable Semiotic space. It requires facing the 'abjection' aroused from the Semiotic interferences into the Symbolic order with a playful acceptance that the rigidly structured Symbolic is unattainable and undesirable at the same time. I want to argue here for a playful 'dialectics' between the Semiotic and Symbolic order – between the feminine and masculine principles – as the way out of gender oppression.

In the first part of the paper I will deal with Julia Kristeva's psycho-linguistic theory and her concepts of the Semiotic and Symbolic order in particular. Within this conceptual framework I will try to expose the psychical source for human 'inclination' to oppress the Other. In addition, I will address the correlating moment between the Semiotic and the Symbolic with the two gender categories – the Feminine and the Masculine. This will prepare conceptual grounds for a theoretical solution how to eliminate oppressive patriarchal social structures while remaining to work within the 'two' categories. In the last part I want to raise a question to what extent such a solution can be utilised in the political sphere.

Julia Kristeva's Semiotic and Symbolic order

The story Julia Kristeva tells us about how our subjectivity – and gender identity in particular – is established appears as a

merger of classical Freudian and Lacanian psychoanalytic accounts, of structural linguistics, feminist theory, and European philosophy. It aims to become a suggestive project focusing on the overlap between psychoanalysis and semiotics, the notion of the speaking subject, the subject producing and deforming meaning by language-use. Following from Lacan's psychoanalytic model of psychosexual development and formation of subjectivity, Kristeva accommodates his concepts of the Real, the Imaginary and the Symbolic, while merely subsuming the first two – both the Real and the Imaginary – under her notion of the Semiotic. Both of these concepts – the Semiotic and the Symbolic – are, in Kristeva's account, the two inseparable modalities of 'all signifying processes', the interaction of whose constitutes and conditions subjectivity, sociability, and textuality (Kristeva 1974a, 34; Grosz 1990, 150).

The term 'semiotic', when speaking about the Semiotic phase, order, or space, must be understood here in its etymological rather than in its Saussurian sense. Coming from the Greek term *sémeion*, it signifies in Kristeva's texts «a distinctive mark, trace, index, the premonitory sign, the proof, engraved mark, imprint – in short, a 'distinctiveness' admitting of an uncertain and indeterminate articulation because it does not yet refer (for young children) or no longer refers (in psychotic discourse) to a signified object for athetic consciousness (this side of, or through, both object and consciousness)» (Kristeva 1975, 101-102). The Semiotic correlates with the pre-linguistic state of infancy where «the child babbles the sounds s/he hears, or where s/he articulates rhythms, alliterations, or stresses, trying to imitate her/his surrounding» (Kristeva 1990, 129). The Semiotic is the order of the sexual drives and their articulation (Kristeva 1974a, 35). These are still indeterminate, capable of many contradictory aims, sources, and objects. And in agreement with Freud, Kristeva regards the Semiotic as 'feminine' – as the phase dominated by the nurturing mother that merges with the child's not yet developed ego and distinct sense of the Self. However, in contrast to Lacan's notion of the Imaginary order that functions exclusively in a visual register, Kristeva's account on the Semiotic involves all the sensory registers without any receiving a special emphasis (Grosz 1990, 157).

Kristeva defines the Semiotic, borrowing the term *chora* from Plato's *Timaeus*, as «an essentially mobile and extremely provisional articulation constituted by movements and their ephemeral stases» (Kristeva 1974a, 35). As a «receptacle», Kristeva's *chora* is the unnamable, improbable, hybrid, unstable, uncertain, ever changing, ambiguous, mobile, contradictory, without unity, separable and divisible (62). As rupture and articulations preceding any evidence, verisimilitude, spatiality, and temporality, it is analogous only to vocal or kinetic rhythm (35-



36). Once we try to grasp it in words, once we try to name it, «it immediately becomes a container that takes the place of infinitely repeatable separability. This amounts to saying that this repeated separability is 'ontologized' the moment a 'name' or a 'word' replaces it, making it intelligible» (62-63).

«The *chora* is a modality of significance in which the linguistic sign is not yet articulated as the absence of an object and as the distinction between real and symbolic. We emphasize the regulated aspect of the *chora*: its vocal and gestural organization is subject to what we shall call an objective 'ordering' [*ordonnement*], which is dictated by natural or sociohistorical constraints such as the biological difference between the sexes or family structure. We may therefore posit that social organization, always already symbolic, imprints its constraint in a mediated form that organizes the *chora* not according to a 'law' (a term we reserve for the symbolic) but through an 'ordering'» (35).

The Semiotic is pre-Oedipal, based on primary processes and is maternally oriented. Platonic *chora* or receptacle representing a mother and «wet nurse» (63) thus signifies in Kristeva's account a place of not yet knowing, not yet constituted subject. It is a space where this not-yet-subject experiences sexual pleasure of uniting with the maternal body without any acknowledgement of boundaries – both ego and bodily boundaries. It is a space of radical dependency of the child on the maternal body, the space of the libidinal chaos (Butler 1990, 79).

By contrast, the Symbolic coming after the Mirror Stage, after the 'discovery' of castration, or after the «thetic phase», Kristeva regards as the condition of ordered, regulated, and rule-governed signification. It is an order that establishes unities, whether at the individual psychical level, or the level of signifying and representational practices of the social. It is

«[...] the realm of signification, which is always that of proposition or judgement, in other words, a realm of 'positions'. [...] We shall call this break, which produces the positing of signification, a 'thetic' phase. All enunciation, whether of a word or of a sentence, is thetic. It requires an identification; in other words, the subject must separate from and through his image, from and through his objects. This image and objects must first be posited in a space that becomes symbolic because it connects the two separated positions, recording them or redistributing them in an open combinatorial system» (Kristeva 1974a, 39-40).

To put it differently, the child needs to separate from the maternal body, from the maternal object / subject. After the infant captures its unified image in a mirror, it develops a want to separate from its fragmented body agitated by the Semiotic motility. The drive investment in this image, which institutes primary narcissism, permits as a result also the constitution of objects detached from the Semiotic *chora* (41). The discovery of castration – of the mother's 'lack' as Lacan theorises it – contributes significantly to this separation as well. It detaches the subject from its dependence on the mother, «finding his identity in the symbolic, [the subject] 'separates' from his fusion with the mother, 'confines' his *jouissance* to the genital, and transfers semiotic motility onto the symbolic order. Thus ends the formation of thethetic phase, which posits the gap between the signifier and the signified» (42). Language as nomination, sign, and syntax – as S/symbolic function – constitutes itself at the cost of repressing instinctual drive and continuous relation to the mother (Kristeva 1975, 104).

«We shall call 'symbolic' the logical and syntactic functioning of language and everything which, in translanguistic practices is assimilable to the system of language proper. The term 'semiotic', on the other hand, will be used to mean: in the first place, what can be hypothetically posited as preceding the imposition of language, in other words, the already given arrangement of the drives in the form of facilitations or pathways, and secondly the return of these facilitations in the form of rhythms, intonations and lexical, syntactic and rhetorical transformations. If the 'symbolic' establishes the limits and unity of a signifying practice, the 'semiotic' registers in that practice the effect of that which cannot be pinned down as sign, whether signifier or signified» (Kristeva 1976, 68; cited in Grosz 1990, 152).

In Kristeva's model, all texts and all cultural products are the result of a dialectical interaction between these two modalities of 'being'. While the Symbolic is the setting in place and the establishment of a regulated system, the Semiotic functions (within the realm of already 'fully' constituted subjects) to subvert, displace, and disrupt the unities of both language and the paternal Law – of basis of the Symbolic itself. As «breaches» and «ruptures» she identifies the Semiotic with the symptomatic eruptions of the avant-garde and poetic and musical practices (Kristeva 1974a, 54). Its subversive, dispersing energies transgress the boundaries or tolerable limits of the Symbolic, which is not capable to completely direct them into already coded social outlets. Poetic language, in Butler's reading of Kristeva, «is



the linguistic occasion on which drives break apart the usual, univocal terms of language and reveal an irrepressible heterogeneity of multiple sounds and meanings» (Butler 1990, 81). Poetic language (as based on the Semiotic principle) fractures, multiplies meaning; it enacts the heterogeneity of drives through proliferation and destruction of univocal signification. However, if we understand the Semiotic and the Symbolic as two modalities of language, while the latter is based on repression of the former, «the Symbolic remains hegemonic except when the Semiotic disrupts its signifying process through elision, repetition, mere sound, and the multiplication of meaning through indefinitely signifying images and metaphors» (82).

Although Kristeva designates the pre-Oedipal Semiotic phase as a feminine and maternal space, along with Lacan's poststructuralist tradition, she disembodies the feminine and the maternal from women, and from the female body in particular. As she understands the concept of femininity, «femininity is identified with a series of processes and relations that the pre-Oedipal child of either sex experiences and wants before the imposition of sexual difference. It has no special or particular connection to the differences between the sexes» (Grosz 1990, 161). She accepts the Lacanian concept of phallus as a crucial element in internalising masculine or feminine gender identity. In other words, she does not see the anatomies of bodies and the social meanings of their sexual specificities being the reason we introject one or the other gender, but the «asymmetrical bond of the two sexes with the phallus» (Kristeva 1987, 224). For accommodating the Lacanian phallus-centred psychoanalytic model Julia Kristeva became a target of a vast criticism from her feminist colleagues. These criticized her also for adopting the classic Freudian divisions of father and mother and for maintaining the paternal metaphor. On account of these criticisms Julia Kristeva argues:

«I have two things to say. First, for me it is not absolutely necessary to call them mother or father – what is necessary is to have three terms, if you prefer call them X and Y, why not? But I'm not sure that changes much. What is necessary for what I call the psychic space to accede [sic] to language is the existence of this distance and I cannot imagine another organization but the one of the three terms» (Kristeva 1984, 335).

Abjection and psychical inclination to oppress the Other

Borrowing the central framework from Freud and Lacan, Julia Kristeva posits as the crucial moment in the question of psychical acquisition of self-identity the moment of separation of

the infant from the mother-child dyadic unity. However, Julia Kristeva pushes the framework further by utilising her concept of 'abjection'. In her account of infant psychosexual development, the feelings of abjection, disgust, and loathing play a crucial role in the moment of 'separation' and 'interruption' of the mother-child dyadic relation – the interruption of the Semiotic with the entrance of the Symbolic. Although these feelings can be traceable already within the Semiotic order / phase, only in this moment (and within the Symbolic phase) they find their full expression. According to Kristeva, it is the moment of separation when the border between the 'I' and the 'm/other' is established, which makes the formation of the 'I' and the relation between the ego and its objects possible. It is a separation from the not-yet-subject's «joyful continuity with the mother's body» established by expelling, rejecting, the mother, that is consequently «distinguished» from the infant itself (Young 1990, 143-144; Kristeva 1982). And in this point enters the game the feeling of abjection, because the mother needs to be made 'object' (by the infant) in order to facilitate this separation from her (Oliver 1993, 56).

«The object confronts us, on the other hand, and this time within our personal archeology, with our earliest attempts to release the hold of 'maternal' entity even before existing outside of her, thanks to the autonomy of language. It is a violent, clumsy breaking away, with the constant risk of falling back under sway of a power as securing as it is stifling» (Kristeva 1982, 13).

Hence, Julia Kristeva depicts the moment of the split from the mother-child dyad as an act of child's 'violence' against the mother. In this spirit she interprets also the classical Freudian account:

«In the beginning was hatred, Freud said basically (contrary to the well-known biblical and evangelical statement), as he discovered that the child differentiates itself from its mother through a rejection affect, through the scream of anger and hatred that accompanies it, and through the 'no' sign as prototype of language and of all symbolism» (Kristeva 1993, 29).

Although Sigmund Freud definitely implied that the split from the mother-child is rather a violent and aggressive process, I conceive just Julia Kristeva's account of this issue giving it an appropriate importance and space within her writings.

Regarding Kristeva's point about the aggressive separation from the mother, from her body, and from her ego, I



want to argue here that it is this pattern of aggression, hatred, anger, and 'abjection' against the mother – in the Oedipal moment of the mother-child dyad 'split' – that we transpose to our (later) relations with the O/other subjectivities (after the Oedipal moment). It is this aggressive form of behaviour against the beloved mother that we accommodate as a pattern in our later contacts with the Other(s) (that we want to separate from). It is this pattern of making the Other (the mother) 'abject' and repulsive and loathsome in order to facilitate the separation from him/her/it. I see the moment of the split being the first conscious aggressive act in relation to other subjectivity which we thoroughly internalise, which is in principle inevitable, and which we take into our Symbolic world. As a result I see this experience of violent separation from the m/other (that we reiterate in our later relations with the O/other subjectivities) being a psychological pattern of the social phenomenon of oppressive hierarchisation and marginalisation of various social groups.

To explain the issue on an individual level, although the child manages (to certain extent) to 'split' from the mother, the newly formed Self throughout its entire life feels threatened by disintegration. The subject 'remembers' (or rather 'sees' / 'observes' the situations of mothers taking care of their children [not-yet-subjects]) the state of disintegrated self, of absolute dependence and unity with the Mother, of complete oneness with the Mother's ego within the Semiotic phase. As a result the subject constantly fears of «falling back under sway» of the Semiotic modality, where the 'I' ceases to exist. In order to keep the border of one's subjectivity firm in relation not only to the Mother but to O/other subjectivities as well, it usually acts with repulsion and aversion (or 'abjection' if you wish) to this Other and everything that threatens the seeming stability of the Self. Like the subject's confrontation with death, the threat of falling back into the prelinguistic stage of the *chora* – of the chaotic rule of libidinal drives – strikes the subject with fear and horror. This fright coming from the threat of being 'devoured' by the *chora*, where there is no 'I', manifests itself in the feelings of 'abjection'. Already constituted human subjects fear of giving up all the Symbolic (linguistic) structures by which we order our social world of meaning, because this would mean for him/her a return to the state of unity with the Other, where the sense of the Self melts and fades away 'again'.

When speaking about the level of social groups, such as 'men' and 'women', I would claim that especially a contact with members of a different social group generally brings a threat of disintegrating the unified picture of the Self. It is a form of threat on Social level – level of group-identities. It is a threat that 'our' group-identity is not defined 'solidly' enough within the Symbolic order. As a member of a particular identity group, every O/other group,

and especially a minority or marginal social group, represents for this Self a menace. Realising all the commonalities and a rather artificial and arbitrary character of the differences between the We and the Other group makes the boundaries between the two very blurry and vague. This fills an individual with anxiety and an uncomfortable feeling of not fitting into a stable structured social system of various identity groups – of not fitting into the Symbolic space itself. As a result, when encountering the threatening Other we usually react with aversion and 'abjection' towards him/her to keep the sense of the Self fixed and stable. Here originate also all forms of oppressive social hierarchisations such as sexism or misogyny (Young 1990, 141-146).

To put the matter simply, first, it is the threat of falling back under sway of the Semiotic principle of non-identity that we incline to distance from (and to master or dominate) the Other. And second, it is the character of the Symbolic order that invites to oppress everything that exceeds the rigidly structured Symbolic space. Regarding the second factor, the trouble is that there is nothing in this world that can be rigidly and fixedly defined. And especially not our identities. As Kristeva puts it, a subject can never attain an independent form of self-identity, but is forced to constantly define him/herself through the process of «negativity» (Kristeva 1974b).

«As the logical expression of the objective process, negativity can only produce a subject in process / on trial. In other words, the subject, constituted by the law of negativity and thus by the law of an objective reality, is necessarily suffused by negativity – opened onto and by objectivity, he is mobile, nonsubjected, free» (72).

That is also to say, within the Symbolic order a speaking subject can never fully acquire a sense of subjectivity 'positively' demarcated and delineated without being related to some O/other subjectivity. Just by being obliged to use the language forms and to occupy a space in the Symbolic order, this subject, in order to tackle with its 'heterogeneity' and to attain at least a relational form of self-identity, must constantly strive for fixing these delineations and demarcations. It must be a «questionable 'subject-in-process'»¹ (Kristeva 1975, 103). This process of perpetual 'separation' from the m/Other, of perpetual striving to delineate the boundaries of one's subjectivity in relation to her/him, is often accompanied by an endeavour to master, and to aggressively

¹ By the term 'process' Kristeva means a process as such, but also a legal proceeding where the subject is committed to trial, because our subjectivities are permanently called into question, brought to trial, and constantly over-ruled (Kristeva 1990, 128-129).



dominate her/him (following the logic of Hegel's Master-Slave imagery). But why do we so often slip into this pattern of trying to subjugate the Other if even Hegel leaves space for «transcendence» of the Master-Slave pattern and for «mutual recognition» between the two Subjects (Weir 1996, 21-23)?

I would claim here that it is the character of the Symbolic order that to a greater or lesser extent motivates and invites us to treat the Other as an inferior Object. It is the striving for fixity, solidity, and stable delineations – that the Symbolic order is typical for – of the language categories that encourage us to 'master' and 'dominate' the boundaries of their meaning – to have control over the boundaries between the subjects themselves. The nature of the language as such, that appears that the meaning of a sign is essential, non-relational, and firmly established once and for all, stimulates us to transpose this seeming stability into our relations with O/other subjects. Although Kristeva would be rather reluctant to equate the nature of the Symbolic order with a form of the oppressive Subject-Object relation (169), I cannot prevent myself from thinking that even if the Symbolic is not its genuine cause, it definitely invites for domination of the ambiguous, undefined, 'abject', as the opposites to the structured, clearly defined, and delineated ordering of the Symbolic. This fact I see as the reason we slip into the domineering form of behaviour so frequently and so easily.

Playful dialectics between the Semiotic and the Symbolic

So far, I have presented three aspects that can be traceable as psychical roots of a human inclination to oppress the Otherness. First, we transpose the behavioural pattern of aggressive splitting from the mother during the Oedipal phase. Second, we unconsciously fear of falling back under sway of the Semiotic principle of no ego and no sense of the self – of the absolute unity with the Other. Hence, we endeavour to have the Other under control of our own ego. And third, the Symbolic order – generally characterised as striving for a stable fixity and rigidity – invites to master and dominate everything that destabilises and melts down the strict structures of language or social rules. Saying all this, how can we overcome these tendencies on an individual level? And what is required to be changed in society so that the social oppression based on gender will fade away?

Speaking on an individual level, I want to claim that in order to resign for the 'inclination' to dominate and oppress the Other, we need to 'acknowledge' that we can never achieve the desired or even required (by nature of the Symbolic order) fixity and solidity of our Selves. We need to 'acknowledge' and finally admit to ourselves that these are 'essentially' relational and contingent. We need to 'acknowledge' that not mastery and

domination but rather the 'mutual recognition' between the Subjects and the 'intersubjective dialogue' can bring a form of gratification to our 'inclinations'. Hence, we need to 'acknowledge' the inevitability of interrelationality and interconnectedness between / among the Subjects which only can at last prepare a space for the non-hierarchical Subject-Subject relations.

Such an 'acknowledgement' is a form of admittance and reconciliation of ourselves with the fact about the existence of the 'multiplicity of every person's possible identifications' and the 'fluidity' of our inside and outside, a self and an other, one group and another. With this life approach we accept the position that «the other is neither an evil being foreign to me nor a scapegoat from the outside, that is, of another sex, class, race, or nation. I am 'at once the attacker and the victim', the same 'and' the other, identical 'and' foreign» (Kristeva 1977, 376). I am the 'abject' myself (Kristeva 1982, 11, 88). «The foreigner is within me, hence, we are all foreigners. If I am a foreigner, there are no foreigners» (Kristeva 1991, 192). Moreover, it offers us a chance to treat the 'abject' O/other as a same-valued Subject. But what is the role of the Semiotic, if I interpret the Symbolic as being an inviting force for domination? What should be the relationship between the Symbolic and the Semiotic with regard to this 'acknowledgement'?

As it was elaborated in previous parts of the paper, in order to acquire speaking abilities, the Semiotic processes – having their own specific form of 'ordering' (Kristeva 1974a, 36) – are supposed to be partly repressed in the Oedipal phase.

«Language as symbolic function constitutes itself at the cost of repressing instinctual drive and continuous relation to the mother. On the contrary, the unsettled and questionable subject of poetic language (for whom the sign is never uniquely sign) maintains itself at the cost of reactivating this repressed instinctual, maternal element» (Kristeva 1975, 104).

By saying this, Kristeva on one hand acknowledges the repression of the Semiotic so the Symbolic could develop; but on the other hand she asserts that the Semiotic 'ordering' can never be fully suppressed. The Semiotic even within the space of the Symbolic finds its expression in the avantgarde and poetic language (104), «in tone, rhythm, the bodily and material qualities of language, but also in contradiction, meaninglessness, disruption, silence and absence» (Eagleton 1983, 188; quoted in Leland 1989, 93). It attempts to «dissolve the first social censorship – the bar between signifier and signified – and, simultaneously, the first guarantee of the subject's position – signification, then meaning (the sentence and its syntax)» (Kristeva 1974a, 50).



This also means, Kristeva's social and political ideal is not a 'nostalgic return' to the lost unity with the mother, a form of return to the Semiotic *chora*. She asserts very plainly that «this libidinal source of subversion cannot be maintained within the terms of culture, that its sustained presence within culture leads to psychosis and to the breakdown of cultural life itself» (Butler 1990, 80), which Kristeva wants to preserve and cultivate. Since the Semiotic force as a revolutionary activity that disrupts stable meaning and social institutions would lead to a kind of anarchism that merely fosters private libidinal pleasure (Eagleton 1983, 190-191), Kristeva wants to avoid such scenario. As I read Kristeva's texts, her proposal to challenge the psychical inclination to oppress the Otherness (while speaking about the individual level to the same extent as about the social) is a form of 'dialectics' between the Semiotic and the Symbolic. She proposes an 'inner acknowledgement' that the Semiotic and the Symbolic will always work in a non-ceasing clashing, opposing, contradicting, and complementing. It is a form of dialectics of the Nietzschean chaotic principle of Dionysus and the balanced structured principle of Apollo, which brought the «birth of tragedy» (Nietzsche 1967). It is a form of 'pleasurable play' with / of these two modalities. To explain the issue in a 'poetic' way through a metaphor, I see this relationship as water currents in a river. Here the fluidity of the water is 'limited' by the patterns of flowing, by the 'solid' and relatively stable water currents, and by the riverbanks. As this water is not only 'fluid', our language and our contact with the Other should not be exclusively 'solid'. Hence, it is a proposal calling for 'fluid solidity' and 'solid fluidity' of the Semiotic and Symbolic modalities of language and behaviour, where a similar portion of the former faces, confronts, 'plays' against / with the latter. This way we should finally resign for a vision of an absolute enactment of the Symbolic, the primary aim of which is simply to solidify and fix the fluidity and malleability brought by the Semiotic. Julia Kristeva in this respect explicitly proposes

«[...] an 'interiorisation of the founding separation of the sociosymbolic contract', as an introduction of its cutting edge into the very interior of every identity whether subjective, sexual, ideological, or so forth. This is such a way that the habitual and increasingly explicit attempt to fabricate a scapegoat victim as foundress of a society of a countersociety may be replaced by the analysis of the potentialities of 'victim / executioner' which characterise each identity, each subject, each sex» (Kristeva 1986, 210).

Julia Kristeva is very well aware that the Symbolic modality has currently the social hegemony over the Semiotic,

and that is why the existing 'sociosymbolic contract' is constituted in accordance with the Sacrificial Logics² that sacrifices the feminine (as an actual Semiotic principle), the body and its products, the 'different' social groups, nature. Reading between the lines, what I see as Kristeva's main goal in her writings is an attempt to raise the currently suppressed status of the Semiotic in its complex meaning and in its complex consequences. This political project is then merely underlined by her well-known piece on feminism, Women's Time (1977, 1986) where she shows us that a tangible change of the 'sociosymbolic contract' can really take place. But can it?

The political dialectics?

This paper was not trying to contribute to the theoretical attempts to deconstruct the number of genders. Instead it was endeavouring to work within the scale between 'two' extreme positions. It was primarily speaking about 'two' Kristeva's psycholinguistic categories – the Semiotic and the Symbolic – that in a general social picture, as well as in Kristeva's account, correlate with 'two' genders – the Feminine and the Masculine. In society the latter has a significant hegemony over the former in all the possible aspects of our lives. When referring to the social oppression based on gender, is it necessary to deconstruct the number of genders to eliminate the tyrannical hierarchy between them? Or may we remain to speak about 'two' farthest positions on a scale of gender and to aspire for the same goals? No matter if we consider the strategy of deconstructing the number of genders a useful theoretical proposal or not, this paper was attempting to propose a scenario of a society based on a non-hierarchical relationship between ('merely') two principles. But remaining to think within the conceptual framework of Kristeva, how can we use these concepts to bring about a large social change? How to make our aspirations 'political' utilising such a strategy? The present 'sociosymbolic contract' is predominantly structured according to the characteristics of the Symbolic order. The representatives of the contract – the politicians – are constantly trying to clean up the space from anything 'Semiotic' – from anything disturbing the

² Allison Weir (1996) defines the term 'Sacrificial Logics' as reduction of self-identity to a 'necessary' instance of the repression of difference, the domination of the other, and the negation of non-identity (1-13). She borrows the term from Julia Kristeva's Women's Time (1977) where she speaks about the existing phallogocentric 'sociosymbolic contract' that is based on «an essentially SACRIFICIAL relationship of separation and articulation of differences [between men and women] which in this way produces communicable meaning» (358, emphasis mine). The current 'sociosymbolic contract' privileges one social group (e.g. men) at the expense of oppression of the other (women). That is also to say, the Other needs to be 'sacrificed' for the confirmation and (self)recognition of the One (Self) as a distinct subjectivity and self-identity.



'clearness' of their political suggestions. Hence, if the political space in its current constellation *a priori* excludes the Semiotic element – the Feminine element (in its complex meaning) – as undesirable and unwelcome, is there any social change possible in this respect? If the space of the political arena is closed for the Semiotic, is any dialectics between the two principles feasible? What strategies should we use to enter this space? Theirs (the Symbolic)? Or the absolute opposite – the Semiotic (or the anarchical if you wish) to balance the extreme? Or should we approach the politics in a 'dialectical' manner?

Bibliography

Butler, Judith, 1990, *Gender Trouble: Feminism and the Subversion of Identity*. New York: Routledge.

Eagleton, Terry, 1983, *Literary Theory*, Minneapolis: University of Minneapolis Press.

Grosz, Elizabeth, 1990, *Jacques Lacan: A Feminist Introduction*, London and New York: Routledge.

Lipkowitz, Ina and Loselle, Andrea (Interviewers), 1985, «A Conversation with Julia Kristeva», in: Guberman, Ross Mitchell (ed.), 1996, *Julia Kristeva Interviews*, New York: Columbia University Press, pp. 18-34.

Kristeva, Julia, 1974a, «The Semiotic and the Symbolic», in: Kelly, Oliver (ed.), 1997, *The Portable Kristeva*, New York: Columbia University Press, pp. 32-69.

Kristeva, Julia, 1974b, «Negativity: Rejection», in: Kelly, Oliver (ed.), 1997, *The Portable Kristeva*, New York: Columbia University Press, pp. 70-92.

Kristeva, Julia, 1975, «From One Identity to an Other», in: Kelly, Oliver (ed.), 1997, *The Portable Kristeva*, New York: Columbia University Press, pp. 93-115.

Kristeva, Julia, 1976, «Signifying Practice and Mode of Production», *Edinburgh Review*, 1.

Kristeva, Julia, 1977, «Women's Time», in: Kelly, Oliver (ed.), 1997, *The Portable Kristeva*, New York: Columbia University Press, pp. 349-369.

Kristeva, Julia, 1982, *Powers of Horror: an Essay on Abjection*, translated by Leon S. Roudiez, New York: Columbia University Press.

Kristeva, Julia, 1984, «Julia Kristeva in Conversation with Rosalind Coward», in: Kelly, Oliver (ed.), 1997, *The Portable Kristeva*, New York: Columbia University Press, pp. 331-349.

Kristeva, Julia, 1986, «Women's Time», in: Moi, Toril (ed.), *The Kristeva Reader*, Oxford: Basil Blackwell, pp. 187-213.

Kristeva, Julia, 1987, *Tales of Love*, New York: Columbia University Press.

Kristeva, Julia, 1990, A Question of Subjectivity - an Interview, in: Rice, Philip and Waugh, Patricia (eds.), *Modern Literary Theory: a Reader*, London: E. Arnold.

Kristeva, Julia, 1991, *Strangers to Ourselves*, translated by Leon S. Roudiez, New York, London, Toronto, Sydney, Tokyo, Singapore:

Harvester Wheatsheaf.

Kristeva, Julia, 1993, *Nations Without Nationalism*, translated by Leon S. Roudiez, New York: Columbia University Press.

Leland, Dorothy, 1989, «Lacanian Psychoanalysis and French Feminism: Toward an Adequate Political Psychology», *Hypatia* 3 (3), pp. 81-103.

Nietzsche, Friedrich Wilhelm, 1967, *The Birth of Tragedy: and The Case of Wagner*, translated by Walter Kaufmann, New York: Vintage Books.

Oliver, Kelly, 1993, *Reading Kristeva: Unraveling the Double Bind*, Bloomington, Indianapolis: Indiana University Press.

Weir, Allison, 1996, *Sacrificial Logics: Feminist Theory and the Critique of Identity*, New York and London: Routledge.

Young, Iris Marion, 1990, *Justice and the Politics of Difference*, Princeton, New Jersey: Princeton University Press.

Biographical Note

Jozef Miskolci is a Slovak NGO activist in the Czech Republic – currently working on a project of Equal Opportunity in Teaching Process. He is a graduate of BA Program in Political Science and International Relations at Charles University in Prague and MA Program in Gender Studies at Central European University in Budapest. In his studies he was primarily focusing on the issues of psychoanalysis, masculinities, and Men's Studies.



Reflections on Contemporary Philosophical Challenges to Human Rights

Nora Hangel

1.) The concept of human rights has been built on the presupposition of an autonomous subject claiming universal validity. Both concepts could not hold up their reputation without critique. This affects the human rights debate up till today. For the last centuries both notions, the autonomous subject and a neutral universality, were not only challenged by feminist thinkers. Some critics are willing to dismiss the autonomous subject wholly as a male concept. The notion of universality on the other hand was accused of being a frame to keep in place those who can never count on their experiences being taken into account. Feminist philosophy builds on a thorough critique of structures, of oppression built into our language, the way we understand ourselves within any context, and any sociological or organisational structure that may support, justify or explain the submission of some people under others through mere arbitrary means of differentiation.

However, what veers out of focus when we turn our backs on fighting oppressive structures as a whole, concentrating on our individual ability to gain freedom by taking the space we need and by reorganising it anti-hierarchically, changing the symbolic order of society from within? Many will answer, 'nothing'. I do not want to underestimate the political relevance of anarchy from within as much as I can see the importance of this movement. Feminist thinkers and activists, independently from which philosophical and political context they derive from, aim at the same end. They want to dissolve dichotomous sex- or gender constructions. Both think an ontological division into two is neither helpful nor convincing. Therefore any ethics of sexual difference perpetuates presuppositions we want to get rid of, namely inscriptions of differences based on account of arbitrary means or significations such as sexual preference, religion or appearance chosen at random.

The agenda of ethics takes into account in what way a person will develop their personality and should be freely guarded by their capabilities regardless of any context they are born into. What unites us, as Nagl-Docekal in her Feminist Philosophy¹ points out, are the problems we face. No matter which side we come from, diminishing discrimination and engagement against oppression is our aim. Required are concepts which fight culturally constructed boundaries and chains addressing existing organisational dispositions and structures of oppression.

Why is it so important to get rid of the dichotomy of the

¹ Nagl-Docekal, Herta: *Feministische Philosophie*, Frankfurt a.M. 2000, as well as the English version 2004.

sexes? As Butler - in Gender Trouble - claims, there is no body without sex. Bodies come with a sexual form, and so the body is interpreted or even understood through it being sexual. However, why reduce it to just two forms, why not choose among the plurality of differences, leaving the process of individuation open to time? Leaving something open means not to let it grow firm too easily. Butler then – in Bodies That Matter – describes the process of materialisation, in which, over the time, the surface becomes solid, solid in a powerful constructed way². What if the construction can be changed into an open political and theoretical project presently understood as Queer-theory³ emphasising a pluralistic understanding of identity, the form of desire as well as performance? How can this attribute to freeing ourselves from a dominating androcentric moral discourse and which right can be addressed to claim an open process of individuation?

The presuppositions on which the human rights were built on have been challenged throughout the centuries. Not only are these additional claims inseparable from our present state of historical understanding but they were formulated to get closer to the original intention made on behalf of human rights and offering equal access to all humans. One of these challenges was the questioning of the underlying male bias and the consequences of patriarchal hierarchy within the human rights conception. Another was the rejection of universalistic 'western values' without being open to scrutiny of the consequences we are still facing today.

2.) Drucilla Cornell⁴ made strong claims for adding the process of individuation into the concept of subjectivity. Becoming autonomous for her can only be understood as a process, as nobody starts off with even a concept of a reflected self. For this process to develop one's own sense of individuation including freely choosing one's own form of sexual preference and living as well as their degree of autonomy, Cornell seeks protection, even legal protection. Why is individuation such an issue? Cornell argues because we need «equivalent chances to transform ourselves into individuated beings in order to participate as equal citizens in public and political life» (ID 1995, 4f).

The open project of individuation, becoming a person – as something that shines through, that one can identify with, that helps (us) imagine (our)self as whole, can never be completed and «must be [and stay] open to each one of us on an equivalent basis». In this understanding, «the person is neither identical

² Cf. Wendel, Saskia: *Feministische Ethik*, Hamburg 2003, 86.

³ Perko, Gudrun: *Queer-Theorien, Ethische, politische und logische Dimensionen plural-queeren Denkens*, Köln 2005.

⁴ Cornell, Drucilla: *The Imaginary Domain, Abortion, Pornography & Sexual Harassment*, Routledge, London NY 1995 (Abbr. ID).



with the self nor the traditional philosophical subject». Why should individuation be protected legally? Because it is this notion of freedom to chose one's identity, form of desire and the way to show it openly, which permits us to transform ourselves in our own unique way into the individuate beings we think of as persons. Formally assumed free personhood is not given so must therefore be legally protected through its process of individuation. Henceforth, the chance of freedom is constituted by equal protection of minimum conditions of individuation. However, the freedom to actually transform oneself, in how far and in which respect remains within one's own responsibility (ID 1995, 5).

With respect to gender and sex, Cornell claims that an adequate feminist theory of sex cannot be reduced to the gender issue, leaving out lesbian and gay claims as well as ignoring the focus of discrimination of coloured women; she demands that the sexuete basis of each one of us must be recognized as part of a human creature. Next to the dimensions of having a 'sex' biologically (without falling into the dichotomy trap of two singled out sexes) and 'having sex' as a form of human activity, 'sex' is thirdly the «internalized identity [...] imposed by the gender divide, socialized and often unconscious. [It is] this third form of sex [that] enables us to split women off themselves as sexual objects even beyond the masquerade of femininity. This helps us to understand the difficulties of affirming the feminine within sexual difference as other than the imposed masquerade» because the masquerade stays within the stereotypes of femininity and is not a form to escape from them (ID 1995, 7f). This leads to two consequences: first «it is difficult to view women as equal persons before the law», and second, how can equal forms of sexuete beings irrespective of their form of 'having sex', i.e. their sexual orientation, be understood, if this preference is chosen unconsciously or not chosen at all (ID 1995, 8)?

The imaginary domain, as a place where opposed imaginations and expectations of how one is to be as a person meet, reveals that our sense of freedom is ultimately linked to who we are and who we want to be as sexuete beings. Choosing one's own imaginary domain and symbols is crucial for respecting one's specific form of sexuete being. The existence of the imaginary domain as one condition of individuation is the very possibility of freedom. Rejecting self-respect has disastrous effects on individuation, whereas pride is a primary good of self-respect which again functions as a legitimate expectation to be represented in the public sphere of civic life regarded as equal citizens. Therefore someone is degraded by reduction to stereotypes of their 'sex', by imposed fantasies, and by being viewed and treated as 'unworthy of' equal citizenship. We are degraded when our 'sex' is used to build an opposition to equal

personhood and citizenship (ID 1995, 8f).

However, the notion of reasonableness⁵ itself cannot be biased against women, because it works in both ways. Issues that matter in the public and private sphere, such as law, can be tainted with a masculine bias, but the shift from reasonableness to irrationality does not lead anywhere, nor does the shift from universality to subjectivity if we try to make political claims of equal parity of freedom. Hierarchy does not come within the concepts of reasonableness or universality but these notions can be, have been and are used with a masculine bias. However, the plea to let different voices of interest speak doesn't reject the notion of universality, it merely rejects the exclusion not to take diverse aspects into account while formulating universally valuable claims like human rights. Justice is something to be struggled for not through substituting subjective for universal standards but through transforming the significance of general normative standards and applying them reasonably to existing injustice.

What is easily overseen when we presuppose autonomous and reciprocal personhood? Within the whole process of individuation and the effort and «care involved reproducing a human creature as a rudimentary self» is lost within practical reasoning. That is why minimum conditions of individuation are prior to Kant's constructivist project but «still consistent with the development of the conception of the person as a conception of practical reason». The equivalent worth of personhood must be addressed through an appeal of practical reason to begin with because to engage in practical reason asks for the equivalent chance to become persons in the first place and these minimum conditions of individuation demand some recognition of experience. «The appeal to minimum conditions of individuation is universal.» The demand of parity is a demand for the equivalent value of the feminine within sexual difference (ID 1995, 17f).

That does not claim the feminine sex equal to the male sex but is a rejection of the encoded structures of femininity on current conception of women's sex. What is gained by that is the devaluation of sexual differences before the protection of minimum conditions of individuation. Cornell argues for equality for each one of us as a sexuate and thus a phenomenal creature and insists on returning gender discrimination to sex discrimination which brings back and includes the demands of lesbians, gays, transsexuals and any other form of sexuate being (ID 1995, 20f). This meets with Gudrun Perkos latest book on

⁵ Within the philosophical tradition 'reason' in opposition to 'emotion' was often used in an essentialistic way. Attached to the dichotomy of the sexes, it served as a way to explain or justify the subordination of women.



Queer-Theorien⁶ who emphasises that being against dichotomical binaries implies the intention to open up opposing plurality to all levels of public life within the democratic domain. By opposing plurality she means a plurality that shows through the deconstruction of hierarchical categorisation, unambiguous models or politics of identities, and polarisation of dichotomical models of thought as well (*Denkfigur*). This is the basis for individuation Cornell has been talking of.

The return to the relationship of sexuality to civilization challenges us to rethink the basis of civilization and its dissatisfactions. «The political slogan in avocation of the feminist theory of legal equality [...] is 'Women act up; men deal with it'» (ID 1995, 233). Cornell agrees with Irigaray that «without changing 'the general grammar of our culture, the feminine will never take place in history'»⁷ and as law is a powerful part of our general western culture and history that we ought to challenge from within and without, as every aspect of it affects us and imposes restrictions denying us equality of freedom (ID 1995, 235).

If, as Cornell points out with Lacan, the female sex is already marked as unequal before the law, and human rights standing above the positive legislation are applied to all humans in the same way, then feminist theory comes prior to legislation as an inherent part of any human rights discourse. Therefore challenging human rights means challenging «the law of the gender hierarchy, with its implicit claim on reality» in which the «feminine sex disappears as anything other than the fantasized object of man» (ID 1995, 235). Again there is no demand «that we BE as women before the law; we should demand instead equivalent evaluation BY the law of our sexual difference» (ID 1995, 236).

From here it is clear, that no 'objective' subject can be gained claiming universal validity. However, if we don't want to lose this notion to pluralistic particularity, there has to be another way than to gain universal validity through an 'objective subject'. This argument comes in three steps:

- a) The translation of individual rights into open public and private life serves as indication to how human rights are treated within a nation.
- b) Individual basic rights come before economic or national rights.
- c) 'Universal validity' needs the prior presuppositions a) and b) to claim credibility.

⁶ Perko, Gudrun; *Queer-Theorien, Ethische, politische und logische Dimensionen plural-queeren Denkens*, Köln 2005, 8.

⁷ Irigaray, Luce: *Das Geschlecht, das nicht eins ist*, Berlin 1979, 155.

3.) Amartya Sen proposes the inclusion of economic and social rights within the broad class of human rights on a pre-positive legal basis which means that human rights are legal rights before they meet existing legal systems necessary for their prosecution (Sen⁸ 2004, 317f). Why human rights have to be above the positive law has pragmatic and ethical reasons. The ethical reasons lead back to the second interpretation of Kant's Categorical Imperative that humans are a means in itself and not merely a means to an end. This brings us back to the point made previously where the process of individuation should be legally protected to develop one's means. The pragmatic reason ties to the fact that it can not be left to bad luck if one is born within a national community which cannot guarantee the basic rights to its citizens. Human rights as individual rights serve as a measurement for national and international legal practice. Therefore, it is crucial to find ways to reinforce individual basic rights before economic or national rights.

In respect to universal validity as constitutive for human rights, Sen presents a dynamic model. The basis for universality to him is to see the discussion about human rights as an ongoing process between all who are concerned. Universality is gained through approval of the concerned, which doesn't dismiss principles but puts them into a position to evaluate them and show their acceptance through applicability⁹.

On the one hand, human rights are ethical claims based in and oriented on equal freedom for all humans. On the other hand, the claims of human rights find themselves in an open public discussion relevant to their demand ability and sustainability and on their status as being the 'parent of law' or the 'child of law'. For Sen it is crucial that the ongoing debate, a «domain of continued dispute», «the approach of open public reasoning», is a central part of the «general 'discipline' of human rights» and not only «human rights 'practice'» (Sen 2004, 322f).

Human rights must survive open public scrutiny, which objects to the possibility of politically and socially repressive regimes to blockade human rights for once their claim itself must have «survived open public discussion tolerating and encouraging different points of view». This process has to be

⁸ Sen, Amartya: Elements of a Theory of Human Rights, in: *Philosophy and Public Affairs*, Fall 2004, Vol. 32, 4, 315-356.

⁹ An objection was formulated in Zagreb that universality is not the result of an open discussion but the prerequisite. This can be addressed in two respects. First, politically, I have to admit, the realm open to the plurality of individuals engaging in a open discussion seems an utopian enterprise, and second, philosophically, this is exactly the vision we are facing, the conditions on how to move towards an equal representation of diverse interests. The first seeming circular conclusion dissolves on a theoretical level, which means it is not really a circular conclusion but a matter of translating it into practice.



repeatedly encouraged through special historical and social contexts. The more information of other societies and cultures are freely available and well grounded points of view enter the discussion the more universality can be claimed by the found consensus (Sen 2004, 351ff). From there it is obvious that interaction across the borders and cross-boundary scrutiny is a necessity for the «discipline of critical assessment of moral sentiments, no matter how locally established they are» (Sen 2004, 355).

Therefore, even though human rights legislation may not be «reflected in a legal framework [...] there are other ways of implementing human rights» through public recognition, agitation and monitoring. Although national states must not be cleared of the responsibility to enforce and guarantee human rights, Sen's model of pluralistic open scrutiny in public reasoning doesn't stop at national boundaries because «the impartiality that is needed cannot be confined within the borders of a nation» (Sen 2004, 356).

Having extended the subject of human rights to the process of individuation, and how universal validity can be gained through an ongoing process of public scrutiny, I will now present a position how human rights can be respected, protected and promoted at the institutional level, the level where people should be treated respectfully in an egalitarian way. For Kant the 'moral law' of respecting people as 'an end in itself' stands above any international positive law as e.g. enforced by the UN today.

4.) Pauline Kleingeld¹⁰, in her contribution to the Kant Symposium 2004 in Vienna, questioned the leading interpretation of Kant's comments on the foundation of a world state (in Über den Gemeinspruch and Vom ewigen Frieden). According to that interpretation, Kant rejected a world monarchy¹¹ as hegemonic and at risk of being tyrannical, but favoured a league of peoples, as a free concept that can be joined by nation states, as a way to perpetual peace. In Kleingeld's understanding, however, Kant's conception of a league of peoples doesn't necessarily contradict the idea of a world state, which would only be the next step and based upon a voluntary federation of nations. The league of peoples is thus not the end of the vision Kant had in respect to building perpetual peace, but the intermediate step to this utopia (Kleingeld 2004, 100ff).

For Kant the sovereignty of a nation state is necessary to guarantee progress within its constitutional borders. His vision is

¹⁰ Kleingeld, Pauline: Kants Argumente für den Völkerbund in: *Recht – Geschichte – Religion, Die Bedeutung Kants für die Gegenwart*, Deutsche Zeitschrift für Philosophie Sonderband 9 Akademie Verlag, Berlin 2004, 99-112.

¹¹ The concept of world monarchy was in Kant's view a possible but undesirable form of world leadership.

that all nation states should work towards implementing human rights¹² as well as work towards the enlightenment of its citizens. I want to understand enlightenment as self-legislation on the basis of their process of individuation enabling them to develop out of the plurality of identities so that a great diversity of individuals can take part in a democratic process as described by Sen above. Kant two hundred years ago argued for open discussion, addressing the restrictions of censorship. Sen's claim goes much further, for he argues for open public dispute on a broad range of different point of views and with Cornell, I could add, a plurality of individuals on the basis of maximum condition of individuation. The open question remaining is how does this relate to a league of peoples or the concept of a world state?

For Kant, sovereignty of the nation state is not a value in itself, but, on the one hand, a means to ensure the development within the state, and, on the other hand, a necessity to freely engage in international law. International law in turn is positive law and coordinates the relations between nation states and matters concerning these relations. But Kant's utopia does not stop there. Kleingeld shows that the aim envisioned by Kant didn't lie behind a mere organisational level of peace, but in a situation where the sovereignty of national states becomes obsolete. This will not come about through a premature fusion under hegemonic states or imperialistic state administration pressing their understanding of democracy, human right standards or security. Exactly this was rejected as hegemonic by Kant when he warned against the premature constitution of a world state.

International organisations like the United Nations, as the successor of the League of Nations, with its many sub-organisations and countless NGO's work towards Kant's vision of perpetual peace. On the other hand, some international institutions weaken human rights standards by downgrading them below positive law and making their implementation dependent on economic factors. Kant's vision is in danger if the sovereignty of the state is weakened by hegemonic economic interests ignoring and even abusing human rights. The freedom of humans is subdued to processes of a free market without respect for individual rights of equal freedom for all humans.

In addition, a look at the current state of the United Nations system reveals that human rights do not enjoy the requisite institutional status. The main organ dealing with human rights, both general and specific, is the Geneva based Commission on Human Rights (CHR), a non-universal (53 member states), intergovernmental body, subordinate to another

¹² On the basis of a democratically organized republican constitution which means in Kant's time that the power of the state is enforced through the people and not by a monarch.



non-universal body, the Economic and Social Council. Current reform discussions at the United Nations have produced the idea of upgrading the CHR to a principal organ under the United Nations Charter, thus elevating the human rights discourse to the same level as questions of peace (mainly dealt with by the Security Council) and development (mainly dealt with by the Economic and Social Council). Indeed, the United Nations has to face its responsibility to ensure a high standard of discussion of human rights issues, beyond national political interests, and engaging in discussions about plurality issues and ideas such as those presented by Cornell, Sen and many others, which claim and insist that perpetual peace cannot be achieved without implementation of human rights standards throughout the world. From this perspective, human rights in the international arena are in fact not below, but a level above positive international law, and should thus be adequately reflected at any organisational level.

The importance of this implication for queer issues can now easily be seen when it comes to claim the right to a) an open process of individuation and b) the participation and representation of a plurality of identities in an open democratic process as a basis of representative democracy. This can only be imagined in a context where these rights are guaranteed to persons independently of their identity or might be identity, independently of their contingent nationality, cultural or social context.

Bibliography

Cornell, Drucilla: *The Imaginary Domain, Abortion, Pornography & Sexual Harassment*, Routledge, London and NY 1995.

Irigaray, Luce: *Das Geschlecht, das nicht eins ist*, Berlin 1976.

Kleingeld, Pauline: Kants Argumente für den Völkerbund, in: *Recht – Geschichte – Religion, Die Bedeutung Kants für die Gegenwart*, Deutsche Zeitschrift für Philosophie Sonderband 9 Akademie Verlag, Berlin 2004, 99-112.

Nagl-Docekal, Herta: *Feministische Philosophie*, Frankfurt a.M. 2000.

Perko, Gudrun: *Queer-Theorien. Ethische, politische und logische Dimensionen plural-queeren Denkens*, Köln 2005.

Sen, Amartya: Elements of a Theory of Human Rights, in: *Philosophy and Public Affairs*, Fall 2004, vol. 32, no. 4, 315-356.

Wendel, Saskia: *Feministische Ethik*, Hamburg 2003.

Biographical Note

Nora B. Hangel, 1970, studies of Philosophy in Salzburg, Graz, NJ (USA), Vienna. MA on: plurality and understanding in the thought of Hannah Arendt. Ph.D. on: a feminist analysis of world citizenship; lives and works in Vienna.