

Butler, Subjectivity, Sex/Gender, and a Postmodern Theory of Gender
by Ann Ferguson
Philosophy and Women's Studies
Univ. of Mass./Amherst
@Ann Ferguson: Draft: Do Not Quote Without Permission

Although not everyone has recognized it yet, most major thinkers in contemporary feminist theory have bypassed the modernist/postmodernist debate by finding creative ways to combine some of the insights and investigative methods of postmodernism, deconstruction and post-structuralism with general (modernists) theories of gender. But not all these syntheses are convincing. In this paper I will critique Judith Butler's recent views on gender, which I will argue, fail to be a convincing synthesis of Freudian and Foucauldian views. In The Psychic Life of Power (1997a), Butler writes about gender not only to deconstruct other modern theories of gender, subjectivity and the self, but to present her own, arguably modernist, theory of gender based on an amalgam of Freud and Foucault. However, her amalgam leaves out the most groundbreaking aspect of Foucault's work, his genealogical post-structuralist approach to subjectivity and sexuality. Furthermore, her early attempt to distinguish her performative theory of gender from expressive theories of gender in Gender Trouble (1990) becomes increasingly incompatible with the more psychoanalytic direction of her theory of gender in The Psychic Life of Power. As a result, we lose the exhilarating sense of rebellion conveyed with the idea that gender is a matter of a non-determined repetition of gender performances which can be subverted by outlaw performances. I will provide an alternative reading of Foucault, which, together with Bernice Hausman's Changing Sex, a 1995 historical study of the development of transsexualism and sex-change medical technology, can be used to support my own sketch of a theory of gender and sexuality.

I. Postmodernism and Feminist Theory

In an early paper, Jane Flax argued that feminist theory is a type of postmodern philosophy, which in turn she characterizes as "deconstructive": "skeptical about beliefs concerning truth, knowledge, power, the self, and language" that serve as legitimation for modernist Western thought (Flax, 1987, reprinted in Mahowald, 1994: 465). In this same article Flax takes various feminist theorists to task for being insufficiently deconstructive in their assumptions and key concepts, particularly when it comes to their theories of Gender.¹ She particularly challenges the idea of a sex/gender distinction. But without a

¹ Obviously Flax is begging the question here, because she has already set up as a standard for feminist theory, that it be postmodern, which many feminist theorists do not accept. Flax's critique of the thinkers she faults, for example, Gayle Rubin (1975) is that they put forth too universal a set of analytic categories from which to analyze historical variations in gender domination. Rubin makes the sex/gender distinction a foundational moment in her analysis of the social construction of gender, sexuality and male domination, which Flax opposes on the suspicion that this distinction itself is based on the unconvincing binary of "raw, biological sexuality" (i.e. Nature) vs. socialized understandings of gender (i.e. Culture). But there is no need to give "sex" such a stereotypical meaning. Sexual urges and the sexed body itself can be assumed

sex/gender distinction of some sort, it would be hard to explain the modern phenomenon of trans-sexuality, which Bernice Hausman convincingly shows is a historical development due both to the development of sex change medical technology and the invention of the concept “gender” by John Money et al in the 1940s to provide a legitimating discourse for sex changes (Hausman 1995). Flax would herself be guilty of a totalizing meta-narrative if she were to argue that sex **cannot** be distinguished from gender, which demonstrates the point that any theory of gender, including Flax’s deconstructive theory, will have its foundational starting points.² So rather than condemn out of hand the use of any analytic concepts, a more fruitful approach would be to investigate each particular theory in terms of its explanatory power for phenomena we want to study today, as well as its ability to historically situate itself. This is what I propose to do with Butler’s theory of Gender.

II. Butler vs. Hausman on Sex and Gender

In chapter 1 of Gender Trouble Butler argues that sex and gender cannot be distinguished. She analyzes various discourses about gender which assume that biological sex, as the starting point of gender, grounds the political identity of “women”, as those gendered subjects who, born as female bodies, have been socially constructed with the gender “woman”. Butler’s aim is to demonstrate that Freudian and feminist theorists alike have obscured how the discourse of gender serves to produce sex as the “natural” condition of its existence as an identity (cf. Hausman 1995: 177). In her argument she appeals to the Foucauldian notion of a modern regime of “sexuality” created by sexologist discourses and psychoanalytic, parental and pedagogical practices of the bourgeois class in the 19th century which assumes that sex and gender are in alignment except for certain pathological “inversions” like homosexuality and transsexuality. However, as Hausman points out, Butler here ignores the deeper genealogical reading of Foucault’s analysis of modern “sex” as sexuality, which is that there have been historical variations in the relations between the term “sex” and the term “gender” in different discursive regimes. So even if “sex” itself is a socially constructed concept, its meaning may vary independently of “gender”. Thomas Laqueur (1990) brilliantly demonstrates this in a plausible genealogy in the scientific shifts in the concept of “sex” from the one-sex model (females are the same as men, only inferior) of the Greeks to the Enlightenment, and the two-sex model (females are different and complementary to males) of the post-Enlightenment Romantic, Victorian periods and present day periods.

What follows from Laqueur’s investigation of the way that “sex” and “gender” have shifted in their paradigms and connections historically is that we should be careful of

to always already be socialized or enculturated with meaning --for example, the forthcoming book by Rachel Alsop, Annette Fitzsimons and Kathleen Lennon et al (2002) puts forth a phenomenological theory of the “bodily imaginary”--and still to be distinguishable from the gendered norms that one learns are appropriate for one’s body in different cultures.

² For further defense of this claim, see Diana Fuss (1989).

rejecting the sex/gender division simply because “sex” itself is socially constructed. For if both concepts are socially constructed, but the distinction between them only begins to occur in the modern historical period, then we cannot accept universalistic theories of either sex or gender which claim to give us a foundational base, whether it be Freudianism or sociobiology, which will show us which concept is somehow “prior”.

III. Butler’s Theory of Subject and Agency

In chapter 1 of The Psychic Life of Power Butler lays forth her starting points for a theory of subject and agency. Her intention is to give us a marriage of Freud, under a Kleinian reading, and Foucault. But what she has suppressed in her search for the ideal master narrative which combines a modernist and a postmodernist base for a feminist theory of gender, is that the Foucault is a theory of the subject is never the universal subject that Freud gives us, but the historically situated, modern subject. Consequently she misses the liberatory moment of Foucault’s historical investigations when he realizes that the modern subject is not only different from the ancient Greek subject, but may be nearing its end as a subject formation.

Butler formulates the main question of her book as this: “how to take an oppositional relation to power that is, admittedly, implicated in the very power one opposes (17)”. As she outlines, the subject, or self-consciousness, or reflexivity, comes into existence after the initial primary attachments of the dependent human baby to its caretakers is suppressed by the regulation of the psyche which forbids these objects of desire to the child. On this re-formulation of Freud’s incest taboo and feminist theories of compulsory heterosexuality (Rubin, Rich), the subject comes into existence when it institutes against itself a regulatory ego ideal that forecloses the possibility of love of the same sex caretaker. In so doing, a subject/object split is created in which the “I” can critically judge the “me” in terms of how closely it resembles the introjected ego ideal. But since this self-image is postulated on the condition of one **becoming** the object of desire (the ego ideal) rather than being able to possess that object, one has forever lost and foreclosed the possibility of fulfilling one’s original desire to possess that object in favor of attaining what Butler, after Klein, thinks of as a “melancholic identification” with the subject. In the process one also has given up any possibility of grieving the lost object, since one’s original desire can not even be formulated in consciousness.

For Butler, as for Klein, the process of separating the self-conscious subject from the original psyche also involves violence, in two senses. First, it involves the subject’s aggressive desires to kill or vanquish the object of desire it cannot have. Secondly, it involves turning these aggressive desires against oneself, which is the base of the strength of the conscience, and of guilt, to allow the subject to incorporate social norms and thus subject itself to these norms. This allows Butler to make the connection to Foucault, and “the peculiar turning of a subject against itself that takes place in acts of self-reproach, conscience and the melancholia that works in tandem with processes of social regulation

(19)". Here Butler adds her own distinctive social metaphysic to that of Freud and Foucault when she posits, "where social categories [she is obviously thinking of those of man and woman, of heterosexual and homosexual] guarantee a recognizable and enduring social existence, the embrace of such categories, even as they work in the service of subjection, is often preferred to no social existence at all (20)". She then asks her key question: "How is it, then, that the longing for subjection, based on a longing for social existence, recalling and exploiting primary dependencies, emerges as an instrument and effect of the power of subjection? (20)"

Butler goes on to tie a Foucauldian explanation to her Freudian base by showing that the disciplinary regime of gender and compulsory heterosexuality is an instance of a power-knowledge which "delimits" the objects of possible love, that marks certain objects for death, as she puts it, if the subject is to continue in its social existence as a legitimate subject. As evidence for this hypothesis, she points to the "melancholic aggression" of public homophobic satisfactions concerning the deaths and ongoing misery of those with AIDS, arguing that this could be read as the inversion of an aggressive desire to vanquish the dead (forbidden) object of desire that is now read as the threat of death of the other, now seen as the "persecutor of the socially normal and normalized" (27).

What follows from this theory about the possibility of Agency? Butler sums up her theory of subjection as follows:

"(1) an account of the way regulatory power maintains subjects in subordination by producing and exploiting the demand for continuity, visibility, and place; (2) recognition that the subject produced as continuous, visible, and located is nevertheless haunted by an inassimilable remainder, a melancholia that marks the limits of subjectivation; (3) an account of the iterability of the subject that shows how agency may well consist in opposing and transforming the social terms by which it is spawned.(29)"

Number (3) in this list is Butler's way of introducing the Foucauldian theory of Agency as Rebellion and Resistance, of challenging the existing regulatory order of possible subjects and objects of desire by deviating from the repetitious practices of gender and sexuality that are necessary to continue the myth of gender and sexual stability.

This reading of Foucault makes him into an ahistorical thinker, where discourses of the subject and attendant physical practices to control the body are always restrictive, and thus to be an agent, to be free, one must rebel against them. However, we must not forget that Foucault's historical studies of ancient Greece and Rome in volumes 2 and 3 of *The History of Sexuality* suggest that subjectivity was created quite differently in this pre-modern period, with a dynamic of self-regulation through an "aesthetics of existence". Here, agency is identified with self-control in the process of self-creation through "techniques" and "practices of the self" or "practices of liberty" rather than rebellion

against an externally imposed order of “compulsory heterosexuality” or the incest taboo. He explicitly contrasts the type of self-discipline valorized in the ancient Western world (cf. History of Sexuality , v. 2, 1985: 12). with the disciplinary model of the modern “normalization” of life, language and labor he studies in The History of Sexuality, v. 1 (Foucault 1978). For example, since homosexual sex was not forbidden, at least to men, during this period, one was enjoined instead to play the age-appropriate role: either active lover-subject (the older man’s role as masculine exemplar) or passive loved-object (the boy’s role as feminine exemplar). Thus, the shift in normative regulation from the **object** of one’s desire to the **aim** of one’s desire (active or passive love) sits uneasily with the Freudian picture of the universal incest taboo and compulsory heterosexuality, which govern the objects of desire and require the child to give up the same sex object of desire by melancholic identification with it. It would seem that even if Foucault in his later work can be said to be investigating pre-modern discourses and practices of sexuality that involve another type of disciplinary power, it is not compatible with the mistakenly universalized Freudian categories of analysis, which Foucault would argue are historically specific to the modern disciplinary regime of sexuality.

Butler can be seen in her readings of Foucault to be critiquing what she takes to be his inconsistencies, and correcting him in the direction that would make his theory of gender and sexuality more compatible with her Freudian model. So, for example, in Gender Trouble, she critiques what she takes to be his romanticizing of the situation of the 19th century hermaphrodite Herculine Barbin in the introduction to his memoir (Foucault, ed. 1980). Herculine, raised as a girl called Alexina in a convent of girls, falls in love with, and has sex with Sara, yet is separated from her when her confessions to priests and doctors discloses the genital anomalies of her body. She is then forced to change her gender identity from woman to man, separate from Sara, wear men’s clothes, change her name from feminine Alexina to masculine Herculine, and assume a male identity. Foucault analyses this as the imposition of a modern gender binary, compulsory heterosexual disciplinary regime. Foucault in his introduction suggests that she was forced to leave her world of bodily pleasures with Sara, which he describes as the “happy limbo of a non-identity” (Foucault 1980: xiii). Butler describes Foucault as romanticizing “a world that exceeds the categories of sex and of identity” (Butler 1990: 94), and argues that a discourse of sexual difference and the categories of sex that exist within Herculine’s memoirs “will lead to an alternative reading of Herculine against Foucault’s romanticized appropriation and refusal of her text (Butler: 94)”. Butler argues that Alexina herself assumes the discourse of gender when she positions herself as a girl, but a girl unlike the other girls.

But the fact that gender identity is indeed binary in Alexina’s world does not show that **sexual identity** is binary, for example, with respect to the categories of homosexuality and heterosexuality, and this is probably what Foucault was referring to as the “non-identity” in question, which then allowed two supposed women to have sexual pleasures together without the imposition of the norm of compulsory heterosexuality.

Foucault's reading still stands, then, as a counter-example to the Freudian analysis that would claim that gender and sexual identity are formed together with the resolution of the Oedipus complex, since this is only a feature of the **modern** disciplinary regime of gender and sexuality. It also stands as a counter-example to Butler's theory of melancholy gender, for if before the late 19th or early 20th century sexual pleasures with the same sex were not associated with a defective gender identity (although they **were** associated with sin), then it would not be necessary for children to repress and introject their love for the same sex parent as a melancholy gendered ego identification. Hence, if Foucault is correct, the assumption that the normative regimes of gender and heterosexuality articulate each other in all human societies is mistaken, and Freud, Butler Rich (1980) and Rubin are all mistaken in assuming an analytic connection between them, since this is true merely of the historical period of modernity. And as we shall see later, the hegemony of such a connection is even now being challenged with the development of concepts like transgendered identities, suggesting a move to a post-modern historical formation of gender and sexuality.

IV. More on Butler's Theory of Gender (Gender Trouble, then Psychic Life of Power)

Let us turn now to tensions between the two versions of Butler's theory of gender. In Gender Trouble Butler begins to develop her by now well-known theory that gender is performative.

To say that gender is performative in Butler's technical philosophical sense is to imply that gender only exists when it is performed, or acted out, somewhat like a promise comes into existence when it is declared, either in the utterance or in the writing of the words "I promise". She contrasts this view with the idea of a "psychological core" or internal essence of gender (in a later article she refers to this as the "expressive theory of gender")³ which would assume that whether innate or socially constructed, one's gender as man or woman has become an unchangeable part of one's internal subjectivity in early childhood. But how, then, is the rejection of an internal psychological core of subjective identity compatible with the Freudian theory of melancholy gender which she gives in The Psychic Life of Power?

Butler tries to make them compatible with a re-interpretation of Freud through Foucault. Using a Foucauldian theory of subjectivity as created through both reigning discourses of subjectivity (psychoanalysis, confessional religious discourse, liberal individualism) as well as disciplinary material practices, a masculine or feminine subject on this model is formed not only by a binary form of address based on the typing of one's body but also disciplinary practices including gender-differentiated clothes, work,

³ "Performative Acts and Gender Constitution: An Essay in Phenomenology and Feminist Theory" (Butler 1997b). I use this article plus Gender Trouble to explicate her theory of gender as performative.

bodily norms, etc. A “regulatory fiction of heterosexual coherence” is imposed on “the gender discontinuities that run rampant within heterosexual, bisexual, and gay and lesbian contexts in which gender does not necessarily follow from sex, and desire, or sexuality generally, does not seem to follow from gender” (Gender Trouble: 135-6). But we still have the question, if this heterosexual coherence is imposed from without, how is it internalized into individual subjects? Butler says: “According to the understanding of identification as an enacted fantasy or incorporation, however, it is clear that coherence is desired, wished for, idealized, and that this idealization is an effect of a corporeal signification. In other words, acts, gestures, and desire produce the effect of an internal core or substance, but produce this *on the surface* of the body. . . Such acts, gesture, enactments, generally construed, are *performative* in the sense that the essence or identity that they otherwise purport to express are *fabrications* manufactured and sustained through corporeal signs and other discursive means.” (135).

It appears to me that Butler is engaged in a sleight of hand here, through two different meanings of “performative”. On one meaning, if my gender only exists to the extent that, and when, I perform it with my body, in the way that promises only come to exist by performative acts of enunciating them, there is no appearance/reality gap. That is, gender, as a description of bodily acts, is nothing more than the bodily appearance which is described as feminine or masculine behavior, and it would not make sense to speak of an inner psychological core gender which causes the behavior. But if, on the other hand, gender and heterosexuality are norms which we desire, wish for and idealize as cohering together but which, just because they are unobtainable, can be described as “fabrications” which in reality don’t cohere, there **is** an appearance/reality gap: gender **appears** to be more than the sum of one’s gender-indicating acts but in fact **is not**. In this second sense of “performative”, to say I am performing my gender is to say that I am performing something which is not, and could never be, true, and this is more like the idea of acting out something one is not. But on this second sense, the one which fits more plausibly with the rest of what Butler says, the idea of a core psychological **fantasy**, or idealization of a regulatory fiction of gender, is still a key part of acting one’s gender, even if there is no reality which corresponds to the fantasy! Thus, it makes sense to still distinguish between the times where I am “expressing” my gender identity through my acts (i.e. when I am trying to perform my fantasy) and times when I am not (i.e. when I am masquerading as the other gender, as in a costume party where I take on the clothes and bodily posture of a gender I do not identify with). Thus, even if we agree with Butler that gender is performative in her second sense, it does not follow that it is also not expressive! Butler has thus not eliminated the expressive theory, for it lurks in the concept of a regulatory fiction, a fantasy, which guides my actions.

Another way of putting this objection to Butler’s claim to have given us a theory of gender which is performative, and rejects an expressive theory of gender, is that she still must refer to desires and wishes for, and idealizations of, the coherence of gender and sexuality. Since she is clearly not presenting simply a behaviorist theory of desire but a

Freudian one (fantasies, desired ego ideals, etc.) she still seems to be assuming a psychological core different from the actual gendered acts and repetitions of these acts which make sense of, and give meaning to, even cause, these acts.

Butler claims that in both the Freudian and Foucauldian theories, our subjective gender and sexual identities are created by the regulatory regime of normative heterosexuality, which requires the repression of some desires and the creation of others through prohibiting them. We would then seem to have no option but to take up the subject positions that have constituted our gender identities, injurious though they may be due to their built-in social subordination. Foucault allows that social movements based on identity politics can allow us to refuse their original content and re-signify them. But, according to Butler's Freudian reading of Foucault, we are limited in this re-signification by the original gender positions of those loved people we desired, lost because of the compulsory heterosexuality and the incest taboo, and then introjected by identifying with them in a melancholic way. The binary of sexual difference then, becomes non-eliminable, although what masculinity and femininity mean can be re-signified through resistant and subversive performances of those original gender identifications (cf. Butler The Psychic Life of Power: 164-65). But this conflicts with the conclusion of Gender Trouble, in which Butler argues that if we follow her in accepting that gender is performative, we must reject a feminist identity politics, which **would** allow the possibility of challenging the gender binary itself: "Cultural configurations of sex and gender might then proliferate or, rather, their present proliferation might then become articulable within the discourse that establish intelligible cultural life, confounding the very binarisms of sex, and exposing its fundamental unnaturalness" (Butler 1990: 149).

As far as I can see, Butler cannot easily resolve this contradiction in her synthesis of Freud and Foucault⁴.

⁴ Although a merger of Foucauldian and Lacanian thought sounds promising, any feminist project of deconstructing gender remains problematic given the background assumptions of Lacan (cf. Mitchell and Rose, eds. 1982). Lacan claims that the notion of a coherent stable self is a fiction because at the mirror stage of child development, subjectivity or the self-conscious ego comes into existence by misrepresenting itself through its imaginary identifications with desired others who are not self. The imposition of the Symbolic Law of the Father via the incest taboo forces the ego to repress those original desires and impulses which fail to meet the ego ideal thus created. Subjectivity is thus split between the wider Psyche, which includes all the repressed and unacknowledged aspects of the Unconscious, and the Subject or Ego, the conscious self created by its gender identification. Foucault disagrees with the Lacanian Freudian theory of original Libidinal or sexual drive that is repressed in the creation of the Subject, and maintains instead that sexual desire is actually created by the prohibition of desire through the incest taboo and the productive effects of the moralizing discourse imposed on children and clients by parents and therapists. But Butler points out that this theory of sexuality is not functionally different from that of Lacan and Freud, for if we take into account Freud's theory of sublimation, a sexual charge can be spread to other objects through displacement and substitution. Thus, there would be no way to tell whether libido exists before disciplinary practices or comes into existence with them.

Butler maintains that both theories are also similar in that they hold that once gender is constructed through the creation of a subjected self, there is no way to resist that law except by reactive means, that is, by resisting the content imposed by one's gender identity, and by re-signifying that content. Any attempt to go beyond the gender binary, to challenge gender itself as a limiting category, fails because the division is a foundation of human subjectivity as socially constructed (cf The Psychic Life of

Foucault's approach holds open the possibility of "refusing who we are", something impossible for most people on the Freudian reading of melancholic identities which are constitutive of our very ability to be self-conscious at all. Furthermore, Foucault's theory can explain the actual proliferation of genders we note in today's queer communities, for example, the creation of a new "trans-gender" identity, and the re-valuation of trans-sexual identities, as a joint product of resistance to the reigning regime of sexuality and the enabling and productive effects of the discourse of "gender", a concept itself created in the 1940s to solve the ethical problems of radically altering patients' bodies, through the invention of the concept "gender dysphoria" to legitimize the use of medical-technological developments to create the contemporary sex-change industry (Hausman 1995)

Another problem with Butler's appropriation of Freud to explain gender is that it cannot point a path to liberation from compulsory heterosexuality and from gender power relations for those people whose childhood gender identity formation is linked to heterosexuality. Only those who have a "troubled" gender identity in childhood, through preserving homosexual or bisexual desires rather than incorporating them through identification, or those "trans" people who find themselves with a gender identification at odds with their bodies, will have the possibility of resisting the gender binary. Indeed, Butler admits at places in The Psychic Life of Power that her theory of melancholy incorporation may be too simple to capture all cases of sexual identity. For example, it cannot explain the femme lesbian, quite sure that she is a "real" woman, who still loves women. In this case, either her gender identity is not a melancholic incorporation of a lost object of desire of the same sex (since this would seem to require that one has foreclosed the possibility of desiring the same through its incorporation), or else the creation of an ego through the identification and incorporation of the object of desire of the same sex does not foreclose future desirings of the same sex!! Butler might try to explain this by assuming that such women have maintained a heterosexual desire (are bisexual) which they are re-directing to a masculine role-playing woman (the butch), but this in turn would leave unexplained love relations between two femme lesbians!! Complications like this in the theory are rather damaging because they weaken the explanation of homophobia as the fear of social non-existence gained from a necessary foreclosure on certain objects of desire as a part of the very constitution of the ego.

Power: 164-65) But this is not a plausible reading of Foucault, since such a presupposition seems to preclude the possibility of a Queer theory connected to a liberating social movement which encourages the proliferation of genders and trans-gender identities. Further, it is in tension with her use of Foucault in Gender Trouble, as I have suggested above, to suggest a Queer theory of pluralist resistances to the power/knowledge of modern sexuality. For, given Foucault's view that resistance is an internal component of any regime of power, his genealogical approach could explain the contemporary proliferation of genders and sexualities as a resistance effect, which Butler's Freudian theory cannot.

V. Genealogy, Sex/Gender and Gender Liberation

Butler's foundational moment is her acceptance of the Freudian story of the necessary connection between one's acquisition of a gender identity and a sexual identity in childhood, through the operation of the norms of the incest taboo, compulsory heterosexuality and the psychological formation of the ego ideal through identification with one of the prohibited objects of desire

While I am not opposed to master narratives per se, I argue that we must reject the Freudian model because it does not give us helpful insights when applied to our contemporary situation as feminists, lesbians and gays and other self-defined sexual identities trying to find ways to use the theory of gender and sexual domination to develop political strategies for social change. Butler's expanded theory after The Psychic Life of Power cannot make plausible the contemporary development of categories like transgender and bisexuality as identity categories that challenge the gender binary and compulsory heterosexuality. Nor can she explain how the children of lesbian and gay families, and their friends who have straight parents, exist as part of a new culture of sex, sexuality and gender that help to undermine the weakening hegemony of binary gender and compulsory heterosexuality. Butler cannot explain this since her psychoanalytic emphasis can, at most, explain individual subversive gender performances but not a whole pluralist counter-culture of social proliferations of gender and sexual identity categories.

I suggest we need instead a genealogical account of the construction and feminist deconstruction of our contemporary Freudian discourse on gender and sexuality. As Foucault, Faderman (1981), Weeks (1979), Hausman and other historians of sexuality have pointed out, Freud's theory of gender development and sexual orientation occurs as part of the development of a more general discourse around sexuality that late 19th and early 20th century sexologists developed for a bourgeois class that was increasingly self-absorbed with its ideology of individualism, introspection and sexual health as a mechanism for bio-power in the control of populations. Therapeutic and parental practices assuming the categories of this discourse, defining childhood eroticism as dangerous, hence the prohibition on masturbation, women's sexuality as problematic, masculine sexuality as assertive, feminine sexuality as passive, homosexuality as a type of perversion, and hysteria as a type of sexual sickness of women, spread through all types of popular discourse and thus framed the social construction of gender and sexuality in much of Europe and the United States in the 20th century.

However, rival discourses on gender and sexuality, notably those of the American symbolic interactionists (Money and Ehrhardt, 1972, Gagnon 1977, Gagnon and Simon 1973), supported by sexual ethnography by Kinsey (1948, 1953) positing a continuum rather than a binary model of heterosexuality and homosexuality, have countered these initial discourses. These counter-discourses, as well as feminist re-interpretations of Freud based on object relations theory (Chodorow 1978), have allowed other therapeutic

and parental practices to arise (feminist therapy, group therapy, permissive parental practices around childhood sexuality, particularly masturbation, and less binary gender training of boys and girls). Women's liberation and gay liberation movements fostered different types of identity politics, first based on re-articulation of oppressive gender and sexual categories. The discourses of these identity politics, as they became hegemonic in certain self-defined political communities of feminists and non-heterosexuals, were themselves contested as too binary and exclusionist. Hence the assertion of lesbian and lesbian-feminist (as differentiated from simply gay), bisexual then transsexual and now transgender liberation movements that have broadened in the United States in some places into an inclusive self-defined Queer movement that insists on different gender and sexual orientations within its ranks.

What theory of gender and sexuality construction can best explain the historical development of a proliferation of gender and sexuality identities and categories in the late 20th and early 21st centuries in advanced capitalist societies, most notably the U.S.? I maintain we need what I call a "social energy" theory of sexuality, one that sees human sexual energy as always already a desire for social connection (Ferguson 1989, 1991). It is one type of a more general human social energy, which I call "sex/affective energy", which is also manifested in affectionate love relations, such as those between parents and children, siblings, work mates, and friends. Like Freud's Libido, this energy does not have fixed instinctual objects or goals: it is not inherently aiming at biological reproduction, nor is it inherently heterosexual. But unlike Freud, I posit that this energy is inherently social, that is, it expresses the part of human social animality that desires to be in connection with other humans, and indeed, is a part of a material need that humans have: without a minimum of affectionate relationship with caregiver(s), human infants do not thrive, and usually die. Thus, while sexual energy has the additional ability, when engaged in sexual practices, to give sensual pleasure, this is only one of its (learned) goals, and not its main or final goal, which is to connect humans with each other.⁵

Given this sex/affective theory of sexual and affectionate relationships (Ferguson 1989, 1991), we can reject the Freudian model of gender identity and sexual orientation necessarily becoming fixed in childhood. The idea of the fixing of personal identity in childhood assumes the creation of a stable unchanging self, even if it is divided into super-ego, ego and unconscious. Instead, I argue that the sense of self, and personal identity is never fixed, but is in a constant process, or possibility of, change, even though it may also be multiple, and layered, so that those unknown or un-self-conscious parts may be more permanent than others, precisely because un-examined (cf. Tietjens Meyers, 2000)⁶

⁵ On this view, masturbation is not the prime example of a sexual act, but one where the secondary aim of bodily pleasure has been achieved either through bypassing the primary aim (of bodily connection with another) or by sublimating it (through connection in fantasy with another).

6. A further advantage of this model is that it lacks the problem that Freudians (including Butler) have in separating gender identity from sexual identity. According to the Freudians, since the establishment of a gender identity involves also the taking on of compulsory heterosexuality, those who are homosexual or

The sex/affective theory explains the possibility of these differences by rejecting the dichotomy between identification and desire that Freud (and Butler following him) posits. In order to identify with my mother and other female care-takers, I do not have to disavow or refuse my sexual desire for them as the gender theory of compulsory heterosexuality presupposes. For in early childhood, the specifically sexual possibilities of sex/affective energy are not sharply separated from the affectionate aspects. Identification allows the affectionate aspects of sex/affective energy to flourish in childhood.

In her theory of melancholy gender, Butler not only overstates the effectiveness of compulsory heterosexuality to replace sexual desires by gender identification, but she ignores the effect of the **asymmetry of infant child-rearing and gender domination** on the process.⁷ It is true that gendered ego ideals mean that I am pressured to identify more with the same sex parent or caretakers than with the opposite sex. However, this identification need not imply a renunciation of sexual desire for the caretaker or others of the same sex. Otherwise, we could not explain lesbians who identify with femininity (femme lesbians) yet have retained a desire for the same sex.

Double identifications, that is, identifications with loved members of both the same and opposite sex are not explored by Butler, who seems uninterested in exploring the possibility of bisexual identities as an effect of Freud's theory of bisexuality. For, no matter how much I identify with the caretaker of the same sex, as long as the relevant opposite sex parent or relative(s) continue(s) to provide me with affectionate energy not restricted with interdictions about whom I can identify with, I am free to identify with both sexed caretakers. Thus, as Freud also acknowledged, it is possible for someone who has opposite sex parents with equally intense care-giving relationships to identify equally

bisexual must have problematic gender identities. However, ethnographic and conceptual studies (Ponse 1978, Sedgwick 1990) suggest that there are several opposing ways to develop gender and sexual identities: for example, as your rationale for being a lesbian, you can believe that being a woman gives you more affinities with other women (lesbian sexuality as "woman-identified"). Or, you can believe that since you are a lesbian, you are not a "real" woman (the compulsory heterosexual model of gender). Many "mannish" or butch lesbians feel this way. Finally, you can believe that you have sexual attractions to both men and women, but choose only to act on those to women (a bisexual lesbian identity).

7. The Chodorowian object-relations interpretation of Freud's theory, which posits an asymmetrical problem for boys in mother-centered infant care, is bypassed by Butler's symmetrical reading of the imposition of gender and heterosexuality in which children of both sexes must develop a gender melancholic ego. In my view, we should retain some of Chodorow's insights based on the boy's need to separate from his mother in order to attain a masculine identity in a binary gender system, and also to attain the masculine power that goes with that gender. On this theory, he has to reject identification with his mother on other grounds than the incest taboo or compulsory heterosexuality. Rather, he has to "abject" the mother, create her, and women in general, as an Other, in order to be permitted to identify with his father, or if absent, with an imagined masculine gender ideal. But it is possible to develop a theory of the power of symbolic gender and gender privilege in maintaining male domination which rejects other assumptions of the Freudian theory, such as that the formation of the masculine identity by the rejection of the feminine, is set in stone in childhood and cannot be changed in later life.

with both parents, and thus to develop both feminine and masculine identities. Such a person may still develop an identity as a woman, but only as a gender performance to be socially acceptable and not as a core personal either/or gender identity.

I would also disagree with the necessary connection between taking on “proper” gender identity and taking on a heterosexual orientation. Even though I may learn in a heterosexist family and society that the norms of proper femininity and masculinity do not allow for sexual desire of the same sex, I also learn that whatever the specifics of sexual desire are, I am not supposed to have or know them until I am older.⁸ Thus, if I am still getting affectionate care from parents, neither the incest taboo nor the gender norm of compulsory heterosexuality need be experienced as a rejection and loss of either my same sex or my opposite sex, parent love/desire. Pace Butler, I don’t have to use the strategy of incorporating them into my ego ideal in order to retain them in a disavowed way. Not all children then, need to create a gendered self that is melancholy because of the inability to mourn the lost desired object. In other words, in a childhood with affectionate caretakers of the opposite sex, I can have my cake and eat it too—both identify with loved affectionate objects and desire them at the same time⁹.

Because of the feminist and gay liberation movements’ re-articulation of gender and sexual categories, and the development of oppositional communities of sexual inverts, we are now able to take on homosexual, bisexual or trans-sexual identities, either in an acceptance of a deviant status (sick but not sorry) or in a gay/queer liberation re-signification (sorry, but we’re not sick!!). Taking on an oppositional sexual identity will also depend on the extent to which the person has a self-conscious oppositional intersectional identity, that is, which incorporates resistance to gender, racial, class and national domination systems. (cf. Diana Tietjens Meyers 2000) Finding ways to negotiate race, ethnicity and class positions with an oppositional gender and/or sexual identity usually depends not only on the existence of feminist and queer oppositional communities, but whether there are possible coalitions or alliances between these communities and oppositional communities prioritizing race or ethnicity (cf. Moraga and Anzaldúa 1981. But for problems see Crenshaw 1997).

⁸ Obviously a child who is subject to incest or sexual abuse will have a very different experience of the connection between gender and sexuality.

⁹ My theory does not foreclose the possibility that in a later stage of identity development, for example in adolescence or adulthood, an identification with a same sex gendered ego ideal comes to be combined with a sexual desire for one of the same gender. Whether one wants or is able to challenge the norms that connect gender with heterosexuality depends not only on the sexual categories/scripts/discourses available to one at the time, but also whether there are role models and peers with which to construct sex/affective bonding and a sense of oppositional community. Thus, in Europe and the US, before the development of the sexological discourse of sexual inversions as identities, one could only think of oneself as lewd, over-sexed and sinful (religious categories) if one had sexual desires for the same sex.

If we take seriously the genealogical analysis of our contemporary sexual categories, we should note that the de-stabilization of binary gender categories, as well the challenge to any necessary connection between proper gender and heterosexuality, are due not only to social movements of feminist and gay liberation, but also to the emergence in the North American and European context of new gender and sexual categories like “trans-sexual” and “transgender”. Traditionalists, like the Catholic Church are so befuddled by these new categories that they conflate gender and sexual categories, accusing feminists in the 1995 Beijing World Conference of Women, of creating five genders: man, woman, lesbian, gay, and trans-sexual (Franco 1998). Probably the addition of “trans-gender” to the list will really put them over the top!!

These new categories have their roots in the tendency of sexological theory and therapy to create new categories of deviance to explain gender disturbances, thus supposedly advancing scientific clarity at the same time as creating sex “experts” on these conditions. But Bernice Hausman shows that they are also importantly based in the development of a whole medical-technical industry for biological sex changes. This industry, tampering as it does with biological sexual differences, has had to normalize discourse based on the possibility of separating gender identity from the sexed body, for example, those who experience themselves as a woman in a man’s body or a man in a woman’s body (Hausman 1995). Indeed, the clear characterization of a “gender identity” didn’t really come about until 1964 when Robert Stoller distinguished it from “gender role” (Stoller 1964).

Radical feminists have critiqued this “trans-sexual empire” (cf. Raymond, 1979) as just another way to legitimate the reproduction of binary gender behaviors which perpetuate male dominance. But another effect has been to create new categories, such as the “pre-op” and the “post-op” trans-sexual, and to allow for the re-signification of this category which was initially connected with homosexuality. Now we can talk of heterosexual trans-sexuals and homosexual trans-sexuals and even bi-sexual trans-sexuals (not to mention transvestites, usually heterosexual), thus undermining even further any perceived necessary connection between gender and heterosexuality. Furthermore, the dissatisfaction of some post-op trans-sexuals with the existing gender limbo they feel, e.g. Leslie Feinberg and Sandy Stone, has led them to define themselves as “s/he’s” and as transgendered, and to advocate transgender liberation beyond the gender binary system.(Feinberg 1996, Stone 1997). Others have also adopted this particular type of “meta”-gender identity as well, thus de-stabilizing the binary gender structure of man and woman. But that this is a historical possibility makes perfect sense once we accept the idea that “gender” is itself a modern, indeed 20th century, category linked to contemporary psychosocial conceptions of “role” and “identity” (Hausman 1995: 183) and not a trans-historical analytic concept. Proliferating gender and sexual roles and identities then becomes an ironic way to create a “third sex”, but its existence does challenge the reductive nature of the Freudian model, also accepted by Butler, which rejects such third sex possibilities. Further it suggests that a historical, genealogical approach to the

connection between gender, sexuality and social domination, is a more adequate approach to understanding gender, and sexual orientation than Butler's latest theory of gender based on Freudian pre-suppositions can give us.

References

Alsop, Rachel, Annette Fitzsimons and Kathleen Lennon, eds. forthcoming 2002. Gender and Sexuality (London: Polity Press)

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

---- 1993. Bodies that Matter: On the Discursive Limits of Sex (New York: Routledge).

---- 1997a. "Performative Acts and Gender Constitution", reprinted in Katie Conboy, ed. Philosophy of Woman (Indianapolis: Hackett).

---- 1997b. The Psychic Life of Power (New York: Routledge).

Chodorow, Nancy 1978. The Reproduction of Mothering (Berkeley: Univ. of California).

Crenshaw, Kimberly 1997. "Intersectionality and Identity Politics: Learning from Violence against Women of Color". In Shanley, M. Lyndon and Uma Narayan, eds. Reconstructing Political Theory: Feminist Perspectives (University Park PA: Pennsylvania State University Press).

Feinberg, Leslie 1996. Transgender Warriors: Making Sense of History from Joan of Arc to Dennis Rodman (Boston: Beacon).

Ferguson, Ann 1989. Blood at the Root: Motherhood, Sexuality and Male Dominance (London: Pandora/Unwin & Hyman)

---- 1991. Sexual Democracy: Women, Oppression and Revolution (Boulder: Westview).

Faderman, Lillian 1981. Surpassing the Love of Men (London: Junction)

Flax, Jane 1987. "Postmodernism and Gender Relations in Feminist Theory", reprinted in Mary Mahowald, ed. 1994. Philosophy of Woman (Indianapolis: Hackett).

Foucault, Michel 1978. The History of Sexuality, v. 1 (New York: Random House).

----1985. The Uses of Pleasure :The History of Sexuality, v.2 (New York: Pantheon).

---1986. The Care of the Self : The History of Sexuality, v. 3 (New York: Pantheon).

Foucault, Michel, ed. 1980. Herculine barbin, Being the Recently discovered Memoirs of a Nineteenth-Century Hermaphrodite, tans. Richard McDougall (New York: Colophon).

Franco, Jean 1998. "Defrocking the Vatican: Feminism's Secular Project". In Sonia E. Alvarez, Evelina Dagnino and Arturo Escobar, eds. Cultures of Politics, Politics of Cultures: Revisioning Latin American Social Movements (Boulder: Westview Press).

Fuss, Diana 1989. Essentially Speaking: Feminism, Nature and Difference (New York: Routledge).

Gagnon, John H. and William Simon 1973. Sexual Conduct: The Social Sources of Human Sexuality. Chicago: Aldine Pub. Co.

Gagnon, John H. 1977. Human Sexualities (Glenville IL: Scott Foresman).

Hausman, Bernice L. 1995. Changing Sex: Transsexualism, Technology, and the Idea of Gender (Durham and London: Duke University Press).

Kinsey, Alfred 1948. Sexual Behavior in the Human Male (Philadelphia: WB Saunders).

---1953. Sexual Behavior in the Human Female (Philadelphia: WB Saunders)

Laqueur, Thomas 1990. Making Sex: Body and Gender from the Greeks to Freud (Cambridge: Harvard University Press).

Meyers, Diana Tietjens 2000. "Intersectional Identity and the Authentic Self: Opposites Attract!" In eds. Catriona Mackenzie and Natalie Stoljar, Relational Autonomy: Feminist Perspectives on autonomy, Agency, and the Social Self (New York: Oxford University): 151-180.

Mitchell, Juliet and Jacqueline Rose, eds. 1982. Feminine Sexuality: Jacque Lacan and the ecole freudienne (New York: WW Norton).

Money, John and Anke Ehrhardt 1972. Man and Woman, Boy and Girl: The Differtiation and Dimorphism of Gender Identity from Conception to Maturity (Baltimore: Johns Hopkins University Press).

Moraga, Cherrie and Gloria Anzaldua, eds. 1981. This Bridge Called My Back: Writings by Radical Women of Color (Watertown MA: Persephone Press).

Ponse, Barbara 1978. Identities in the Lesbian World: The Social Construction of Self (Westport, CT: Greenwood Press).

Raymond, Janice 1979. The Transsexual Empire: The Making of the She-Male (Boston: Beacon).

Rich, Adrienne 1980. "Compulsory Heterosexuality and Lesbian Existence", Signs, v. 5 #4, Summer 1980: 631-660.

Rubin, Gayle 1975. "The Traffic in Women", in Rayna Reiter, ed. Toward an Anthropology of Women (New York: Monthly Review).

Sedgwick, Eve Kosofsky 1990. The Epistemology of the Closet. (Berkeley: University of California Press.

Stoller, Robert J. 1964. "A Contribution to the Study of Gender Identity", Journal of the American Medical Association , 45 (1964): 220-226.

Stone, Sandy 1991. "The Empire Strikes Back: A Posttranssexual Manifesto". In Julia Epstein and Kristina Straub, eds. Body Guards: The Cultural Politics of Gender Ambiguity (New York: Routledge).

Weeks, Jeffrey 1979. Coming Out: A History of Homosexuality from the 19th Century to the Present (London: Quartet Books).