

**FRAMING THE QUESTION OF THE BODY AS A SOCIAL CONSTRUCT****Diana-Cristina Bulzan****PhD Student, Academy of Fine Arts, Vienna**

*Abstract: As it has been posed both by theoretical feminism and by feminist artistic practices, the question of the body mainly came to be acknowledged through its determination as a social construct, as a product and embodiment of social and cultural norms, hierarchies and values. This paper will attempt to give an introductory overview of the analysis of the body as a construct, mainly focusing on Judith Butler's theory of performativity and the post-structuralist legacies she brings into play. By clearly postulating that the gendered body is not predicated upon a natural, anatomical sex, but instead produces this sex as natural and then hides this very production as a foundation, a destabilization of the symbolic norms of culture ensues, along with the distinction nature-culture. Furthermore, as Butler clearly links this construction with questions of the possibility of (political) agency, the last part of the paper will focus on the connection between speech, discourse and the gendered body, reviewing Butler's reading of Antigone to assert the connection between discourse and the construction of the embodied subject.*

**Keywords:** Body as a Social Construct, Judith Butler, Theory of Performativity, Embodied Subject, Antigone.

*"Not only did bodies tend to indicate a world beyond themselves, but this movement beyond their own boundaries, a movement of boundary itself, appeared to be quite central to what bodies «are»."*<sup>1</sup>

The line of thought posing the problem of the body as seen through its social and cultural determinations takes as its first step the distinction between sex and gender, reinversing the causality between the two in such a way that there is no preexisting sex acting as a legitimate foundation.<sup>2</sup> In this sense, gender is identified as the cultural production that, instead of reflecting natural sex, it produces it as a foundational fiction. In other words, gender is seen as a performative construction that produces the materiality of sex as already gendered or as the generator of gender. As such, this article will attempt to clarify some aspects regarding Judith Butler's theory of gender as construction and performativity, focusing on the thesis that the gendered production of the body is necessarily and intrinsically

<sup>1</sup> Judith Butler, Preface to *Bodies that Matter. On the Discursive Limits of "Sex"*, published in 1993 by Routledge, New York and London, p. ix.

<sup>2</sup> This manner of questioning the body through aspects such as gender, ethnicity, the hierarchy of social values and the embodiment of social norms can be perceived in contrast to previous philosophical and phenomenological inquiries. For if, for phenomenology, the body was subjected to analysis abstracted from such aspects, what is contested is the fact that the way the body is given can be separated from them. The issue of gender, among many others, was then only perceived as secondary, as something additional that could be regarded as separate from the body *per se*. Furthermore, disregarding such aspects left open the question of the natural body right at the core of the analysis and even presupposed it as its foundation – while the phenomenological primacy of the body and of its relation to the world bestows on the term nature a metaphysical meaning, the psychoanalytical recovery of phenomenology re-situates the term in a complex and problematic relation between nature and culture or, to be more specific, nature and the symbolic. We are thus left within a dualistic thinking that can only assimilate gender as the cultural translation or manifestation of a natural body, the latter being regarded as foundational and primary, as the source of the manifestations of culture and as a bearer of truth.

related both to the problem of discursive performativity and to the representation of the subject.

Perhaps one of the first aspects of Butler's theory that have to be touched upon and clarified is the term *construction* itself. In her preface to *Bodies That Matter*, Judith Butler defines the term construction as being a constitutive constraint, as that "without which"<sup>3</sup> the necessity of the body can be neither realized nor affirmed. This immediately draws attention to the frame within which such necessities are affirmed and to the discursive domain granting legitimacy to a certain functioning of the body, while nevertheless operating and producing these very limits. One can now return to the quote opening this article – if determining the frame of the body seems to imply a constitutive indeterminacy of the frame itself and if the boundary in question is itself a movement, can it be interpreted as self-producing? That is, does the very movement of the boundary produce the boundary and delineate a proper legitimate functioning from its constitutive and abject outside? This rejects any pre-discursive foundation for determining a corporeal practice or identity as legitimate or illegitimate and reinstates the terms as being open to re-interpretation and subversion. Not only this, but it also reveals that the frame itself is produced within a heterosexual matrix – a binary matrix based on the opposition between two terms, masculine and feminine – and that any such foundation of the frame cannot be anything other than a performative fiction.

Michel Foucault, in his introduction to *Herculine Barbin. Being the Recently Discovered Memoirs of a Nineteenth-Century French Hermaphrodite*, provides a perfect introduction into a critique of gender legitimacy and the production of social significance based on the truth of sex. According to Foucault, the question of a unique true sex and its precise determination is a modern development. In fact, it seems to coincide with the rise of administrative means of control of the body in order to implement juridical conceptions of the individual.<sup>4</sup> As such, while in the Middle Ages, in France, a hermaphrodite was recognized as having marks of both sexes and was allowed to determine his/her identity based on his/her own choosing, the rise in administrative control and the development of biological theories of sexuality lead to the necessity of determining a single sex for each individual. In this case, the hermaphrodite becomes the site for the negation of an abnormality. No longer accepted as a possibility, the hermaphrodite was understood only to *appear* to have mixed sexes, therefore becoming the site for the intervention of an authority – here, the doctor. In other words, the determination of sexual identity now stood in the performative judgement of an administrative agent: "[the doctor] had, as it were, to strip the body of its anatomical deceptions and discover the one true sex behind organs that might have put on the forms of the opposite sex."<sup>5</sup> Therefore, this recourse to a legal regulation in the formation of individual identity marks the disappearance of free choice and institutes the category of the anatomical sex as bearer of the truth of the individual, becoming the revealing foundation that determines who he is and must be in the social order.

Furthermore, the practice or notion of sex as truth was also adhered to in psychoanalysis – in Foucault's words: "[...] if it was believed for centuries that it was necessary to hide sexual matters because they were shameful, we now know that it is sex

<sup>3</sup> "[a]nd if certain constructions appear constitutive, that is, have this character of being that "without which" we could not think at all, we might suggest that bodies only appear, only endure, only live within the productive constraints of certain highly gendered regulatory schemas." Judith Butler, Preface to *Bodies that Matter. On the Discursive Limits of "Sex"*, published in 1993 by Routledge, New York and London, p. xi.

<sup>4</sup> Michel Foucault, Introduction to *Herculine Barbin. Being the Recently Discovered Memoirs of a Nineteenth-Century French Hermaphrodite*, published by Vintage Book, A Division of Random House, Inc. New York, 2010, translated by Richard McDougall, p. viii.

<sup>5</sup> *Ibid.*, p. viii/ix.

itself which hides the most secret parts of the individual: the structure of his fantasies, the roots of his ego, the forms of his relationship to reality. At the bottom of sex, there is truth.”<sup>6</sup> It is however interesting to note that such an anatomical category can begin to be considered a foundation for a regime of truth only through the symbolic lens of the gendered, heterosexual matrix. In other words, the category of sex as truth already presupposes another regime of truth – that of the stability of two main genders seen as opposites and of the perfect delineation and overlapping of masculine and feminine to the anatomical categories of male and female and to the social determinations of man and woman. Moreover, any practice that could prove the instability of the overlap would immediately reveal the artificiality of the structure and its fictional foundation: “The presumption of a binary gender system implicitly retains the belief in a mimetic relation of gender to sex whereby gender mirrors sex or is otherwise restricted by it. When the constructed status of gender is theorized as radically independent of sex, gender itself becomes a free-floating artifice, with the consequence that *man* and *masculine* might just as easily signify a female body as a male one, and *woman* and *feminine* a male body as easily as a female one.”<sup>7</sup>

This involves not only a re-thinking of the stability of gender, but also its relation to an original heterosexual matrix within which gender is produced and which it is designed to reproduce. In Judith Butler’s work, the overlap described above would denote the unity of gender as a unity of the self, of experience and of desire. *Desire* would hereby institute the heterosexual matrix by being *desire for the other*, while the self would be the intelligible and coherent unity of these categories. That being said, this unity does not only require the necessity of a causal link between them, but also implies that “desire reflects or expresses gender and that gender reflects or expresses desire.”<sup>8</sup> It thus becomes clear that within this causal chain, gender only makes sense through opposition and desire for the other sex, making the matrix of heterosexuality also the matrix of intelligibility. Each gender is understood through differentiation and opposition to the other in the form of desire, describing an organizational scheme: an ordering and regulation of attributes along lines of already established intelligibility.

The position of sex as truth or as natural would then be used precisely to ground or to root this organizational scheme as a biological inevitability. Furthermore, if we understand these lines of intelligibility as pertaining to the production of culture, the question then arises of the passage from nature to culture and the role gender seems to play in the process. While many feminist accounts have used the argument of nature versus culture to search for a femininity outside of the patriarchal signifying system,<sup>9</sup> I would like to argue that the very nature of this distinction is problematic. For if, one would like to describe nature as an undetermined material that only comes to be signified by culture, the first question that arises is the possibility of re-tracing those steps and of imagining another culture (but through what language and signifying system would that be possible)? And the second is whether this distinction does not come into being as a retrospective narrative designed to support the dominant cultural system and to mark it as inevitable and universal: “The binary relation between culture and nature promotes a relationship of hierarchy in which culture freely “imposes” meaning on nature, and, hence, renders it into an “Other” to be appropriated to its own limitless uses, safeguarding the ideality of the signifier and the structure of signification

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<sup>6</sup>*Ibid.*, p. x.

<sup>7</sup> Judith Butler, *Gender Trouble. Feminism and the Subversion of Identity*, published by Routledge Classics, New York, 2006, p. 9.

<sup>8</sup>*Ibid.*, p. 31

<sup>9</sup>*Ibid.*, pp. 47 – 48.

on the model of domination.”<sup>10</sup> Rather, the way to move forward would be to contest the universality of this binary system of thought and to attempt to look at from the point of view of the exclusions and of the excesses that it inevitably produces.

In the structuralist account of Lévi-Strauss, and as it accounted for by psychoanalysis, the passage from nature to culture is attributed to the intervention of the incest prohibition seen as a universal Law and as effectively marking the advent of culture. It is only after the instance of this Law that relations between humans become relations between subjects and that the subject comes into being by acquiring a position in the symbolic structure. Simply put, the incest prohibition establishes kinship relations, it structures and delineates the positions of the father, the son, the mother, the daughter and the possible relations between them. To this we might add Lévi-Strauss’ description of women as objects of symbolic exchange between men and tribes that not only serve to open up routes of economic trade, but rather to consolidate relations between men by offering women as gifts in the institution of marriage. In this account, there is no identity pertaining to the women being exchanged – they are purely relational elements that consolidate the identity of men within the kinship structure. The place of the woman thus becomes the place of the empty signifier, only serving to reflect or to perpetuate the masculine signifying system. Moreover, this account fails to take into consideration the relations also existent between men and women and between women themselves and renders the feminine, as well as female sexuality, as *unnameable*. And while Lévi-Strauss deducts that “the emergence of symbolic thought must have required that women, like words, should be things that were exchanged”, his reasoning does not offer an explanation of how this passage takes place, but functions like a narrative support, consolidating the presumed universality and inevitability of the passage.<sup>11</sup>

As Judith Butler clearly points out, there are at least two central and problematic presumptions in this theory. First would be the efficacy of the prohibition and indeed the question whether the prohibition does not produce by itself what is prohibited. It would then be a matter to find out through analysis how the prohibited fantasies are produced and what is the place they take within the structure of culture.<sup>12</sup> The second would be to question the fact that, as a standing point for the entrance into culture, the incest prohibition already takes the perspective of a naturalized heterosexual desire.<sup>13</sup> It has to be therefore argued that the prohibition produces its own excesses – one has to pay attention to place where those excesses are relegated and where, paradoxically, they are allowed to exist.

If we now turn to Butler’s reading of Antigone, what could constitute a place of exclusion and whether a possible agency of subversion is possible from within it should become clearer. By focusing, in part, on the Lacanian appropriation of Antigone, Butler questions the status of universality that the symbolic structure holds in psychoanalysis, while also investigating the connection between speech, agency and gender. In Lacanian

<sup>10</sup>*Ibid.*, p. 50

<sup>11</sup> This account of Lévi-Strauss is taken from Judith Butler, *Ibid.*, pp. 52 - 59. “In other words, the bride functions as a relational term between groups of men; she does not *have* an identity, and neither does she exchange one identity for another. She *reflects* masculine identity precisely through being the site of its absence. Clan members, invariably male, invoke the prerogative of identity through marriage, a repeated act of symbolic differentiation.” (p. 59)

<sup>12</sup> “That the prohibition exists in no way suggests that it works. Rather, its existence appears to suggest that desire, actions, indeed, pervasive social practices of incest are generated precisely in virtue of the eroticization of that taboo.” *Ibid.*, p. 57

<sup>13</sup> “How is incestuous heterosexuality constituted as the ostensibly natural and preartificial matrix for desire, and how is desire established as a heterosexual male prerogative? The naturalization of both heterosexuality and masculine sexual agency are discursive constructions nowhere accounted for but everywhere assumed within this founding structuralist frame.” *Ibid.*, p.58.

psychoanalysis, the figure of Antigone represents the inauguration of the symbolic, understood as “the sphere of laws and norms that govern the accession to speech and speakability. [Moreover] This regulation takes place precisely through instantiating certain kin relations as symbolic norms.”<sup>14</sup> As *the sphere of laws governing the accession to speech and speakability*, the symbolic is thus differentiated from the social norm, while the relation of kinship becomes idealized as “an enabling linguistic structure”<sup>15</sup>, underlying cultural intelligibility. The subject is structured in and through language, his availability and his speech being dependent on linguistic norms: “you never receive me apart from the grammar that establishes my availability to you.”<sup>16</sup> The character of Antigone is then of interest precisely from the position from where she speaks. She speaks against the law enforced by Creon and she speaks for a Law of the gods which cannot be fully accessible through language. Her position is a paradoxical one: while contesting the authority of Creon and of his edict, she nevertheless uses the language of the authority, even more – she appropriates it. It is interesting to note that by doing so, she is described as having adopted the position of a man, while Creon becomes *unmanned* by her.<sup>17</sup>

But what constitutes the circumstance of her speech? And what is its relation to the deed of having buried her brother and thus broken Creon’s law? While it remains ambiguous whether Antigone clearly lays claim to her deed, it is however clear that she refuses to sever herself from it. According to Butler, to refuse to deny the deed is not precisely to affirm it. For the affirmation of the deed is another act in itself, it redoubles what has been done and takes its place. This testifies in turn for the performativity of her speech – the act of publishing her deed would mark the illocutionary failure of Creon’s edict in the same language that belongs to the edict. The language of sovereignty is thus appropriated by Antigone to mark its very own failure.<sup>18</sup>

Antigone claims to have buried her brother in the name of a Law that is superior to Creon’s edict, namely the Law of the gods of kinship. However, as Antigone seems to do this only for her brother, the Law she affirms seems to have but this one instance of application – if her brother is the singular and unique case of applying the Law, in other words, if he is not reproducible, then neither are the conditions under which the law becomes applicable: we are thus confronted with a law that has “no generality and no transposability, [...] a law formulated precisely through the singular instance of its application and, therefore, no law at all in any ordinary, generalizable sense.”<sup>19</sup> Rather, her emphasis on kinship and on the singular instance of her brother becomes ambiguous and, as she is the daughter of Oedipus, the existent kinship relations brought into play lose all clarity. It would seem that, instead of reinforcing kinship as a rule, Antigone’s act marks the vulnerability of the law regulating kinship and its destabilization.<sup>20</sup> Which is why, when it comes to positions assumed by the subjects through language, neither one of them seems to be able to keep his/her own. In claiming her act through language, Antigone loses her position, for it is within the language of the normative law that she must affirm her transgression. In return, the figure of the sovereign

<sup>14</sup> Judith Butler, *Antigone’s Claim. Kinship Between Life and Death*, published by Columbia University Press, New York, 2000, p. 3.

<sup>15</sup> *Ibid.*, p. 3.

<sup>16</sup> Judith Butler, *Gender Trouble. Feminism and the Subversion of Identity*, published by Routledge Classics, New York, 2006, p. xxvi

<sup>17</sup> Judith Butler, *Antigone’s Claim. Kinship Between Life and Death*, published by Columbia University Press, New York, 2000, p. 9.

<sup>18</sup> *Ibid.*, p. 8.

<sup>19</sup> *Ibid.*, p. 10.

<sup>20</sup> *Ibid.*, p. 10



instituting the law, Creon, becomes destabilized as well, being transposed into an unmanly position when he is addressed. For Butler, this clearly links the vulnerability of the law of kinship to the ensuing destabilization of gender through speech in the play.<sup>21</sup>

Furthermore, as Antigone insists on her right to kinship, her act becomes, according to Butler, the occasion for an aberrant repetition of the norm, exposing it as contingent, as a set of conventions regulating culture. The institution of kinship as a law and as a normalized set of relations takes places “through the practice of their repetition. When she buries her brother, it is not simply that she acts from kinship, as if kinship furnishes a principle for action, but that her action is the action of kinship, the performative repetition that reinstates kinship as a public scandal. Kinship is what repeats through her action; [...] And her action implicates her in an aberrant repetition of a norm, a custom, a convention, not a formal law but a lawlike regulation of culture that operates with its own contingency.”<sup>22</sup> Kinship thus becomes not a universal and inevitable law, but a performative contingency self-instituting itself as the former. Its relation to speech could be posed by engaging the institution of the symbolic as defined by Lacan – the symbolic is described as being instituted through the repetition of the father’s words: “The discourse of my father, for instance, in so far as my father made mistakes which I am absolutely condemned to reproduce – that’s what we call the *super-ego*.”<sup>23</sup> The problem of repetition will become central to the matter at hand – for if it’s through the ritualized repetition of norms that the production of gender is assured and that the symbolic is instituted, any possible subversions must intervene within repetition in order to produce a change. Coming back to Antigone, the importance of her character for Butler and for the body as a social construct is self-evident. The gesture of burying her brother inscribes within the repetition of kinship an aberration, allowing not only that the mechanism of repetition to become visible, but that other forms of kinship become imaginable as well. To this, Antigone is the constitutive outside of the law, an outside who nevertheless speaks and appropriates the language from within which she has been excluded. “And to the extent that she occupies the language that can never belong to her, she functions as a chiasm within the vocabulary of political norms. If kinship is the precondition of the human, then Antigone is the occasion for a new field of the human, achieved through political catachresis, the one that happens when the less than human speaks as human, when gender is displaced, and kinship founders on its own founding laws.”<sup>24</sup>

The question of the body as it has been posed by the work of Judith Butler views gender from the perspective of a performative construction taking place through a ritualized repetition of norms. What this first entails is a clear demarcation between gender and sex and the reversal of the causal link between them. Instead of gender mirroring a natural sex, regarded as its foundation and its truth, it is the construction of gender along lines of dominant cultural intelligibility that produces the narrative of *natural sex* as a foundational discourse. In addition, the characterization of gender as a being founded on a biological inevitability also brings into play the passage from nature to culture and contests its foundational premises. To regard nature as an undetermined material that comes to be signified by culture is not to explain the passage, but to render the already established intelligibility of culture as inevitable and singular. The formation of the subject within this cultural system is already prefigured by the same presuppositions that underline the above-

<sup>21</sup>“In speaking to him, she becomes manly; in being spoken to, he is unmanned, and so neither maintains their position within gender and the disturbance of kinship appears to destabilize gender throughout the play.” *Ibid.*, p. 10.

<sup>22</sup>*Ibid.*, p. 58.

<sup>23</sup> Jacques Lacan quoted by Judith Butler, *Ibid.*, p. 52.

<sup>24</sup>*Ibid.*, p. 82.

mentioned passage – it delineates an acceptable humanity from one that is seen as abject and grotesque, marking exclusions through language. Therefore, the case of Antigone is precisely the one of an exclusion that nevertheless claims its place within language and in doing so contests the stability of the law and of the political power that forbade its existence. The question of the body as a social construct will thus be intricately connected to the cultural signifying system that determines its intelligibility and availability, as well as to the system of power to which it belongs. However, the question of agency and its affirmation remain to be further analyzed in depth, as well as the question of repetition and of the possibility of change.

#### BIBLIOGRAPHY:

Judith Butler, *Gender Trouble. Feminism and the Subversion of Identity*, published by Routledge Classics, New York, 2006.

Judith Butler, *Antigone's Claim. Kinship Between Life and Death*, published by Columbia University Press, New York, 2000.

Judith Butler, Preface to *Bodies That Matter. On the Discursive Limits of "Sex"*, published in 1993 by Routledge, New York and London, pp. ix – xii.

Michel Foucault, Introduction to *Herculine Barbin. Being the Recently Discovered Memoirs of a Nineteenth-Century French Hermaphrodite*, published by Vintage Book, A Division of Random House, Inc. New York, 2010, translated by Richard McDougall.

Lois McNay, "The Foucauldian Body and the Exclusion of Experience", published in *Hypatia*, Vol. 6, No. 3, *Feminism and the Body* (Autumn, 1991), pp. 125 – 139. Republished on Jstor, stable URL: <http://www.jstor.org/stable/3809843>

Gail Weiss, *Body Images. Embodiment as Intercorporeality*, chapter 3 "Morphological Fantasies. Imaginary Schemas, Corporeal Fluidity, and Sexual Difference", published by Routledge, New York, 1999, pp. 65 – 86.