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Interview with Judith Butler: "Gender Is Extramoral"

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Feminism , LGBTQ , Psychology France , Iraq , Israel , Italy Commentary

Essayist, thinker and professor in the Department of Rhetoric at the University of California, Berkeley, Butler is best known for her studies of gender and sexuality, in which she examines the question of what it means to remake, to resignify, the restrictive normative concepts of sexual life and gender.

Is it possible to establish any relation between the political transformations deriving from the events of 11 September 2001 — the decline in nation-state sovereignty and the centrality of security policies — and transformations in political subjectivity and gender? In her latest writings the philosopher Judith Butler has outlined an "ontology of vulnerability" that is moving in this direction.

Her work, *Gender Trouble: Feminism and the Subversion of Identity* (1990), apart from being one of the most widely read texts in feminism, is also considered to be one of the founding texts of Queer Theory, a current within gay and lesbian studies that sets out to flee from theoretical impositions and from culturally and socially determined notions about the difference between the sexes.

Unwilling to speak in terms of 'post-feminism', Butler takes as her starting points the conceptual and political resources that form part of the feminist tradition so as to rethink the category of gender in terms that go beyond the difference between masculine and feminine, instead reformulating the question around the idea of "that which is human". The US philosopher emphasises the need to resist the temptation to resolve the discrepancies into a unity, since, in her opinion, it is precisely dissension that keeps thought and political struggle alive.

This interview took place in February 2008 on the occasion of talk by Judith Butler at the Centre de Cultura Contemporània de Barcelona (CCCB).

F.B.: Could you explain your conception of critical thought and its relation with Foucault's famous words: "I do not know if today it is necessary to say that critical work still implies faith in the Enlightenment; I consider that it must always work on our limits, that is, a patient labour that forms the impatience for freedom"? In one of your latest texts you refer to this; perhaps you could relate the task of critical thought and its connection with feminism.

J.B.: The critical task demands a preoccupation with limits, and Foucault was particularly interested in the problem of how this delimited field shapes the subject. Thus, if we are formed as obedient subjects, if the state or some other regulated form of power imposes itself on us and we accept it, we become obedient subjects. But in the moment we begin to ask ourselves about the legitimacy of this power we become critical, we adopt a point of view that is not completely shaped by the state and we question ourselves about the limits of the demands that can be placed on us. Foucault is very clear in this respect: questioning the demand for obedience made of us by the state means questioning our ontology as subjects.

And if I am not wholly formed by this power of the state, in what way am I, or might I be, formed? Asking yourself this question means you are already beginning to form yourself in another way, outside this relation with the state, so critical thought distances you to some extent. When someone says "no" to power, they are saying "no" to a particular way of being formed by power. They are saying: I am not going to be subjected in this way or by these means through which the state establishes its legitimacy. The critical position implies a certain "no", a saying "no" as an "I", and this, then, is a step in the formation of this "I". Many people ask about the basis on which Foucault establishes this resistance to power. What he is saying to us is that in the practice of critical thought we are forming ourselves as subjects, through resistance and questioning. Foucault does not presuppose a pre-existing subject that can say "no" and criticise authority. Rather that the subject forms him or herself through the practice of criticism. And, in my view, some forms of criticism involve a questioning of the intelligibility of the norms that constitute us as people. If the powers that be address me as a citizen or as a non-citizen, in terms of a gender or a racial category, I must fight against this social determination. The norms establish my social intelligibility, the categories through which I understand myself and other people. If, from the very outset, a gender is attributed to me, if I am called a "girl", then I actively am a girl; the "I" that emerges through this gender is intelligible, in part, as a social being: the gender attributed to me guarantees my intelligibility and my legibility as a person, and if I question this gender, I risk a certain unintelligibility, risk losing my place and my social legibility as a particular person. However, the "I" could say "no" or could ask "why?" With what means, for what end have I been generated, with what right has this medical establishment attributed a particular gender to me, or with what right has the law attributed this gender to me? The "I" steps back from these gender norms, even if such

norms are the conditions that have determined its formation; that is, it does not abandon or destroy them, but it does wrestle with them. Is it possible to reconstruct gender? And if so, can this be understood as a practice of freedom? Can it be understood as a way of becoming? And if so, what other formations are possible? In my opinion, feminism implies thinking about the practices of freedom: when we object to discriminatory practices at work, to forced reclusion within the private domain, when we protest about violence against women. . . , it is not only because we want women to achieve equality, to be treated justly. Equality and justice are very important norms, but there are more: we want certain freedoms for women so they are not totally limited to the established ideas of femininity or even of masculinity. We want them to be capable of innovating and creating new positions. Insofar as feminism has been, at least in part, a kind of philosophy, it is crucial that it develops new notions of gender. If feminism suggests that we cannot question our sexual positions or affirm that we have no need of the category of gender, then it would be saying, in some sense, that I should accept a particular positionality or a particular structure — restrictive for me and for others — and that I am not free to make and remake the form, or the terms in which I have been made. And it is true that I cannot change these terms radically, and even if I decide to resist the category of woman, I will have to battle with this category throughout my whole life. In this way, whenever we question our gender we run the risk of losing our intelligibility, of being labelled 'monsters'. My struggle with gender would be precisely that, a struggle, and that has something to do with the patient labour that forms the impatience for freedom. Thus, gender perfomativity can be understood: the slow and difficult practice of producing new possibilities of experiencing gender in the light of history, and in the context of very powerful norms that restrict our intelligibility as human beings. They are complex struggles, political in nature, since they insist on new forms of recognition. In fact, from my experience of feminism, these political struggles have been being waged for the last hundred years, at the very least. I only offer a radical language for these struggles.

F.B.: Speaking about performativity and the possibility of new forms of being, the question arises of how to evaluate the diverse innovative forms of agency, because not everything that is novel is necessarily 'good'. In your *Undoing Gender* you speak a little about this, but is there any single criterion that will allow us to make this distinction? Is it pertinent here to speak of universality?

J.B.: If we are referring to the various ways in which gender is understood as a form or a cultural interpretation of the body, I believe it is not appropriate to speak of good or bad genders: gender is extra-moral. Those who wish to establish the distinction between normal genders and pathological genders, or who set out to regulate gender are making a mistake. They are absolutely and universally wrong. There are illegitimate operations of power that attempt to restrict our idea of what gender might be, for example in the areas of medicine, law, psychiatry, social policy, immigration policy, or the policies against

violence. My commitment involves opposition to all restrictive and violent measures that are used to regulate and restrict the life of gender. There are certain types of freedoms and practices that are very important for human flourishing. Any excessive restriction of gender limits, or undermines, the capacity of humans to flourish. And, what is more, I would add that this human flourishing is a good thing. I am aware that there I am taking a moral standpoint here; I know that I have a strong normative structure, but this has nothing to do with saying "this kind of gender is good and this one is bad". To do so would constitute a dangerous use of morality; rather, I am trying to shift the moral structure towards another framework in which we can ask ourselves: how does a body survive? What is a flourishing body? What does it need to flourish in the world? And it needs various things: it needs to be nourished, to be touched, to be in social settings of interdependence, to have certain expressive and creative capacities, to be protected from violence, and to have its life sustained in a material sense.

Today there are many people with modalities of gender that are considered unacceptable — the sexual or gender minorities — and who are discriminated against, considered abnormal, by the discourses of psychiatry or psychology, or who are the object of physical violence. These people are not being given the opportunity of having their lives recognised as worthy of being protected or helped, not even as lives that deserve to be mourned. I question the norms of gender that prevent us or make us incapable of recognising certain lives as being worth living, and which stop us providing the material conditions necessary for these lives to be lived, to flourish. For these lives to be publicly recognised also means their being understood as lives whose disappearance would be felt as a loss.

The same thing happens in war: certain lives are deemed worthy of being protected, while others are considered expendable, of negligible importance, radically dispensable. One could say that all my work revolves around this question: what is it that counts as a life? And in what way do certain restrictive norms of gender decide for us? What kind of life is worth protecting and what kind of life is not?

F.B.: In recent years important changes have taken place in many aspects of the lives of gays, lesbians and even transsexuals. For example, in our country same-sex marriages have been made legal. In the light of your reflections about the way in which a broader context of intelligibility has ontological consequences, it might be useful to ask to what extent this recognition could end up leading to new forms of restriction, other forms of normality.

J.B.: Of course, if marriage exists, then homosexual marriage should also exist; marriage should be extended to all couples irrespective of their sexual orientation; if sexual orientation is an impediment, then marriage is discriminatory. For my part, I don't understand why it should be limited to two people, this appears arbitrary to me and might

potentially be discriminatory; but I know this point of view is not very popular. However, there are forms of sexual organisation that do not imply monogamy, and types of relationship that do not imply marriage or the desire for legal recognition — even if they do seek cultural acceptance. There are also communities made up of lovers, ex-lovers and friends who look after the children, communities that constitute complex kinship networks that do not fit the conjugal pattern.

I agree that the right to homosexual marriage runs the risk of producing a conservative effect, of making marriage an act of normalisation, and thereby presenting other very important forms of intimacy and kinship as abnormal or even pathological. But the question is: politically, what do we do with this? I would say that every campaign in favour of homosexual marriage ought also to be in favour of alternative families, the alternative systems of kinship and personal association. We need a movement that does not win rights for some people at the expense of others. And imagining this movement is not easy.

The demand for recognition by the state should go hand in hand with a critical questioning: what do we need the state for? Although there are times that we need it for some kinds of protection (immigration, property, or children), should we allow it to define our relationships? There are forms of relation that we value and that cannot be recognised by the state, where the recognition of civil society or the community is enough. We need a movement that remains critical, that formulates these questions and keeps them open.

F.B.: I would like to bring up a thinker I have been working on in the last few years, Hannah Arendt. I believe there are aspects of her thought that interest you. Where would you situate Arendt's distinction between liberation and liberty in your work? Similarly, how does the concept of responsibility fit into your reflections about the importance of performativity and resignification as political practices?

J.B.: It is true that, in general, I do not think of freedom in terms of liberation. I continue to be very strongly influenced by Foucault's *History of Sexuality*, in which he warns us against imagining a complete liberation from power. There can never be a total liberation from power, especially in relation to the politics of sexuality. Foucault says two things at the same time: we can never totally liberate ourselves from power (there is no space from which to say "no" to power) and, on the other hand, we are never completely determined by power. Thus, despite the impossibility of transcending power, a space of liberty opens up, and both determinism and radical voluntarism are refuted. What is this space of freedom that opens up once we have understood this? Here freedom is a kind of practice, a struggle, a continuous process with neither a beginning nor an end. When this practice is systematically attacked we cannot function as political subjects, our political capacities have been undermined.

When referring to freedom, I am not alluding to the idea of an individual subject, alone, since a subject is free to the extent that s/he is conditioned by conventions, norms and cultural possibilities that make freedom possible, though they do not determine it. They are the conditions of possibility of freedom. Who we are as subjects of freedom depends on non-voluntary forms of connection with others; I was not only born within a series of rules or conventions that form me, but also within a series of relationships on which I depend for my survival and which constitute me as an interdependent creature in this world. The questions of responsibility emerge in the context of this sociality, this interdependence.

On the matter of responsibility I am interested in the productive formulations made by Levinas. For Levinas, I am not responsible for my actions — though in fact I also am — but rather responsible for the Other, for the demands of the Other. And any demand made by the Other is prior to any possibility of social contract: whatever the demand the Other puts before me, it affects me, it involves me in a relation of responsibility.

Legal contracts cannot adequately describe this situation of primary responsibility. That means that I am responsible even for those who are not in any form of contractual relationship with me, or who do not form part of my community, or my nation, or who are not covered by the same legal framework as me. This helps to understand, for example, how I can be responsible for those who live at a distance from me, who are under a different form of political organisation, or those who are stateless. In Levinas' framework, even those we never meet, those whose names and faces we do not know, present us with a demand. It is, then, a question of accepting our global interdependence and even our obligation to protect the lives of those we do not know. For Levinas, this primary obligation is expressed through what we commonly call commandments, "Thou shall not kill": a requirement to preserve life. This does not mean that I can or should preserve the life of every individual (of course I cannot do so, and to imagine I could would be unhealthy, it would imply some sort of narcissism, a certain messianism), but rather that I should think about what kind of political structures we need to sustain life and minimise those forms of violence that extinguish it. This does not mean I am capable of making these structures come into existence — responsibility is not the same as efficacy — but rather that I can fight for a world that maximises the possibility of preserving and sustaining life and minimises the possibility of those forms of violence that, illegitimately, take life, or at least reduce the conditions that make it possible for this to happen. This is part of what I am thinking about at the moment. And I have to say that it is not easy to situate Arendt in this context.

Despite the fact that Levinas himself was not a pacifist, I believe that, taking his ideas as a starting point, it is possible to develop a philosophy of non-violence and even a conception of a trans-national political community that holds these values to be fundamental. We

have to take Levinas' framework and develop a kind of trans-national ethics based on non-violence, and thus it is necessary to disagree with him with respect to the difference between ethics and politics, to his stand on pacifism, and on Israel.

F.B.: Certainly, we are not only responsible for what we have done; responsibility points towards the interplay of autonomy and limit. To the extent that we always live and survive through some sort of consent that can hardly be considered voluntary, political responsibility also has to do with the idea that we are aware of, that we hope will continue, that we want to innovate or conserve. In this sense, unless our attitude towards the world is one of indifference, we can talk about a kind of political responsibility in the maintenance of structures and habits or values that, in many spheres, impede the possibility of feminine freedom.

J.B.: Let me start with a criticism Derrida made of Levinas: if it is necessary to respond to all demands, that means an infinite number of demands, and how should we decide which group of demands to respond to? Perhaps responsibility is only made possible by circumscribing a group of demands, that is, by becoming irresponsible in relation to all other demands. In a way that is characteristic of him, Derrida affirms that responsibility, in Levinas' sense, leads to a necessary irresponsibility. Yet this is to continue to misunderstand the singularity of the demands made on us. It's not enough to deal with them case by case. Let's think, for example, about violence against women: it is true that we can consider a rapist or an aggressor to be responsible before the law; in a legal framework, he will have to pay for his acts, will have to be punished, once evidence of his guilt has been provided. No doubt we need a punitive legal institution, but the question is whether, once legal responsibility has been assumed, this means that full responsibility has now been apportioned. Legal responsibility is not an adequate model for conceptualising the whole range of responsibilities we have, because there remains a fundamental question to resolve: rape and domestic violence continue. Why do these social practices reproduce themselves time and again in a culture? A broader kind of intervention seems to me to be necessary, a kind of outcry about violence against women, and against sexual minorities; I believe it is very important to relate them: violence against transsexuals, for example, against sex workers, against illegal immigrants who can have no recourse to law, and violence against many groups who have been dispossessed of all their rights. I consider that we need a strong policy that connects all these forms of violence, and also demands the production, through the mass media, of an education, an ethos, that would act as a counterweight to these forms of violence. If you examining all this, case by case, you lose sight of the horizon: these forms of violence form part of a social practice — are even socially acceptable amongst certain types of men — of a social model. But how can we intervene at the level of social practices? By using the law, certainly, but not only in this way, given that we have a responsibility to remake the world, and to

institute certain standards of non-violence on a more general level. Political responsibility must go hand in hand with legal responsibility.

F.B.: In your latest books you deal with the issue of the place occupied by passions and emotions, like pain and vulnerability in politics. Similarly, you point to the urgency of asking ourselves: "what does it mean to be human?" Isn't it a little surprising that all this should be written by an author who appears to form part of the anti-humanist tradition, part of the tradition that is known in the USA as French Theory?

J.B.: It is necessary to be careful when we talk about 'humanism'. We only have to look at the various legacies of humanism to see that there is not just one kind of humanism: the forms that emerge in Italy are very distinct from those that emerge in France. There is also a humanism based in classical liberal political philosophy that can not be assimilated into literary humanism. In any case, if we agree that philosophical anthropology is a form of humanism that supposes that there is just one single idea of what it is to be human, and that it is possible to attribute defining traits to this human subject, then we are taking that which is human as something given, something that already exists.

What I want to suggest is the following: for humanness to become possible — in specific times and places — depends on certain types of social norms that are involved in the exercise of producing and 'de-producing' humanness. In other words, for that which is human to be human, it must be in relationship with that which is inhuman or non-human, and this is a differential operation of power. Humanness is produced and sustained in one form and is 'de-produced' and not sustained in other forms: the human being is a differentiating effect of power.

In the USA, for example, at present there is a very powerful discourse that sets out to define humanness as being a product of the Judeo-Christian tradition. Similarly, we have some morphological policies that define humanness in terms of certain ideas about what a human body should be like. And this produces a population with disabilities, or of disabled individuals whose bodies do not match the morphological idea. Remember that any regulatory ideal of humanness always produces exclusions, 'outsiders', and creates a problem: how should we refer to these beings that appear human but are not? We only have to think of the history of slavery, something which survives in the USA, where it remains unclear if all the black men who are imprisoned are human or not.

Humanness is not something given, it is a differentiating effect of power, but we need the term because without it we cannot understand what is happening. I am worried by those positions that say: "that which is human belongs to humanism, so we can never talk any more about humanness"; "choice belongs to voluntarism, we have to stop talking about

choice"; "the Enlightenment belongs to that which we have dismantled, so we can no longer speak of Enlightenment". But they don't ask themselves what the Enlightenment was. Why go back to that which was? Why go back to humanness? Well, because these concepts, these really important ideals, have not left us, they continue to form us. And there is a new way of understanding them that starts with the idea that they do not have a single form and that, in fact, their regulation operates politically to produce exclusions that we must challenge. For someone to say that a person who is considered non-human is, in fact, human means a resignification of humanness and emphasises that humanness can work in another form. On occasions it is important to use the term precisely in the way that the Human Rights discourse sometimes does: taking someone to whom the defining characteristics of humanness are not attributed and affirming that person is human is a performative act that redefines humanness in terms of liberation, as emancipation. It is not a question of searching for what was already there, but of making it happen.

F.B.: In your recent reflections, when you talk about 'that which is human' you connect it with the question of which lives deserve to be recognised as being worthy of being protected or helped. When you speak about 'life', are you taking as your starting point the distinction between *bios* and *zoe*?

J.B.: The question of life is difficult; I have my doubts about the way in which the distinction that Arendt establishes in *The Human Condition* has been popularised by Giorgio Agamben. Despite the fact that *bios* and *zoe* are analytically distinguishable, each is always implied in the other. I have problems when Arendt affirms that the point of life cannot be life itself. For her it is a terrible idea, since she only understands life as something that is bound up with very important principles and values. Arendt wanted to distinguish between life that was not worth living and life itself, and in this she was following Socrates: an unexamined life was not worth living. That is why, for her, thinking, judging and responsibility were so important, because she understood that these human activities make life worth living, and if these are not possible, then neither is life. But this does not help us to understand why it is necessary to preserve the life of sensate beings, including human beings.

Arendt distinguishes between the public and private spheres. The public domain is where we think, judge act; the private domain means that someone looks after the home, the food, the reproduction of the material conditions of life. It seems to me to be worth remembering that there is a politics of this sphere, a politics of the domestic, there is a politics of private life. Who does the work of cleaning the house, of keeping it all together? The questions about relationships, about the family, about work, are political questions.

I would like to go back and ask about the conditions of survival: what do we need to survive? We depend on our surroundings and on food; the food should be well distributed

and eating habits healthy. We depend on justice and the distribution of economic resources. I believe there could be a politics of this sphere that looked on life as simply that, life, bare life; a politics that allowed us to see that life is never just naked life, that it is always politically saturated. Hence my disagreement with Agamben's characterisation of 'naked life', for example when he refers to the Palestinians in Gaza, stripped of their rights, exposed to brutality without any defence, reduced to mere life; it is not a question of 'mere life', these lives are politically saturated: there is a battle taking place to cross the border, to find food, to rebuild the house destroyed by bombs, or to get medicine. All these actions are struggles, even, I would say, practices of freedom. The practices of survival are extremely important; if we say they are simple mere organic life, we cannot recognise them as political struggles.

F.B.: In your latest books you deal with the idea of thinking the community in terms of relatability. This perspective seems to me very interesting, since it allows us to establish a nexus between the misnamed 'domestic' violence and the violence of war. Do you believe that this would allow us to rethink global international politics?

J.B.: When the USA was attacked in September 2001, the government set out to quickly construct an idea of the country as sovereign, impermeable, invulnerable, because it was unacceptable that its frontiers had been breached. The system involved creating very powerful images, normally of men: men of the government, men fighting to save people inside the World Trade Center. There was a kind of resurgence of the idea of a strong, efficacious, militarised man, a man whose body will never be destroyed nor affected by anyone, who will be pure action and pure aggression. A certain idea of the subject was produced: who is the American subject? Who is America? A very aggressive affirmation was made about masculine sovereignty, a certain idea of what the body is — of the masculine body, a certain idea of masculine subjectivity, which also amounts to a national self-comprehension — and then naturally they annihilated the sovereignty of Iraq, of Afghanistan, they resorted to Guantanamo because it is not under Cuban sovereignty and is also outside the borders of US sovereignty, in such a way that they could do what they wanted. They play with sovereignty; they take a certain kind of sovereignty as a prerogative, but do not respect sovereignty as a principle.

Another possibility would have been to say: we have been attacked, we accept the fact that we live in a global community, our frontiers are porous, people can cross them, we have to decide how we want to live this. Instead of defending ourselves, what we need are new international agreements and also to show the USA as being committed to international law, because we should remember that since 2001, and even before, Bush has refused to sign almost any international treaties: the anti-missile treaty, that establishing the International Court; anything to do with international cooperation, including the UN. He exercised his sovereignty over them and against them.

Perhaps because international cooperation is an ethos: we are dependent on a global world, we are all vulnerable, there can be accusations and agreements. How do we live together? What kind of agreements do we accept? But it is the nation-states that establish agreements between themselves and the real question is that of the stateless peoples: insurgent populations, people who live within political organisations that are not permitted to participate in international agreements. What kind of connection can be established here? This implies another kind of politics, a global politics, one that does not restrict itself to the nation-states. I am referring to other ways of thinking our vulnerability as nations, our limits as nations, and that include the conception of the subject as being fundamentally dependent or fundamentally social, as well as the forms of political organisation that seek to structure global politics in such a way as to gain recognition of our interdependence.

F.B.: To round off our conversation, I would like to formulate some of the questions that ideas of sexual difference have raised: how do you explain, from your conception of gender, the historical asymmetry between the sexes? How do you explain that lack of recognition of our first origins, of having been given birth to by a woman?

J.B.: I am always surprised that, in Europe, these great divisions are made between Irigaray and the philosophers of sexual difference, on one side, and Butler, on the other, because in the USA we work in both lines. For me, this supposed contrast does not exist; in my classes I teach Irigaray. In my opinion, when we study the significances that have been conferred on sexual reproduction and how it has been organised, we find important convergences between Irigaray's work and mine, because the question is: how does the scene of reproduction come to be the defining moment of sexual difference? And what do we do with this? And, in this respect, we find various points of view: that of psychoanalysis, which underlines masculine dependence on the mother and at the same time its rejection; that which emphasises the importance of the maternal as a feminine value, as the basis for the feminist critique; and we can also find another perspective that raises questions like: why has sexuality been thought of in a restrictive form within the framework of sexual reproduction? What does it mean that sexual difference is determined around the idea of reproduction? What does it mean to think of non-reproductive sexuality in relation to this burdensome symbolic scene of reproduction? Every nation-state, every national religious unit, wants to control reproduction, everybody is very uneasy about reproduction: the Spanish conservatives want to control reproduction, they say "no" to abortion. Why? Because it is through the control of women's bodies that reproduction of the population is achieved and it becomes possible to reproduce the nation, the race, masculinity.

We are all trying to change these values and work on them, trying to find other spaces and possibilities for femininity, for masculinity, for that which is neither feminine nor

masculine. We have distinct conceptions about how to think this difference, but, for sure, we are all interested in exploring this difference. Given that we cannot assume a hard and fast division between these positions, I think there could be a dialogue between them: none of us want to accept the conception of sexual reproduction that transforms woman into a non-being that makes possible the being of man. We all start here, though we all have different strategies about how to move on.

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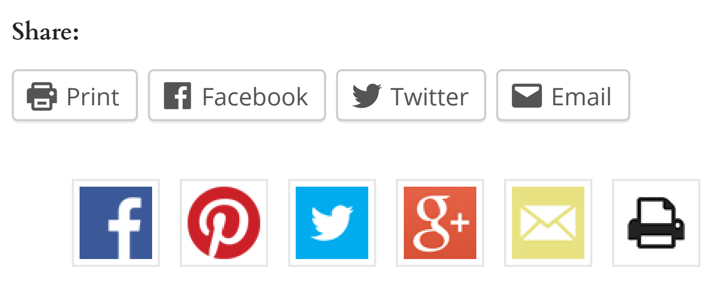

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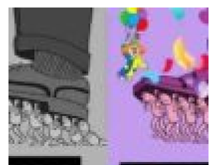

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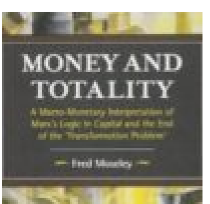

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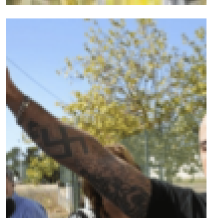

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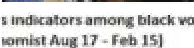

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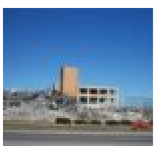
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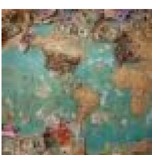
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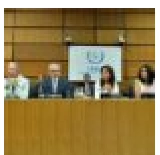
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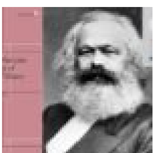
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