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Desire and its Rule: Gender Trouble, the Phallus, and the Ethics of Psychoanalysis

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Desire and its Rule: *Gender Trouble*, the phallus, and the ethics of psychoanalysis

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Abstract Queer theory, despite its reliance on psychoanalysis, has had remarkably little to say about Lacan. One reason for this is that Lacan's name came to the fore in queer theory already associated with Judith Butler's critique of *The Signification of the Phallus* in *Gender Trouble* and *Bodies that Matter*. This article revisits this critique and argues that Butler's objections to Lacan do not hold up to scrutiny, because they disregard the goal of Lacan's intervention, fail to account for the progression of Lacan's thinking in the corresponding Seminars, and misconstrue Lacan's theory of desire more generally. I then briefly scrutinise the immediately subsequent Seminars VI and VII and argue that psychoanalysis' ethical concerns do not map easily onto gender and sexuality as queer theorists understand them; the desire presumed to awaken in the analytic itinerary is not subject to extrinsic, normative regulation, but comes into being as its own law.

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1. Introduction

Tim Dean noted two decades ago that 'hostility toward psychoanalysis remains a sign of allegiance, a necessary credential for one's political identity as lesbian or gay' (2000, 5). Dean's assessment would appear to have remained both topical and empirically correct; indeed, it is perhaps still more pertinent today. While most queer theoretical work engages psychoanalysis in some form or another, it is generally undertaken with an unduly critical view of psychoanalytic theory and practice that too often betrays little familiarity with the highly subversive Freudian (and Lacanian) oeuvre (see, for instance, Preciado 2020; Baitinger 2020; Brousse and Halberstam 2016). Against this broad background, it is perhaps understandable that Jacques Lacan's work is seldom recognised as a potential theoretical ally in the struggles of sexual politics. The occlusion of such a major psychoanalytic thinker should nevertheless strike us as a quite surprising development, if we consider the fact that the literature issuing from gay liberation is quite strictly dependent on Freud (and also Marx, another remarkably neglected thinker in the queer theoretical canon; see, for instance, Hocquenghem 2003; Mieli 2018; Lewis 2016). It is impossible to offer a general assessment of the uses of psychoanalysis in LGBT+ and queer theory in article form. However, it is certainly the case that a re-evaluation of the psychoanalytic theory of desire may yield interesting insights for the future of sexual politics in light of the current queer theoretical consensus that LGBT+ politics has to be rethought in a homonormative era (Duggan 2003). Here, I wish to make a modest contribution to thinking through this future by reconsidering a pivotal moment in the queer theoretical archive that has arguably established, and continues to justify, queer theory's distaste for Lacan: Judith Butler's reading of *The Signification of the Phallus*.

Doing so is important for at least two reasons. First, while many Lacanian theorists have questioned Butler's reading of Lacan, they have generally done so by reference to a later Lacan (for instance, emphasising *Seminar X* or *XX*), and have accordingly implicitly conceded on the point that Lacan's 1950s reading of the Freudian Oedipus is indeed both patriarchal and heteronormative (Copjec 1993; Dean 2000; Zupančič 2018). As I intend to show in what follows, this is not, or at least not straightforwardly, the case. Second, Butler's reading is advanced in favour of a strictly culturalist understanding of sexuality.

In this view, desire is always ultimately determined by the norms prevailing in a given cultural or normative universe. While this assumption is undoubtedly warranted in relation to a certain medicalising and biologizing kind of essentialism (which Lacan and Lacanians concur should be combatted), it also occludes the radical potential of desire that was so important for gay liberationists, who argued that 'homosexuality and heterosexuality were both oppressive social categories designed to contain the erotic potential of human beings' (D'Emilio 1996, 263). If the notion of 'queer' is to be the heir of these radical approaches, then it must correspond to a theory of desire that understands how desire, all the while it is obviously regulated in many socially and culturally relevant ways, is also not reducible to its social and cultural regulation.

In light of these contentions, this article may be understood as a preliminary contribution on rethinking the concept of desire towards a different conception of the tasks of a sexual politics consistent with Lacanian thinking. I proceed in three parts. First, I sketch Judith Butler's objection to Lacanian theory, and briefly rehearse her well-known theory of performativity. I do not dedicate too much space to Butler's theory, which is sufficiently widespread that knowledge of it may be presumed, but focus primarily on Butler's two main contentions in relation to Lacanian psychoanalysis: first, that the phallus presupposes sexual dimorphism and the attendant subordination of women, and is accordingly patriarchal; and, second, that the two positions (being and having) one can take in relation to the phallus as the set of signifieds to desire necessarily map onto the gender binary, such that any non-heterosexual desire is prima facie disallowed. I then offer a reading of Lacan's *The Signification of the Phallus*, and demonstrate that Butler's objections are premised on a series of misunderstandings of the goal of Lacan's theory, of the context of Lacan's intervention, and of the conceptual justifications of the phallus. Finally, I offer a final objection to Butler's reading premised on the progression of Lacan's thinking after *The Signification of the Phallus* and its corresponding *Seminars IV* and *V*. Here, I turn to *Seminar VI* and *Seminar VII* and show that Lacan was concerned with a concept of desire that is not simply socially regulated, as Butler's is, but one which exceeds social regulation to the point where it becomes its own law.

2. Butler's Objection

Gender Trouble begins from the assertion that the regulation of gender relies on a matrixial understanding of sex, gender, and desire. A legitimate subject under the heterosexual matrix would have a sexed body that has either a penis or a vagina (or a determinate set of chromosomes, or a particular reproductive apparatus, etc.), a gendered self-presentation corresponding to their morphology (that is, one must be a masculine man with a penis or feminine woman with a vagina), and a desire for the other sex-gender (men desire women who desire men). In the matrix's completed form, we might say that masculine men with penises desire feminine women with vaginas who desire masculine men with penises, and these complementary positions are an exhaustive description of what it means to be a person (Butler 1999). Conversely, anything that eschews that direct relation of entailment – encompassing anyone in the LGBT+ umbrella – is coded as unintelligible, that is, said to exist only as a pathology within the terms of the heterosexual matrix.

Butler argues that Lacan's *The Signification of the Phallus*, *Gender Trouble*'s most important primary source into Lacan's work, repeats the hetero-matrixial gesture. For Butler, Lacan allows for only two possible positions before the phallus, insofar as it is the privileged signifier determining the possible responses to the question 'what do I want?', themselves a by-product of the play/game of signifiers (Lacan 2006b): either one is the phallus (a feminine position, that is, masquerades as it), the signifier that designates the desired object as a signified; or one has the phallus (a masculine position, that is, poses as though one had it), and is capable of offering it to the enjoyment of one who, in being it, both lacks and wants it (for the masquerade thesis, see Rivière, 1929). These are not two essentialised subject positions that point to some degree of complementarity between men and women, however, nor should they be interpreted as in some sense ontologically necessary, inscribed in a self-identical Nature. Butler recognises that there is no substantive concept of nature in psychoanalysis, like there is no substantive ontology. Rather, as Butler puts it, things in the world take on 'the characterization of 'being' and [become] mobilized by that ontological gesture only within a structure of signification that […] is itself pre-ontological' (1999, 56).

In this regard, that the designations of things that may come to be desired become attached to a fixed mental representation of them must be explained through the instance whereby that coupling is sanctioned in a way that is not strictly individual, but collective. As Saussure notes, '[t]he initial assignment of names to things, establishing a contract

between concepts and sound patterns, is an act we can conceive in the imagination, but no one has ever observed it taking place' (2011, 81). The phallus, for Butler, is perhaps the most important instance of this naming, insofar as it is the primary designation for humanised desire, meaning it is related to the law regulating those sexual exchanges that are permissible within a given culture, for instance, in marriage. The two modes of relating to the phallus, being and having, are thereby established as functions of the primary gesture by which a desire that would otherwise remain inscrutable is given a socially permissible shape. As Butler puts it,

> There is no inquiry, then, into ontology per se, no access to being, without a prior inquiry into the 'being' of the Phallus, the authorizing signification of the Law that takes sexual difference as a presupposition of its own intelligibility. 'Being' the Phallus and 'having' the Phallus denote divergent sexual positions, or nonpositions (impossible positions, really), within language. To 'be' the Phallus is to be the 'signifier' of the desire of the Other and to appear as this signifier. In other words, it is to be the object, the Other of a (heterosexualized) masculine desire, but also to represent or reflect that desire. This is an Other that constitutes, not the limit of masculinity in a feminine alterity, but the site of a masculine self-elaboration (1999, 56)

Even if Lacan's argument decisively propels heterosexuality into the realm of comedy or parody, since the sexual positions it allows for are never comfortably occupied, Butler contends, the very use of the word 'phallus' to denote such an abstract function as that of an 'authorizing signification of the Law' cannot of course be accidental (Butler, Žižek, and Laclau 2000). In Butler's rendition of Lacan, there is a metaphysical order, a grammar, that determines what judgments of existence can be made from within any given social structure, and this set of rules commands the phallus, in its uneasy relation to the penis as a really existing organ attached to certain really existing bodies, as the primary term expressing sexual difference.

Butler reads Lacan, then, in a naïvely structuralist frame, which is to say, imputing him with the belief that human relations are always and already determined by a set of co-variating terms behaving according to a set of rules that is finite, enumerable, and articulable in scientific language. Faced with this proposition, the question imposes itself: what is it that motivates the bipartition of humanity into 'has it' and 'does not have it' if it is not the phallus' explicit relation to the penis and the untenable assumption that the

only options available to individuals are to have or not have a penis? The copula between signifier and organ, undoubtedly present in the choice of words, already incites us to understand the phallus not only as a socially necessary function, but also as a specific articulation of the economy of desire and pleasure, one that centres around the male organ and its tumescence-detumescence. As Butler argues in the follow-up to *Gender Trouble*, 'to continue to use the term 'phallus' for this symbolic or idealizing function is to prefigure and valorize which body part will be the site of erotogenization' (2011, 33).

Butler finds it necessary to destabilise the insidious pull towards fixity implied in Lacan's idea that there is a binary distribution of the positions one might take before the phallus that polarises sexuality insofar as it is both social and symbolically mandated. This fixity entails that, beyond the seemingly individual relation each of us entertains with the signifier denoting all possible answers to the question 'what do I want?', there is a sphere of cultural determinations designed to ensure that this signifier is embodied in an appropriate, female, individual. This web of productive prohibitions, the symbolic, appears as the order of the signifier where 'sceptre and phallus blend into one another' (Lacan 1994, 191, our translation), where political power and sexual predominance slide seamlessly over one another. Butler will see in this notion of the symbolic no less than a ruse to silence any possible gendered and sexual variance, one that inevitably leads to a quiescent upholding of naturalised sexual difference:

> this structure of religious tragedy in Lacanian theory effectively undermines any strategy of cultural politics to configure an alternative imaginary for the play of desires. If the Symbolic guarantees the failure of the tasks it commands, perhaps its purposes, like those of the Old Testament God, are altogether unteleological – not the accomplishment of some goal, but obedience and suffering to enforce the 'subject's' sense of limitation 'before the law' (1999, 72)

In contrast to Lacan's insistence on the structure of enunciation, Butler thereby considers that the social determination of gendered and sexual positions is infinitely malleable given enough time, that the structure of language itself does not impose any formal limits upon the field of what might be lived as sexuality. What Butler proposes is to consider gender as an effect of norms that are themselves effects of 'a reiterated acting that is power in its persistence and instability' (2011, xviii). Power, then, is a ritualised repetition which is both conditioned by the norms that make it intelligible and formative of those very norms. In this sense, it is not that the regulation of gender as we understand

it – for instance, as commanding two and only two possible gendered and desiring positions – is not constraining, such that we would be able to choose our genders at will; rather, it is constraining but contingent, such that, all the while gender will always be a structuring mode of sociality (Butler 2004, 41), any given form it might take is not necessary. Although 'these rules precede and orchestrate the very formation of the subject' (Butler 1997, 135), they are themselves not unchangeable.

3. The Signification of the Phallus

One reason why Butler's argument should be approached with caution is that Lacan's *The Signification of the Phallus* should be read primarily as a riposte to those psychoanalysts who relied upon some notion of genital maturity attached to the penis in the boy and the vagina in the girl (Jones 1933); and upon that of oblativity (Ragoucy 2007), a fashionable notion in the French psychoanalysis of the time, denoting capacity for libidinal investment in an object that does not aim at consumption, but at care and preservation. Rather than remain at the level of a crass biologism, as in the case of genital preachers such as Jones, or of the muddle of moralised affect like those who professed oblativity, Lacan believed Freud's theory of the Oedipus and castration complex should be subjected to rigorous structural treatment. The concept of the phallus, which sees no systematic usage in Freud, is introduced by Lacan pursuant to this reinterpretation.

For Freud, the resolution of the Oedipus complex is contemporary with the subjective assumption of the loss of unrestrained use of his penis, the castration complex, for the boy. The boy's acceptance that his possession of the penis is hopelessly precarious entails that 'the [Oedipus] complex is not simply repressed, it is literally smashed to pieces by the shock of threatened castration […] the super-ego has become its heir' (1961b, 256). The internalisation of the superego, the moral instance of the psyche, is therefore the acceptance of those rules of conduct that will allow the boy to keep his appendage in place, so long as he does not transgress the boundaries of its proper usage. The girl, in Freud's schema, has something of an easier time, at least in regard to the fact that she has already grown accustomed to the thought of being castrated. From her first brush with anatomical difference, she knows the deed has already been accomplished for her (Freud 1961a), so all she can do is claim redress for a wrong already suffered. She

finds redress, Freud suggests, in the desire to bear a child; 'she slips – along the line of a symbolic equation, one might say – from the penis to a baby' (1961a, 178).

Freud's view in this regard was vehemently opposed even in his time, with other psychoanalysts objecting that women must have their due (see Mitchell 1982; Rose 1982). Undoubtedly, Freud's views do appear to have some obviously unpalatable consequences for any feminist, and by extension queer, theory. Lacan will pose the question of the phallus, as opposed to the penis, differently. For Lacan, the phallus is a signifier, a basic unit or building block of language, though a privileged one. In *The Signification of the Phallus*, Lacan explains:

> In Freudian doctrine, the phallus is not a fantasy, if we are to view fantasy as an imaginary effect. Nor is it as such an object (part-, internal, good, bad, etc.) inasmuch as 'object' tends to gauge the reality involved in a relationship. Still less is it the organ – penis or clitoris – that it symbolizes […] it is the signifier that is destined to designate meaning effects as a whole, insofar as the signifier conditions them by its presence as signifier (2006b, 579)

The phallus, then, contrary to Butler's terminological quarrel with Lacanians, is axiomatically irreducible to its 'really' corresponding organ. It is a linguistic function, a signifier designed to assure that language's illusion of referentiality – its meaning-effect – is maintained in regard to desire, pursuant to Lacan's reading of Saussure. Lacan's most important appropriation of Saussure is the radicalisation of the function of the signifier over and above that of the signified (2006a). This radicalisation is most immediately justified by reference to the prematurity of human birth and by the apparent absence of any instinctual basis for human sociality, defined as it is by the unpredictable intricacies of culture. This story goes something like this: each of us is born entirely helpless and incapable of language and thrust into a world that is structured linguistically – our families or caretakers will relate to each other in words we do not understand –, and thus only have 'access' to the order of the signifier, the bare material of language in its sounds, tones, and scansions. Psychoanalysis, at least since Lacan, does not accept the proposition that there is something like instinctual knowledge, that we would in some sense be hard-wired with a capacity for meaning. In such a context, and in the absence of biological conditioning, how can meaning arise from within the order of the signifier's phonetic material? The infant is in a situation where it is confronted with a system of sounds that only make sense to those who have already been initiated into it but has no basis upon

which to begin grasping the meanings presumably contained therein. It is a bit like a translator happening upon an entirely unheard-of dead language, without any evidence of how that language might be translated, nor indeed even a language of his own.

We might say that for Lacan, this relation in which we are originally given over to the Other, to a preformed linguistic structure, entails that the materiality of language (the signifier) precedes and conditions the concepts it supposedly carries (the signified). This reflection is articulated at the level of *The Signification of the Phallus* through the need-demand-desire triad. Briefly sketched, the fact that the materiality of language is prior to the assumption of something that might be recognised as subjectivity entails that humans have something of a warped relation to ourselves, to what might be referred to as our being. The child's inclusion into language will remain tethered to something that is at least partially heterogeneous to that order, insofar as language does not have the resources to designate what the infant is or wants prior to these things' articulation in language.

We might make this contention more concrete through the example of the cry, the first signification, in the following scenario: a baby cries and its caretakers all scramble around to try and figure out what it is that it wants, for obviously it will not have the capacity to articulate what that is. The baby is given any number of things, things that are available from within a given linguistically structured world, things that may or may not have been what it was crying about. In this scene, the demand for satisfaction of a need – the first signifier emitted by the infant in the cry – is redoubled from the start: it is (possibly) a demand for a specific satisfaction of a need the pressure of which the child can presumably feel, but, in its subordination to the signifying mould of the cry, it also becomes a demand for nothing in particular, as evidenced by the disarray of the caretakers when nothing they offer the child finally calms it down.

In the interval between a) the sensations that motivate the baby's cry and b) the cry itself interpreted as a demand by its caretakers, a demand that, in its lack of specificity, c) will be met by objects that may fail to satisfy it, something of the original claim is redoubled. That original need becomes both i) a demand for an indeterminate something capable of satisfying a need, and ii) a demand for nothing in particular, for that need is unknown to those who hear it and possibly even to the child itself; as well as iii) a demand for a satisfaction that can not only fail to be met, or be met with the wrong kind of satisfaction, but that can be withheld outright. The child's primitive demand is thus split

between a demand for the satisfaction of a denatured need and a demand for the presence of the agency that satisfies, regardless of whether that satisfaction is more or less directly forthcoming, simply because of its subjection to the form of the signifying chain.

Because of such a radical denaturation of need, something in demand becomes impossible to fulfil, to the extent that demand becomes both a demand for the satisfaction of a need that becomes partly intelligible (only insofar as it can be expressed in the order of the signifier) *and* a demand for the unconditional love of the Other, that is, for the presence of the instance from which the child procures its satisfaction (say, a mother or a father (Lacan 2006b, 579-580)). In this sense, demand appears as ultimately greater than need – it is both the claim for the (hypothetically possible) satisfaction of a need and for the (impossible) presence of a radical assurance of satisfaction, both recognised and lost in the passage from need to demand.

The gap between a denatured need and an unconditional demand allows something to escape, however – namely the content of the need prior to its transmutation into demand. As such, there is a product of the equation demand (which cannot be sated, for its vocalisation implies the loss of the specificity it is presumed to have prior to symbolisation) *minus* need (which hypothetically admits of a specific satisfaction but not of an adequate signification, since it is hypothetically prior to language), and that product is desire. Need thus alienated constitutes the 'objective' repression (occurring in language, and not by virtue of some subjective volition) of a satisfaction uncontaminated by language, one that is repeated in each and every possible demand. The alienation of need and the misrecognition of demand will both reappear in the radical and necessary misrecognition of the object of desire and in desire's unsatiable character. In a particularly dense fragment, Lacan describes the rise of desire in the following terms:

> demand annuls (*aufhebt*) the particularity of everything that can be granted, by transmuting it into a proof of love, and the very satisfactions demand obtains for need are debased (*sich erniedrigt*) to the point of being no more than the crushing brought on by the demand for love […]. It is necessary, then, that the particularity thus abolished reappear beyond demand. And in fact it does reappear there, but it preserves the structure concealed in the unconditionality of the demand for love. By a reversal that is not simply a negation of the negation, the power of pure loss emerges from the residue of an obliteration […] desire is neither the appetite for satisfaction nor the demand for love, but the difference that results from the

subtraction of the first from the second, the very phenomenon of their splitting (2006b, 580).

As Lacan puts it clearly elsewhere, then, 'desire is produced in the beyond of demand, because in linking the subject's life to its conditions [that is, the nascent subject has to use language if it wishes to be satisfied by its caretakers], demand prunes it of need' (2006c, 525). For Lacan, then, desire cannot be reduced to an 'I want this or that'. Desire surfaces from the dialectic of need and demand as already both determinate and insatiable; it is the subtraction of the appetite for 'instinctual' satisfaction from a demand that is always already an unconditional demand for love by virtue of demand's implication in the order of the signifier and of the infant's dependence on its caretakers. In this sense, desire is both unconditional and specific, but its specificity does not refer to any object that may be demanded outright, but to that which was lost in demand from the start. It is only within this context that the phallus, as the signifier allowing for a signification to desire, will appear. The phallus is, as it were, the answer to desire, the response to the return of the irretrievably lost specificity of the object of need within the register of the unconditional demand for love.

Strictly speaking, then, the phallus is neither an attribute of a man or a woman nor can it be an empirical object such as a sexual organ. The object that would provide both the satisfaction of an unmediated need and that of the demand for love is no more than a mirage established by the splitting between need and demand that ensues when an internal stimulus finds itself in a position to be reconstituted in language. If the phallus arises from such an intricate dialectic and appears to serve a necessary function for meaning to arise at all in regard to desire, it is no less true that it ultimately appears and perpetuates itself as nothing but a radical loss. The phallus is initially located at the place of that which is missing in the earliest, all-powerful Other capable of satisfying the child's demands unreservedly – namely that which the child lost in articulating demand linguistically – and is produced as a response to the universalisation of demand and the attendant loss of specificity of all objects that can be procured by its means. Desire surfaces in the beyond of this radical uniformization of all the objects that can be procured in and from the Other and its trove of signifiers. Hence, Lacan's theory of the phallus cannot be legitimately transposed into the vocabulary of gender and normativity, because the phallus is neither a gendered attribute nor an organic appendage. Rather, it is the signifier indexing the pure

loss required for accession into language and the 'acquisition', as it were, of desire, and is accordingly prior to the constitution of any gendered object.

4. Desire and Ethics: The Queerness of Psychoanalysis

The conclusion arising from this itinerary is that Lacan's concept of desire is thoroughly and resolutely independent of identity, including gender and sexual orientation. Because there can be no ultimate normalisation of the object of desire, since 'it' is always but the pure appearance of the phallus, the psychoanalytic problematic of desire is not moral, but ethical – not about rules, but about how to act in their absence. In *Seminar VI*, Lacan begins delineating the ethical problematic that will concern him in the following year: 'Psychoanalysis is not a simple reconstruction of the past, nor is it a reduction to pre-established norms […] we [analysts] find ourselves in the paradoxical position of being desire's matchmakers, or its midwives – those who preside over its advent' (2019, 485). Lacan's comments in this regard are important to the extent that they clearly entail that psychoanalysis must become accustomed to posing the problematic of desire as extraneous to the problematic of normativity, which queer theorists concur is at the root of the concept of identity. Put cursorily, if analysis is not a reduction of a subject's history and desire to a given set of extrinsic norms – for instance, the Oedipal norm meant to yield heterosexual neurotics –, if it is a matter of constituting a desire for which such labels as hetero- or homosexual are at best incidental, then it cannot prima facie be charged with either heteronormativity or any presumptive sexism.

It is thus not unreasonable to claim that it is psychoanalysis that allows us most systematically to sidestep whatever deceptive certainties arise from the usual picture of binary heterosexual complementarity. Psychoanalysis, however, does not stop there; it is an established praxis, and not merely a theoretical discourse, and therefore cannot content itself with a sterile deconstructive exercise. What, then, does psychoanalysis purport to do, according to the Lacan of the late 1950s? In Jean-Claude Milner's words, the core normative statement of psychoanalysis is deceptively simple: 'psychoanalysis speaks of a single thing: the conversion of each subjective singularity into a law as necessary as the laws of nature, as contingent as they are and equally absolute' (Milner 1996, 160). Milner's is an excellent statement of Lacan's thesis in *Seminar VII*, and it is particularly

apt here inasmuch as no one moment of Lacan's work has been so consistently misunderstood in Anglo-American academia than his ethics.

While the queer debate surrounding *Seminar VII* has centred around Lacan's reading of *Antigone* (Edelman 2004, Butler 2000, Coffman 2013), it is undoubtedly Kant who has pride of place *Seminar VII*. This should not surprise us if we note the striking similarity between Milner's formulation above and Kant's *Groundwork of the Metaphysics of Morals* definition of the categorical imperative: 'act as if the maxim of your action were to become by your will a universal law of nature' (Kant 1997, 31). The crucial issue for Lacan in this seminar pertains to the object of the moral law, inasmuch as morality is obviously related to desire and its fulfilment. For Kant, the moral law must be presumed to tend towards the highest or sovereign good, which 'we may understand as the state of affairs in which the ends of morality are realized in their totality' (Reath 2015, xiii). For Kant, 'the only way in which we can regard the highest good as a practical possibility is by assuming the immortality of the soul and the existence of God as a moral author of the universe who has ordered the world so as to support the ends of morality' (Reath 2015, xiii). In Kant's text, this ultimately means that the highest good has no satisfactory definition achievable to any empirical, finite being, but exists only in the gaze of God – which accordingly entails that our duty is to become pleasing to him by acting morally and ever-approaching the empirical realisation of the highest good (which, nevertheless, recedes endlessly into the future (see also Kant 2009)). God remains the final instance in which this endless approach can be ascertained to have taken place since, for God, the 'temporal condition is nothing', entailing that he 'sees in what is to us an endless series [of lifetimes] the whole of conformity with the moral law' (Kant 2002, 99).

For Lacan, Freud's ethical problematic can only be posed satisfactorily by attending to how psychoanalysis refuses Kant's respect for God's creation: 'the step taken by Freud at the level of the pleasure principle is to show us that there is no Sovereign Good – that the Sovereign Good, which is *das Ding*, which is the mother, is also the object of incest, is a forbidden good, and that there is no other good. Such is the foundation of the moral law as turned on its head by Freud' (1992, 70). It is well-known that Freud was a staunch atheist, and that he was quite wary of the notion that desire can reach its ultimate object in anything but death. In this sense, with the Freudian gesture, we get a version of Kant for whom the moral law has neither substantive end nor benevolent divine support, yet still retains the sheer form of the moral commandment to rediscover the

originally lost object – in Kant's writings on religion (2009), what is lost in our original decision to be evil, that is, capable of contravening the moral law; and, in Freud, an impossible mother who wants for nothing and can accordingly grant everything, a mother who has the phallus capable of gratifying the desire behind each possible demand. While we might be drawn to embody this commandment in the ferociously moral superego, Lacan understands this point otherwise. The pure form of commandment, Lacan claims, is no less than desire itself:

> Now we analysts are able to recognize [the place of Kant's 'Thou Shalt'] as the place occupied by desire. Our experience gives rise to a reversal that locates in the center an incommensurable measure, an infinite measure, that is called desire. [...] If Kant had only designated this crucial point for us, everything would be fine, but one also sees that which the horizon of practical reason opens onto: to the respect and the admiration that the starry heavens above and the moral law within inspires in him. One may wonder why. Respect and admiration suggest a personal relationship. That is where everything subsists in Kant, though in a demystified form (1992, 316).

The Freudian gesture in a sense completes Kant's. Instead of resolving itself in the possibility, in an endlessly deferred future, of a definitive statement of the moral law in the figure of they who become most virtuous and pleasing to God – the origin of the laws of nature and of the moral law –, the instance passing judgment on us moderns is none other than desire. It is on the basis of this reinterpretation of Kant that Lacan will famously go on to claim that 'from an analytical point of view, the only thing of which one can be guilty is of having given ground relative to one's desire' (1992, 319). This assertion does not mean that the ethics of psychoanalysis are an injunction to some form of hedonism or some insistence on enjoyment or *jouissance* (the interpretation furnished, for instance, by Edelman's *No Future* (2004)); it means, rather, that desire insists in and as its own norm. The desire psychoanalysis talks about is not subject to an extrinsic normative field such as those of gender or that of sexuality, but determines its own regulation. The concrete mechanisms of this regulation are of course unconscious, yet we know we have failed to comply with them each time we experience guilt; much like, for Kant, we know of the moral law whenever we consider a course of action that is virtuous even though contravening it would be much more expedient. This is why Milner can speak of elevating a subjective singularity – that of desire – into a law of nature. This

statement, in a nutshell, means that psychoanalysis' version of Kant's virtue is coterminous with the growing incapability, achieved over an analytic itinerary, of acting against the Law determined by one's desire, and therewith the progressive, though never total, abolition of guilt.

Lacan accordingly poses a kind of challenge that cannot be so easily dismissed as it has been by such thinkers as Butler and the queer canon more generally. That is: under what conditions can we truly speak of the autonomy of desire – in the etymological sense of governed by its own laws, not simply as freedom or liberation as the absence of external constraints? Psychoanalysis, if it is stripped of the ego-psychological and post-Freudian concern with personality, character, adaptation, and ultimately with the kind of obsessive taxonomizing we have learned to call identity, is perhaps the sole theoretical discourse capable of contending with this question. For this reason, quite against Butler's assessment and the queer theorists who agree with it, it is undoubtedly feasible to claim that psychoanalysis, if it is not itself queerer than queer theory, certainly still has much to say about the very possibility of queerness – inasmuch as queerness is or should be about a desire unburdened by identity.

While this argument may appear at first glance to require a revision of many deeply held beliefs about the nature and goals of queer politics, it is effectively not irreconcilable with positions once taken by some of the ideologues of gay liberation. Guy Hocquenghem, for instance, taught us in the early 1970s that 'just like heterosexual desire, homosexual desire is an arbitrarily frozen frame in an unbroken and polyvocal flux' (1993, 50). We need not consent to the clear Deleuzean pathos in this passage to suggest that it is at least arguable that desire may be exterior to the names it is given, whether straight, gay, or queer. To deny this possibility is precisely the mistake *Gender Trouble*, and with it the bulk of queer theory, has perpetuated. It is perhaps the case that what is needed for a sexual politics consistent with such a concept of desire is that we abandon the claim of political relevance we attach to LGBT+ or queer particularity. Would abandoning this particularity be so detrimental to us in a homonormative era? Should we once again dream of a new regime of desire, one indifferent to socially recognised difference? Such questions are, I think, at least worth entertaining in light of the increasingly clear exhaustion of sexual politics in the 21st century.

Acknowledging the importance of these questions may allow queer theorists to recognise and disentangle the core paradox of most queer approaches, namely the fact

that virtually all our analytic techniques centre the notion of identity (however multiple, given the intersectional 'turn' in recent queer scholarship), all the while 'queer' has always argued for its ongoing relevance based on a claim to overcome identity as such (and not merely to multiply it; see Wiegman 2012, 332). To make this more concrete: the queer theoretical archive is undoubtedly LGB-centric, yet theorists consistently posture against the very LGB identities that gave them occasion to write in the first place. Theorising a desire irreducible to what we might call the identity-*form* – rather than merely to any specific identity – would perhaps lead us to rediscover some of the radicality of those earlier gay liberationists who saw homosexual desire as but a stepping-stone towards a better sexuality for all. Lacanian psychoanalysis, I hope to have demonstrated, may yet prove a valuable ally in this project.

5. Conclusion

Queer and LGBT+ theorists are still reluctant to engage with Lacan. It is at least likely that Judith Butler's *Gender Trouble* was and remains one of the major sources of this reluctance. However, Butler's portrayal of Lacan has been repeatedly shown to not measure up to the progression of Lacan's thinking. My argument can be roughly but adequately summarised in the proposition that Butler, as it were, works backwards from gender to its 'phallic' determination, and therefore cannot avoid the conclusion that Lacanian theory is both heteronormative and patriarchal. In contrast, if one does not presuppose the infinite explanatory potential of gender and follows Lacan in building the theory of desire from the ground up, the phallus shows itself to not refer to gender or sexual identity at all, but to the pure loss implied in a process each of us has, in some form or another, gone through: our implication in language and the attendant absolutisation of desire. While the consequences of this itinerary for a theory of subjectivity and for the goals of psychoanalysis are clear and relatively direct, the relationship between the Lacanian theory of desire and the politics of sexuality remains undertheorized. While I cannot thoroughly elaborate upon this argument here, I would happily contend that aspects of Lacanian theory could be productively mobilised to address many of the shortcomings of contemporary sexual politics – not least its growing distaste for the original queer project of subverting identity.

References

Baitinger, F. (2020) 'Jouissance and Sexual Difference: A Response to Paul B. Preciado', *Lacanian Review Online* [Preprint]. Available at: https://www.thelacanianreviews.com/jouissance-and-sexual-difference/.

Brousse, M.-H. and Halberstam, J. (2016) 'A Dialogue with Marie-Hélène Brousse and Jack Halberstam', *Lacanian Review Online* [Preprint], (2). Available at: https://www.thelacanianreviews.com/whats-up-in-the-wap/1893-2/ (Accessed: 20 September 2021).

Butler, J. (1997) *Excitable Speech*. 1st edn. New York: Routledge.

Butler, J. (1999) *Gender Trouble: Feminism and the Subversion of Identity*. 2nd edn. New York: Routledge.

Butler, J. (2000) *Antigone's Claim*. 1st edn. New York: Columbia University Press.

Butler, J. (2011) *Bodies that Matter: on the Discursive Limits of 'Sex'*. 2nd edn. New York: Routledge (Routledge classics).

Coffman, C. (2013) 'The Unpredictable Future of Fantasy's Traversal', *Angelaki*, 18(4), pp. 43–61.

Copjec, J. (1994) *Read my Desire: Lacan Against the Historicists*. 1st edn. Cambridge: MIT Press.

De Saussure, F. (2011) *Course in General Linguistics*. 1st edn. Translated by W. Baskin. New York: Columbia University Press.

Dean, T. (2000) *Beyond Sexuality*. 1st edn. Chicago: University of Chicago Press.

D'Emilio, J. (1996) 'Capitalism and Gay Identity', in Morton, D. (ed.) *The Material Queer: A LesBiGay Cultural Studies Reader*. 1st edn. Oxford: Westview Press, pp. 263–272.

Duggan, L. (2003) *The Twilight of Equality? Neoliberalism and the Attack on Democracy*. Boston: Beacon Press.

Edelman, L. (2004) *No Future: Queer Theory and the Death Drive*. 1st edn. Durham and London: Duke University Press.

Freud, S. (1961a) 'Some Psychical Consequences of the Anatomical Distinction Between the Sexes', in Strachey, J. (tran.) *The Standard Edition of the Complete psychological Works of Sigmund Freud, vol. XIX.* 1st edn. London: The Hogarth Press, pp. 241–258.

Freud, S. (1961b) 'The Dissolution of the Oedipus Complex', in Strachey, J. (tran.) *The Standard Edition of the Complete Psychological Works of Sigmund Freud, Vol. XIX*. 1st edn. London: The Hogarth Press, pp. 173–182.

Hocquenghem, G. (1993) *Homosexual Desire*. 1st edn. Translated by D. Dangoor. Durham and London: Duke University Press.

Jones, E. (1955) *Sigmund Freud: Life and Work, vol. II*. 1st edn. London: The Hogarth Press.

Kant, I. (1996) 'Groundwork of the Metaphysics of Morals', in Gregor, M.J. (tran.) *Practical Philosophy*. 1st edn. Cambridge: Cambridge University Press, pp. 37–108.

Kant, I. (2002) *Critique of Practical Reason*. 1st edn. Translated by W.S. Pluhar. Cambridge: Hackett.

Kant, I. (2009) *Religion Within the Bounds of Bare Reason*. 1st edn. Translated by W.S. Pluhar. Cambridge: Hackett.

Lacan, J. (1992) *The Seminar of Jacques Lacan, book VII: The Ethics of Psychoanalysis*. 1st edn. Translated by D. Porter. London: W. W. Norton.

Lacan, J. (1994) *Le Séminaire, livre IV: La Relation d'Objet*. 1st edn. Paris: Seuil.

Lacan, J. (2006a) 'The Direction of the Treatment and the Principles of its Power', in Fink, B. (tran.) *Écrits*. 1st edn. New York: W. W. Norton, pp. 489–542.

Lacan, J. (2006b) 'The Function and Field of Speech and Language in Psychoanalysis', in Fink, B. (tran.) *Écrits*. 1st edn. New York: W. W. Norton, pp. 197–268.

Lacan, J. (2006c) 'The Signification of the Phallus', in Fink, B. (tran.) *Écrits*. 1st edn. New York and London: W. W. Norton, pp. 575–584.

Lacan, J. (2019) *The Seminar of Jacques Lacan, book VI: Desire and its Interpretation*. 1st edn. Translated by B. Fink. Cambridge: Polity.

Lewis, H. (2016) *The Politics of Everybody: Feminism, Queer Theory, and Marxism at the Intersection*. 1st edn. London: Zed Books.

Mieli, M. (2018) *Towards a Gay Communism*. 1st edn. Translated by D. Fernbach and E. Calder Williams. London: Pluto Press.

Milner, J.-C. (1996) *La Obra Clara*. 1st edn. Translated by D. Rabinovich. Buenos Aires: Manantial.

Preciado, P.B. (2020) *Je Suis un Monstre qui Vous Parle*. 1st edn. Paris: Bernard Grasset.

Ragoucy, C. (2007) 'L'Oblativité: Premières Controverses', *Psychanalyse*, 8(1), pp. 29–41.

Reath, A. (2015) 'Introduction', in Kant, I., *Critique of Practical Reason*. Translated by M. J. Gregor. Cambridge: Cambridge University Press, pp. vi–xxiv.

Rivière, J. (1929) 'Womanliness as Masquerade', *International Journal of Psycho-Analysis*, 10, pp. 303–313.

Wiegman, R. (2012) *Object Lessons*. 1st edn. Durham: Duke University Press.

Zupančič, A. (2018) *What IS Sex?* 1st edn. Cambridge: MIT Press.

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List of changes to the manuscript

I thank Reviewer 2 for their helpful suggestion:

'My only hesitation about simply recommending accept is that I am aware that this journal has a general psychosocial readership and so I would suggest that some attention is paid to spelling out the possible implications of the argument here. There is a lot of emphasis on debate about psychoanalytic theory - but it would be helpful to hear more about some of the social implications/consequences of the argument being out forward'.

The manuscript has been altered to include the following paragraphs, p. 14-15:

'While this argument may appear at first glance to require a revision of many deeply held beliefs about the nature and goals of queer politics, it is effectively not irreconcilable with positions once taken by some of the ideologues of gay liberation. Guy Hocquenghem, for instance, taught us in the early 1970s that 'just like heterosexual desire, homosexual desire is an arbitrarily frozen frame in an unbroken and polyvocal flux' (1993, 50). We need not consent to the clear Deleuzean pathos in this passage to suggest that it is at least arguable that desire may be exterior to the names it is given, whether straight, gay, or queer. To deny this possibility is precisely the mistake *Gender Trouble*, and with it the bulk of queer theory, has perpetuated. It is perhaps the case that what is needed for a sexual politics consistent with such a concept of desire is that we abandon the claim of political relevance we attach to LGBT+ or queer particularity. Would abandoning this particularity be so detrimental to us in a homonormative era? Should we once again dream of a new regime of desire, one indifferent to socially recognised difference? Such questions are, I think, at least worth entertaining in light of the increasingly clear exhaustion of sexual politics in the 21st century.

Acknowledging the importance of these questions may allow queer theorists to recognise and disentangle the core paradox of most queer approaches, namely the fact that virtually all our analytic techniques centre the notion of identity (however multiple, given the intersectional 'turn' in recent queer scholarship), all the while 'queer' has always argued for its ongoing relevance based on a claim to overcome identity as such (and not merely to multiply it; see Wiegman 2012, 332). To make this more concrete: the queer theoretical archive is undoubtedly LGB-centric, yet theorists consistently posture against the very LGB identities that gave them occasion to write in the first place. Theorising a desire irreducible to what we might call the identity-*form* – rather than

merely to any specific identity – would perhaps lead us to rediscover some of the radicality of those earlier gay liberationists who saw homosexual desire as but a stepping-stone towards a better sexuality for all. Lacanian psychoanalysis, I hope to have demonstrated, may yet prove a valuable ally in this project.'

A line has also been added to the conclusion, p. 16:

'While I cannot thoroughly elaborate upon this argument here, I would happily contend that aspects of Lacanian theory could be productively mobilised to address many of the shortcomings of contemporary sexual politics – not least its growing distaste for the original queer project of subverting identity'.

Desire and its Rule: *Gender Trouble*, the Phallus, and the Ethics of Psychoanalysis

1. Introduction

Tim Dean noted two decades ago that 'hostility toward psychoanalysis remains a sign of allegiance, a necessary credential for one's political identity as lesbian or gay' (2000, 5). Dean's assessment would appear to have remained both topical and empirically correct; indeed, it is perhaps still more pertinent today. While most queer theoretical work engages psychoanalysis in some form or another, it is generally undertaken with an unduly critical view of psychoanalytic theory and practice that too often betrays little familiarity with the highly subversive Freudian (and Lacanian) oeuvre (see, for instance, Preciado 2020; Baitinger 2020; Brousse and Halberstam 2016). Against this broad background, it is perhaps understandable that Jacques Lacan's work is seldom recognised as a potential theoretical ally in the struggles of sexual politics. The occlusion of such a major psychoanalytic thinker should nevertheless strike us as a quite surprising development, if we consider the fact that the literature issuing from gay liberation is quite strictly dependent on Freud (and also Marx, another remarkably neglected thinker in the queer theoretical canon; see, for instance, Hocquenghem 2003; Mieli 2018; Lewis 2016). It is impossible to offer a general assessment of the uses of psychoanalysis in LGBT+ and queer theory in article form. However, it is certainly the case that a re-evaluation of the psychoanalytic theory of desire may yield interesting insights for the future of sexual politics in light of the current queer theoretical consensus that LGBT+ politics has to be rethought in a homonormative era (Duggan 2003). Here, I wish to make a modest contribution to thinking through this future by reconsidering a pivotal moment in the queer theoretical archive that has arguably established, and continues to justify, queer theory's distaste for Lacan: Judith Butler's reading of *The Signification of the Phallus*.

Doing so is important for at least two reasons. First, while many Lacanian theorists have questioned Butler's reading of Lacan, they have generally done so by reference to a later Lacan (for instance, emphasising *Seminar X* or *XX*), and have accordingly implicitly conceded on the point that Lacan's 1950s reading of the Freudian Oedipus is indeed both patriarchal and heteronormative (Copjec 1993; Dean 2000; Zupančič 2018). As I intend to show in what follows, this is not, or at least not straightforwardly, the case. Second, Butler's reading is advanced in favour of a strictly culturalist understanding of sexuality.

In this view, desire is always ultimately determined by the norms prevailing in a given cultural or normative universe. While this assumption is undoubtedly warranted in relation to a certain medicalising and biologizing kind of essentialism (which Lacan and Lacanians concur should be combatted), it also occludes the radical potential of desire that was so important for gay liberationists, who argued that 'homosexuality and heterosexuality were both oppressive social categories designed to contain the erotic potential of human beings' (D'Emilio 1996, 263). If the notion of 'queer' is to be the heir of these radical approaches, then it must correspond to a theory of desire that understands how desire, all the while it is obviously regulated in many socially and culturally relevant ways, is also not reducible to its social and cultural regulation.

In light of these contentions, this article may be understood as a preliminary contribution on rethinking the concept of desire towards a different conception of the tasks of a sexual politics consistent with Lacanian thinking. I proceed in three parts. First, I sketch Judith Butler's objection to Lacanian theory, and briefly rehearse her well-known theory of performativity. I do not dedicate too much space to Butler's theory, which is sufficiently widespread that knowledge of it may be presumed, but focus primarily on Butler's two main contentions in relation to Lacanian psychoanalysis: first, that the phallus presupposes sexual dimorphism and the attendant subordination of women, and is accordingly patriarchal; and, second, that the two positions (being and having) one can take in relation to the phallus as the set of signifieds to desire necessarily map onto the gender binary, such that any non-heterosexual desire is prima facie disallowed. I then offer a reading of Lacan's *The Signification of the Phallus*, and demonstrate that Butler's objections are premised on a series of misunderstandings of the goal of Lacan's theory, of the context of Lacan's intervention, and of the conceptual justifications of the phallus. Finally, I offer a final objection to Butler's reading premised on the progression of Lacan's thinking after *The Signification of the Phallus* and its corresponding *Seminars IV* and *V*. Here, I turn to *Seminar VI* and *Seminar VII* and show that Lacan was concerned with a concept of desire that is not simply socially regulated, as Butler's is, but one which exceeds social regulation to the point where it becomes its own law.

2. Butler's Objection

Gender Trouble begins from the assertion that the regulation of gender relies on a matrixial understanding of sex, gender, and desire. A legitimate subject under the heterosexual matrix would have a sexed body that has either a penis or a vagina (or a determinate set of chromosomes, or a particular reproductive apparatus, etc.), a gendered self-presentation corresponding to their morphology (that is, one must be a masculine man with a penis or feminine woman with a vagina), and a desire for the other sex-gender (men desire women who desire men). In the matrix's completed form, we might say that masculine men with penises desire feminine women with vaginas who desire masculine men with penises, and these complementary positions are an exhaustive description of what it means to be a person (Butler 1999). Conversely, anything that eschews that direct relation of entailment – encompassing anyone in the LGBT+ umbrella – is coded as unintelligible, that is, said to exist only as a pathology within the terms of the heterosexual matrix.

Butler argues that Lacan's *The Signification of the Phallus*, *Gender Trouble*'s most important primary source into Lacan's work, repeats the hetero-matrixial gesture. For Butler, Lacan allows for only two possible positions before the phallus, insofar as it is the privileged signifier determining the possible responses to the question 'what do I want?', themselves a by-product of the play/game of signifiers (Lacan 2006b): either one is the phallus (a feminine position, that is, masquerades as it), the signifier that designates the desired object as a signified; or one has the phallus (a masculine position, that is, poses as though one had it), and is capable of offering it to the enjoyment of one who, in being it, both lacks and wants it (for the masquerade thesis, see Rivière, 1929). These are not two essentialised subject positions that point to some degree of complementarity between men and women, however, nor should they be interpreted as in some sense ontologically necessary, inscribed in a self-identical Nature. Butler recognises that there is no substantive concept of nature in psychoanalysis, like there is no substantive ontology. Rather, as Butler puts it, things in the world take on 'the characterization of 'being' and [become] mobilized by that ontological gesture only within a structure of signification that […] is itself pre-ontological' (1999, 56).

In this regard, that the designations of things that may come to be desired become attached to a fixed mental representation of them must be explained through the instance whereby that coupling is sanctioned in a way that is not strictly individual, but collective. As Saussure notes, '[t]he initial assignment of names to things, establishing a contract

between concepts and sound patterns, is an act we can conceive in the imagination, but no one has ever observed it taking place' (2011, 81). The phallus, for Butler, is perhaps the most important instance of this naming, insofar as it is the primary designation for humanised desire, meaning it is related to the law regulating those sexual exchanges that are permissible within a given culture, for instance, in marriage. The two modes of relating to the phallus, being and having, are thereby established as functions of the primary gesture by which a desire that would otherwise remain inscrutable is given a socially permissible shape. As Butler puts it,

> There is no inquiry, then, into ontology per se, no access to being, without a prior inquiry into the 'being' of the Phallus, the authorizing signification of the Law that takes sexual difference as a presupposition of its own intelligibility. 'Being' the Phallus and 'having' the Phallus denote divergent sexual positions, or nonpositions (impossible positions, really), within language. To 'be' the Phallus is to be the 'signifier' of the desire of the Other and to appear as this signifier. In other words, it is to be the object, the Other of a (heterosexualized) masculine desire, but also to represent or reflect that desire. This is an Other that constitutes, not the limit of masculinity in a feminine alterity, but the site of a masculine self-elaboration (1999, 56)

Even if Lacan's argument decisively propels heterosexuality into the realm of comedy or parody, since the sexual positions it allows for are never comfortably occupied, Butler contends, the very use of the word 'phallus' to denote such an abstract function as that of an 'authorizing signification of the Law' cannot of course be accidental (Butler, Žižek, and Laclau 2000). In Butler's rendition of Lacan, there is a metaphysical order, a grammar, that determines what judgments of existence can be made from within any given social structure, and this set of rules commands the phallus, in its uneasy relation to the penis as a really existing organ attached to certain really existing bodies, as the primary term expressing sexual difference.

Butler reads Lacan, then, in a naïvely structuralist frame, which is to say, imputing him with the belief that human relations are always and already determined by a set of co-variating terms behaving according to a set of rules that is finite, enumerable, and articulable in scientific language. Faced with this proposition, the question imposes itself: what is it that motivates the bipartition of humanity into 'has it' and 'does not have it' if it is not the phallus' explicit relation to the penis and the untenable assumption that the

only options available to individuals are to have or not have a penis? The copula between signifier and organ, undoubtedly present in the choice of words, already incites us to understand the phallus not only as a socially necessary function, but also as a specific articulation of the economy of desire and pleasure, one that centres around the male organ and its tumescence-detumescence. As Butler argues in the follow-up to *Gender Trouble*, 'to continue to use the term 'phallus' for this symbolic or idealizing function is to prefigure and valorize which body part will be the site of erotogenization' (2011, 33).

Butler finds it necessary to destabilise the insidious pull towards fixity implied in Lacan's idea that there is a binary distribution of the positions one might take before the phallus that polarises sexuality insofar as it is both social and symbolically mandated. This fixity entails that, beyond the seemingly individual relation each of us entertains with the signifier denoting all possible answers to the question 'what do I want?', there is a sphere of cultural determinations designed to ensure that this signifier is embodied in an appropriate, female, individual. This web of productive prohibitions, the symbolic, appears as the order of the signifier where 'sceptre and phallus blend into one another' (Lacan 1994, 191, our translation), where political power and sexual predominance slide seamlessly over one another. Butler will see in this notion of the symbolic no less than a ruse to silence any possible gendered and sexual variance, one that inevitably leads to a quiescent upholding of naturalised sexual difference:

> this structure of religious tragedy in Lacanian theory effectively undermines any strategy of cultural politics to configure an alternative imaginary for the play of desires. If the Symbolic guarantees the failure of the tasks it commands, perhaps its purposes, like those of the Old Testament God, are altogether unteleological – not the accomplishment of some goal, but obedience and suffering to enforce the 'subject's' sense of limitation 'before the law' (1999, 72)

In contrast to Lacan's insistence on the structure of enunciation, Butler thereby considers that the social determination of gendered and sexual positions is infinitely malleable given enough time, that the structure of language itself does not impose any formal limits upon the field of what might be lived as sexuality. What Butler proposes is to consider gender as an effect of norms that are themselves effects of 'a reiterated acting that is power in its persistence and instability' (2011, xviii). Power, then, is a ritualised repetition which is both conditioned by the norms that make it intelligible and formative of those very norms. In this sense, it is not that the regulation of gender as we understand

it – for instance, as commanding two and only two possible gendered and desiring positions – is not constraining, such that we would be able to choose our genders at will; rather, it is constraining but contingent, such that, all the while gender will always be a structuring mode of sociality (Butler 2004, 41), any given form it might take is not necessary. Although 'these rules precede and orchestrate the very formation of the subject' (Butler 1997, 135), they are themselves not unchangeable.

3. The Signification of the Phallus

One reason why Butler's argument should be approached with caution is that Lacan's *The Signification of the Phallus* should be read primarily as a riposte to those psychoanalysts who relied upon some notion of genital maturity attached to the penis in the boy and the vagina in the girl (Jones 1933); and upon that of oblativity (Ragoucy 2007), a fashionable notion in the French psychoanalysis of the time, denoting capacity for libidinal investment in an object that does not aim at consumption, but at care and preservation. Rather than remain at the level of a crass biologism, as in the case of genital preachers such as Jones, or of the muddle of moralised affect like those who professed oblativity, Lacan believed Freud's theory of the Oedipus and castration complex should be subjected to rigorous structural treatment. The concept of the phallus, which sees no systematic usage in Freud, is introduced by Lacan pursuant to this reinterpretation.

For Freud, the resolution of the Oedipus complex is contemporary with the subjective assumption of the loss of unrestrained use of his penis, the castration complex, for the boy. The boy's acceptance that his possession of the penis is hopelessly precarious entails that 'the [Oedipus] complex is not simply repressed, it is literally smashed to pieces by the shock of threatened castration […] the super-ego has become its heir' (1961b, 256). The internalisation of the superego, the moral instance of the psyche, is therefore the acceptance of those rules of conduct that will allow the boy to keep his appendage in place, so long as he does not transgress the boundaries of its proper usage. The girl, in Freud's schema, has something of an easier time, at least in regard to the fact that she has already grown accustomed to the thought of being castrated. From her first brush with anatomical difference, she knows the deed has already been accomplished for her (Freud 1961a), so all she can do is claim redress for a wrong already suffered. She

finds redress, Freud suggests, in the desire to bear a child; 'she slips – along the line of a symbolic equation, one might say – from the penis to a baby' (1961a, 178).

Freud's view in this regard was vehemently opposed even in his time, with other psychoanalysts objecting that women must have their due (see Mitchell 1982; Rose 1982). Undoubtedly, Freud's views do appear to have some obviously unpalatable consequences for any feminist, and by extension queer, theory. Lacan will pose the question of the phallus, as opposed to the penis, differently. For Lacan, the phallus is a signifier, a basic unit or building block of language, though a privileged one. In *The Signification of the Phallus*, Lacan explains:

> In Freudian doctrine, the phallus is not a fantasy, if we are to view fantasy as an imaginary effect. Nor is it as such an object (part-, internal, good, bad, etc.) inasmuch as 'object' tends to gauge the reality involved in a relationship. Still less is it the organ – penis or clitoris – that it symbolizes […] it is the signifier that is destined to designate meaning effects as a whole, insofar as the signifier conditions them by its presence as signifier (2006b, 579)

The phallus, then, contrary to Butler's terminological quarrel with Lacanians, is axiomatically irreducible to its 'really' corresponding organ. It is a linguistic function, a signifier designed to assure that language's illusion of referentiality – its meaning-effect – is maintained in regard to desire, pursuant to Lacan's reading of Saussure. Lacan's most important appropriation of Saussure is the radicalisation of the function of the signifier over and above that of the signified (2006a). This radicalisation is most immediately justified by reference to the prematurity of human birth and by the apparent absence of any instinctual basis for human sociality, defined as it is by the unpredictable intricacies of culture. This story goes something like this: each of us is born entirely helpless and incapable of language and thrust into a world that is structured linguistically – our families or caretakers will relate to each other in words we do not understand –, and thus only have 'access' to the order of the signifier, the bare material of language in its sounds, tones, and scansions. Psychoanalysis, at least since Lacan, does not accept the proposition that there is something like instinctual knowledge, that we would in some sense be hard-wired with a capacity for meaning. In such a context, and in the absence of biological conditioning, how can meaning arise from within the order of the signifier's phonetic material? The infant is in a situation where it is confronted with a system of sounds that only make sense to those who have already been initiated into it but has no basis upon

which to begin grasping the meanings presumably contained therein. It is a bit like a translator happening upon an entirely unheard-of dead language, without any evidence of how that language might be translated, nor indeed even a language of his own.

We might say that for Lacan, this relation in which we are originally given over to the Other, to a preformed linguistic structure, entails that the materiality of language (the signifier) precedes and conditions the concepts it supposedly carries (the signified). This reflection is articulated at the level of *The Signification of the Phallus* through the need-demand-desire triad. Briefly sketched, the fact that the materiality of language is prior to the assumption of something that might be recognised as subjectivity entails that humans have something of a warped relation to ourselves, to what might be referred to as our being. The child's inclusion into language will remain tethered to something that is at least partially heterogeneous to that order, insofar as language does not have the resources to designate what the infant is or wants prior to these things' articulation in language.

We might make this contention more concrete through the example of the cry, the first signification, in the following scenario: a baby cries and its caretakers all scramble around to try and figure out what it is that it wants, for obviously it will not have the capacity to articulate what that is. The baby is given any number of things, things that are available from within a given linguistically structured world, things that may or may not have been what it was crying about. In this scene, the demand for satisfaction of a need – the first signifier emitted by the infant in the cry – is redoubled from the start: it is (possibly) a demand for a specific satisfaction of a need the pressure of which the child can presumably feel, but, in its subordination to the signifying mould of the cry, it also becomes a demand for nothing in particular, as evidenced by the disarray of the caretakers when nothing they offer the child finally calms it down.

In the interval between a) the sensations that motivate the baby's cry and b) the cry itself interpreted as a demand by its caretakers, a demand that, in its lack of specificity, c) will be met by objects that may fail to satisfy it, something of the original claim is redoubled. That original need becomes both i) a demand for an indeterminate something capable of satisfying a need, and ii) a demand for nothing in particular, for that need is unknown to those who hear it and possibly even to the child itself; as well as iii) a demand for a satisfaction that can not only fail to be met, or be met with the wrong kind of satisfaction, but that can be withheld outright. The child's primitive demand is thus split

between a demand for the satisfaction of a denatured need and a demand for the presence of the agency that satisfies, regardless of whether that satisfaction is more or less directly forthcoming, simply because of its subjection to the form of the signifying chain.

Because of such a radical denaturation of need, something in demand becomes impossible to fulfil, to the extent that demand becomes both a demand for the satisfaction of a need that becomes partly intelligible (only insofar as it can be expressed in the order of the signifier) *and* a demand for the unconditional love of the Other, that is, for the presence of the instance from which the child procures its satisfaction (say, a mother or a father (Lacan 2006b, 579-580)). In this sense, demand appears as ultimately greater than need – it is both the claim for the (hypothetically possible) satisfaction of a need and for the (impossible) presence of a radical assurance of satisfaction, both recognised and lost in the passage from need to demand.

The gap between a denatured need and an unconditional demand allows something to escape, however – namely the content of the need prior to its transmutation into demand. As such, there is a product of the equation demand (which cannot be sated, for its vocalisation implies the loss of the specificity it is presumed to have prior to symbolisation) *minus* need (which hypothetically admits of a specific satisfaction but not of an adequate signification, since it is hypothetically prior to language), and that product is desire. Need thus alienated constitutes the 'objective' repression (occurring in language, and not by virtue of some subjective volition) of a satisfaction uncontaminated by language, one that is repeated in each and every possible demand. The alienation of need and the misrecognition of demand will both reappear in the radical and necessary misrecognition of the object of desire and in desire's unsatiable character. In a particularly dense fragment, Lacan describes the rise of desire in the following terms:

> demand annuls (*aufhebt*) the particularity of everything that can be granted, by transmuting it into a proof of love, and the very satisfactions demand obtains for need are debased (*sich erniedrigt*) to the point of being no more than the crushing brought on by the demand for love […]. It is necessary, then, that the particularity thus abolished reappear beyond demand. And in fact it does reappear there, but it preserves the structure concealed in the unconditionality of the demand for love. By a reversal that is not simply a negation of the negation, the power of pure loss emerges from the residue of an obliteration […] desire is neither the appetite for satisfaction nor the demand for love, but the difference that results from the

subtraction of the first from the second, the very phenomenon of their splitting (2006b, 580).

As Lacan puts it clearly elsewhere, then, ‘desire is produced in the beyond of demand, because in linking the subject's life to its conditions [that is, the nascent subject has to use language if it wishes to be satisfied by its caretakers], demand prunes it of need’ (2006c, 525). For Lacan, then, desire cannot be reduced to an ‘I want this or that’. Desire surfaces from the dialectic of need and demand as already both determinate and insatiable; it is the subtraction of the appetite for ‘instinctual’ satisfaction from a demand that is always already an unconditional demand for love by virtue of demand’s implication in the order of the signifier and of the infant’s dependence on its caretakers. In this sense, desire is both unconditional and specific, but its specificity does not refer to any object that may be demanded outright, but to that which was lost in demand from the start. It is only within this context that the phallus, as the signifier allowing for a signification to desire, will appear. The phallus is, as it were, the answer to desire, the response to the return of the irretrievably lost specificity of the object of need within the register of the unconditional demand for love.

Strictly speaking, then, the phallus is neither an attribute of a man or a woman nor can it be an empirical object such as a sexual organ. The object that would provide both the satisfaction of an unmediated need and that of the demand for love is no more than a mirage established by the splitting between need and demand that ensues when an internal stimulus finds itself in a position to be reconstituted in language. If the phallus arises from such an intricate dialectic and appears to serve a necessary function for meaning to arise at all in regard to desire, it is no less true that it ultimately appears and perpetuates itself as nothing but a radical loss. The phallus is initially located at the place of that which is missing in the earliest, all-powerful Other capable of satisfying the child’s demands unreservedly – namely that which the child lost in articulating demand linguistically – and is produced as a response to the universalisation of demand and the attendant loss of specificity of all objects that can be procured by its means. Desire surfaces in the beyond of this radical uniformization of all the objects that can be procured in and from the Other and its trove of signifiers. Hence, Lacan’s theory of the phallus cannot be legitimately transposed into the vocabulary of gender and normativity, because the phallus is neither a gendered attribute nor an organic appendage. Rather, it is the signifier indexing the pure

loss required for accession into language and the ‘acquisition’, as it were, of desire, and is accordingly prior to the constitution of any gendered object.

4. Desire and Ethics: The Queerness of Psychoanalysis

The conclusion arising from this itinerary is that Lacan’s concept of desire is thoroughly and resolutely independent of identity, including gender and sexual orientation. Because there can be no ultimate normalisation of the object of desire, since ‘it’ is always but the pure appearance of the phallus, the psychoanalytic problematic of desire is not moral, but ethical – not about rules, but about how to act in their absence. In *Seminar VI*, Lacan begins delineating the ethical problematic that will concern him in the following year: ‘Psychoanalysis is not a simple reconstruction of the past, nor is it a reduction to pre-established norms […] we [analysts] find ourselves in the paradoxical position of being desire's matchmakers, or its midwives – those who preside over its advent’ (2019, 485). Lacan’s comments in this regard are important to the extent that they clearly entail that psychoanalysis must become accustomed to posing the problematic of desire as extraneous to the problematic of normativity, which queer theorists concur is at the root of the concept of identity. Put cursorily, if analysis is not a reduction of a subject’s history and desire to a given set of extrinsic norms – for instance, the Oedipal norm meant to yield heterosexual neurotics –, if it is a matter of constituting a desire for which such labels as hetero- or homosexual are at best incidental, then it cannot prima facie be charged with either heteronormativity or any presumptive sexism.

It is thus not unreasonable to claim that it is psychoanalysis that allows us most systematically to sidestep whatever deceptive certainties arise from the usual picture of binary heterosexual complementarity. Psychoanalysis, however, does not stop there; it is an established praxis, and not merely a theoretical discourse, and therefore cannot content itself with a sterile deconstructive exercise. What, then, does psychoanalysis purport to do, according to the Lacan of the late 1950s? In Jean-Claude Milner’s words, the core normative statement of psychoanalysis is deceptively simple: ‘psychoanalysis speaks of a single thing: the conversion of each subjective singularity into a law as necessary as the laws of nature, as contingent as they are and equally absolute’ (Milner 1996, 160). Milner’s is an excellent statement of Lacan’s thesis in *Seminar VII*, and it is particularly

apt here inasmuch as no one moment of Lacan's work has been so consistently misunderstood in Anglo-American academia than his ethics.

While the queer debate surrounding *Seminar VII* has centred around Lacan's reading of *Antigone* (Edelman 2004, Butler 2000, Coffman 2013), it is undoubtedly Kant who has pride of place *Seminar VII*. This should not surprise us if we note the striking similarity between Milner's formulation above and Kant's *Groundwork of the Metaphysics of Morals* definition of the categorical imperative: 'act as if the maxim of your action were to become by your will a universal law of nature' (Kant 1997, 31). The crucial issue for Lacan in this seminar pertains to the object of the moral law, inasmuch as morality is obviously related to desire and its fulfilment. For Kant, the moral law must be presumed to tend towards the highest or sovereign good, which 'we may understand as the state of affairs in which the ends of morality are realized in their totality' (Reath 2015, xiii). For Kant, 'the only way in which we can regard the highest good as a practical possibility is by assuming the immortality of the soul and the existence of God as a moral author of the universe who has ordered the world so as to support the ends of morality' (Reath 2015, xiii). In Kant's text, this ultimately means that the highest good has no satisfactory definition achievable to any empirical, finite being, but exists only in the gaze of God – which accordingly entails that our duty is to become pleasing to him by acting morally and ever-approaching the empirical realisation of the highest good (which, nevertheless, recedes endlessly into the future (see also Kant 2009)). God remains the final instance in which this endless approach can be ascertained to have taken place since, for God, the 'temporal condition is nothing', entailing that he 'sees in what is to us an endless series [of lifetimes] the whole of conformity with the moral law' (Kant 2002, 99).

For Lacan, Freud's ethical problematic can only be posed satisfactorily by attending to how psychoanalysis refuses Kant's respect for God's creation: 'the step taken by Freud at the level of the pleasure principle is to show us that there is no Sovereign Good – that the Sovereign Good, which is *das Ding*, which is the mother, is also the object of incest, is a forbidden good, and that there is no other good. Such is the foundation of the moral law as turned on its head by Freud' (1992, 70). It is well-known that Freud was a staunch atheist, and that he was quite wary of the notion that desire can reach its ultimate object in anything but death. In this sense, with the Freudian gesture, we get a version of Kant for whom the moral law has neither substantive end nor benevolent divine support, yet still retains the sheer form of the moral commandment to rediscover the

originally lost object – in Kant's writings on religion (2009), what is lost in our original decision to be evil, that is, capable of contravening the moral law; and, in Freud, an impossible mother who wants for nothing and can accordingly grant everything, a mother who has the phallus capable of gratifying the desire behind each possible demand. While we might be drawn to embody this commandment in the ferociously moral superego, Lacan understands this point otherwise. The pure form of commandment, Lacan claims, is no less than desire itself:

> Now we analysts are able to recognize [the place of Kant's 'Thou Shalt'] as the place occupied by desire. Our experience gives rise to a reversal that locates in the center an incommensurable measure, an infinite measure, that is called desire. […] If Kant had only designated this crucial point for us, everything would be fine, but one also sees that which the horizon of practical reason opens onto: to the respect and the admiration that the starry heavens above and the moral law within inspires in him. One may wonder why. Respect and admiration suggest a personal relationship. That is where everything subsists in Kant, though in a demystified form (1992, 316).

The Freudian gesture in a sense completes Kant's. Instead of resolving itself in the possibility, in an endlessly deferred future, of a definitive statement of the moral law in the figure of they who become most virtuous and pleasing to God – the origin of the laws of nature and of the moral law –, the instance passing judgment on us moderns is none other than desire. It is on the basis of this reinterpretation of Kant that Lacan will famously go on to claim that 'from an analytical point of view, the only thing of which one can be guilty is of having given ground relative to one's desire' (1992, 319). This assertion does not mean that the ethics of psychoanalysis are an injunction to some form of hedonism or some insistence on enjoyment or *jouissance* (the interpretation furnished, for instance, by Edelman's *No Future* (2004)); it means, rather, that desire insists in and as its own norm. The desire psychoanalysis talks about is not subject to an extrinsic normative field such as those of gender or that of sexuality, but determines its own regulation. The concrete mechanisms of this regulation are of course unconscious, yet we know we have failed to comply with them each time we experience guilt; much like, for Kant, we know of the moral law whenever we consider a course of action that is virtuous even though contravening it would be much more expedient. This is why Milner can speak of elevating a subjective singularity – that of desire – into a law of nature. This

statement, in a nutshell, means that psychoanalysis' version of Kant's virtue is coterminous with the growing incapability, achieved over an analytic itinerary, of acting against the Law determined by one's desire, and therewith the progressive, though never total, abolition of guilt.

Lacan accordingly poses a kind of challenge that cannot be so easily dismissed as it has been by such thinkers as Butler and the queer canon more generally. That is: under what conditions can we truly speak of the autonomy of desire – in the etymological sense of governed by its own laws, not simply as freedom or liberation as the absence of external constraints? Psychoanalysis, if it is stripped of the ego-psychological and post-Freudian concern with personality, character, adaptation, and ultimately with the kind of obsessive taxonomizing we have learned to call identity, is perhaps the sole theoretical discourse capable of contending with this question. For this reason, quite against Butler's assessment and the queer theorists who agree with it, it is undoubtedly feasible to claim that psychoanalysis, if it is not itself queerer than queer theory, certainly still has much to say about the very possibility of queerness – inasmuch as queerness is or should be about a desire unburdened by identity.

While this argument may appear at first glance to require a revision of many deeply held beliefs about the nature and goals of queer politics, it is effectively not irreconcilable with positions once taken by some of the ideologues of gay liberation. Guy Hocquenghem, for instance, taught us in the early 1970s that 'just like heterosexual desire, homosexual desire is an arbitrarily frozen frame in an unbroken and polyvocal flux' (1993, 50). We need not consent to the clear Deleuzean pathos in this passage to suggest that it is at least arguable that desire may be exterior to the names it is given, whether straight, gay, or queer. To deny this possibility is precisely the mistake *Gender Trouble*, and with it the bulk of queer theory, has perpetuated. It is perhaps the case that what is needed for a sexual politics consistent with such a concept of desire is that we abandon the claim of political relevance we attach to LGBT+ or queer particularity. Would abandoning this particularity be so detrimental to us in a homonormative era? Should we once again dream of a new regime of desire, one indifferent to socially recognised difference? Such questions are, I think, at least worth entertaining in light of the increasingly clear exhaustion of sexual politics in the 21st century.

Acknowledging the importance of these questions may allow queer theorists to recognise and disentangle the core paradox of most queer approaches, namely the fact

that virtually all our analytic techniques centre the notion of identity (however multiple, given the intersectional 'turn' in recent queer scholarship), all the while 'queer' has always argued for its ongoing relevance based on a claim to overcome identity as such (and not merely to multiply it; see Wiegman 2012, 332). To make this more concrete: the queer theoretical archive is undoubtedly LGB-centric, yet theorists consistently posture against the very LGB identities that gave them occasion to write in the first place. Theorising a desire irreducible to what we might call the identity-*form* – rather than merely to any specific identity – would perhaps lead us to rediscover some of the radicality of those earlier gay liberationists who saw homosexual desire as but a stepping-stone towards a better sexuality for all. Lacanian psychoanalysis, I hope to have demonstrated, may yet prove a valuable ally in this project.

5. Conclusion

Queer and LGBT+ theorists are still reluctant to engage with Lacan. It is at least likely that Judith Butler's *Gender Trouble* was and remains one of the major sources of this reluctance. However, Butler's portrayal of Lacan has been repeatedly shown to not measure up to the progression of Lacan's thinking. My argument can be roughly but adequately summarised in the proposition that Butler, as it were, works backwards from gender to its 'phallic' determination, and therefore cannot avoid the conclusion that Lacanian theory is both heteronormative and patriarchal. In contrast, if one does not presuppose the infinite explanatory potential of gender and follows Lacan in building the theory of desire from the ground up, the phallus shows itself to not refer to gender or sexual identity at all, but to the pure loss implied in a process each of us has, in some form or another, gone through: our implication in language and the attendant absolutisation of desire. While the consequences of this itinerary for a theory of subjectivity and for the goals of psychoanalysis are clear and relatively direct, the relationship between the Lacanian theory of desire and the politics of sexuality remains undertheorized. While I cannot thoroughly elaborate upon this argument here, I would happily contend that aspects of Lacanian theory could be productively mobilised to address many of the shortcomings of contemporary sexual politics – not least its growing distaste for the original queer project of subverting identity.

References

Baitinger, F. (2020) 'Jouissance and Sexual Difference: A Response to Paul B. Preciado', *Lacanian Review Online* [Preprint]. Available at: https://www.thelacanianreviews.com/jouissance-and-sexual-difference/.

Brousse, M.-H. and Halberstam, J. (2016) 'A Dialogue with Marie-Hélène Brousse and Jack Halberstam', *Lacanian Review Online* [Preprint], (2). Available at: https://www.thelacanianreviews.com/whats-up-in-the-wap/1893-2/ (Accessed: 20 September 2021).

Butler, J. (1997) *Excitable Speech*. 1st edn. New York: Routledge.

Butler, J. (1999) *Gender Trouble: Feminism and the Subversion of Identity*. 2nd edn. New York: Routledge.

Butler, J. (2000) *Antigone's Claim*. 1st edn. New York: Columbia University Press.

Butler, J. (2011) *Bodies that Matter: on the Discursive Limits of 'Sex'*. 2nd edn. New York: Routledge (Routledge classics).

Coffman, C. (2013) 'The Unpredictable Future of Fantasy's Traversal', *Angelaki*, 18(4), pp. 43–61.

Copjec, J. (1994) *Read my Desire: Lacan Against the Historicists*. 1st edn. Cambridge: MIT Press.

De Saussure, F. (2011) *Course in General Linguistics*. 1st edn. Translated by W. Baskin. New York: Columbia University Press.

Dean, T. (2000) *Beyond Sexuality*. 1st edn. Chicago: University of Chicago Press.

D'Emilio, J. (1996) 'Capitalism and Gay Identity', in Morton, D. (ed.) *The Material Queer: A LesBiGay Cultural Studies Reader*. 1st edn. Oxford: Westview Press, pp. 263–272.

Duggan, L. (2003) *The Twilight of Equality? Neoliberalism and the Attack on Democracy*. Boston: Beacon Press.

Edelman, L. (2004) *No Future: Queer Theory and the Death Drive*. 1st edn. Durham and London: Duke University Press.

Freud, S. (1961a) ‘Some Psychical Consequences of the Anatomical Distinction Between the Sexes’, in Strachey, J. (tran.) *The Standard Edition of the Complete psychological Works of Sigmund Freud, vol. XIX.* 1st edn. London: The Hogarth Press, pp. 241–258.

Freud, S. (1961b) ‘The Dissolution of the Oedipus Complex’, in Strachey, J. (tran.) *The Standard Edition of the Complete Psychological Works of Sigmund Freud, Vol. XIX*. 1st edn. London: The Hogarth Press, pp. 173–182.

Hocquenghem, G. (1993) *Homosexual Desire*. 1st edn. Translated by D. Dangoor. Durham and London: Duke University Press.

Jones, E. (1955) *Sigmund Freud: Life and Work, vol. II*. 1st edn. London: The Hogarth Press.

Kant, I. (1996) ‘Groundwork of the Metaphysics of Morals’, in Gregor, M.J. (tran.) *Practical Philosophy*. 1st edn. Cambridge: Cambridge University Press, pp. 37–108.

Kant, I. (2002) *Critique of Practical Reason*. 1st edn. Translated by W.S. Pluhar. Cambridge: Hackett.

Kant, I. (2009) *Religion Within the Bounds of Bare Reason*. 1st edn. Translated by W.S. Pluhar. Cambridge: Hackett.

Lacan, J. (1992) *The Seminar of Jacques Lacan, book VII: The Ethics of Psychoanalysis*. 1st edn. Translated by D. Porter. London: W. W. Norton.

Lacan, J. (1994) *Le Séminaire, livre IV: La Relation d’Objet*. 1st edn. Paris: Seuil.

Lacan, J. (2006a) ‘The Direction of the Treatment and the Principles of its Power’, in Fink, B. (tran.) *Écrits*. 1st edn. New York: W. W. Norton, pp. 489–542.

Lacan, J. (2006b) ‘The Function and Field of Speech and Language in Psychoanalysis’, in Fink, B. (tran.) *Écrits*. 1st edn. New York: W. W. Norton, pp. 197–268.

Lacan, J. (2006c) ‘The Signification of the Phallus’, in Fink, B. (tran.) *Écrits*. 1st edn. New York and London: W. W. Norton, pp. 575–584.

Lacan, J. (2019) *The Seminar of Jacques Lacan, book VI: Desire and its Interpretation*. 1st edn. Translated by B. Fink. Cambridge: Polity.

Lewis, H. (2016) *The Politics of Everybody: Feminism, Queer Theory, and Marxism at the Intersection*. 1st edn. London: Zed Books.

Mieli, M. (2018) *Towards a Gay Communism*. 1st edn. Translated by D. Fernbach and E. Calder Williams. London: Pluto Press.

Milner, J.-C. (1996) *La Obra Clara*. 1st edn. Translated by D. Rabinovich. Buenos Aires: Manantial.

Preciado, P.B. (2020) *Je Suis un Monstre qui Vous Parle*. 1st edn. Paris: Bernard Grasset.

Ragoucy, C. (2007) 'L'Oblativité: Premières Controverses', *Psychanalyse*, 8(1), pp. 29–41.

Reath, A. (2015) 'Introduction', in Kant, I., *Critique of Practical Reason*. Translated by M. J. Gregor. Cambridge: Cambridge University Press, pp. vi–xxiv.

Rivière, J. (1929) 'Womanliness as Masquerade', *International Journal of Psycho-Analysis*, 10, pp. 303–313.

Wiegman, R. (2012) *Object Lessons*. 1st edn. Durham: Duke University Press.

Zupančič, A. (2018) *What IS Sex?* 1st edn. Cambridge: MIT Press.

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