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## The Force of Fantasy: Feminism, Mapplethorpe, and Discursive Excess

*A* contemporary feminist interrogation of representation is inevitably caught up in a set of persistently ambivalent ontological claims. Recent feminist criticisms of poststructuralism and poststructuralist feminism take issue with what appears to be a refusal to grant a pre-given, pre-linguistic or self-identical status to the real. The so-called deconstruction of the real, however, is not a simple negation or thorough dismissal of any ontological claim, but constitutes an interrogation of the construction and circulation of what counts as an ontological claim. The critical point is to examine the exclusionary means by which the circumscription of the real is effected. And in a sense, this particular move to problematize the real has been part of feminist practice prior to there being any question of its status as a poststructuralist intrusion.

One feminist site where this critical problematization of the real has taken place is in theories of fantasy which are either implicitly or explicitly formulated in discussions of representation, feminist fictions, and feminist utopias and dystopias. Fantasy has been crucial to the feminist task of (re)thinking futurity: to that end feminist theory relies on the capacity to postulate through fantasy a future that is not yet (Bartkowski, Haraway). In this formulation, fantasy is not equated with what is not real, but rather with what is not *yet* real, what is possible or futural, or what belongs to a different version of the real.

In those anti-pornography positions that favor censorship, there is an implicit theory of fantasy that runs counter to the position sketched above. This implicit theory, by which I mean this set of untheorized presumptions, relies upon a representational realism that conflates the signified of fantasy

with its (impossible) referent and construes “depiction” as an injurious act and, in legal terms, a discriminatory action or “real”-effect. This gliding from representation to the ontological claim moves in two directions at once: it establishes the referent first as that which the representation reflects and re-presents and, second, as that which is effectively performed and performatively effected by the representation. This formulation of representation as injurious action operates through an implicit understanding of *fantasy* as that which both produces and is produced by representations and which, then, makes possible and enacts precisely the referent of that representation. According to this implicit theory, the real is positioned both before and after its representation; and representation becomes a moment of the reproduction and consolidation of the real.

This hyperdetermination of the ontological claim in some ways runs precisely counter (although not dialectically opposed) to the poststructuralist effort to problematize the ways in which the ontological claim, whatever the foundational or mimetic place it assumes, is performed as an effect of signifying acts. This kind of problematizing suspension of the ontological has also had its place within feminist critical practice. For part of the task of many feminist critical practices has been to question the line according to which the distinction between the real and unreal is drawn; to ask: what is it that passes as the real, that qualifies the extent or domain of “reality”? are the parameters of the real acceptable, contestable? in whose name is a given version of the real articulated? is the “real” a contemporary configuration that precludes any transformation by positing the “not yet” as the impossible, the unreal, rather than the unrealizable? If what goes under the description of the real is contingent, contrived, and instituted for a set of purposes, then the real is not a ground on which we might easily rely; indeed, it is a postulate that requires a political interrogation.

Whereas anti-pornography feminists presume a mimetic relation between the real, fantasy, and representation that presumes the priority of the real, we can understand the “real” as a variable construction which is always and only determined in relation to its constitutive outside: fantasy, the unthinkable, the unreal. The positivist version of the real will consign all absence to the unreal, even as it relies on that absence to stabilize its own boundaries. In this sense, the phantasmatic, as precisely such a constitutive exclusion, becomes essential to the construction of the real. If this is so, in what sense, then, can we understand the real as an installation and foreclosure of fantasy, a phantasmatic construction which receives a certain legitimation after which it is called the real and disavowed as the phantasmatic? In what sense is the phantasmatic most successful precisely in that determination in which its own phantasmatic

status is eclipsed and renamed as the real? Here the distinction between real and unreal contrives a boundary between the legitimate domain of the phantasmatic and the illegitimate.

When we point to something as real, and in political discourse it is very often imperative to wield the ontological indicator in precisely that way, that is not the end but the beginning of the political problematic; to prove that events are real, one must already have a notion of the real within which one operates, a set of exclusionary and constitutive principles which confer on a given indication the force of an ontological designator; and if it is that very notion of the real that one wants, for political reasons, to contest, then the simple act of pointing will not suffice to delimit the principles which constitute the force of the indexical. In fact, the effect of transparency produced by indexical pointing will effectively foreclose the interrogation that is called for. Such a restrictively generated discursive domain provides exclusionary rules which guarantee in advance that that kind of pointing performs or produces the signification "real" that it appears to find as the simple and exterior referent to which it points. When pointing appears sufficient to designate the real, it is only through implicit recourse to certain entrenched and exclusionary conventions that frame and sanction that version of the real, and the real that is thereby designated would also and at the same time be *restricted* to a pre-given version of itself. To change the real, that is, to change what qualifies as the real, would be to contest the syntax within which pointing occurs and on which it tacitly relies. If the production of the real takes place through a restriction of the phantasmatic - and we shall soon see one political ramification of this thesis - then the phantasmatic emerges necessarily as the variable boundary from which the real is insistently contested. In what follows, I will look at one kind of pointing (Helm's pointing at Mapplethorpe) which functions in both a referential and accusatory sense, that is, which restrains the signified (and the domain of the signifiable) precisely in the moment in which the signified is collapsed into the referent. In a sense, it is precisely the moment in which the phantasmatic assumes the status of the real, that is, when the two become compellingly conflated, that the phantasmatic exercises its power most effectively.

Now this might seem like an increasingly philosophical discussion for an essay which on the surface makes some gestures towards thinking about pornography, Mapplethorpe, and fantasy. Although a feminist inquiry - as I will insist - this paper seeks to criticize an alternative feminist theory of fantasy, one that is almost nowhere explicitly theorized, but which is implicit, operative, and politically effective.

In particular, I am concerned then with a theory of fantasy that informs some feminist efforts to read and, on occasion, to call for legal

sanctions against pornography. And secondly, I am concerned with a theory of fantasy that appears to inform New Right efforts to prohibit federal funding of artists like Robert Mapplethorpe. The first draft of the bill recently passed by the Congress (HR 2788) which sets restrictions on the kinds of representations fundable by the state virtually cites the MacKinnon/Dworkin bill, known as the Minnesota anti-pornography bill (Title 7), to make its own case against Mapplethorpe.<sup>1</sup> In a sense, it is this sorry discursive alliance that I seek to understand in exposing what I take to be a common theory of fantasy and the phantasmatic that informs both views. But more broadly, I want to suggest that certain kinds of efforts to restrict practices of representation in the hopes of reigning in the imaginary, controlling the phantasmatic, end up reproducing and proliferating the phantasmatic in inadvertent ways, indeed, in ways that contradict the intended purposes of the restriction itself. The effort to limit representations of homoeroticism within the federally funded art world – an effort to censor the phantasmatic – always and only leads to its production; and the effort to produce and regulate it in politically sanctioned forms ends up effecting certain forms of exclusion that return, like insistent ghosts, to undermine those very efforts.

So what is meant by “phantasmatic” here? To say that something is phantasmatic is not to say that it is “unreal” or artificial or dismissable as a consequence. Wielded within political discourse, the real is a syntactically regulated phantasm that has enormous power and efficacy. Fantasy postures *as* the real, it establishes the real through a repeated and persistent posturing, but it also contains the possibility of suspending and interrogating the ontological claim itself, of reviewing its own productions, as it were, and contesting their claim to the real.

According to psychoanalytic theorists Jean Laplanche and J.-B. Pontalis, *fantasy constitutes a dimension of the real*, what they refer to as “psychic reality.” In a sense, psychic reality is here inclusive of the real, it is the semantic excess, the constant verging on idealization and absolutization that characterizes the referential function and, in particular, the ways in which the phantasmatic assumes the places of the real within an untheorized use of referential language. In Jacqueline Rose’s terms, the phantasmatic is also precisely that which haunts and contests the borders which circumscribe the construction of stable identities (90). I propose to revise this theory along Foucaultian lines to question how fantasy informs political discourse in ways that often defeat the very purposes to which political discourse is put. At stake is not the phantasmatic construction of the identity of the pornographer and the identity of the pornographee, but the dissimulation of “identity” in fantasy

(its distribution and concealment), a dissimulation which is I think regularly misunderstood by both the advocates of censorship on the political right and those feminist theorists who, in their critique of pornography, propose to establish a logical or causal continuum among fantasy, representation, and action. Does fantasy compel a phantasmatic identification with aggression or victimization? Does it provide a motivational link between representation and action? If both of these questions are based upon a misconstrual of fantasy, then the arguments in favor of censorship are seriously weakened.

The ordinary language in which the meaning of fantasy is constituted misconstrues the status of fantasy altogether. We say, "I have a fantasy" or "this is my fantasy" and what is presupposed is an I, a subject who has a fantasy as a kind of interior and visual projection and possession. "And in my fantasy," we say, "I was sitting in the cafeteria and you came up to me." Already the "I" who fantasizes is displaced, for the "I" occurs at least twice, as the one who "has" the fantasy, and the "I" who is *in* the fantasy, indeed, who is in a sense "had" by that prior I. What is the proper place of the "I" in its redoubling? It is not enough to say that the "I" who reports the fantasy, who "has" it, is somehow "real" and the "I" who is "in" it is phantasmatic, for the reporting "I" is revealing and constituting its own content in and through the fantasy that is elaborated. The narrator of the fantasy is always already "in" the fantasy. The "I" both contributes to and *is* the frame, the complex of perspectives, the temporal and grammatical sequencing, the particular dramatic tempo and conclusion that constitutes the very action of the fantasy. Hence, the "I" is dissimulated into the entire scene, even as it appears that the "I" merely watches on as an epistemological observer to the event.

According to Laplanche and Pontalis, fantasy does not entail an identification with a single position within the fantasy; the identification is distributed among the various elements of the scene: the identification is with the "you" who comes up, the "me" who is sitting, but further, with the verbs themselves, "sitting," "coming up," even variously "coming" and "up," even, abject as it may seem, the grim landscape of cafeteria life that bespeaks the longing for a sudden and decisive erotic interruption. In any case, or rather in all of these cases, identification is multiple and shifting, and cannot be confined to the "me" alone. Laplanche and Pontalis write:

*Fantasy is not the object of desire, but its setting. In fantasy the subject does not pursue the object or its sign; one appears oneself caught up in the sequence of images. One forms no representation of the desired object, but is oneself represented as participating in the scene although, in the earliest forms of fantasy, one cannot be*

*assigned any fixed place in it (hence the danger, in treatment [and in politics] of interpretations which claim to do so). As a result, the subject, although always present in the fantasy, may be so in a desubjectivized form, that is to say, in the very syntax of the sequence in question. (Formations 26-27)<sup>2</sup>*

There is, then, strictly speaking, no subject who has a fantasy, but only fantasy as the scene of the subject's fragmentation and dissimulation; fantasy enacts a splitting or fragmentation or, perhaps better put, a multiplication or proliferation of identifications that puts the very locatability of identity into question. In other words, although we might wish to think, even fantasize, that there is an "I" who has or cultivates its fantasy with some measure of mastery and possession, that "I" is always already undone by precisely that which it claims to master.

Within psychoanalytic theory, fantasy is usually understood in terms of wish-fulfillment, where the wish and its fulfillment belong to the closed circuit of a polymorphous auto-eroticism. Hence, sexual fantasies may express a longing for a scene outside the fantasy, but the fantasy always figures that outside within its own terms, that is, as a moment inside the scene, effecting its fulfillment through a staging and distributing of the subject in every possible position. The consequence is that although it may well be some Other that I fantasize about, the fantasizing recasts that Other within the orbit of my scene, for fantasy is self-reflexive in its structure, no matter how much it enacts a longing for that which is outside its reach. And yet, the subject cannot be collapsed into the subject-position of that fantasy: all positions are the subject, even as this subject has proliferated beyond recognition. In a sense, despite its apparent referentiality, fantasy is always and only its own object of desire. And this is not to say that fantasy supplies its own thematic, but that the boundaries of the real against which it is determined are precisely what become problematized in fantasy. Fantasy suspends the ontological claim of that which passes as the real under the usual description.

How does the relationship between fantasy and autoeroticism suggested by the above account provide insight in to the signifying status of the pornographic text? The psychoanalytic account resonates with an article by Dierdre English in *Mother Jones* from the early 80s. Contrary to the claim that pornographic representation somehow leads to the action of rape by fueling violent fantasies, her argument was that most men interested in pornography were just benign masturbators for whom the auto-erotic moment was the be all and end all of sex.

Whereas English argued that pornographic fantasy substituted for action and provided for a catharsis in fantasy that made action superfluous, a very different position on fantasy has been operative within the anti-pornography movement and recent New Right calls for censorship. Both of these efforts to restrict or prohibit pornographic fantasy end up inadvertently but inevitably producing and authorizing in their own discursive actions precisely the scenes of sexual violence and aggression that they seek to censor. The effort to enforce a limit on fantasy can only and always fail, in part because limits are, in a sense, what fantasy loves most, what it incessantly thematizes and subordinates to its own aims. They fail because the very rhetoric by which certain erotic acts or relations are prohibited invariably eroticizes that prohibition in the service of a fantasy. These prohibitions of the erotic are always at the same time, and despite themselves, the eroticization of prohibition.

It would be mistaken to understand fantasy as a site of psychic multiplicity subsequently reduced and refused by the onset of a prohibitive law, as if fantasy were unproblematically before the law. Laplanche and Pontalis argue that in the *mise en scène* of desire, prohibition is always present in the very position of desire (*Vocabulaire* 156). This posited simultaneity of prohibition and desire, however, is given a circular temporality in Foucault. For Foucault, prohibition depends upon transgressive fantasies, and reproduces them in order to have an object upon which to act and augment itself. Prohibition appears to *precede* fantasy and to structure it essentially; this is part of what is meant earlier by the claim that fantasy designates the constitutive outside of the real. The moment of exclusion or prohibition produces and sustains the domain of the phantasmatic. The multiple sites through which the subject is dissimulated are produced, then, by the regulatory discourse which would institute the subject as a coherent and singular positionality. The "syntax" and "sequencing" that stage the self-dissimulating subject might then be reread as the specific rule-governed discourses of a given regulatory regime. In what follows, I will attempt a Foucaultian rereading of Laplanche and Pontalis in terms of the phantasmatic production that is the Helms amendment.

The recent legislative efforts by Jesse Helms to put a juridical harness on the imaginary by forbidding federal art funds appear in two forms, the original proposal, formulated in July 1989, and the final proposal, claimed as a "compromise bill" which passed the Senate and became law in late September (Public Law 101-121). Although the bill forbids the National Endowment for the Arts from funding artistic projects that depict "obscenity,"



the National Endowment for the Humanities, in the spirit of solidarity, quickly volunteered to adopt the bill as internal policy. In the original formulation of the bill, federal funds were prohibited from being used to “promote, disseminate [!] or produce obscene *or indecent* materials, including but not limited to depictions of sadomasochism, homoeroticism, the exploitation of children, or individuals engaged in sex acts; *or, material which denigrates the objects or beliefs of the adherents of a particular religion or non-religion*” (italicized portions were subsequently deleted). In the original proposal the following clause also appeared continuous with what I just cited: “or that denigrates, debases or reviles a person, group or class of citizens on the basis of race, creed, sex, handicap, age or national origin” (“Senate”). This added clause may seem logically and legally discontinuous with the former, for while the last clause appears to protect certain individuals against debasement, the former clause appears to enact the very debasement that the latter disallows. By adding the last clause originally, Helms effectively confounded feminist and conservative discourses, for the latter clause is meant to protect individuals and groups against discrimination. The legal move that would establish as discrimination the depiction or representation of certain groups in subordinate or debased positions finds its precedents in those legislative efforts inspired by some anti-pornography feminists to ban representations of women in sexually debased or subordinated positions. In effect, the feminist legal effort to include “representations” or “depictions” as instances and enactments of discrimination has been deployed by Jesse Helms to suggest a legal and discursive alliance with anti-pornography feminists. On the one hand, we can argue that legislative efforts to ban pornography never intended to sanction these other kinds of legal prohibitions, and we can even call for qualifications in those legislative efforts to make sure that representations of “homoeroticism” and “individuals engaged in sex acts” escape the censor, although clearly sadomasochists would fare less well – possibly because the action of the prohibitive law resembles or mobilizes that power/dynamic most proximately (interestingly, though, without the qualification of consent insisted upon by libertarian sadomasochists).<sup>3</sup>

I would like to consider this alliance briefly in the context of a shared conception of representation as debasing and discriminatory action. I would suggest that the legal equivalence between representation and action could not be established were it not for an implicit and shared conception of fantasy as the causal link between representation and action, or between a psychic act that remains within the orbit of a visual economy, and an enacted fantasy in which the body literally enters what was previously a purely visualized or fantasized scene. Here the phantasmatic construction of the real is

confused with a temporal linkage between fantasy and the real, as if fantasy could suddenly transmute into action, as if the two were separable from the start. I would argue, however, that fantasy constitutes a psychic action, and what is conjured as “physical action” by the above causal formulation is precisely the condensation and foreclosure of fantasy, not that which follows from it. Accordingly, fantasy furnishes the psychic overdetermination of meaning which is designated by “the real.” “Fantasy” and “the real” are always already linked. If the phantasmatic remains in tension with the “real” effects it produces – and there is good reason to understand pornography as the erotic exploitation of this tension – then the “real” remains permanently within quotations, i.e., “action” is suspended, or, better yet, pornographic action is always suspended action.

The anti-pornography effort to impute a causal or temporal relation between the phantasmatic and the real raises a set of problems. If representations of women in subordinate or debased positions – assuming for the moment that some agreement could be achieved on what that is – if such representations *are* discriminatory actions, one way to understand representation is as the incipient moment of an inexorable action, containing within itself a teleological principle whereby the transformation of picture into fantasy is followed by the transformation of fantasy into action. By establishing causal lines among representation, fantasy, and action, one can effectively argue that the representation *is* discriminatory action. Here the view that fantasy motivates action rules out the possibility that fantasy is the very scene which *suspends* action and which, in its suspension, provides for a critical investigation of what it is that constitutes action.

Of course, the other way to argue that representation is discriminatory action is to claim that to see a given representation constitutes an injury, that representations injure, and that viewers are the passive recipients of that visual assault. Here again there is no interpretive leeway between the representation, its meanings, and its effects: they are given together, in one stroke – as it were – as an instantaneous teleology for which there is no alternative. And yet, if this were true, there could be no analysis of pornography. Even from within the epistemological discourse that Dworkin uses, one which links masculinity with agency and aggression, and femininity with passivity and injury, her argument defeats itself: no interpretive possibilities could be opened up by the pornographic text, for no interpretive distance could be taken from its ostensibly injurious effects: and the muted, passive, and injured stance of the woman viewer would effectively preclude a critical analysis of its structure and place within the field of social power.

The shift from an epistemological framework to one which takes the pornographic text as a site of multiple significations allows us to read Dworkin's move differently. The claim that the text permits of a single interpretation is itself a construction of the pornographic text as a site of univocal meaning; if pornography is a textualized fantasy of dissimulated and unstable identifications, then *the claim* that pornography enforces a foreclosure of the text's possible readings is itself the forcible act by which that foreclosure is effected.

The reason why representations do not jump off the page to club us over the head, although sometimes we fantasize precisely that, is that even pornographic representations as textualized fantasy do not supply a single point of identification for their viewers, whether presumed to be stabilized in subject-positions of male or female. Indeed, the postulation of a single identificatory access to the representation is precisely what stabilizes gender identity; the possibility of a cross-identification spells a kind of gender trouble that the anti-pornography analysis fully suppresses. In point of fact, it may well be more frightening to acknowledge an identification with the one who debases than with the one who is debased or perhaps no longer to have a clear sense of the gender position of either; hence, the insistence that the picture enforces an identification with victimization might be understood not only as a refusal to identify – even in fantasy – with aggression, but, further, as a displacement of that refused aggression onto the picture which then – as a transference object of sorts – takes on a personified status as an active agent that abuses its passive viewer (or which stands in for the phantasmatic figure of “patriarchy” itself). Indeed, if pornography is to be understood as fantasy, as anti-pornography activists almost invariably insist, then the effect of pornography is not to force women to identify with a subordinate or debased position, but to provide the opportunity to identify with the entire scene of debasement, agents and recipients alike, when and if those “positions” are clearly discernable in the actions and landscapes of masturbatory scenes of triumph and humiliation. A feminist critic like Dworkin has shown us the importance of pornographic material in its status as *social text* which facilitates certain kinds of readings of domination. And yet, the pornographic fantasy does not restrict identification to any one position, and Dworkin, in her elaborate textual exegesis, paradoxically shows us how her form of interpretive mastery can be derived from a viewing which, in her own view, is supposed to restrict her to a position of mute and passive injury. The logic of epistemological determinism that stabilizes “masculine” and “feminine” within a frame of unilateral oppression is subject to a logical reversal which calls that frame into question: if the pornographic representation is someone else's fantasy, that of “men” – broadly and ambiguously

construed – and if “the woman viewer” is the injured-object of that fantasy-turned-action, then women are by her definition never agents of pornographic fantasy. The very possibility of identifying in fantasy with a debased position requires an active and persistent foreclosure of other possible identifications. Hence, “passivity” becomes a privileged mode of identification which requires the collapse and consolidation of multiple sites of identification into one.

A question to raise here would be, is it even possible to do the kind of reading that Dworkin does, that involves a retelling and repetition of the pornographic scene without making use of precisely the variable identifications that the pornographic fantasy itself occasions? From what source does Dworkin’s reading draw its own strength and mastery if not through an identification and redeployment of the very representation of aggression that she abhors? In other words, does the identificatory process that her own reading requires effectively refute the theory of identification that she explicitly holds?

Prohibitions work both to generate and to restrict the thematics of fantasy. In its production, fantasy is as much conditioned as constrained by the prohibitions that appear to arrive only after fantasy has started to play itself out in the field of “representations.” In this sense, Mapplethorpe’s production anticipates the prohibition that will be visited upon it; and that anticipation of disapprobation is in part what generates the representations themselves. If it will become clear that Helms requires Mapplethorpe, it seems only right to admit in advance that Mapplethorpe requires Helms as well. This is not to say that Mapplethorpe knew before he died that Helms would appear with amendment in hand, or that Mapplethorpe should have known better. On the contrary: Helms operates as the *pre*condition of Mapplethorpe’s enterprise, and Mapplethorpe attempts to subvert that generative prohibition by, as it were, becoming the exemplary fulfillment of its constitutive sexual wish.

Dworkin’s call for sanctions can be read similarly as a *re*emergence of precisely the prohibition which occasioned and produced the pornographic material itself. In this sense, the pornographic text mobilizes and produces both the positionality of victimization and that of the critical agency that attends to that victimization. The text encodes and presupposes precisely the prohibition which will later impose itself as if it were externally related to the text itself.

The ambiguous temporal exchange between fantasy and its prohibition – which comes first? – can be read in those positions, like Dworkin’s, which assert at the same time not only that certain fantasies are “of” force or violence, but are *forcibly imposed* by certain kinds of representations. In this sense, the ostensible content of the representation and its rhetorical force are conflated and exchanged.

Something similar happens I think within the very amendment that Helms formulates. The amendment prohibits three kinds of activities, “promoting, disseminating, and/or producing obscene or indecent materials,” and then goes on to state some of what will be included under that category. Significantly, the language reads, “including, but not limited to . . .” and then offers its list. “Including, but not limited to” is a phrase that invites conservative judicial activism and presumes that the kinds of depictions to be deprived of federal funding have the possibility to spread. “to disseminate . . .” like a disease perhaps? like AIDS, from which Mapplethorpe himself died? The presumption that the obscene and the pornographic have a way of getting out of hand is confirmed repeatedly in this fateful sentence: “Including, but not limited to depictions of sadomasochism, homoeroticism”: here homoeroticism is not distinct from homosexuality, but considered a more inclusive category; indeed, it provides for representations that depict homosexuality both explicitly and implicitly; hence, even the nuance of homosexuality is a site of danger (one might well wonder whether Plato’s *Symposium* would receive funding under the guidelines now adopted by the National Endowment for the Arts and the National Endowment for the Humanities). But let us return to the progression of this sentence, for the “including but not limited to” established a determinate juridical object and an indeterminate one as well, and this rhythm repeats itself throughout the sentence. Sadomasochism is presumed to be clearly and collectively identifiable in its distinction from other sorts of sexual activities, but “homoeroticism” is, I take it, a term that concedes the indeterminate status of this sexuality, for it is not simply the acts that qualify as homosexual under the law, but the ethos, the spreading power of this sexuality, which must also be rooted out.

“The exploitation of children” comes next, at which point I begin to wonder: what reasons are there for grouping these three categories together? Do they lead to each other, as if the breaking of one taboo necessitates a virtual riot of perversion? Or is there, implicit in the sequencing and syntax of this legal text, a figure of the homosexual, apparently male, who practices sadomasochism and preys on young boys, or who practices sadomasochism with young boys, a homosexuality which is perhaps defined as sadomasochism and the exploitation of children? Perhaps this is an effort to define restrictively the sexual exploiter of children *as* the sadomasochistic male homosexual in order, quite conveniently, to locate the source of child sexual abuse outside the home, safeguarding the family as the unregulated sexual property of the father?<sup>4</sup> On one level, the figure of such a homosexual is Mapplethorpe whom the *Washington Post* describes as producing “photographs, some of which are homo-erotic or sado-masochistic, and some that show children exposing

themselves" ("Obscenity"). And yet, the figure of Mapplethorpe is already a stand-in for the figure of the homosexual male, so that the target is a representation of homosexuality which, according to the representational theory Helms presumes, *is* in some sense the homosexual *himself*.

If the legal statute relies on this figure of the male homosexual, then perhaps the legal statute can be understood as its own kind of fantasy. The "subject" of fantasy, according to Laplanche and Pontalis, is dissimulated in the syntax of the scene. This law contains as the tacit structure of its elliptical syntax a figure of homosexuality whose figurings, whose "representations," are to be forbidden. In other words, this is a figure who can only be figured by Helms, who belongs to him, as it were, and who will be forbidden to figure anything or anyone in return. Is this a figure that the law contrives in order to prohibit, or perhaps, prohibits in order to produce – time and again – for its own . . . satisfaction? Is this a production of a figure that it itself outlaws from production, a vehement and public way of drawing into public attention the very figure that is supposed to be banned from public attention and public funds? What kind of sadomasochistic performance is this that brings into phantasmatic relief the very object that it seeks to subordinate, revile, debase, and denigrate? Is this not, paradoxically, a public flogging and debasement of the homosexual that is finally necrophilic as well, considering the fact that Mapplethorpe, who is made to stand for homosexuality in general, is but recently dead from AIDS?

In a sense, the Helms amendment in its final form can be read as precisely the kind of pornographic exercise that it seeks to renounce. According to the logic which would identify representations with injurious acts, Helms's amendment ought to be understood as an injury against those whom it demeans through its depiction. According to its own logic, Helms's amendment should then prohibit itself from becoming law. Although a wonderful turn of the screw to contemplate, it is not finally the argumentative tactic that I would promote. The phantasmatic construction of the homosexual in Helms's terms is not unlike the phantasmatic construction of women in pornography, but in each case, the question needs to be asked, at what juncture does that phantasmatic construction call its own ontological claim into question, reveal its own tenuousness, confess its own impossibility? There is no doubt that Helms's fantasy of homosexuality takes place within the scene of child molestation and sadomasochism; let us remember that this is his fantasy, though surely not his alone. Consider that the stability of the homosexual real as a social signification is always negotiated through fantasy: to point at Mapplethorpe's representations as the graphic articulation of homosexuality *soi-même*, is a state-sanctioned pointing (both a referring and a restraining)

which effectively produces and stabilizes the homosexual real: in other words, it is a syntactically regulated phantasmatic production which assumes and preempts the claim of the real.

Helms not only extends those legal precedents that categorize homosexuality as obscenity, but, rather, authorizes and orchestrates through those legal statutes a restriction of the very terms by which homosexuality is culturally defined. One interpretation could claim that this tactic is simply an occasion for Helms to assault the gay male artistic community, or gay men generally, as well as the sexual practices phantasmatically imposed upon them. The political response is then to develop a political resistance to this move by simply reversing the argument, claiming that gay men are not as he says, that Mapplethorpe is more significant and more properly artistic. It is not merely that Helms characterizes homosexuality unfairly, but that he constructs homosexuality itself through a set of exclusions that call to be politically interrogated.

One effect of this law, then, is to circumscribe the imaginability of homosexuality: in exchange for the variety of "representations" produced by Mapplethorpe and "others like him," there is only one representation that is now sanctioned, the one that is articulately prohibited by Helms's law. Homosexuality becomes thinkable only as the forbidden and sadomasochistic exchange between intergenerational male partners. This prohibition is thus a production, one that takes place through reductive and exclusionary principles that regulate the thinkability or imaginability of homosexuality itself. In a sense, lesbian sexuality is not even thought of as the forbidden, for to be forbidden is still to be produced as a prohibited or censored object; whereas male homosexuality is thought as the forbidden, lesbian sexuality cannot even enter into the parameters of thought itself: lesbianism is here the phantasm of the phantasm. It would be naive, however, to assume that the Helms amendment, though phantasmatically obsessed with men, would not be deployed against depictions of female homoeroticism,<sup>5</sup> and that anyone in academics and in the arts who wishes to study representations of homosexuality or homoeroticism in the history of literature, in history, in popular culture, in sexology, in psychoanalysis, or even in the law, as I am doing now, will likewise now be ruled out of NEA and NEH funding.

By focusing on the homoeroticism of the photographs, the anxiety over interracial homo- and hetero- sexual exchange is contained and permanently deferred. The naked Black men characterized by Mapplethorpe engage a certain racist romanticism of Black men's excessive physicality and sexual readiness, their photographic currency as a sexual sign. Perhaps the most offensive dimension of Mapplethorpe's work, it is never that which is explicitly

named as the offense by Helms; the fear of miscegenation operates tacitly here as well, disavowed, contained, and deferred by the stated spectre of "homosexualism" or the generalized possibility of "individuals engaged in sex acts."

In a paradoxical alliance with Dworkin, I am writing here in opposition to what I take to be violent and violating representations: what Helms performs with the help of MacKinnon/Dworkin is a kind of representational violence. But whereas Dworkin would counter this violent reduction with a call for censorship, that is a restriction which can only displace and reroute the violence it seeks to forestall. If prohibitions invariably *produce and proliferate* the representations that they seek to control, then the political task is to promote a proliferation of representations, sites of discursive production, which might then contest the authoritative production produced by the prohibitive law. This kind of preemptive exclusion is enacted in the name of a prohibition that seeks to end the ostensibly injurious power of representation; and yet, this prohibition can work only through producing and proliferating precisely the kind of reductive and phantasmatic representations that it seeks to forestall.

In the *History of Sexuality: Volume I*, Foucault argues for the provisional political efficacy of a "reverse-discourse" that is inadvertently mobilized by the very regulatory structures that would render that reversal impossible. The example he uses is, not coincidentally, that of "homosexuality." The juridical discourse of the medico-legal alliance at the end of the nineteenth century, he argues, seeks to establish homosexuality as a medical category and to institute homosexuality as a kind of identity.<sup>6</sup> Fortuitously, the institution of the category of homosexuality provides a discursive site for the homosexual resistance to its pathologization; hence, homosexuals now have the discursive occasion to resignify and valorize the terms of that identity and to organize against the medico-juridical alliance. Foucault's analysis presupposes that the discursive life of such identity categories always exceeds the purposes to which they are originally put; in this sense, Foucault reappropriates Nietzsche's notion of a "sign-chain" in which the original purposes to which a discursive sign is devised are reversed and proliferated throughout the history of its usages [hence, also the necessity of a "genealogy" to trace the meanderings of such terms, rather than a unilinear "history"]. The very uncontrollability of discourse, its penchant for superseding and reversing the purposes for which it is instrumentally deployed, provides for the possibility, if not the necessity, of regulatory regimes producing the very terms by which their purposes are undermined.

Although Foucault points to "homosexuality" as subject to a "reverse-discourse," that is, a reappropriation and resignification, it is clear



that for “reversal” to become politically undermining, it must be followed by “proliferation,” where what is proliferated is not the self-identical figure of homosexuality, but, rather, a set of figures which refuse to replicate each other faithfully. In other words, it is not enough to effect a dialectical exchange whereby the group consolidated by the term “homosexuality,” or for that matter, “feminism,” tries to control the meaning of that term: such a tactic could only replace a negatively signified identity term with an equally reductive, but positively signified identity term. In opposition to the prohibition of Mapplethorpe and his figures and to the homophobic figuration of Mapplethorpe, *ACT UP* in San Francisco produced and distributed a wide array of Mapplethorpe photographs as posters which counseled gay men on safe sex practices. The resistance to Helms cannot be the regulatory production of a singular or unified figure of homosexuality, for that figuration can always and only suppress the proliferation of non-self-identical semantic sites of homosexuality that punctuate the contemporary discursive field. Although “proliferation” is often understood exclusively as the depoliticizing effect of late capitalism, it is also precisely the possibility of deploying politically that domain of discursive excess produced by the identity categories at the center of a reverse-discourse. The singular and authoritative homophobic figuration of homosexuality, which works through the violence of a synthesis (all gay men are “x”) and an erasure of multiple cultural formations of lesbianisms and which defers and contains racist erotic fears, cannot be opposed by remaining within the terms of that binary fight, but by displacing the binary itself through producing again and again precisely the discursive *uncontrollability* of the terms that are suppressed by regulatory violence.

In a sense, I have been arguing some very different points, using fantasy and the phantasmatic as a point of critical departure. The fixed subject-position of “women” functions within the feminist discourse in favor of censorship as a phantasm that suppresses multiple and open possibilities for identification, a phantasm, in other words, that refuses its own possibilities as fantasy through its self-stabilization as the real. Feminist theory and politics cannot regulate the representation of “women” without producing that very “representation”: and if that is in some sense a discursive inevitability of representational politics, then the task must be to safeguard the open productivity of those categories, whatever the risk.

As I have tried to argue elsewhere (*Gender*), every description of the “we” will always do more than describe: it will constitute and construct an imaginary unity and contrived totality, a phantasmatic ideal, which makes the “representability” of the we into a permanent impossibility. This might be understood linguistically as the inevitable performativity of the representa-

tional claim: the categories of identity instate or bring into "the real" the very phenomenon that they claim to name only after the fact. This is not a simple performative, but one which operates through exclusionary operations that come back to haunt the very claim of representability that it seeks to make.

The Helms amendment reenforces the category of identity as a site of political crisis: who and what wields the power to define the homosexual real? This kind of crisis has been produced as well by the anti-pornography discourse: what is the figure of "women" to which it objects, and the figure of "women" in the name of whom the objection is articulated? How does the analysis of pornography delimit in advance the terms of identity to be contested? My recommendation is not to solve this crisis of identity politics, but to proliferate and intensify this crisis. This failure to master the foundational identity categories of feminism or gay politics is a political necessity, a failure to be safeguarded for political reasons.<sup>7</sup> The task is not to resolve or restrain the tension, the crisis, the phantasmatic excess induced by the term, but to affirm identity categories as a site of inevitable rifting, in which the phantasmatic fails to preempt the linguistic prerogative of the real. It is the incommensurability of the phantasmatic and the real that requires at this political juncture to be safeguarded: the task, then, is to make that rift, that insistent rifting, into the persistently ungrounded ground from which feminist discourse emerges.

In other words, it is important to risk losing control of the ways in which the categories of women and homosexuality are represented, even in legal terms, to safeguard the uncontrollability of the signified. In my view, it is in the very proliferation and deregulation of such representations – in the production of a chaotic multiplicity of representations – that the authority and prevalence of the reductive and violent imagery produced by Jesse Helms and other pornographic industries will lose their monopoly on the ontological indicator, the power to define and restrict the terms of political identity.

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## Notes

- 1 In the original version of the Helms amendment, an anti-discrimination clause was added to an obscenity clause. In a sense, the Helms bill imitates the MacKinnon/Dworkin strategy to restrict or censor pornographical materials through (a) broadening obscenity statutes and (b) establishing pornography as an instance of discrimination on the basis of sex. In the original version of the Helms amendment, the following

clause qualifies the kinds of materials to be excluded from federal funding: "that denigrates, debases or reviles a person, group, or class of citizens on the basis of race, creed, sex, handicap, age or national origin." Here Helms clearly appeals to the legal precedent of construing pornography as sex discrimination. In a subsequently deleted section, it appears that he wanted to extend the MacKinnon formulation in such a way that materials offensive to members of certain religions could also be construed as discriminatory actions.

In an amendment to Title 7, Chapter 159 the Minneapolis code of ordinances (#385,150), discrimination on the basis of sex is said to include "sexual harassment and pornography"; in an included special finding, the amendment reads in part: "Pornography is a systematic practice of exploitation and subordination based on sex which differentially harms women. This harm includes dehumanization, sexual exploitation, physical injury, intimidation, and inferiority presented as entertainment . . . [it] promote[s] rape, battery and prostitution . . ."; "pornography" is defined as the "graphic sexually explicit subordination of women"; this phrase will be reworked slightly by the Helms amendment.

Obscenity in the Helms amendment is extended to include depictions of "Homeropticism, sadomasochism and child molestation" as well as "individuals engaged in sex acts": in the Minneapolis code, "obscene" is given the following legal definition: (i) That the average person, applying contemporary community standards, would find that the work, taken as a whole, appeals to the prurient interest in sex of the average person; (ii) That the work depicts or describes, in a patently offensive manner, sexual conduct specifically defined by the clause (b); [clause "b" includes such

acts as sexual intercourse, "actual or simulated," "sadomasochistic abuse," "masturbation," "physical contact or simulated physical contact with the clothed or unclothed pubic areas or buttocks of a human male or female . . ."]; (iii) That the work, taken as a whole, lacks serious literary, artistic, political or scientific value." The Indianapolis code (#20,120), reads similarly, but under "b" reads: "the material depicts or describes patently offensive representations or descriptions of ultimate sex acts, normal or perverted, actual or simulated, or patently offensive representations or descriptions of masturbation, excretory functions, and lewd exhibitions of the genitals."

The amendment "a" to the Minneapolis Title 7 declares that pornography is discrimination against women. The Indianapolis ordinance, which was passed in 1984, was found unconstitutional in federal court and rescinded.

2 *Mais le fantasme n'est pas l'objet du désir, il est scène. Dans le fantasme, en effet, le sujet ne vise pas l'objet désiré ou son signe, le figure lui-même pris dans la séquence d'images. Il ne se représente pas l'objet désiré mais il est représenté participant à la scène, sans que, dans les formes les plus proches du fantasme originaire, une place puisse lui être assignée (d'où le danger, dans la cure, des interprétations qui y prétendent). Conséquences: tout en étant toujours présent dans le fantasme, le sujet peut y être sous une forme désubjectivée, c'est-à-dire dans la syntaxe même de la séquence en question." Fantasme 74.*

3 Significantly, the determination of obscenity in U.S. law since the advent of obscenity statutes in 1957 has almost always appealed to "contemporary community standards," a phrase that is

used in the Minneapolis and Indianapolis ordinances and which emerged in the recent controversies over the Mapplethorpe show in Cincinnati courts. The Mackinnon tactic has been, it seems, to extend the obscenity statutes by including pornography as part of sex discrimination. The effect of extending anti-discrimination statutes is not only (a) to diversify the legal tactics through which the putative injuries of pornography can be redressed by establishing sex discrimination as a separate basis for complaint, but (b) to insure that the anti-pornography statutes are not applied differentially against protected groups like homosexuals. Hence, the anti-discrimination clause in the Minneapolis bill states clearly that "affectional preference" is protected against discrimination, and even goes so far as to protect "transsexuals" against discrimination via pornography.

The anti-discrimination statute also can be understood to provide a legal safeguard against the invocation of the obscenity statute for discriminatory purposes. Insofar as the obscenity statute seeks recourse to "community standards" which would almost always (and presently in Cincinnati) culminate in the judgement that any and all representations of homosexuality or homoeroticism are obscene, the extended anti-discrimination clause seeks to protect the rights, which obviously includes free speech, of homosexual minorities and others, even when "community standards" would find the self-representational "free speech" of those groups to fall unconditionally under the rubric of obscenity.

In a sense, the recourse to these two different legal bases, obscenity and discrimination, always risks a collision between them. And in the case in which "community standards" *conflict* with the protection of homosexual free

speech, community standards, precisely because the sanction of the community outweighs the constitutional claims of the minorities, will invariably win. Moreover, if depictions are construed as discriminatory and injurious, then the legal precedent has been set (and exploited now by Helms) to claim that any and all depictions of homoeroticism are injurious to those whose moral sensibilities are offended in the process of viewing these depictions. Hence, Helms sought (unsuccessfully) to establish that the depiction of homoeroticism et al. *discriminates* against members of certain unspecified religions. Realizing, it seems, that this very statute might discriminate on the basis of religion, he supplies an absurd supplement that protects the rights of members of non-religions as well.

- 4 In the Mapplethorpe exhibition, "The Perfect Moment," which was to show at various art spaces partially financed by the National Endowment for the Arts, and which serves as the basis for the Helms criticism, there are two photographs of children. One "Honey" (1976) is a picture of a young girl, around five years old, sitting on a bench with one leg up and one leg crossed in front of her. She is looking somewhat indifferently into the camera: she has no underpants on, and the thin line that marks the closed labia revealed by her sitting position is marked primarily by its unremarkability. An aesthetic formalist and photographic realist, Mapplethorpe's photos work to enforce principles of symmetry and linear order. The vertical line that is the labia is paralleled on either side by the vertical lines of the sides of the bench, by the line between her arm and her dress and, predictably, the side-lines of the canvas itself. The focal point of the photograph is effectively distributed across these lines, and the labia line effectively shields the vagina from view.

The other photograph is of a boy, seven-eight years old, "Jesse McBride" (1976), which is equally languorous, suggesting as in the above the final unremarkability (and perhaps innocence) of nudity. As in the above, this photo of Jesse sitting nude on the top of a velvet chair, is an exemplar of the symmetrical distribution of formal elements. His two arms rest comfortably against the velvet chair, his two legs fall against the chair, and his small and decidedly *unerect* penis lounges peacefully against the velvet as well. I would call this composition, "appendages against velvet." Both figures look straight into the camera, without shame or sexuality, as if to ask (for us now), "what is the big deal?" In a sense, the photos engage a pornographic convention only to debunk it: the search for eroticism is rerouted and diffused through the insistence on formal symmetry. In this way, the photos of children parallel and extend the photographic technique of Mapplethorpe's still life photos of flowers.

- 5 Recently it seems that letters emanating from certain

Congressional quarters inquiring into the federal funding of lesbian poets and writers have been circulating "confidentially." Mab Segrest and others have begun to wage a lesbian-based campaign against Helms.

- 6 Prior to this move, he argues, there are various homosexual acts and pleasures, but they are not yet taken as symptoms or evidence of a certain typological identity. The forces that would pathologize homosexuality institute that category as an identity, a move which invokes the distinction between "normal" identity *qua* heterosexuality and deviant or deformed identity, now occupied by the (male) homosexual.
- 7 In other words, I want to resist both the claim that feminism is being "ruined" by its fragmentations, a position which implicitly or explicitly establishes the dispensability of some crucial constituency, and the claim that fragmentation ought to be overcome through the postulation of a phantasmatically unified ideal.

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