

Figure 1
Grace Lavery, *We
Will Have to Remem-
ber This Hole*, 2018.

Courtesy of artist



The King's Two Anuses: Trans Feminism and Free Speech

It is distressing that someone entering the ranks of the professoriate—particularly someone who claims the credentials to teach about issues of free speech—should be unfamiliar with, or indifferent to, these foundational principles [of academic freedom].

Distressing, but perhaps not surprising, given how the pose of youthful outrage requires certain kinds of strategic ignorance concerning the accomplishments of earlier generations of activists. This is as true for those

who would renounce commitments to academic freedom and free speech as for those who set themselves up self-righteously to “correct”—and when that doesn’t work, to censor—gay, lesbian, and queer scholars who dare to question the litanies of your brand of trans-correctness. Is this demand to suppress voices that questions [sic] perhaps because you have no answers to our queries, starting with this one: what does it mean to claim to be “in fact” a woman?
—Castiglia and Reed

Prelude

*T*hat my story did end, I can hardly doubt at this point, though “ending” is not a term one can let pass without some kind of commentary. I have experienced not one but many endings in the last eighteen months. A tenure vote, for example, that ended (or promised to end) the first, long phase of my scholarly apprenticeship. In a sense, it is harder to imagine a more decisive form of ending than this one, which ends my pupillage by cutting off the futures that trailed in all directions. On the other hand, I suppose what has been cut off was simply another ending, or the other ending. When one cuts off one’s end, does one become endless? Or does one become endlessly, prematurely, apotropaically ended, a human ending? In the famous words of a nontranssexual literary critic, “[A]lthough for us the End has perhaps

lost its naïve imminence, its shadow still lies on the crisis of our fictions; we may speak of it as immanent” (Kermode 6). Reading these words, I think of my trans sister Eva Hayward’s healed and healing cut.

It is too easy to say that at some point my sense of my own maleness ended. But at some point in July 2018, I had what will probably have been my last penile erection—I don’t know exactly when, since I didn’t plan on making it the last one. A doctor asked me whether I cared enough about losing that particular fantasy of phallic wholeness to reduce my spiro dose (I was taking 250ml daily, a high dose), and it was very easy to say no. But why on earth should I—should anyone—care about my hormone levels, as anything other than data that assess the functioning of my various bodily systems? These are numbers, they couldn’t express any felt reality; they are only visible to the instruments of the medical state. Yet I still boast regularly that I have less testosterone in my body than most women. I think of Leo Bersani’s elegant image of gay sex as “the infinitely more seductive and intolerable image of a grown man, legs high in the air, unable to refuse the suicidal ecstasy of being a woman” (18). If only it were that easy, though. Perhaps at some point someone will make me a similar offer that I am similarly unable to refuse, but in this case, it’s a daily slog that plays out over my body, my endocrine system, my voice, my facial and body hair, my mannerisms, my word choice. The idea that “being a woman” can be reduced to simple passivity—I realize Bersani was referring to a psychic projection, rather than offering an ontology, but still. I wish!

Something else ended in December 2018, about three months ago, and I venture to say that I wouldn’t have lost this particular form of innocence had I still been a man. (“Proof, you see, look!” she mutters desperately to nobody in particular.) I had never before been the object of public ridicule, which occurred after two men published a somewhat ill-judged response to a criticism of one of them that I had written for the Los Angeles Review of Books, which came frighteningly close to an attempt to discipline me out of my transition. They apologized afterward, although strangely not to me, but that didn’t produce an ending, and nor was it meant to. Meanwhile, their “radical feminist” supporters in the “gender critical” movement now had me within their sights and started speculating vividly in public about my sex life: “My guess is Lavery imagines they’re having hot lesbian sex and [my partner’s name] imagines they’re having hot gay sex.”¹ I wondered whether the two men had seen the thread. “That was such a sound spanking that Grace Lavery won’t be able to sit down for a month. LOL”; “this is what the kids would call a wig-snatching”; “this is wonderfully erudite and grown-up.” Then

these self-proclaimed feminist writers and activists compared me to Judith Butler. They didn't mean that as a compliment, but nonetheless I imagine it would have stung the men who had written about me, if they had read it.²

Desire is an ending. Identity, one would think, ends certain things. It ends, for example, the polysemy that precedes it; it is felt as an imposition, especially when it must be avowed. But it isn't a strong ending in the same way. It allows for play, secondary revision, fuckery, negotiation. Not so desire. Once desire lands, it's all over. So, my ending was this: at some point, I realized that I wanted to transform my body into a woman's body, that I had wanted to do that for a very long time, and that I wanted to do that more than I wanted almost anything else. Additionally, I wanted to transform the story of my body into the story of a woman's body, an even more unstable and asymptotic procedure. I think of my femme sister Elizabeth Freeman, who writes, "Erotohistoriography admits that contact with historical materials can be precipitated by particular bodily dispositions, and that these connections may elicit bodily responses, even pleasurable ones, that are themselves a form of understanding" (96). I know, and I know that she knows, that the history in question may be the history of the very body that is doing the experiencing. Beth talks of the butch dyke's dick not as a replacement for a penis, but as a commemorative object that stands in for the penis that the butch has always had. In such temporalities, one's body, in the present, now apprehends the past that perhaps it once merely inhabited, and grasps that body's knowledge of its own past as its own to cherish. Pleasurable knowledge, but not just pleasure, and not just knowledge.

So I think of Julie Andrews's beautiful voice, sounding clearer than the clearest thing:

Perhaps I had a wicked childhood.
 Perhaps I had a miserable youth.
 But somewhere in my wicked, miserable past,
 There must have a moment of truth.
 For here you are, standing there, loving me,
 Whether or not you should,
 So somewhere in my youth or childhood,
 I must have done something good. (Wise et al.)

Next to the voice, which is flawless, the most beautiful aspect of this song is the willingness to believe that grace existed in one's life, even when it cannot be remembered or retrieved; and not merely the kindness of strangers, but one's own grace. To interpret the world as though there had been something

good in one's miserable past; to perceive that one is loved, as a woman is loved, and to allow that to be the proof that one was lovable.

What I am describing perhaps rather too airily is the phenomenon sometimes referred to as autogynephilia—the love of oneself as a woman.⁵ It is a term derived from the work of Ray Blanchard, a highly controversial medical specialist in trans medicine, whose appointment as Chair of the American Psychiatric Association's "paraphilia subworking group," in which role he helped to draft the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-5)'s entry for "gender dysphoria," was widely criticized.⁴ Blanchard's protest that his advocacy of ex-trans conversion therapy for teenagers was not inconsistent with support for adult trans people has been more difficult for his defenders to argue in recent years—at least since he became the kind of doctor who publicly describes trans identification as "demonic possession."⁵ Autogynephilia is the term Blanchard and his "gender critical" supporters use to name those transsexuals whose sexual object choices are frequently women; the term therefore works to 1) deny the "realness" of a subset of trans women; 2) resurrect and project onto trans women the image of the untamable lesbian rapist whose very presence in public toilets, or any other female-centered environment, arouses uncontrollable sexual urges. I do not, by using the term autogynephilia here, then, concede Blanchard's hierarchizing of real and fake transsexuals; rather my goal is to align trans women with other queer women, both on the grounds of our arousing the same kind of sex panic and on the grounds that autogynephilic desire—a love of women that entails the fantasy that one is a woman—does not distinguish trans women from nontrans lesbians. On the contrary, the structures of desire and of fantasy are psychoanalytically indistinguishable.

Like narcissism, autogynephilia is both a species of auto-affection and an object choice. It is an attachment to the idea of "women" that presents itself as a desire to become one and often entails a female sexual object choice as well. Under conditions in which womanhood is associated with humiliation, this kind of desire finds itself caught in a paradox. It is a wish to be a thing that nobody would wish to be, indeed, a thing defined in some ways and by some people (including feminists) by its wish to be something else. In an essay concerning the impossibility of endings, Freud wrote that "the repudiation of femininity must surely be a biological fact, part of the great riddle of sex" ("Analysis" 252). What kind of desire could occupy such a space, except either a masochistic one or a fetishistic one? It is the former diagnosis that has historically administered the connections between trans women and the affective dispositions of poignancy, faded glamor, and bittersweetness;

the latter likewise connects trans women with the serial killer and his associated regime of body-horror nightmares.⁶ These figurations depend on the shared premise that under conditions of patriarchy, transsexual desire must be transgressive and edgy, a premise that has suited many, although not all, trans women's interests to affirm.

For many of us, being trans is a gift. It is something good.

It Is Not This One Who Speaks

The sigil by which ideology discloses the existence of trans people to the world is the discourse of free speech. Some historical justification for that claim will be necessary, since it will not appear self-evident to anyone unfamiliar with the state of the “trans issue” as it appears in public discourse.⁷ But at the outset I wish to be clear that I am not going to argue—nor am I going to deny—that an entity, called variously *the media* or *social media*, has manipulated the lives of trans people and misrepresented them in order to push an ideological debate about an abstraction. It is not obvious to me that “free speech” is any more or less abstract than “transness.” Both of these terms describe an implicit theory of mind, and these theories of mind have a certain amount in common. For example, both are, in the terms proposed by Rei Terada, essentially “expressive” theories of consciousness that depend on the notion of an interior subject that is externalized and accommodated through the expression of emotion. In the opinion of the so-called free speaker, whether the figure one rotates into that position is Thomas Paine or Pepe the Frog, language is an unproblematic medium that communicates the free workings of free minds unless and until it is interdicted by power—which, when it happens, merely indicates the justness of the opinion that has been censored. For trans people, the fact of *having* transitioned is submitted as evidence that one *should* have transitioned—*is* does not so much imply *ought* as define it. In both cases the presumed efficacy of an action taken (speech or transition) constitutes retroactive proof of the viability of the expression, yet the reasoning is, in both cases, conspicuously circular. As Terada puts it, “The purpose of expression tropes is to extrapolate a human subject circularly from the phenomenon of emotion. The claim that emotion requires a subject—thus we can see we’re subjects, since we have emotions—creates the illusion of subjectivity, rather than showing evidence of it” (11).

Consider, for example, the conventional—albeit, in many cases, entirely fictitious—framing of a trans life as that of “a woman in a man’s

body,” an account that is only legitimized once a confession has been extracted of the type “I knew since I was a child.” Meanwhile, the trans child who *knows*, and who says what she knows, is of course the very figure by which trans people are, in general, discredited. Nobody knows *anything* when she is a child; or, more directly, the episteme against which the knowledge of children is formulated is perpetually subject to secondary revision and reinscription through the interventions of parents, teachers, professors, johns, men, and the prison industrial complex. At some point between childhood and adulthood, trans people are required to have become people who *always knew*, to have interposed not merely a postulated subject capable of expressing, but a subject incapable of *not* expressing. Hence, the overexpressive and “extra” trans woman, too effusive and barely holding herself together, does not merely instantiate the expressive theory of subjectivity on which a claim for her civil rights would have to be based; she also embodies the stereotype by reference to which trans women can be deprived of those rights. Here, what we might characterize as a “liberal” account of trans life works to deprive trans women of the rewards that, in general, political liberalism exhibits as its greatest gifts.

At stake in these scenarios is precisely the question of a trans woman’s capacity to speak and the governmental limitations on what trans women may say. These, however, are not the real problems that trans women face. To take a contrary example: it is well known that, in order to be prescribed the hormone replacement therapy, usually estradiol and spironolactone, by which trans women initiate their transitions, they must first be diagnosed with “gender dysphoria,” as outlined in the *DSM-5*. Of course, neither doctor nor patient generally believes that trans identification is, or should be, a diagnosable pathology, and, generally speaking, neither party minds too much if the contract is agreed on the basis of a little white lie. The trans writer Dean Spade includes examples of many such tactical responses to the medicalization of transness in his essay “Mutilating Gender,” and one is struck less by the force of the imposition of the lie than the ease with which lying seems to solve all of the problems it addresses. Trans people pretend to conform to the dominant identitarian narratives about transition in order to obtain their treatments.

So, to the promised historical evidence that transness is made visible under the sign of free speech, I will offer two quick examples, almost at random, the quality they share being that they have been published in major media outlets in the last two weeks. I have chosen them to give some sense of the rapidity with which trans controversies are confected at the

present time. The first, concerns an op-ed in the online periodical *Quillette* by the writer Meghan Murphy, who had founded an award-winning blog titled *Feminist Current*. Murphy's essay is written in defense of an asserted right to refer to trans women by their pretransition names and of using masculine pronouns. These practices she describes in the following terms: "‘Misgendering’ refers to the practice of identifying a biologically male individual as ‘him’ or ‘he’ if the individual identifies as a transwoman (or vice versa in the case of self-identified transmen). ‘Deadnaming’ refers to the practice of using the real name that a (now) trans-identified person used prior to deciding they wanted a new gender identity and the associated pronouns." The argument that Murphy implies with these definitions is unambiguous: the category of person we call a *trans woman* is a "biologically male individual" who at some point "decid[ed] they wanted a new gender identity," on the basis of which caprice the person now "identifies as" a woman and uses threats of legal and disciplinary action to enforce the suppression of a "real name." Once the phenomenon of trans life has been introduced in those terms, as an implied violation of the First Amendment rights of feminists, Murphy goes on to explain that "various governments in North America and Europe have passed laws that allow people to determine their own sex in a way that grants them unfettered access to women's facilities, such as change rooms, transition houses, shelters, bathrooms, and even jails." The reason why these laws are not more widely known, Murphy implies, is because of the gag order that prevents "the simple reporting of facts," which of course in this context includes, indeed derives from, the central "fact" that trans women are men.

At this early stage in the argument, already a dialectical reversal seems all but inevitable. The speech act *I identify as a woman* has been, it will be remembered, extracted from the trans woman as a condition of transition; it was not, so to speak, *spoken* freely, even though it was *chosen* freely. It was a speech act that we might characterize as felicitous but faithless: in context, it works perfectly and is understood by all, but it is, nonetheless, extorted from trans people as a condition of medicalization. Now, Murphy argues, that extortion has been turned against a third party—"millions of ordinary, perfectly tolerant people who are deeply troubled by the way these sweeping new measures are being implemented"—who are forced to play along. The dialectical turn would be something like: demedicalize transition, on the one hand, and, on the other, confess the truth of Murphy's assessment of trans women as either pathological or perverted men. Versions of this position indeed seem to be growing in popularity among trans activists

and writers for whom repetitive litigation of the statement “trans women are women” has become simply too draining to pursue.⁸ Perhaps “dialectical” is the wrong term for a response on the part of some trans women that seems, rather, to accept that we’ve lost. In any case, the concession would not have been made without the framing of the issue around the question of freedom of expression, and particularly the freedom to express the idea “trans women are men.” Murphy makes no attempt to defend or even to explain that proposition, but merely claims that it has been censored and that this is obvious. Neither the title nor the subhead of Murphy’s article mentions trans people: it is called simply “Why I’m Suing Twitter,” and below that *Quillette* posted a picture of the company’s Tenderloin headquarters. There is no need to specify, because there is only one thing she would sue Twitter for: excessive deference to trans people.

The startling rapidity with which controversies surrounding trans people regenerate and supplant each other, along with the perpetual sense that trans discourse exists precisely *as* discourse to stifle and suppress speech, sustains a sense of crisis around trans issues while making individual outrages difficult to contest. The second quick example: on February 17, the lesbian tennis champion and gay activist Martina Navratilova published an op-ed in the *Sunday Times* purporting to explain why trans women should not be able to compete in women’s sporting competitions but in fact once again turning to the theme of free speech in order to make the case. Navratilova’s editorial begins, “Shortly before Christmas I inadvertently stumbled into the mother and father of a spat about gender and fair play in sport. It began with an instinctive reaction and a tweet that I wrote on a serious forum dealing with the subject. [. . .] Perhaps I could have phrased it more delicately and less dogmatically, but I was not prepared for the onslaught that followed from a Canadian academic.” When Navratilova finally articulates the argument that she claims has been censored, it resembles the plot of an Ealing comedy:

To put the argument at its most basic: a man can decide to be female, take hormones if required by whatever sporting organization is concerned, win everything in sight and perhaps a small fortune, and then reverse his decision and go back to making babies if he so desires. It’s insane and it’s cheating. I am happy to address a transgender woman in whatever form she prefers, but I would not be happy to compete against her. It would not be fair.

Has this ever happened? Of course not. Does Navratilova seriously think it might? I doubt it. But the framing of trans lives as case studies in an ongoing conversation about free speech does not merely license, but in fact necessitates, ever more lurid and surreal speculations.

Eventually, the *theme* of free speech mutates into a *performance of freedom* that no longer needs to name itself as such. Reporting on Navratilova's dismissal from her position as spokesperson for Athlete Ally, an LGBT sports advocacy organization, a columnist in the conservative British newspaper the *Spectator* assessed the current state of women's sport in the following terms: "And meanwhile, blokes keep winning everything. Sometimes they are blokes who have had some becoming breasts appended to them and a bit of lippy, sometimes they are blokes who seemingly make no effort at all to disguise the fact that they are blokes" (Liddle). Navratilova's intervention explicitly thematized the importance of speech and the sense that, in the presence of trans people, it was being stifled. In the *Spectator* editorial, that theme has been sublimated entirely into a principle of tone. In *Ugly Feelings*, Sianne Ngai problematizes that category by drawing an analogy between the tone of a literary or cultural work and aesthetic judgment in a more general sense. For Ngai, tone belongs neither to the object that one observes nor the observing subject, but is rather "the dialectic of objective and subjective feeling that our aesthetic encounters inevitably produce" (30). To name the tonal effect of the *Spectator* piece—induced by its signature technique of repeating *blokes* in a comically informal register—as "triggering" would not require evidence that anyone had been triggered, but would rather suppose that the general disposition toward the world in which the *Spectator* finds itself depends on the possibility of the suffering of trans women. An argumentative trope that began as a claim about the proper governance of the public sphere mutates by degrees into an ambient cruelty, felt in every domain but never precisely spoken. Hence the socialization of trans women, our emergence as political subjects, depends upon not merely insult in a general sense but on a specific theory of insult. Judith Butler's analysis of the insult—that "by being called a name, one is also, paradoxically, given a certain possibility for social existence, initiated into a temporal life of language, that exceeds the prior purposes that animate that call"—depends on a number of limitations on the effectiveness of the insult: on infelicity, on the semiotic shifting that may occur between its illocutionary and perlocutionary effects; on the possibility of the insult's being reclaimed or *détourné* (*Excitable 2*). It is by no means clear, however,

that an analytic claim like “trans women are women” could survive any of these slips, either.

As I've already suggested, the “transgender rage” on which trans studies was founded may simply be too high-intensity an affect to survive an environment in which the dignity, personhood, and finally “social existence” of trans women is enabled, when it is, by an apparently intolerable affront to the speech of others.⁹ Which is not to say that such rage would not be ethically necessary, or a precondition for any meaningful political response to these escalations, but rather, that the grounds on which rage might have arisen are populated otherwise with sadness and gallows humor. And, of course, suicide. The overall rate of suicide attempts among adolescents is 14 percent; for FTM, nonbinary, and MTF teenagers, it is 51 percent, 42 percent, and 50 percent, respectively (Toomey, Syvertsen, and Shramko). These affective dispositions emanate from the meme cultures of online trans communities, in which suicidal ideation is both a theme and a method. This Luigi meme, for example, depicts a laconic desire that, according to its caption, “speaks for all of us” (see fig. 2). Yet speaking for all of us in this context is confusing: if the “us” in question were trans femmes (who do not, presumably, want to look like guys) then why the “but”? If the presumed speaker is trans masc, then the implication is that looking like a guy is inadequate treatment for the suicidal ideation. Perhaps the joke is that guys aren't supposed to want to die; one thing trans boys and trans girls have in common, after all, is that they are both conspicuously different from nontrans men. The meme has been caught up in its own self-delighting and infantile performance of free speaking.

To juxtapose those figures with the hypothesis that an unscrupulous man might take advantage of excessive tolerance of trans people in order to win the French Open would be to risk being accused of bathos. And indeed, trans bathos, like that of the present essay's title, may turn out to be a critical resource after all. But first, a brief personal interlude concerning Supreme Court Justice Brett Kavanaugh.

A Brief Personal Interlude Concerning Supreme Court Justice Brett Kavanaugh

As is the nature of these things, I must now contradict the account of myself I gave at the start of this essay. I must, truly; this is not a matter of choice. On September 27, 2018, a psychology professor named Christine Blasey Ford gave evidence to the Judiciary Committee of the United States

Figure 2
 Trans_Memes_for_Sad_Beings, “I Might Look Like a Guy but I Want to Die.” *Instagram* 8 Sept. 2018.



Senate, evidence that would be weighed as the Senate decided whether or not to confirm Brett Kavanaugh to the Supreme Court. Ford's evidence, the credibility of which was initially agreed upon by all sides, including (at first) the President, consisted of a narrative of having been sexually assaulted by Kavanaugh and a young friend of his in high school. I shall refrain from recounting the rest of this history, except to say that in the days after Kavanaugh's confirmation on October 6, I became aware for the first time of the subtle, microbial gestures and glances by which terror (and its antibody, which perhaps should just be called "sisterhood," though it's an embarrassing enough term in some ways) circulates between women in public spaces. I felt a profound need for it, a need I had never quite allowed myself to notice before.

On the train as I headed into the city, I saw J., the ASL interpreter for the lecture class on Victorian literature I was teaching at the time. We'd never spoken, but now she asked me how I was doing, and I said I was feeling shaken. She said that she felt the same way. She drew an analogy between the Kavanaugh confirmation and other natural and political disasters. It feels like an enormous earthquake, she said, but one that only women seem to have noticed. I had noticed, and I knew that as she formulated those words she was thinking of me and drawing me into the zone of shared grief.

I was already there. I reached out my arm to her and she touched it, inside the commuter train.

I cannot now remember whether I was still on the train or whether this happened later, but eventually my body became gripped by a logical proposition that was tested in the flesh and proven and has now become something I know about myself. It was: THE BRETT KAVANAUGHS OF MY LIFE KNEW I WAS A WOMAN BEFORE I DID. But what was there to know? As everyone who has not transitioned thinks when they hear that someone else has, there are after all many ways to be a boy, and many concupiscences that feminine boys can arouse in generally heterosexual men. I have experienced such impulses from straight men; they are not what I am talking about. I am talking about a second body, a Grace that was there even before the doctors made me. This, I suppose, is the mystery of what Freud has taught us to call “latency.” I embarked on this journey because I wanted to become a woman, not because I believed I had always been one. And yet I have discovered that in certain ways, at certain moments, for certain people, I have always been one. Latency presents as the discovery of an identity in the other end of desire—the identity that marks me as one who desires; the desire whose object is to be identified as desiring—dedramatized for me the statement “trans women are women,” whose rather fragile realism I had, myself, felt a little too tired to bother with. I now suppose it to be a descriptive statement, rather than a petition. The phrase “trans women are women” means: we are already women.

All of the subtle questions one might wish to ask along the lines of “what does it mean to be, ‘in fact,’ a woman?”—and there are versions of that question more pressing than the one I have cited in my epigraph above (however aggressively I was put to it)—must ultimately test themselves not against Monique Wittig or Judith Butler, but against a fact that remained as conspicuous during the Ford and Kavanaugh hearings as in the “Open Letter” to me: that if they could extinguish every one of us, at once, and get away with it, they would do so in a heartbeat.

I returned again to the witty defenses with which Butler opens Bodies That Matter, batting away the scandalized responses to Gender Trouble with a delightful and endearing little bit of memoir. “Actually, in the recent past, the question was repeatedly formulated to me this way: ‘What about the materiality of the body, Judy?’” (ix). Butler objectifies her experience quickly and formally, assigning to the speech “a certain patronizing quality which (re)constituted me as an unruly child” without much registering any of

her own responses to being patronized. But the tone of the memoirist endures through the next few paragraphs in the form of free indirect discourse. As the rhetorical questions pile up, and climax in “Couldn’t someone simply take me aside?” Butler’s prose seems to learn that bad faith performances of projective empathy tend to reveal more about the speaker than intended. Eventually, to dispel the rude pedants, Butler unveils the following reduction ad absurdum:

Matters have been made even worse, if not more remote, by the questions raised by the notion of gender performativity introduced in *Gender Trouble*. For if I were to argue that genders are performative, that could mean that I thought that one woke in the morning, perused the closet or some more open space for the gender of choice, donned that garment for the day, and then restored the garment to its place at night. Such a willful and instrumental subject, one who decides on its gender, is clearly not its gender from the start and fails to realize that its existence is already decided by gender. Certainly, such a theory would restore a choosing subject—humanist—at the center of a project whose emphasis on construction seems to be quite opposed to such a notion. (x)

*What a chump! I guess it would be rude to rake Butler over hot coals for constructing as a figure for dumb performativity a scene that will read, to many trans people, as simply and uncontroversially descriptive. It might be more fruitful, though, to ask into which of this passage’s various closets and costumes has disappeared the autobiographical “Judy” of the preceding passage. Is Butler mimicking her own fantasy morning routine, as though in the opening scenes of *The Truman Show*? Perhaps. The characterization of the “willful subject,” after all, recapitulates the trope of the “unruly child” as whom she has been cast. Butler’s auto-chumpification, if one might put it that way, opens up an unexpected identification in her text. Such a subject assumes, willfully, and as either an “unruly child” or an “adolescent” (to use a word from a different context), that she will decide who she will be today. But then, the psychic and political protocol according to which she devises her own willfulness are eventually exposed as an irresistible principle that she merely believed herself to have been manipulating. In this cartoon form, Butler’s bowdlerized account of gender performativity strikes me as a viable description of the social position of trans women.*

The King's Two Anuses

Regarding the hole. Whether or not we allow ourselves the obviously merely compensatory pleasure of psychoanalyzing this particular hole, a choice that entails not merely a question of professional competence (the so-called Goldwater Rule) but also political strategy, I contend we can perceive, empirically, in the flesh itself as it is percussed by power, trauma, and disgust, an unmistakably excremental quality. I do not mean merely that this hole—like the one that currently speaks—enjoys both talking shit and shit-talking, and the rest of that kind of thing. Rather I observe, distinctive to this hole, a relation to language that works to dispense with it as quickly as possible, to slough words out of this slack anus mouth—an anus political—as though they were pig slurry. Speech is not articulated or even properly speaking “symptomized” from an interior onto an exterior, but ritualistically shed in a spirit of mortification; this mouth speaks in confident anticipation that the loathed flesh itself can and will be flayed from the body politic.

By treating this mouth as an “anus political,” which does on behalf of a sovereign body the work that the backside does for a human body, I invoke Ernst Kantorowicz’s 1957 history of the “the king’s two bodies,” a theory of medieval and early modern kingship that attributes to sovereign power both a body natural and a body political, which inhabit the world in very different ways. The differences between these versions of personhood are well known: the body natural ages, decays, and shits, whereas the body politic, in the words of Edward VI’s lawyers, “is utterly void of Infancy, and old Age, and other natural Defects and Imbecilities, which the Body natural is subject to, and for this Cause, what the kind foes in his Body politic, cannot be invalidated or frustrated by a Disability in his natural Body” (qtd. in Kantorowicz, *King’s* 7). This latter, figural body is thereby exempted from the exigencies of natural embodiment. The sovereign can’t shit. There is, according to Michel Foucault, something else—perhaps more surprising—that the sovereign can’t do: the sovereign cannot speak freely, cannot engage in the practice called *parrhesia*.¹⁰ That term designates the rhetorical self-positioning (also and supremely an affective posture: the word means “boldness”) that underpins not just the civil rights of citizens in Athenian democracy but, thereby, the rights discourse of “free speech” as it passes into the liberal rhetoric of the Enlightenment. And, for the Athenians Foucault describes, a man’s choice to engage in free speech entailed a necessary relation to *risk* “since the tyrant may become angry, may punish him, may exile

him, may kill him” (16). Accordingly, “it is because the *parrhesiastes* [the free speaker] must take a risk in speaking the truth that the king or tyrant generally cannot use *parrhesia*; for he risks nothing.”

Speech and shit: a predictable enough association. But this was more than a mere historical oddity. It is a logical necessity that founds both the State and the University as interlocking but distinct institutions: by indexing the relative freedom of a speech act to its ability to, as the cliché has it, “tell truth to power,” we thereby position the free speaker at some distance from the seat of power. Of course, we recognize that the *parrhesiastes* is a relatively privileged participant in a democracy: to engage in *parrhesia*, one must have been a free, natural-born male citizen of voting age. So the class was already limited. Nonetheless, the free speaker was not the king, and the king was not a free speaker—a contradiction that occasions what Foucault calls, throughout, a “crisis of democratic institutions.”

In our present moment, the most visible sign of such a crisis is the spectacle of a sovereign power demanding access both to *parrhesia* and to the shit closet. We know, for example, that this sovereign presents itself not as power, but as powerlessness, the absolute anus of male victimhood, spectacularly harassed equally by the form of embodiment it has learned to call *trans* and the anonymized body that we, also, are learning to call *the deep state*. Once, this power called that body “Sergeant Dobias”:

Donald Trump: *I’m standing there at the military academy and this guy comes out, he’s like a bulldog, too, rough guy. He was a drill sergeant. Now they call him “Major Dobias,” but he was a sergeant. When I first knew him, he was “Sergeant Dobias,” right out of the Army.*

And he was a rough guy, physically rough and mentally rough. He was also my baseball coach. He said things like, “Stand up!” and I went, “Give me a fucking break.” And this guy came at me, you would never believe it. I mean, it was really fantastic.

Michael D’Antonio: *Did he rough you up?*

DT: *Oh yeah, absolutely.*

MD: *Grabbed you by the shirt . . .*

DT: *It doesn’t matter, it was not like what happens today. And you had to learn to survive. It was tough. It wasn’t today. Those were*

rougher times. [. . .] These guys, you go back to some of those old drill sergeants, they can't even understand what's going on with this country. (Barbaro)

The speaker enjoys reciting the name, “Sergeant Dobias,” and feeling it in the cavity of his mouth, as much as he enjoys reliving an historical memory of male intimacy—the brutal male violence specific to military intimacy—that, sadly, has been smoothed out with the times. “It was not like what happens today.” Quite: the roughness of male bodies has been smoothed, and the speaker’s persecutors are no longer rough guys whose violent love kindled the embers of an abusive paternal relation (“he was also my baseball coach”), but smoothly sexed bodies like that of the “deep state,” whose brutality lacks the bristly texture that renders male violence aesthetically and ethically justifiable. A delight that emerged from a memory of pain—spontaneous and fragile—has been absorbed back into the shame that both animates and delimits every exterior cell of the traumatized body of Donald J. Trump. Here emerges again the specter of a male masochism that cannot be avowed and so is displaced in time (“not like what happens today”). In other words, the smoothening that has made this kind of pleasure impossible (whether by abolishing it or, more subtly, simply by refusing to ignore it) has produced for this body the desire to speak freely: to tell it like it is, to speak truth to power, to complain about “what’s going on with this country,” to reclaim the right to be rough.

A sovereign performative speech act that does not produce policy, but roughness, is the phantasmatic occasion, too, for the contemporary defense of free speech. It is a desire whose apparent sadism (the desire to punish, discipline, flay, abolish, mutilate, imprison, and chastise) merely inverts, as the Dobias anecdote makes clear, the primary masochism of this rough man (the desire to be beaten, cared for, roughed up, forgiven, let off, and loved). Thus, whenever we hear that a present-day “free speech advocate” such as the fascist provocateur Milo Yiannopoulos has some individual in mind for harassment and victimization, we hear shortly thereafter that he himself can take it as well as dish it out, that he loves to be teased, and that finally, “I’m grateful for Father Michael. I wouldn’t give nearly such good head if it wasn’t for him” (Politi). That speaker’s default to the language of traumatic symptom—“I did joke about giving better head as a result of clerical sexual abuse committed against me when I was a teen. If I choose to deal in an edgy way on an internet livestream with a crime I was the victim of that’s my prerogative”—no doubt secured the sympathy and care it has been contrived to extract, but nonetheless the defense of gallows humor

once more fails to recapture the utopian possibility of masochism as it had been initially articulated, in all its unpardonable and dubious glory. If that particular speaker's "fall" was a tragedy, it was not so merely because a gay man had underestimated the homophobia of the institution into which he was seeking admission, but because, by publicly neutralizing his pleasure, he allowed himself to become retroactively cajoled into an older, more inert species of homophobia than that which had held him in place up until then. The one man who had seemed poised to take advantage of the moment came to a rather preneoliberal end: he became a spokesperson for the wrong kind of homophobia, the kind that loathes sexual pleasure as such.

Lest this resemble a psychological reductionism, I want to suggest that this overfamiliar dialectical stratagem—punish that one can be punished in turn—is neither an individual pathology of two men who both happen to be fascists, nor is it, obviously, a necessary or even especially common feature of fascism. Rather, it is an intimately scaled ramification of the crisis of democratic institutions occasioned by the problematization of *parrhesia*. In order to explore this idea, I turn to *The Fundamental Issue*, a book Kantorowicz had printed privately and considered circulating in 1950 but was persuaded not to by his concerned colleagues. Not only was the University of California, Berkeley, the international focus for the problematization of the discourse of "free speech" by an insurgent white ethnonationalist movement in 2016–2018, it was also the location at which Foucault delivered the lectures on free speech that were initially given as a fall 1983 seminar titled "Discourse and Truth" and eventually published as *Fearless Speech* in 1986. The public university, almost by definition, is the site at which free speech is tested most aggressively.

On April 21, 1950, the Board of Regents of the University of California voted by a margin of twenty-one to one to require all employees of the University to take the following oath:

Having taken the constitutional oath of the office required by the State of California, I hereby formally acknowledge my acceptance of the position and salary named, and also state that I am not a member of the Communist Party or any other organization which advocates the overthrow of the Government by force or violence, and that I have no commitments in conflict with my responsibilities with respect to impartial scholarship and free pursuit of truth. I understand that the foregoing statement is a condition of my employment and a consideration of payment of my salary.

By the time that Kantorowicz compiled his book, *The Fundamental Issue*, 157 workers altogether (academic and nonacademic staff) had been fired and hundreds of faculty members who had initially refused to sign had reversed their decision under pressure of termination. The nonsigners had sued for reinstatement in *Tolman v. Underhill*, but that case had not yet been decided—which it was, by the California Supreme Court on October 17, 1952, in favor of the plaintiffs, leading to an order to reinstate all fired workers. Kantorowicz, who refused to sign the oath, accepted an offer of employment from the Institute for Advanced Study (an offer, incidentally, secured on Kantorowicz's behalf by Erwin Panofsky and tendered by J. Robert Oppenheimer, the military engineer, who was the Institute's director).

The oath itself is replete with such contradictions that it is not now clear that it could have been signed in good faith. It made Cretan liars of all who signed it. First, and most obviously, the acknowledgment that one is “not a member of the Communist Party or any other organization that advocates the overthrow of the Government by force or violence” is plainly contradicted by the following clause attesting that one has made “no commitments in conflict with my responsibilities with respect to impartial scholarship.” Only slightly less obvious, and more puzzling, is the strange chronology that the oath produces: it is an oath to be taken after having taken the “oath of office” and as a gesture “hereby” accepting the position that has been offered, but nonetheless “the foregoing statement is a condition of my employment,” a phrase that elides the implied verb (“[making] the foregoing statement is a condition of my employment”) presumably because, in fact, the employment has been offered prior to the oath's being uttered and accepted in the act of uttering it. The syntax of the oath implies an infinite regression whereby one's having a job depends on having taken the oath that, because it presumes that the “oath of office” has already been taken, can only take place when one already has a job. In his notes on the affair, Kantorowicz similarly concludes that the oath could not have been signed in good faith but suggests that that was indeed part of the point: that the real enemy of the Regents was not Communists, but the idea of scholarly exception—that is, the idea of *parrhesia* itself. Persuade the scholar to “buy and sell [his] academic position and scholarly dignity at the price of [his] conviction and conscience” and you have degraded the privileged position of the *parrhesiastes* to such an extent that he will no longer defend himself or his institution against whichever crisis the Regents were trying to accelerate (21). Which might even have included—one of Kantorowicz's more paranoid theories—Communism itself.

It would be a mistake, then, to attribute Kantorowicz's belief in the exceptionality of the academic to liberalism—"I am genuinely conservative," he says on the first page, "and have never been taken for anything else" (*Fundamental* 1). Indeed, his argument depends entirely on the idea that professors, unlike "janitors" (a comparison to which he relentlessly returns), are irreplaceable and therefore should not be subject to employment regulations of any kind. The freedom that professors enjoy, he argues, means, too, that their (our?) labor is entirely unalienated, and the difference between him and the office of which he is a part falls to nothing: "[I]n short, it is entirely up to him how much of his life, of his private life, he is willing to dedicate to the University to which he belongs and which he, too, constitutes. The exact amount of time he invests is bound by no regulations. It is purely a matter of Love, and of Conscience" (20). Yet here, as in the oath, syntax reveals what semiosis disguises: that subordinated phrase "of his private life" can of course be read either as an appositive gloss on "his life" or as a contradiction of it. Does the professor indeed have two lives, as the king has two bodies?

This, I think, is *The Fundamental Issue* that Kantorowicz has in mind. It is, in its way, a question of the anus as well: "fundamental," of course, meaning "referring to a bottom" and Kantorowicz's purpose being, therefore, to get the bottom of things, to reframe the matter of the oath, so to speak, from the bottom. Here is the first page in more detail:

Why I did not sign the oath—although, or because, I am not and never have been a Communist, and although, or because, I am genuinely conservative and have never been taken for anything else—I shall indicate in the following pages. This is not intended to be "The Year of the Oath." This subject has been admirably dealt with by Professor George R. Stewart. I merely wish to illustrate, by a few documents and a few marginal notes, some aspects of the oath controversy and its fundamental problems.

What the fundamental issue is has been obvious to me from the minute the controversy started. Perhaps I have been sensitive because both my professional experience as an historian and my personal experience in Nazi Germany have conditioned me to be alert when I hear again certain familiar tones sounded. Rather than renounce this experience, which is indeed synonymous with my "life," I shall place it, for what it is worth, at the disposal of my colleagues who are fighting the battle for the dignity of their profession and their university. (1)

One point is worth clarifying: by “my personal experience in Nazi Germany,” Kantorowicz does not refer simply to his having been exiled from Germany fleeing white ethnonationalist genocide but also the far more ambivalent experience of having a part in the emergence of that ethnonationalism. As he writes in a letter to President Sproul, “[M]y political record will stand the test of every investigation. I have twice volunteered to fight actively, with rifle and gun, the left-wing radicals in Germany; but I also know that by joining the white battalions I have prepared, if indirectly and against my intention, the road leading to National Socialism and its rise to power” (6–7). It is a most unusual kind of life that can proudly assert that one’s political record will “stand the test of every investigation” in one sentence and then take responsibility for the rise of Hitler in the following two. But then, what is the fundamental “life” of this subject? Its synonym is “this experience,” where “this” deictically affirms “both my professional experience as an historian and my personal experience in Nazi Germany.” The reader encounters another infinite regression problem, unless one takes the thing-that-is-the-synonym-for-life to mean the synthesis of intellectual and material experiences, the work one does by *thinking* with that which is *done* to one. Yet even there, following the syntax back to the bottom (that is, the bottom that is the top), we notice another kind of split at the origin, a rupture or fissure in the fundament, between “genuine conservative” and “have never been taken for anything else,” an identity that is both active and passive, one that is originally embodied and referred to, both a conservative natural and a conservative political.

The professor’s two fundaments. To translate Kantorowicz’s startling disclosure into a more recognizable scholarly framework, we might say that his refusal to sign the loyalty oath constituted an assertion of the rights of free speech on a contradictory basis: on the one hand, a claim about identity (“I *am* a genuine conservative”) and, on the other, a claim about referentiality (“I have never been *taken* for anything else”). We see, then, in Kantorowicz’s thinking about his own history, an echo of the thought of the Victorian historian F. W. Maitland, whose engagement with the theory of the king’s two bodies occasioned Kantorowicz’s own (see Nolan). The difference between the two thinkers was less analytical than dispositional: Maitland was wont to think of the idea of a king possessing two bodies as “metaphysical—or we might say metaphysiological—nonsense,” whereas Kantorowicz accords the idea the dignity not of accuracy, but of “man-made irreality,” or, even more suggestively, “important heuristic fiction” (*King’s* 3–5). Yet even this hardly holds the regression problem at bay, because a question emerges as to whether the fiction is the existence of

the second body (the body politic), or the difference between the two bodies. In any case, and to summarize Kantorowicz, what his writing on the loyalty oath demonstrated was that there could be no performance of free speech without being entrapped by the paradox of the sovereign subject: that in order to assume a right to speak, one must postulate a sovereign political body capable of speaking, but that once such a body had been postulated, one has lost forever the implied subjective *unity* in whose name that sovereign political body would speak.



To trans people, the notion of a sovereign speaker possessed of two bodies is liable to resonate in a few ways. Rather than explore each of them in detail, I offer a list as a prompt to further contemplation.

1. the difference between the body I have vs. the body that I believe I should have (gender dysphoria);
2. the difference between the voice of authoritative and complete transness that I feel forced to adopt in public vs. the voice I allow myself to use once alone;
3. the difference between the pre- and post-transition bodies, or pre- and post-transition experiences of embodiment;
4. the two bodies that exist, if only momentarily, once the body has been cleaved in two by a surgeon;
5. the body I inhabit and the embodiment I perform;
6. the embodiment I perform and the body whose performance I am consciously or unconsciously mimicking;
7. the two breasts that emerge from the body of a trans woman undergoing hormonal transition, whose rise supplants the singular embodiment of the phallus (itself a fiction and itself moreover a fiction that entails the same infinite regression problem);
8. the body as it is accounted for in the work of French feminist writers like Hélène Cixous and Luce Irigaray, so often wrongly counted as an essentialist (and therefore putatively antitrans) account of embodiment, rather than a materialism of a body in flux that produces meanings in its own specificities;
9. body as mediated through penis and neovagina: “[W]hen I pay my surgeon to cut my penis into a neo-vagina, I am moving *toward myself through myself*” (Hayward 255);
10. the body in the moment of being misgendered, or shocked by being hailed, cracked into an interior and an exterior.

The Dupe

How can I say what my sex is to me? How can I persuade you that I am a woman? By what rhetoric? Under what rubric? According to what definition could I begin to investigate the question in terms that could allow for more than one answer? Must my argument be essentialist (but then you will tell me that the “essence” in question is one of those I don’t have, rather than any of those I do; perhaps you will tell me that a woman is made from cHrOmOsOmEs), or must it be constructivist (in which case you will tell me that the construction in question is nothing to which I could have been subjected, rather than anything to which I have been)? Must I find some negative formulation to satisfy your demands (“I am not a man” or “I am no longer a man”)? But then you will either tell me that there are many ways to be a man, so that perhaps nobody is really a man (goodness, you do love to make that argument, as though patriarchy were a coincidence); or, you will tell me that I simply have a desire to be a woman (perhaps you will also tell me that everyone does) and that desires, we all know, possess no ontology for anyone who has passed through the barrier of the reality principle. At some point, you will be obliged to confess that, in your view, I am simply conducting an elaborate subterfuge, and you will boast to me of the “sanity-saving pleasures” that you have derived from, of all things, finding yourself amusing (a trait you have in common with plenty of verifiable lunatics, assuredly including me). Finally, you will utter one of your characteristically joyless howlers when informed that not merely laughter but also any other kind of libidinal intensity is entirely incompatible with the sterilized pedantry, or “sanity,” with which you have euthanized yourselves and with which you have tried to silence not just me but anyone whose queerness is incompatible with deference to the anti-identitarian orthodoxy that, nonetheless, you are happy to claim as the special preserve of your particular identity?

I suppose transgender rage is not entirely extirpated. Still, I begin not so much with a desire to speak with the dead, but to speak everything, dead and alive, that is in me: my desire has no object (nor speech any addressee, implied or real) because neither has any character—only a totality of sensation awaiting the reaction formations of repression, shame, fear, and disgust. The “I” that began that did so nonetheless in these unlivable conditions of totality, about which, said Freud, “nothing is known,” although nonetheless “it seems certain that the newborn child brings with it the germs of sexual feelings which continue to develop for some time and then succumb to a progressive suppression, which is in turn broken through

by the proper advances of the sexual development and which can be checked by individual idiosyncrasies” (176). Freud’s accounts of the “latency period” describe the paradoxical state of a condition of desire before object choice, of meaning before the speech act, of semiosis before significance.

It is also a theory of two bodies: the developmental body and the potential body; the body I have been and the body as I might allow it to be. It’s facially strange that Freud uses versions of the same word, *Latenzzeit* and *latenter Inhalt* to refer to both a stage of infantile sexual development and a theory of interpretation, specifically the interpretation of dreams. This latter version of latency, the “latent content” of a dream (or, Laplanche and Pontalis clarify, “in a broad sense a designation for everything that analysis gradually uncovers” 235), is precisely *not* a period in the history of a subject, but a kind of material that is constantly available to a subject at any stage in which that subject is entered into analysis. In the first case, latency is a historical meaning that passes into history and is sublimated by the phallus; in the second, latency is the meaning that subordinates the historical into the position of mere “manifest content” over which and under which latency holds sway. For the Lacanian critic Joan Copjec, it is this alignment of the latent with the *ahistorical* that proves, finally, that the (psychoanalytic) subject’s sexuation is not a matter of cultural reproduction, but a matter of something like human essence. More specifically, sex belongs, for Copjec, on the “terrain of the drives.” In “Sex and the Euthanasia of Reason,” she argues:

Freud [. . .] accuses Jung of evacuating the libido of all sexual content by associating it exclusively with cultural processes. It is this association that leads Jung to stress the essential plasticity or malleability of the libido: sex dances to a cultural tune. Freud argues, on the contrary, that sex is to be grasped not on the terrain of culture but on the terrain of the drives, which—despite the fact that they have no existence outside culture—are not cultural. They are, instead, the other of culture and, as such, are not susceptible to its manipulations. (22–23)

It is clear, in the context of Copjec’s polemic against “gender theory,” to which she assigns the invidious goal of “the elimination of sexual difference,” that this particular strand of Lacanian thinking will not easily lend itself to an explanation of trans phenomena. Yet to take it on its own terms for a moment, what is clear is that an object called *sex* is being moved from one part of the psyche (“the terrain of culture”) to another (“the terrain of the drives”). What are the consequences of that kind of shift?

I should say that I don't think it is strictly justified by a reading of Freud. In "Analysis Terminable and Interminable," Freud describes sex difference as the "bedrock" and the "rock-bottom" of the psychic field, but he does so on the grounds of "the biological factor": it is in the domain of biology that, as I quoted at the start of this essay, "the repudiation of femininity must surely be a biological fact, part of the great riddle of sex" (252). It has been objected in response to this reading of mine that, by characterizing this "biological factor" as a "riddle," Freud thereby relegates biology to a realm beyond significance, outside his proper problematic. This seems to me contradicted by the plain sense of Freud's words, but on the other hand it is true that when the sexual subject *speaks* in Freud, it is not from the position of biology, but from that of a subject translating the biological "riddle" into language. Or, more concisely, when a subject speaks sex, that subject does so as one *interpreting* a latent condition. This "interpretation" of the latently sexed body encompasses two gestures, entails two bodies. First, the subject interprets a felt body as though it possessed natural sex; second, the subject interprets the body on the grounds of that phantasmatic assignment, as though it could form a natural grounds for this entirely unnatural type of meaning. Neither of these movements need be described as "gender" in any of the usual senses of that word. Here, I am merely glossing Freud's use of the word *riddle*, but the model of interpretation I have described is isomorphic, I think, with the account of dream interpretation in Freud's landmark study. First, the dreamer translates dream into language; then, the analyst interprets the *linguistic* sign of the dream back into latency.

In other words, Freud has installed another category—*biology*—into the position that Copjec, along with many of Freud's readers, reserves solely for the drive.¹¹ Indeed, it is difficult not to associate Freud's pair of geological images, "bedrock" and "rock-bottom," with the similar set of geological images in *Beyond the Pleasure Principle* with which Freud introduces the death drive. The origin of the drive to die, Freud famously argues, is the moment at which "the properties of life were awakened in lifeless matter," when "inanimate matter" first became biological micro-organisms, a process that "by some operation of force which still completely baffles conjecture" engrafted upon the first living cells its "first instinct [. . .] to return to lifelessness" (5). The death drive is the name we give to the trace of this lifeless matter retained, in each evolutionary ontogenetic recapitulation, as a fantasy of inanimacy, of rude unshaped stuff, into which the subject plots to transform. Like the "great riddle" of "Analysis Terminable and Interminable," then, the "inanimate matter" marks the material limit of the

psychoanalytic subject's domain—and, clearly, Copjec's decision to treat the two as identical makes sense on those grounds. Yet it is worth underlining that, for Freud, they are *not* the same: there is nothing to suggest that any limit encountered or proposed by the death drive in *Beyond the Pleasure Principle* characterizes sex, nor anything to suggest that the “bedrock” “great riddle” of “Analysis Terminable and Interminable” possesses anything like the tropic or motivating force of the drive. The felt conditions of the “bedrock” in the latter are derived, clearly, from something irrelevant to the former: the anatomical shape and function of the sexual organs.

The conflation of these two, then, proves profoundly politically consequential. Trans people are very used to being told that *there just is* a difference between men and women and that that difference is unbreachable, albeit difficult to locate. In particular, we are keenly attuned to a timely switch between *genitals* and *chromosomes*, where “chromosomes” are taken to refer to an immanent condition of sexuation that is self-evidently available to each subject and “genitals” can be disguised or (deceptively) misrepresented but are essentially a plastic, anatomical accident. This notion remains remarkably popular within Lacanian psychoanalytic theory, which, with a couple of partial exceptions, treats trans women either as dupes or cowards, as men who have either made the *mistake* of believing that changing our biology will have any effect on the fundamentals of our consciousness or who are refusing to grapple with castration anxiety by simply dodging the question.¹² What these positions share is the certainty that sexual difference is destiny because it is drive; consequently, none of the means that trans women use to enact something *like* castration (ranging from neo-invagination to hormonal transition) have *actually* got anything to do with something of such sublime theological importance as the castration complex. For Slavoj Žižek, indeed, *actual* bottom surgery is merely another failed attempt to circumvent the castration complex in the Symbolic domain where it truly belongs: “[O]ne can well guess that transgenderism is ultimately an attempt to avoid (the anxiety of) castration: thanks to it, a flat space is created in which the multiple choices that I can make do not bear the mark of castration.”

Žižek's position, nestled within one of his typically fell evasions, is not repudiated but amplified and fleshed out by his Lacanian colleagues. In his recent book on Lacan and God, for example, Lorenzo Chiesa claims that “there is no overlapping between anatomy and symbolic sexuation” (26) and that the latter is belatedly grafted on to the body “only through the phallic function.” Exploring the issue further in a footnote, he explains:

Transsexuals do not refute this. On the contrary, transsexuals exacerbate such a “common error” [. . .]. What the transsexual really wants to get rid of by changing sex/organ is not, as he claims, his being positioned on the “wrong” side of anatomical difference, but the phallic signifier that decrees castration on both sides of sexualization. He mistakes the absence of the sexual relationship in language for an error of nature. Or, better, he psychotically mistakes the “common error” of transposing sexual difference onto the natural possession or lack of an organ for an error in the very order of nature that affects his body. (193)

The “psychosis” in question is not, as it might appear, the delusional belief that one is in the wrong body—a belief that, as I have already explained, trans people tend to use opportunistically when at all—but, for Chiesa’s transsexual, the belief that “his” body is a site at which “the order of nature” can be contested. His source for this account of transsexual desire as psychosis is Geneviève Morel, herself a practicing Lacanian analyst. In her book *Sexual Ambiguities (Ambiguïtés sexuelles)*, Morel considers the proper treatment of trans women, acknowledging that “it is love for a woman that is the determining factor” across the range of interviews and clinical treatments she conducts for her book. Nonetheless, the goal of the analytical treatment of transsexuals is, for Morel, stunningly clear: “[I]n analysis, a transsexual subject may find solutions to the problem of sexualization other than the mutilation of surgery (e.g., transvestism, or a ‘classifying’ identification)” (4). Psychoanalysis as ex-trans conversion therapy. In Alenka Zupančič’s recent book *What Is Sex?*, a related criticism of “the contemporary psychotherapeutic take on sexuality” takes the form of a reduction of psychoanalysis to the idea of the “impossibility of full sexual satisfaction [. . .] as an integral part of unconscious sexuality as such” (7–8). The real lesson of Freud’s writing on sexuality, Zupančič argues, is the impossibility of fully exteriorizing any desire entailing sexuality, and she summarizes that writing as: “Sexual meanings were revealed [‘behind’ symptoms], connections leading to [sexual meaning] established and reconstructed; yet the problem/symptom *persisted*” (8). Psychoanalysis as the abolition of sexual therapy altogether.

At the heart of these theoretical figurations of the transsexual is a certain pacifying delight in “his” play with gender, his wanton gender-fuckery. It is a sadistic delight that casts “him” as a fool useful for demonstrating the *generally* contradictory nature of sexualization. The transsexual

exemplifies the Lacanian dupe, a blessed fool who has avoided the psychic traps of maturity, correctness, and other forms of anality. It is indeed in the first session of *Seminar 21*, a session titled “Les non-dupes errent” (“the non-dupes are wrong”) that Lacan expresses, with his characteristic geniality, “I have to find a point of departure, which is a [. . .] mere supposition, the supposition that there is a male or female subject. It is a supposition which experience shows us to be quite obviously untenable.” It is easy to see how this playful liberality might be taken as an indirect endorsement of the civil rights of trans people, but in fact it is precisely this form of indeterminacy whose authority is denied by the transexual who does not present himself for consideration as a peculiar kind of travesty, but asserts *her* personhood as a rights-bearing subject. Of course, no Lacanian theory could concern itself with the psychic *viability* of a sex change; the entire realm of activity that constitutes transsexual desire as such is cast not even as a symptom, but as a perhaps revelatory but never efficacious *failure* to symptomatize—as a trivial evasion of the problem of sexuation.

Freud’s understanding of the “bedrock” of sexual latency, meanwhile, circumvents all such hyperbolic summaries. Returning to “Analysis Terminable and Interminable, we can sense not merely the possibility of a universal transfemininity but a subject *required* to seek redress for her transness in the terrain of biology. What if we allowed ourselves to take these apparently most embarrassing aspects of psychoanalytic theory—its willingness to take embodiment as an object of discourse and to endow it with profound power—literally? What if the castration complex were precisely what it sounds like: an obsessive relation to castration that draws in both fear and desire? What if we took penis envy, that most execrated dimension of Freud’s thinking, as an attempt to formulate the possibility of trans masculine desire? Not only might we be able to imagine trans feminism within the domain of theory, but we might be able to get analytical purchase on the disturbing, and one might say transsexual, fact that *biology* exists on the terrain of culture: that *biology* can be changed and indeed is continually being assigned new meanings; and that it is indeed infinitely negotiable by any number of regimes of bodily modification, chosen and unchosen. These topics all look very different from the perspective of someone who used to, but no longer does, possess a penis or to someone who has acquired one in adulthood through the expenditure of labor, time, and money. For such a subject, the plasticity of the sexual organs—of the “bedrock” of sexual difference—is no mere fantasy, but a quotidian reality, a premise on which life has taken place. It is a truth such subjects acquire from our bodies, which bear

the traces (including traumatic traces) of our developmental histories and respond as we exert our will (or as our doctors exert theirs) to transfigure what is merely manifest into what might, finally, count as latent.

The fantasy of a sovereign subject who can say *I am a woman* is, of course, as “man-made” an “irreality” as the self-congratulation of the *parrhesiastes*. Further, both are relativized as relational psychic positions that only make sense within certain historical frameworks—broadly, a democratic institution, especially one in a phase of crisis, and the psychic and institutional nexus of patriarchal oppression. This would not mean that these two subjects are “equal,” however, nor that the “expressions” of “free speech” and “trans identification” are in themselves formally identical. This essay will have done its job, rather, if it has been able to discriminate between trans identifications as a certain psychic and political *action*, something one *does* rather than something one simply is, and free speech petitions as a certain kind of psychic *entitlement*, a compensatory fantasy designed to restore faith in a theory of expression that is, at least within the framework of a democratic institution, impossible to hold in good faith. Reflecting one last time on Eva Hayward’s image of a body pulled through itself in the act of invagination, we might imagine the language to which we could ascribe the property of freedom as similarly pulled through itself, similarly invaginated in the act of articulation, and similarly at war with the bedrock of its own psychic field. I don’t believe that we either have or require a better name for the subject of such language than “woman.”

I would like to thank the friends, colleagues, comrades, and allies who have helped shape my thinking on the relation between transness and free speech, both through local activism and through the broader political theorizing that such activism has necessitated and enabled. Foremost among these have been Elizabeth Freeman, Colby Gordan, Celeste Langan, Dana Luciano, Jessica Rosenberg, Sue Schweik, Namwali Serpell, Susan Stryker, and Kyla Wazana Tompkins. I would also like to thank Joshua Branciforte and Ramsey McGlazer, the organizers of a conference titled On the Subject of Ethnonationalism that took place in April 2018, at which I first presented some of this work. I dedicate this essay to Beth Freeman.

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Notes

- 1 This and much else of relevance to the topics discussed in this essay can be found on the subreddit r/GenderCritical, in a post titled “Two gay male Penn State English professors challenge trans authoritarianism in scathing essay” (Imelda_66).
- 2 In the period since I wrote the above—I’m now copy editing this essay in June 2019—the “gender critical” campaign against me escalated to such a degree that I find the concerns listed above rather merry. After I had published something responding to yet another antitrans manifesto published by a group of British analytic philosophers led by Kathleen Stock in May 2019, I was hit with the full force of the Twitter troll farms. They: 1) posted personal photographs of me and my partner online; 2) doxxed (that is, published names and personal details of) a handful of my departmental colleagues; 3) trawled through my publication history, going back to work I published as a student, excerpted, and mocked it; 4) suggested that I looked as though I was “inviting abuse and rape”; 5) published dozens, at least, of degrading remarks about my appearance. The attack against me was coordinated, rather surreally, by two conservative journalists in defense of a cluster of analytic philosophers—neither group being, historically speaking, especially central to feminist organizing. I hope it goes without saying that I’m not recording this here in the spirit of grievance. I chose to engage, rather than block, most of those who were attempting to silence me, and in any case, if they’re attacking me, at least they’re not attacking more precariously positioned trans scholars and activists (those, that is, whom they have not already succeeded in bullying out of the academy altogether). I mention it, rather, as further evidence toward my claim in this essay that the “free speech” defense to which gender critical feminists generally make recourse is not merely an abstract echo of Trumpist rhetoric but evidence of a preference for Trumpist political tactics, among which the threat of rape remains the most characteristic.
- 3 This is a controversial nomenclature and one that most trans women avoid since it is bound up with attempts to pathologize and cure trans women, the explicit goal of Blanchard’s article.
- 4 Rea Carey, the Acting Executive Director of the National Gay and Lesbian Task Force, made the following statement: “We are very concerned about these appointments. Kenneth Zucker and Ray Blanchard are clearly out of step with the occurring shift in how doctors and other health professionals think about transgender people and gender variance. It is extremely disappointing and disturbing that the APA appears to be failing in keeping up with the times when it comes to serving the needs of transgender adults and gender-variant children.”
- 5 Blanchard tweeted recently, “There is a popular narrative form that could fit desistance or detransition, namely demonic possession + successful exorcism. That needs a more complicated story, however, because there also exist real trans women who would be happier with reassignment.”
- 6 Vera, Peter Capaldi’s tragic drag queen, finally revealed as an even more tragic trans woman in *Prime Suspect 3* (1993), would exemplify the former; Buffalo Bill in Thomas Harris’s novel *The Silence of the Lambs* (1988), of course, the latter.

- 7 By public discourse I mean, in this context, not merely the numerous editorials and articles published on trans issues in the last decade but the production of speech about trans people on social media, which seems to have spiked in the last five years. This spike is both a cause and an effect of the historical phenomenon sometimes referred to as the “trans tipping point,” which might be understood variously as a moment of increased visibility of trans people, a profusion of public trans identifications, and an escalation of the legislative and cultural oppression of trans people. For historical and theoretical accounts of this convergence, see Tourmaline, Stanley, and Burton.
- 8 A sense of exhaustion suffuses the writing of the trans critic Andrea Long Chu, for example. Chu’s criticism synthesizes academic writing with the ethos of online trans community and so enables a livelier sense of the utopian possibilities of trans feminism—its political urgency and personal revelation—than has sometimes been possible. The touchstone of that utopian prospect is a confrontational assertion of negative affect to the extent that Chu’s work seems to drive toward something like a romance of depression. See Chu, “My New Vagina Won’t Make Me Happy” and “On Liking Women.”
- 9 Trans rage is literally field founding; it is the avowed affective disposition and politics of the field’s single most influential document: Susan Stryker’s “My Words to Victor Frankenstein above the Village of Chamounix: Performing Transgender Rage.”
- 10 This term is explored at length in Foucault’s *Fearless Speech*.
- 11 For an especially powerful and compelling drive theology, see

Edelman. Like Copjec, he takes his reading of Freud’s drive from Lacan, who in turn bases his theory of the drive on a reduction of sexual identity to an opposition of active and passive:

There is no other pathway by which the impact of sexuality is manifested in the subject. A drive, insofar as it represents sexuality in the unconscious, is never anything but a partial drive. This is the essential failing [carence]—namely, the absence [carence] of anything that could represent in the subject the mode of what is male or female in his being.

The vacillation that psychoanalytic experience reveals in the subject regarding his masculine or feminine being is not so much related to his biological bisexuality, as to the fact that there is nothing in his dialectic that represents the bipolarity of sex apart from activity and passivity; that is, a drive versus outside-action polarity, which is altogether unfit to represent the true basis of that bipolarity. (Lacan, “Position” 720)

We notice not merely that Lacan’s theory of the drive depends on the reduction of sexual identity to hydraulic force, a gesture that bypasses and, by bypassing, eradicates, trans identification; but also that the suppression of trans identification entails the coeval suppression of the “biological” dimension that Freud discusses in “Analysis Terminable and Interminable.”

- 12 The most serious partial exception is Patricia Gherovici’s *Transgender Psychoanalysis: A Lacanian Perspective on Sexual Difference*. Gherovici registers the profound discomfort among psychoanalysts with trans patients, and she commits politically to “the transgender fight for equality” (2), taking the position opposite Slavoj Žižek’s. Yet in other respects, Gherovici’s work

is somewhat clueless: the protagonist of the introductory chapter turns out to be Rachel Dolezal; and the book refers constantly to “transgenderism” as though trans people either shared or simply manifested a political philosophy. Gherovici does, however, point to the possibility of a Lacan capable of handling the question of trans feminism. She writes:

The need to establish sex-segregated public restrooms was discussed by Lacan in a 1957 essay where he called it “urinary segregation,” noting that “public life [is] subject [to] laws of urinary segregation.” While Lacan was at the time discussing how language sets up sexual difference as an impasse, he had also foreseen the recent controversy when he observed that public life is subjected to the inequalities of “urinary segregation.” Lacan illustrated it with an anecdote of transit. Perhaps it can be read today as a journey of transition: A brother and sister

take a train journey, sitting across from each other in the compartment. When they pull in to the station, they look at the platform from their window, and the boy exclaims: “We have arrived at Ladies!” while the girl states: “You, idiot! Can’t you see we are at Gentlemen?” As Lacan noted, it seems impossible that they would reach an agreement: “Gentlemen and Ladies will henceforth be two homelands toward which each of their souls will be all the more impossible for them to reach an agreement, being in fact the same homeland, neither can give ground regarding the one’s unsurpassed excellence without detracting from the other’s glory.” (11–12)

The possibility of a trans universalism for which a trans person might be a *privileged* subject, rather than the dupe who took the whole thing too seriously, or got on the wrong train, is at least implied here, though it is not, in general, the focus of Gherovici’s study.

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