

SPHERES OF JUSTICE, DEFENSE OF PLURALISM AND EQUALITY: A REVIEW

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Abstract

This paper reviews the concept of justice in relation to Michael's work *Spheres of Justice: A Defense of Pluralism and Equality*. The works of some scholars who have written on Walzer's core argument that supports his theory of justice and arguments against his thesis. In doing this, the paper employed the method of analysis, it systematically reviews and supply its literature gap. The paper argues the principle as a paradigm for societies yearning for justice especially the developing Nations.

Keywords: Justice, Spheres of Justice, Pluralism, Equality, Goods, Review

Introduction

Scholars over the years have been searching and theorizing about the concept of justice in order to proffer solution to the inhuman treatment ravaging the political communities. according to Plato as noted by D.R. Bhandari:

Plato in his philosophy gives very important place to the idea of justice. He used the Greek word "Dikaisyne" for justice which comes very near to the work 'morality' or 'righteousness', it properly includes within it the whole duty of man. It also covers the whole field of the individual's conduct in so far as it affects others. Plato contended that justice is the quality of soul, in virtue of which men set aside the irrational desire to taste every pleasure and to get a selfish satisfaction out of every object and accommodated themselves to the discharge of a single function for the general benefit..¹

On his part, Aristotle in his famous work *The Nicomachean Ethics* explains the virtuous and superior nature of justice. He claimed that justice can mean either lawfulness or fairness, since injustice is lawlessness and unfairness. In his view, laws encourage people to behave virtuously so, the just person, who by definition is lawful, will necessarily be virtuous. He says that virtue differs from justice because it deals with one's moral state, while justice deals with one's relations with others. According to Aristotle, justice must be distributed proportionately.²

On the other hand, John Rawls in his work *A Theory of Justice* claims that justice can only prevail if and only if, each person has an equal claim to basic rights and liberties, and that inequality should only be permitted to the degree that such inequality is reasonably

expected to be to everyone's advantage. Michael Walzer in his attempt to solve the controversy of the concept of justice, propounded a theory of justice in his book *Spheres of Justice: A Defense of Pluralism and Equality* which he argued that justice is pluralistic in nature and that we must see justice as the creation of a particular political community at a particular time, and the account we give must be given from within such a community.³ (i.e. liberal democracy in which there are different kinds of social goods and evil) whose distribution is a matter of justice with each kind of good having its own particular criterion of distribution. He made general claim that societies which respect distributive pluralism may realize “Complex Equality”.

Walzer in his theory explains this idea of complex equality thus:

In formal terms, complex equality means that no citizen's standing in one sphere or with regard to one social good can be undercut by his standing in some other spheres, with regard to some other goods. Thus, Citizen X may be chosen over citizen Y for political office, and then the two of them will be unequal in the sphere of politics. But they will not be unequal generally so long as X's office gives him no advantages over Y in any other sphere—superior medical care, access to better schools for his children, entrepreneurial opportunities, and so on.⁴

But since the appearance of *Spheres of Justice*, praises have alternated with criticisms of it.

Arguments in Favour of Spheres of Justice, Defense of Pluralism and Equality

Some scholars have supported the theory propounded by Walzer. Among them is Charles Taylor who praised the book for its creativity, he noted that *Spheres of Justice, A Defense of Pluralism and Equality* is wonderful, he writes thus: “This brilliant book, works out a new and radically different conception of distributive justice ... *Spheres of Justice* should and will transform the debate about distributive justice beyond all recognition.”⁵ William Galston in pointing the strength of the work, attributes Walzer's originality to his mastery and integration of various Western traditions:

Walzer began as the inheritor of three disjoint traditions of discourse: formal political philosophy, understood as speculation *sub specie aeternitatis*; radical social criticism, conducted from a standpoint outside existing institutions and practices; and the everyday talk of citizens and leaders about what is to be done here and now.⁶

Another strong scholar who gave a detailed review and supported the theory is David Miller, in his work titled “*Complex Equality*” demonstrates important role that the notion of “Equal Citizenship” plays in Michael Walzer's theory in the following words:

By observing that, on Walzer's view, questions of

justice always arise within a bounded political community. This is true, first of all, because unless we begin from a society with a determinate member, there will be no social goods with shared meanings to distribute. Moreover, unless the society is politically organized, developing a theory of justice will be a pointless activity, because the state (in modern circumstances) is the institution whose job is to maintain the boundaries between the spheres of distribution.⁷

Miller in noting the strong hold of community in establishing justice in Walzer's theory pointed out that:

In general, we cannot appeal to justice to fix the proper boundaries of the community; this is to put the cart before the horse. But there is important qualification to be entered here. However, the boundaries are fixed, Walzer argues, every one inside them must be regarded as a full-fledged member of the community, entitled to take part in each of the spheres of justice. There cannot be more than one class of citizen.⁸

According to David Miller, Michael Walzer regards citizenship to be much more than merely a formal status. With the notion that everyone has some say, however small, in one or another sphere, would engender some sense of equal citizenship in the individual. In the complex equality concept which the reverse is the case under simple equality, (the disadvantaged, down trodden and the oppressed are uniformly oppressed and disadvantage across spheres), which lead to alienation from civil society and sense of being not valued as a citizen. The conclusion is based on the assumption that if complex equality prevails, each person will enjoy a relatively high rank in one or more sphere while ranking relatively low in others, and the fact that an individual has this high status in at least some social institutions, will engineer a sense of participation in, and being a valued member of civil society. This is so because under complex equality, individual's differential rankings in different spheres will cancel each other out so that their aggregate standing in society will be equal, they should have a sense that they are equal citizens. Miller further stressed that:

This value of providing everyone with some sense of equal citizenship, guides us towards preserving as many distinct spheres of justice as possible. Because the more spheres there are the greater is the scope of complex equality to flourish, and to promote those spheres which are in danger of disappearing from social life.⁹

The above can be linked to Plato's and Aristotle grouping or classification of ideal political communities each having control in his class. Strengthening the David Miller's argument, Cohen also observes that it preserves the ideal of equality by invoking the

value of community as an independent good. He asserts:

The virtue of the concept “complex equality” is that it acknowledges the plurality of principles of justice and tries to make this very pluralism the basis of equality. Rather than trying to reduce distributive justice to one simple egalitarian form, the very plurality of goods and distributive rules which subverts simple equality, is used to promote the notion of complex equality.¹⁰

He further explained that the only prerequisite is that sphere should operate autonomously, that is, dominance in one sphere should not be permitted to lead to dominance in other Sphere: He insists:

The critique of dominance and domination points toward an open-ended distributive principle. No social good X should be distributed to men and women who possess some other good Y merely because they possess Y and without regard to the meaning of X.¹¹

Glancing *Spheres of Justice* with a feminist lens, Sussan Moller Okin in “*Politics and Complex Inequality of Gender*” noted that Walzer in *Spheres*, has put forward arguments that are helpful in thinking about the continuing inequality of women (i.e. mainstreaming social justice / inclusion –equality). Walzer's work is unusual among mainstream of contemporary theories of justice paying attention at all to women and gender.¹² According to her, in *Spheres*, he uses largely non-sexist language, insists that the family constitutes a significant 'Sphere of Justice', and make specific references to power imbalances between the sexes and discrimination. As Miller has said, Walzer's whole argument for complex equality can be 'understood as an idea of equal citizenship'.¹³ She further stressed that there can be no doubt about Walzer's recognition of the importance of political power. 'Politics', he says, is always the most direct path to dominance, and political power (rather than the means of production) is probably the most important, and certainly the most dangerous, good in human history. Hence the need for constraints, checks and balances, limits on political monopoly, and for wide distribution of political power.

Stassen. G in his article “Michael Walzer's Situated Justice” argued that critics who accuse Walzer of moral skepticism misread Walzer.¹⁴ According to Stessen, Walzer's method of “deep interpretation” is grounded trans-culturally by affirming two universal principles (mutual respect for all persons and their communities and opposition to domination) and three universal sets of rights (right to life, to liberty and to community, each in its positives as well as negative sense). He further stressed that although the substantive form and content in which these two principles and three rights are expressed may differ from society to society, due to historical and cultural differences, but their essence still remain in all societies. Thus even if at a particular time and historical moment in a society's history, the majority of its members adhere to laws and practices that are in breach of these trans-culturally valid norms, we can express judgement over the justness of that society by reference to these norms. In this sense,

Walzer's theory is not a morally relativistic theory. Walzer's idea of thick and thin morality may also be brought into play in his criticism of "Simple Equality"

No one good rules over all the others, such that possessing it brings everything else in train. Justice requires the defense of difference. Different goods distributed for different reasons among different groups of people. And it is this requirement that makes justice a thick or maximalist moral idea, reflecting the actual thickness of particular cultures and societies. Simple and straight forward equality is a very thin idea, reiterated in one form or another in (almost) every distributive system, and useful in the criticism of certain gross injustices, but quite incapable of governing the full range of distributions.¹⁵

He also pointed out the general difficulty associated with the idea of Simple Equality in the following words of his:

It serves more as a constraint, a kind of critical minimalism as when we say that someone is not being treated "like human being" or when we condemn racial discrimination. Any effort to enforce equality across the board is immediately self-contradictory for the enforcement would require a radical concentration, and therefore a radically unequal distribution of political power. A simple and straight forward hierarchy, the old over the young, the educated over the ignorant, the well- born over the low- born makes even more directly for domination; it is simply the triumph of one good over all the others.¹⁶

Stessen then concludes that each of the goods that have shaped conventional hierarchies can play its part in a complex distributive system, seniority in the management of a factory or company, for example learning in the organization of a school or academy, familial reputation in the social register and the gossip column. But a society in which any one of these was effectively dominant would be a one-dimensional, a frighteningly thin society.

Arguments Against Spheres of Justice, Defense of Pluralism and Equality

On the other hand, various writers accuse Walzer of propounding a form of moral skepticism and that, it is wrong to infer from the fact that something has social meaning, even if this meaning is widely accepted within a society and that because of its universal social endorsement, it is morally justified. The first attack come from Ronald Dworkin. In a review of *Spheres of Justice*, Dworkin harshly criticized Walzer for his tendentious creation of the Spheres as if he was "bewitched by the music of his own Platonic Spheres."¹⁷ Dworkin meant that Walzer, like Plato in the construction of the universe, has a perfect scheme devised in advance. He faulted Walzer for secretly fixing eleven spheres of justice and their distributive principles, and then applied the whole scheme to the United States. "In order to maintain the harmony of his scheme, Walzer disregards social reality, and proposes startling distributive arrangements without giving any proof. His spheres are arbitrary and unfounded."¹⁸

According to Ronald Dworkin, Walzer's theory is "irrelevant" and his argument a failure. "The idea of complex equality he defines," Dworkin pointed out, "is not attainable, or even coherent, and the book contains very little that could be helpful in thinking about actual issues of justice."¹⁹ Another scholar is Brian Barry while being critical of Walzer's depiction of social origins of the criteria for distribution in the sphere of money endorses the importance that social meanings can play in determining the just distributions in other

spheres. Brian Barry however, pinpointed out that social meaning of goods is a necessary but not a sufficient condition for determining the just distribution of goods”.²⁰

Joseph.H. Carens in his article titled “Complex *Justice, Cultural Difference, and Political Community*” and Michael Rustin “*Equality in Post-Modern Times*” on their part accused Walzer of professing to be a moral relativist, but that in practical examples he uses universal / abstract normative arguments and principles in support of his theory. Amongst these according to them is Walzer's assumption that all societies have distinct spheres and that this is therefore a universal norm. Joseph H. Carens in clarification of his critique noted that:

The basic claim he wants to make here is that the picture Walzer draws in spheres of moral autonomy of political communities is not true to the moral standard that he invokes, namely our shared understanding of justice. There are two related aspects to the critique. The first concerns the “kinds of judgement” we make regarding justice, the second who constitutes the “WE” making the judgement.²¹

With respect to his first critique, Carens argued that our understanding of justice requires us sometimes to respect and sometimes to criticize the institutions and policies of political communities to which we do not belong. With the second he also argued that the “WE” who make these judgments sometimes correspond to the members of a political community and sometimes constitute a moral community, wider or narrower than any political community to which we belong.

Carens further interrogated the appropriateness of Walzer's critical judgements of historical societies thus:

Walzer's frequent use of historical example evokes, without directly addressing the question of the relationship between contemporary moral standards and the past. One of Walzer's goals seems to be to make us aware of differences in social understandings of goods without arousing the urge to judge these differences because moral criticism would be anachronistic.²²

Jeremy Waldron in his work '*Money and Complex Equality*' centres his criticism on Walzer's concept of “Money,” Waldron opines, “that money is a solvent of complex equality: an institution that enables people to across each and all of the boundaries that Michael Walzer discerns between the distributive sphere of different goods .”²³ He admitted the importance of money but warns that we must be careful how we describe the affront of money to the meaning of particular goods. He stated that he will dissolve the spheres set up by Walzer by destroying the boundary of money; all the other spheres will implode. The first point Waldron wants to make is that money is not a good with intrinsic value. Jeremy Waldron further pointed out that:

Walzer believes it is important to confine money to its own sphere, and not allow it to determine who gets what

other goods. In principle, however when money is used to buy something, that is not to be regarded as a foray out of its own proper sphere. The social meaning of money, if it has a social meaning, is precisely that it is exchangeable for goods. That is what money is for. Indeed, revelling in money for its own sake (as though it had its own inherent meaning) rather than using it to buy things, is what should be regarded as odd and deviant from the point of view of social meanings.²⁴

He further explained that a silver coin may have aesthetic value on top of its exchange value. But money-objects are no longer used in the contemporary world. The banknotes and coins we own have no value in themselves. They represent abstract numbers, which are institutionalized into a system of exchange. The numbers in our bank accounts and the huge amount of electronic transactions carried out every day in the financial institutions give us the best picture of what money really is, it is only a neutral medium of exchange. If money is said to have social meaning, it is its role as an exchange platform that gives it such meaning.²⁵ He further noted that Walzer's procedure is questionable hence he did not strictly follow his sixth principle in defining a sphere. It seems that the social meanings of goods do not carry the idea of commodity, and Walzer to fix the sphere of money and commodities indirectly. Waldron even produces more damaging evidence by showing that Walzer's list of blocked such as human being, political power, judicial decision and legal services, basic liberties, like the (freedom of speech, press, religion, and assembly), marriage and procreation rights, the right to emigrate, exemptions from (military service, jury duty, and other forms of communally imposed work), political office and professional standing, basic state services like (police protection and primary and secondary education), anything when the exchange is born of desperation, prize and honours, divine grace, love and friendship and anything whose sale, existence or possession is illegal. The exchanges of this, is irrelevant to the sphere of commodities. He accuses Walzer of committing a "Categorical Mistake." He stresses:

It is difficult to imagine anyone reading this list and remaining sceptical about Gilbert Ryle's notion of categorical mistake it is supposed to be a list of goods, each of which has a social meaning of its own and a concomitant distributive principle that would be distorted or undermined if its exchange for money were permitted, many of the items, however are better understood as right.²⁶

The blocked exchanges, according to Walzer, indicate that some goods should not be bought with money. The exchanges are blocked, Waldron points out, often because they are banned in society and not because they have anything to do with money. It may be important to distinguish between an outright ban on something and a rule that some good or service may not be exchanged for money. Consider, for example, the following two kinds of blocked exchange: (A) murder for money, i.e. contract killing; and (B) sex for money, i.e. prostitution. The two differ sharply, not only as sex and death differ, but in the sense in which an exchange may be said to be 'blocked'. In a block of type (A), an

exchange is blocked because one of the items being exchanged is banned. Murder is illegal, so *a fortiori* the procurement of murder by money is illegal. The block follows the ban. In a case of type (B), by contrast, it is precisely the exchange that is blocked not the activity itself. In a liberal society that neither frowns at nor prohibits fornication, sex between consenting adults, even strangers, is fine. Is only the use of money to secure consensual sex that is condemned; free love is ok. True, this example is ideal topic Societies that prohibit prostitution are rarely untroubled by the prospect of sexual promiscuity where no money changes hands. But we might imagine a society in which that was true. Logically speaking, a ban on prostitution in those circumstances would be quite different from the situation presented in case (A): for, in case (A), murder for free (even murder for love) is forbidden.

Walzer's discussion is commonly thought to be focused on cases of the second sort, blocked exchanges of type (a).

Thus Richard Arneson writes:

I take it to be a datum of commonsense morality that we ought to be left free to engage in some activities or as we wish or not as we wish, but not to engage in them for a price. Similarly, there are some goods that we should be left free to transfer to others if we wish, but not to buy or sell. In these respects, there should be limits on the permissible scope of market exchange activity.²⁷

He cites Walzer as having made this point particularly clear. In fact, it is surprising how few of the items on Walzer's list of blocked exchanges actually fit this description. Some are clearly cases of type (A). The 'long series of criminal sales' that Walzer group together as item (14) fall into this category: one cannot sell services as an assassin because murder, even for free, is illegal; and one cannot sell secrets to the enemy, because espionage of any sort, even espionage unbought and given out of devotion to a principle, is banned.

Other goods fall into category (A) because they amount, in effect to a ban that is non-negotiable. Rights are a good example. One's basic constitutional rights are, as Walzer himself stresses, rights to negative freedom i.e. rights not to be prevented from speaking, worshipping, emigrating. As such they amount to a requirement that certain actions (*viz.* the prevention of speech, worship, emigration, etc.) not be performed by the government. Now if an official is bound by such a categorical requirement, he may not attempt to make it conditional, by negotiating a money price for observing it.

Walzer says, "Citizens ... cannot purchase a license for polygamy."²⁸ He is correct, but polygamy is not a distributive good. So far, Waldron's conception of money does not differ much from that of Walzer, though he claims that Walzer misconceives the nature of money. The difference between them is that Walzer wants to constrain money within a sphere, while Waldron proposes to let money work freely according to its social meaning.

In another development, Govert Den Hartogh has the ambition to uncover the mystery of Spheres. He sees Walzer's theory as a "promising alternative" to the "Grand Theory, as it is represented by the work of Rawls, Nozick, Dworkin, or Habermas." "One obstacle to its having the impact it deserves," Den Hartogh writes, "is that the real structure of the

theory, as it is applied in Walzer's patient discussions of the exchange of actual goods, is quite different from the way he describes this structure himself."²⁹ To show Walzer's discrepancy between consciousness and praxis, Den Hartogh offers a thorough deconstruction of Walzer's theory: The spheres of goods, according to Den Hartogh, do not actually exist. They are Walzer's invention, which serves as a theoretical smokescreen behind which he engages a familiar traditional philosophizing. The novelty of spheres has impressed us. Besides that, the language of spheres has no more function other than confusing us. In order to go into the real architectonics of Walzer's theory, we have to get rid of the spheres first. If some people still insist on speaking of spheres, they may continue to do so provided the concept of sphere be strictly understood "nominalistically." We can speak of the spheres of public education, the sphere of private education, the sphere of professional education, or the sphere of private affairs, etc. "Nothing depends on the decision; it is only a matter of convenience of exposition."³⁰ Judith Andre in her essay "*Blocked Exchanges: A Taxonomy*" stated that Once we understand what a sale is, and look closely at Walzer's useful list, we find that there are a number of distinct grounds for blocking exchanges. According to her, money is powerful. She writes;

In fact, of course, money is vastly powerful. If not human beings, it can buy us servants; if not: political office, the attention of elected officials; if not criminal justice, the best lawyer in the country. And every day, it seems, there is more and more that money can buy. Some of the new commodities are inventive: singing telegrams, time-share apartments; even the mortgage itself can be sold. Other new commodities, actual or suggested, are more frightening. In some European Countries-Germany for instance kidney sales have been reported: for a few thousand dollars, people have had one kidney surgically removed and implanted in someone else body. Richard Posner and William A. Landes have proposed a market of babies in the USA³¹.

She further stated that Walzer is not alone in wanting to limit the market. Several theorists have offered other approaches to restricting it. Margaret Jane Radin, for instance, distinguishes personal from fungible property: according to her "personal property" is bound up with one's being the person one is; it is valued for its own sake and cannot be replaced with money alone. Laws may therefore, she contends, prohibit its sale.³⁰ Elizabeth Anderson on her own argues not just from the nature of the goods in question but also from the nature of commerce, and claims that some good things cannot survive therein. Only those things should be for sale 'whose dimensions of value are best realized within market relations'. That is not true of gifts, shared goods, ideals, and objects of need, all of which require other kinds of social relations.' Walzer, Radin, and Anderson each offer us a single principle with which to bound the market. Radin's is broad and basic: protect human flourishing by shielding non-fungible property from the full force of the market. Walzer, too, works from a broad and basic principle lessen oppression by using different grounds for distribution in different spheres of life-but he also lists in detail what belongs outside the sphere of money. Anderson's perspective is in one sense plural, since markets have a number of characteristics (impersonality, self-interest, want regardingness, etc.) each of which might be destructive of different things. Yet, ultimately, she too is working with a single principle: protect from the market those things to which it is essentially inhospitable. Mark Nelson takes a somewhat different approach: he lists ten examples of blocked exchanges, and derives from them nine principles. The principles

are only loosely related to one another. He then concludes that once we understand what sale is, and look closely at Walzer's useful list, we find that there are a number of distinct grounds for blocking exchanges. Marks points it thus:

Divine grace, for instance, should not be sold because it cannot be, and pretending to do so is a fraud. The right to marry should not be sold because it should be inalienable. Criminal justice should not be sold because a bribed decision is not justice at all.³²

Conclusion

Haven systematically traced series of appraisals by political philosophers and scholars. A fairly substantial body of critical literature has emerged concerning the central thesis of Michael Walzer's concept of Justice in his Political Philosophy "The Plurality of Spheres of Justice and the Idea of Complex Equality", including some who were quite skeptical about general programme of Spheres of Justice, and others who were more sympathetic, but might wish to modify or extend some of his arguments. This paper sees reason to the critics of the left camp, but maintains the ground on the right camp for the paper is of the view that dividends of the application of the principles outright the left camp. Based on this, the paper argues the principle is a paradigm for societies yearning for justice especially the developing nations.

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BUTLER'S PERFORMATIVITY THEORY: A GENDER PARADOX

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Abstract

The theory of performativity is a popular gender philosophy of Judith Butler. She radically changed the apriori gender views as ontological. According to Butler, gender is a matter of performing which sex you wish to become. This view sounds paradox and so not acceptable to most scholars. The aim of this article is to project Butler's theory of performativity as a paradox. We discovered that Butler was influenced by some backgrounds. This work reviewed these philosophical epochs and attempted courageous analysis and recommendations. In essence gender analysis even though involves some form of performativity but goes beyond that. Nature sure has some roles to play as well as nurture.

Introduction.

Butler's theory of performativity or approach to gender is not a mushroom that spontaneously springs out of the ground. Like every philosophical idea, it was inspired by a number of social and political precedencies.

An important reason why it is necessary to approach the interpretation of Butler's idea by first of all assessing the background that inspired her doctrine is because Butler is a difficult author to read. Part of what complicates her work is her frequent use of so many authors, whose ideas are contradictory to one another, to support the development of a particular idea. What is more, even when she makes allusions to authors whose thoughts already have different interpretations among scholars, like that of Foucault and Freud, Butler never indicates the particular interpretation she has adopted. Her concept of gender performativity is paradoxical. This and other things make her elusive, ambiguous and indeterminate. Besides, her ideas appear very abstract and disconnected from real life. It is therefore the considered opinion of this research article that reading Butler from the background of the histories and ideas that inspired her doctrine will place these ideas within a context that would make them more understandable instead of hanging on the level of paradox.

Traditional Binary Concept of Gender and Female Identity

Feminist theories, Butler's included, arise in recent years to counter the misogynistic discourse that has defined women as the excluded "other" and accorded them a status lower than that of men in the society. As sketched at the background of this article, such forms of exclusionary and denigrating thinking are many a time assumed to be expressing the natural or divinely ordained state of affairs. This way, the undergirding patriarchal ideology that creates the discourse and serves as the guarantor of its perpetuity is somehow shielded from view. For centuries and by some means, this way of thinking has

become ensconced in the academia, elevating the traditional phallogocentric thinking as the norm regulating the political, the religious, and the socio-economic arrangements in different societies.

Consequently, it is no exaggeration to say that most of the research conducted before the 1960s on the behavior of men and women virtually regarded all the observable behavioral differences between them as fundamental and natural. Two completely distinct sets of traits were usually developed, assigning one to men and the other women. They were believed to be direct derivations from people's biological constitutions. Besides, most of the findings of such researches, were androcentric and biased against the female sex. Thus, they often projected the male set of traits as normative and representative of humanity. The unfortunate effect of this, as Janis Bohan, observes “was the consolidation of patriarchal prejudices against women.”¹

Although some scholars like Frederick Engels and, more recently, Peggy Sunday, have painted a picture of pre-class egalitarian societies where, according to them, female subjugation did not exist,² the documented evidence from ancient cultures show that subjugation of women is not a recent phenomenon in human history. Another ancient Greek philosopher Plato, even though his ideas about women appear more positive as reflected in certain parts of his dialogues,³ associates the items identified with maleness in the Pythagorean table with mind and spirit while he links to body, and matter all those identified with femaleness. Thus, he considers men as being principally and essentially rational while women are primarily allied with the body, especially with regard to reproduction.⁴

Many authors have indeed documented the sexist bias that has trailed the majority of the account of women in Christian history, philosophy, and thought. Albert Mitterer identifies a threefold subordination of women reflected in these documents: “There is inferiority of women in development (biogenetic inferiority), in being (qualitative inferiority), and in activity (functional inferiority).”⁵ It is not the intention of this research to get into these details. Others have successfully dealt with them.⁶ What is important to note at this moment is that there exists a large corpus of literature to buttress women subjugation and that this subjugation is what inspired essentialist feminists which in turn inspired poststructuralist feminism within which Butler's theory of performativity is located.

Obviously, since the resurgence of feminism, especially beginning from the 1970s generally described as the second-wave feminism – this traditional sexual stereotype has come under sustained attack by feminist writers from different scholarly standpoints. The major aim of this sustained assault is to wrestle the concept of woman from what is perceived by them as a tight grip of patriarchal misogynist discourse, which, according to the American radical feminist philosopher and theologian, Mary Daly, has achieved nothing but “artificial polarization of human qualities, primarily and exhaustively serving male interests.”⁷ Only thereafter, it is thought, can the concept be formulated in ways more favorable to the cause of women. Actually, many see the success or failure of

any feminist theory and practice as fundamentally dependent on a precise formulation of the concept 'woman'.⁸

The contestation of the sexual binary system and reformulation of new identity for women among feminists have largely followed some clear trajectories. The first remarkable achievement in this direction was the introduction of “gender” into feminist discussion, showing thereby its distinctiveness from “sex.” Another major stride comes from essentialist feminists who try to posit a specific “nature” or “essence” for women that it is women alone who have the exclusive right to say who women are and to highlight the qualities for which they are known.

There is also another group of feminists, the anti-essentialists or social constructionist feminists. These feminists differ significantly from essentialists. Instead of looking for essential attributes of women that may offer some ground for their specific identity, they insist on the indefensibility of any theory that claims to talk about characteristics or traits peculiar to women by the very fact of their being female. This way they also counter the traditional view that has regarded sexual differences as foundational to human nature and which tends to regard human biological make-up as the major determinant of people's fate or their way of behaving. For many constructionists, human biology cannot provide any basis for characterization of women. The category “woman” is always open to constant recreation and reconstruction by social and cultural factors. In fact, many of them contend that women as such is indefinable, meaning in effect that she has no specific characteristics that one can say are essential to her. Change, for them, is central to the notion of personhood, thus human beings are “historically formed and subject to construction.”⁹ They generally see this form of fundamental destabilization of personhood as the only way to break through the patriarchal grip. Many of them see the grip as so tight and pervasive that any attempt to reformulation of the concept “woman” without such fundamental subversion still finds itself caught up in the framework set by men. In this connection, Alcoff writes:

No matter where we turn to historical documents, philosophical construction, social scientific statistics, introspection, or daily practices the mediation of female bodies into constructions of woman is dominated by misogynist discourse. For feminists, who must transcend this discourse, it appears we have nowhere to turn.¹⁰

As already indicated, it is to this last group that Butler belongs, as such understanding performativity to a great degree requires some background information.

Essentialist Feminism's Response to Women's Identity

The western philosophical tradition has employed the notion of essence in a number of ways. However, it is more commonly understood as that which makes a thing or a group

what it is. To this extent, essences are conceived as timeless and unchanging. They are usually distinguished from accidents, which are the relational or context-dependent properties and characteristics of a thing or group. Unlike essence, accidents do change depending on contexts and times.

Essentialism can thus be used in two major ways: individual essentialism and group or kind essentialism. Kind essentialism is the view that there is a particular property or a set of properties or characteristics which entities belonging to a kind must possess, which forms the essence or the basis of kind membership. Some theories insist that these essentials properties or characteristics must also meet another criterion they must possess some casual or explanatory connections with the kind in question. When essence is used to refer to an unchanging, irreducible property or set of properties or characteristics that an individual must possess in order to become an individual that he or she is, one talks about individual essentialism.”¹¹

The American philosopher, Charlotte Witt distinguishes two major ways of understanding individual essentialism: Aristotelian way and Kripke's way. Aristotle responds to the question of what makes a thing what it is by stating that it is that which unifies or organizes its different material parts into an individual that is different from the sum total of its constituent parts. In this sense, the essence of a house, for instance, is its functional property providing shelter. This is what unifies its different parts, like windows, doors, into a house and not merely an aggregate or assemblage of materials or parts. This, Witt calls un-essentialism. The second type of individual essentialism is the one advanced by Kripke about three decades ago, which Witt call identity essentialism. In this sense, essence of an individual is its material origin.

Essentialist feminism is epitomized in the works of cultural feminists who emerged out of the desire to fashion a theory rooted in distinctively female nature, experience, and situation. This entails a total rejection of the classical liberal theory to be neutral and androgynous. Its precursor, liberal feminism, never rejected this theory, but sought to achieve women's liberation within its framework. Liberal feminism emerged from the women's movements in the United States of America where women sought for equality through legalization and education. The struggle involved emphasizing that women were equally as rational as men were and shared the same humanity with them.

Having discovered the maleness that hid behind the mask of the presumed neutral subject of liberalism, and since they strongly believe that there exists some fundamental personality difference between men and women, cultural feminists struggle to articulate a peculiarly female culture from female nature within which a female subject would emerge. They believe it is only this feminized culture that has the capacity to understand and address the specific aspirations, values, needs, and concerns of women.¹² They are convinced that playing by their own specific (female) rules is the best way forward for women's emancipation. This, without doubt, involves the promotion of those specific and distinctive qualities they consider make women who they are, many of which have been downplayed by patriarchy. Alcoff defines this form of feminism as “the ideology of a

female nature or female essence re-appropriated by feminists themselves in an effort to revalidate undervalued female attributes.”¹³

According to Alcoff, cultural feminism involves, in some sense, the acknowledgment that women have a shared experience of oppression by men, which they must resist in all its ramifications. She explains that many cultural feminists are also convinced that this enemy of women cannot merely be located in the oppressive social or economic systems and institutions or unhealthy beliefs about women “but masculinity itself and in some cases male biology.”¹⁴

To be free, many of them argue, women do not necessarily need to be liberated from their femaleness. What they need instead is to get liberated from false feminism that patriarchy has imposed on them and be more attuned to their specific nature as women. In such a situation, their identity will no longer be determined with reference to men; thus, the language of “the same sex”, “different form, 'as well as,' 'equal to” (men) will be done away with.¹⁵

Alcoff points out that the response of cultural feminists to the question posed by Simone de Beauvoir, are there women? is to answer yes and to define women by their activities and attributes in the present culture.”¹⁶ Maternity or mothering is usually exalted as the hallmark of feminine qualities, because this is the only one, they believe they cannot share by any means with men. Some other qualities, which they often emphasize in their work, include compassion, intuition, teamwork, non-aggression, and selflessness, preservation of nature, meekness, and flexibility. They assert that female qualities are very important in the society, even though men have historically made them look like signs of weakness.¹⁷

Margaret Fuller, an American journalist and women's rights activist, who lived in the first half of the nineteenth century, expressed such ideas in her works. For Fuller, the best way to women blossoming is to give them room for an independent unfolding from within themselves for distinctively female nature free from directions from without. She strongly believes that women are fundamentally different from men, and would never wish to be men if they truly realize their identity. She maintains that “the feminine side, and that is, the side of love, of beauty, of holiness, was now to have its chance, and that if either were better (that is, being a man or a woman), it was better now to be a woman” Women, she claims, naturally draw people to themselves very easily, and their intuition is always correct and fast. Hence, their “special genius” is “to be electrical in movement, intuitive in function, spiritual in tendency.”¹⁸

Daly believes that women cannot be entirely free of such men's dependence and be able to claim what is essentially theirs if they remained within the space marked out for them by men. The only avenue left for them to achieve authentic self-realization is to leave the male-dominated political, social, and religious space and institutions and form sisterhood on the boundaries or margins – places devoid of patriarchal control:

The new space is located always 'on the boundary.' Its center is on the boundary of patriarchal institutions, such as the churches, universities, national and international politics, families. Its center is the lives of women, whose experience of becoming changes the very meaning of center for by putting it on the boundary of all that has been considered central.¹⁹

By convening at the margins and leaving men behind without those to control, she argues, men will also confront the experience of nothingness that women have experienced for ages under the control of men.

Limitations of Essentialist Feminism

No doubt, the essentialist approach to women's identity has helped a lot in the re-evaluation of those characteristics traditionally attributed to women. This has generally had some positive effects on the promotion of the image of women and their activities in the society. After a decade of hearing liberal feminists advising us to wear business suits and enter the male world, writes Alcoff, "it is a helpful corrective to have cultural feminists argue instead that women's world is full of superior virtues and values, to be credited and learned from rather than despised."²⁰ The emphasis laid by many essentialist feminists on women's closeness to nature can also serve as a corrective perception of ourselves as separate from the natural world, leading to its objectification and unbridled exploitation, which has serious and devastating ecological implications and consequences. It calls our attention to the fact that we are intricately involved in nature and natural processes, just as we are involved in culture and cultural processes. Having said that, we must note that, in their attempt to define the female subject, essentialist feminists often end up doing so in opposition to masculine. The subject so formed is usually perceived as the negation and counterpart of the male subject. This often results in worsening the antagonism between the two sexes. This oppositional stance seems to have made those qualities traditionally attributed to men loathsome and avoided by them at all costs, making them attribute to women only those ones closer to the body. In certain instances, this leads to what Beatrice Coles refers to as 'reversed sex polarity' with women as its beneficiaries.²¹

Besides, those experiences of women that some of them judge as natural to them are not in any way eternal or universal as often thought, but are temporal and confined. It is also possible that those characteristics described as natural or essential to all women could have been adaptive features developed by them over time in order to cope with the hostile and oppressive world that has denigrated them for centuries. If by any means they are direct product of oppression, to regard them as natural seems as if one is asking women to resign to fate since that is how they are essentially made to be, but this might be counter-liberative.²²

Also, as Bohan has argued, experience and research have shown that, no matter how desirable those qualities might be, they are not usually the one that enjoy the highest respect in the society. Therefore, "Collaboration with essentialist interpretations of gender might, if inadvertently, contribute to a re-creation of earlier understandings of

gender, with women deemed not different and equal but, once again, deficient.”²³ It might be important to quote at length some words of Edith Stein in the second volume of her *Essays on Women* to show how emphasis on some of those qualities (as Stein herself does) could be counter-productive. She writes:

The primary calling of woman is procreation and raising of children; for this, the man is given to her as protector.... In the case of man... bodily force for taking possession of that exterior to him, intellect for cognitive type of penetration of the world, the powers of will and action for works of creative nature. With the woman there are capabilities of caring, protecting, and promoting that which is becoming and growing. She has the gift thereby to live in an intimately bound physical compass and to collect her forces in silence, on the other hand, she is created to endure pain, to adapt and abnegate herself. She is physically directed to the concrete, the individual, and the personal: she has the ability to grasp the concrete in its individuality and to adapt herself to it.²⁴

Stein goes on to argue that women have not made momentous achievements in history as men because they suffer from some natural privations, which are, nevertheless, compensated by their specially gifted qualities of “empathy and adjustment.” With this, they can be outstanding assistants (to men), interpreters, or teachers. She argues further that the women are made to be subordinate to and supportive of men.”²⁵

Of course, there is no reason to assume that what the ancient Greeks understood as man and woman was the same with what the medieval mind understood them to be. How these terms are understood in contemporary period also differs from the way they were perceived in the preceding centuries. This is also true as one moves from one culture to another. The way the essentialists uniformly characterize women seems to suggest that they think in a way that does not sufficiently appreciate these differences. Another problem with essentialist feminism is the tendency to neglect the social and structural causes of oppression. Since they already have some features mapped out by them depicting peculiar female nature, failure to adhere or conform to those essential attributes by women is easily seen as an abnormality. Similarly, since gender roles are more likely to be seen by essentialist feminists as natural or, better still, as directly proceeding from nature, it is very easy to categorize people into normal and abnormal gender role players. Those so characterized as abnormal are either judged as architects of their own abnormality or victims of unfortunate circumstances.²⁶

If, for instance, women were seen not to be assertive (given the essentialist understanding of what their natural assertive level should be) or to lack the desired ability to defend themselves, actions that aim at improving the women's situation would very likely not be directed towards effecting structural changes in the society but towards changing the women themselves. Efforts might more readily be made to organize assertive and self-defense lessons for them than try to challenge the societal value systems, structural forces and beliefs that relegate them and which perpetuate their victimization. What this means is that women would, in a sense, be perceived as the source of their own oppression. In this kind of situation, social change may become almost impossible, because the

differential distribution of power and its use for oppression may not be adequately evaluated or problematized. No wonder Alcoff, writing about the weakness of cultural feminists' approach to women emancipation, notes "To the extent that it reinforces essentialists' explanations of these attributes, it is in danger of solidifying an important bulwark of sexist oppression: the belief in an either inferior or not 'true' woman."²⁷

Social Constructionism

As far as research on sex and gender is concerned, the debate between essentialism and social constructionism seems to be one of the most fervent. Quite unlike essentialists, social constructionists believe that what is usually regarded as the 'natural' essence of things or commonality among people is nothing but a creation of social or historical factors. This view was brought into prominence by the publication in 1966 of the work, *The Social Construction of Reality* co-authored by the German sociologist Thomas Luckman, and the Australian –born American sociologist Peter Berger.²⁸ The general concern of social constructionists is "the production and organization of differences, and they therefore reject the idea that any essential or natural givens precede the processes of social construction."²⁹ One of their basic assumption is that no one can make any positive assertion concerning the true nature of things and that everything we know as truth or reality is nothing but a product of human construction. Therefore, they lay much emphasis on the significant role played by the knower, his or her socio-cultural context, social discourse and interchange in the shaping of knowledge.³⁰

Many of them accuse essentialist account of woman's specific natures, qualities, or values of gross neglect of the social discourse and oppressive powers by which they presumed specific female nature or values come into existence in the first place. Their conviction is that, to improve the situation of woman, there is the need to acknowledge that they pair, male and female, are constructed realities. Employing postmodern critique and analysis of the different dimension of power, many of those feminists, more often than not, harp on the basic relatedness of knowledge and power, analyze how they have been effectively utilized by patriarchy to define woman as the "excluded" Other."³¹

For many of them, sex, gender, and even the subject or the self, have no naturalness to them; none of them is in any way expressive of the human nature or bodies, but are all constructed realities. Hence, the traditional binary sex, sexual or gender difference that rely somehow on the givenness of the body are regarded as artificial creations and unnecessary constraints that are entirely ungrounded. In a sense, they seek to create a "genderless" society so that women will be free to become what or who they wish to be all by themselves. "Thus, there is no pre-given 'nature' of man and woman. A formula such as essence of the female is especially suspect ... and smells the ideologically tinged kernel of devaluation or even suppression."³² This way, they seek to achieve a fundamental deconstruction and destabilization of any grounded or stable notion of woman, which they believe only serves the interest of men, who according to them, constructed the stableness of the notion. To submit to such notion, they argue, is to further the cause of women oppression, restrict their potentials, and deprive them of the freedom they need to chart their own course.

Poststructuralist Feminism

The attempt to deconstruct and destabilize the traditional male-female binary gender and essentialists' gender politics is especially evident in feminist poststructuralism, which as noted shortly above is a special variant or subcategory of social constructionism. The basic aim of poststructuralist feminists is twofold: to counter any trace of essentialist idea or biological determinism in accounts of women, and articulate a historical notion of sex and gender. They are therefore, averse to evoking "a precultural, prosocial, or prelinguistic pure body but a body as social and discursive object, a body bound up in the order of desire, signification and power."³³ Judith Butler is a poststructuralist; therefore, we shall highlight some of the basic tenets of poststructuralism below before proceeding to Butler proper.

Poststructuralist feminist theories are largely influenced by the leading "French structuralists Michel Foucault, Jacques Derrida and Jacques Lucan."³⁴ They provided the background philosophy for those feminists whose common objective is endless deconstruction (after the manner of deconstructive agenda of these poststructuralists) of gender, in order to arrive at a 'genderless' society, so to speak. Contextualizing this agenda, Ignor Kon and James Riordan recall the time of Soviet Union and the drive of the government to create a sort of "genderless" society where national identity was the overriding concern, thus, making gender a seemingly meaningless category of identity, be it in education, work or social life.³⁵

Consequently, the common denominator uniting these French scholars is their critique of the liberal-humanist construal of identity by which the subject is apprehended as a unified entity. Although, individually, they differ in some respects, they are all united in rejecting the liberal-humanist idea of autonomous and real subject that could be a locus of any agency or consciousness.

The last three French poststructuralist philosophers who have a remarkable influence over Butler's theory of performativity. Derrida, first directs his attention to questioning the hierarchical binary oppositions that has remained characteristic of western philosophy. He criticizes psychoanalysis and philosophy for preferring presence to absence (of phallus), identity to difference, and man to woman. In his view, this cannot stand because the preferred are all vague and illusive.³⁶ None of them can be defined in itself. Each can only be defined against its corresponding opposite: man against woman, identity against difference, presence against absence.

Countering the cultural feminists' attempt to redefine woman, Derrida submits that it will only end up upholding woman's secondary place within the binary oppositions of 'man/woman, culture/nature, positive/negative, analytical/intuitive.' The only way out is to reject the reality of these binary oppositions and show the impossibility of her being decided and circumscribed within such a hierarchically based binary structure.³⁷ The unreality of these oppositions, he argues, is what ontology has labored for long to hide from view, presenting unreal as the real. In *Spurs*, he states: "Although there is no truth in itself, all of ontology nonetheless, with its inspection, appropriation, identification and

verification of identity, has resulted in concealing, even as it presupposes it, this undecidability.”³⁸ Derrida asserts that the very fact that women may opt to act in a characteristically feminine manner or refuse to do so stands to prove that there is no naturalness to sex or gender, that the idea of a natural feminine gender that precedes woman's subjectivity is false.

Butler's Performative Theory Gender and Sex

Interpreting Simone de Beauvoir's assertion that, 'One is not born, but rather becomes a woman,' Butler maintains that, since Beauvoir also sees the body as a historical situation (by which Beauvoir means, according to her, that it lacks any 'anatomical facticity,' and can only be reached through the mediation of cultural significations), Beauvoir believes that there is nothing like a woman subject (female sexed identity) that predates gender.

As Simone de Beauvoir states in *The Second Sex* (1949): 'One is not born, but rather becomes, a woman. It is civilization as a whole that produces this creature, intermediate between male and eunuch, which is described as feminine.'³⁹

Butler interprets de Beauvoir here as implying that neither biological nor psychological characteristics could define one's 'gender'. In contrast, one becomes a 'woman' only after one goes through certain life experiences. Besides, “femininity is neither a natural nor an innate entity, but rather a condition brought about by society, on the basis of certain physiological characteristics”. For Beauvoir, on Butler's account therefore, sex is always gender, woman is only but a historical idea, and to become a woman merely means to conform to this idea.⁴⁰ This elucidation is in line with Beauvoir's submission in which she claims that, “woman itself is a term in process, a becoming, a constructing that cannot rightfully be said to originate or end. As an ongoing discursive practice, it is open to intervention and resignification.”⁴¹

As it is noticeable in the subheading above where Butler criticizes essentialist feminism, her contention on the authority of Beauvoir here is that the term women, has no ontological purchase or realization. She believes that the term itself is a malleable concept that has many realizations depending on the social or cultural context where such realization is taking place. In addition, Butler relies on the authority of the French scholar and the girlfriend of Jean Paul Sartre, Simone de Beauvoir to backup of this claim.

In other words, when Beauvoir says that the body is a 'historical situation', it appears, she is rather making a claim like Merleau-Ponty, concerning the significance of the body as the ground for human beings' experience of the world and the self. Moi, cited before in chapter two, was alive to this particular interpretation of Beauvoir that is why she says:

To claim that the body is a situation is to acknowledge that the meaning of a woman's body is bound up with the way she uses her freedom She means that the body-in-the-world that we are, is an embodied intentional relationship to the world. Understood as a situation in its own right, the body places us in

the middle of many other situations. Our subjectivity is always embodied, but our bodies do not only bear the mark of sex.... Considered as a situation, the body encompasses both the objective and the subjective aspects of experiences ... The body is a historical sedimentation of our way of living in the world, and of the word's way of living in us.⁴²

Be that as it may, what is important to us at this stage is not to undertake a particularly critical reading of Butler's account of Beauvoir. Rather, the overriding interest for us here is to accentuate the fact that Butler sees both sex and gender as historical concepts and that she also believes that her contention is supported by Beauvoir.

To buttress her claim that sex and gender are social construct, she defines her project as "a genealogy of gender ontology" that seeks to expose constructed nature of gender binary and how this construction is subsequently naturalized, thus, assuming the status of "the real."⁴³ She is worried that retaining the binary gender system will only end up upholding biological determinism together with its restrictive possibilities. Her conviction is that one can avoid such restriction if and only if he or she appreciates enough the gender's constructed status. She state:

The presumption of a binary gender system implicitly retains the belief in a mimetic relation of gender to sex whereby gender mirrors sex or is otherwise restricted by it when the constructed status of gender is theorized as radically independent of sex, gender itself become a free-floating artifice, with the consequence that man and masculine might just signify a female body as a man one, and woman and feminine a male body as easily as a female one.⁴⁴ Butler maintain that, even if the sexes appear to be un-problematically binary in their morphology and constitution (which is questionable), there is no reason to assume that gender ought to remain as two."⁴⁵ She even went further to argue that both gender and sex are discursively produced and delimited. None has any objective basis; none is any more unnatural than the other is, as may be ordinarily supposed. Consequently, sex could rightly be said to be a "gendered category," in which case the fundamental distinction often made between the two (that is, sex and gender) vanishes.⁴⁶

Gender as Tool of Patriarchal Domination

It is on the note of her contention that both sex and gender are socially constructed, that Butler opposes the notion in some feminist circles that sex is related to gender as nature is to culture. This binary relation, she states, is nothing but a result of sexual politics of domination, in which nature is often considered as mute, inactive, feminine brute fact waiting to be signified by culture considered as masculine, active and rational.

Based on this, the only difference, she admits, that may still be allowed between discursively produced sex and discursively produced gender is the temporal pre-eminence of gender and its causal relation to sex, for gender pre-exists sex and provides

the medium for its production. “Gender”, she argues, “is also the discursive/cultural means by which 'sexed nature' or 'a natural sex' is produced and established as 'pre-discursive,' prior to culture, a politically neutral surface on which culture acts.”⁴⁷ What this seems to imply, among other things, is that biology is a product of language and human culture. This position, as Butler would like it to be, leaves the female (and male) sexual identity open for any possible construction.

Recall the observation above that Butler's performativity was inspired by French poststructuralists. In that regard, she is not alone in her claim both that sex and gender are culturally constructed but also that the construction is being used as a tool of patriarchy to subjugate and marginalize women. In fact, in holding this position, Butler simply echoes the words of Monique Wittig (a French Lesbian theorist), with whom she agrees on many points in *Gender Trouble*, and who has also doubted the substantial or naturalness of sex. According to Wittig, “sex is taken as an 'imaginary formation.’”⁴⁸ Sex, for Wittig, therefore is a linguistic fiction, a mark, fashioned to consolidate institutionalized heterosexuality that serves to occlude other gender possibilities and advance 'masculinists' interests.⁴⁹ It is the categorization of people into distinct sexes, according to Wittig, that kick-started the “creation” of women, which “is like the making of eunuchs, the breeding of slaves, of animals.”⁵⁰

Gender Performativity

Butler criticizes the binary heterosexuality as hegemonic and exclusionary, and as carrying with it a compulsive restriction of gender possibilities, that set the two genders in opposition to one another. Therefore, gender, for her, is not a substantive, a noun or a set of attributes. Disputing the validity of metaphysics of substance, she argues that there is no substantial identity on which gender rests. She perceives gender as merely performative. It is always a doing/acting lacking any fixed identity or any stable subject that precedes the deed and to whom the deed is to be predicated. Its identity is merely a temporarily constructed one made up of discontinuous, stylized, repeated acts. Butler insists that there is always a possibility of gender being culturally transformed or subverted by allowing a different kind of repetition of such constitutive acts or by rearranging the chance relation between them. Quoting Nietzsche's words in *The Genealogy of Morals* that “there is no 'being' behind doing, effecting, becoming, 'the doer' is merely a fiction added to the deed – the deed is everything,”⁵¹ Butler asserts that “There is no gender identity behind the expression of gender; that identity is performatively constituted by the very 'expression' that are said to be its results.”⁵²

Butler argues further that the very fact that there is no abiding reality of gender or any reality the expression or realization of which it is (be it biological sex or any other), it also means that there is no pre-existing standard by which its acts can be evaluated. Hence, no act of gender should be viewed as true or false, normal or perverted, proper or improper. She points out that, though we live in society that unfortunately sets norms for regulating and controlling gender, thus, giving a false impression of gender essentialism, the very idea that one performs one's gender rightly or wrongly should never have arisen. This, she says, clearly goes against the performative fluidity characteristic of its very nature.⁵³

Butler's belief is that, once gender is deprived of such fluidity and given an essentialist status, the society readily employs it to justify the suppression of those perceived as failing to live according to its dictates. Nevertheless, the fact "that culture so readily punishes or marginalizes those who fail to perform the illusion of gender is only socially compelled and in no sense ontologically necessitated."⁵⁴ According to her, the law that claims to exclude the other as unacceptable or abnormal is also the generator or creator of the excluded and the marginalized through its prohibitions. Besides, it is by creating the unacceptable that the acceptable becomes meaningful.⁵⁵

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