

CRISIS AND MUTATION OF THE APPARATUS OF SEXUALITY: THE BURSTING OF THE CATEGORY OF SEX¹

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In recent years, alternative media, popular culture and scientific publications have provided fertile ground for the emergence — if not the production — of sexual ambiguity and marginality. Just think of the popularity of films such as *The Crying Game* or *Priscilla, Queen of the Desert*, which put the spotlight on transvestites and transsexuals; of *Ellen*, whose lesbian star came out on American prime-time TV or of the young gays of Manchester whose adventures in *Queer as Folk* were followed by a large British audience. Or think of the transsexual or transvestite professors of York and McGill universities who chose to openly display their marginality. In concert with a philosophical questioning of identity's foundations (Derrida, Deleuze and Guattari, Foucault), and with uncertainties created by technoscience regarding definition of the human subject, this proliferation of unconventional sexual figures weakens the stability of the category of sex, which was already relative given ongoing transformations in social relations between the sexes.

Some would like to see this trend as just a fad and reassure themselves that everything will soon be back in order. But if it were not so? What if something were about to happen, something like a mutation of the apparatus of sexuality, that matrix based on the naturalization of sexual difference, on masculine domination, and heteronormativity? This is the hypothesis I am suggesting in this essay, a disquieting one to many who perceive the weakening of sexual difference markers as a threat to women, or even as a dangerous drift towards

collective psychosis. Yet I want to argue that such mutation constitutes an invitation to question our cherished certainties about gender and sex, to evaluate other mutations underway, to open our minds to what Gilles Deleuze calls the “becoming-other” of our culture, to grasp its possibilities and analyze what is involved, in particular, in my case, for women and for feminism.

THE APPARATUS OF SEX DIFFERENCE

What does it mean to suggest a mutation of the apparatus of sex difference? The apparatus, a concept that Michel Foucault developed to study sexuality, could be defined as a heterogeneous set of discourses, institutions, practices, and procedures, a set traversed by power struggles, within which individuals and collectivities are formed both as objects upon which one intervenes and as subjects which posit themselves in relation to the categories of the apparatus. According to Foucault, an apparatus is a response to pressure or urgency, and arises when historical conditions make it possible. The apparatus, as a methodological tool, enables Foucault to articulate the relations between knowledge, power, and subjectivity through an historical object: sexuality. Reversing what he calls the repressive hypothesis, that is, the idea of a natural sex that is presocial and imprisoned within constraints, Foucault analyzes how we have come to talk about sex historically; how scientific disciplines have produced the truth of sex and how medical, pedagogical, and other institutions followed with procedures meant to normalize sexual bodies; how sex has definite political stakes; how the state invests the sex of its citizens in order to manage the population within the context of the rise of capitalism; in short, how subjects have been both constituted and subjectivized in the production of their sexual being. Foucault insists on speaking of the production of sexuality:

Sexuality must not be thought as a kind of natural given which power tries to hold in check, or an obscure domain which knowledge tries gradually to uncover. It is the name that can

be given to a historical construct: not a furtive reality that is difficult to grasp, but a great surface network in which the stimulation of bodies, the intensification of pleasures, the incitement to discourse, the formation of special knowledges, the strengthening of controls and resistances, are linked to one another, in accordance with a few major strategies of knowledge and power (105-106).

As Gilles Deleuze puts it, the apparatus of sexuality is a “machine that produces seeing and speaking,”² (186) a machine that gives rise to the object sex, an object which would not exist without it. To view sex difference as an apparatus — which Foucault did not — means that knowledge about it, what one says and sees concerning it, is never detached from power. It means that biological, anthropological, psychoanalytical, and even feminist theories of sex difference are wrought through by power strategies, that they are linked to institutions, such as family or compulsory heterosexuality, which continue to nourish them. It means that they resonate between each other, mutually reinforcing or destabilizing each other, in a restless interplay of forces that results in the production of sex difference.

Further, considering sex difference as an apparatus means that we must think about its normative, regulating function, reflecting on the conditions which make it possible, and that we must return to its strategic function, to the pressures that gave rise to it: was it not, at first, the need to structure social life and organize reproduction? Does the same need or pressure exist today? Haven't transformations such as women working outside the home, women gaining control of their bodies, and the development of biological and information technologies radically modified the organization of social life? As Gayle Rubin wrote in 1975, is the apparatus of sex difference, which once served to organize society, now simply engaged in organizing and reproducing itself? (Nicholson 52). In the current context, perhaps a study of the apparatus of sex

difference means no more than studying “what we are ceasing to be little by little” (Deleuze 191).

Saying “apparatus” also means the production of subjects — subjects whose identity is played out in the categories of the apparatus: men, women, heterosexuals, homosexuals, and others. But these sexed subjects are unstable: they are always constituted at the crossroads of several apparatuses, and always in the process of escaping them, of constituting themselves as a surplus of the apparatus (187). Hence their possibility of creation, of speech, of displacement. Judith Butler, in *The Psychic Life of Power*, holds that if the subject comes into being in the actualization of power matrices, the matrices do not survive this actualization intact: “Instead, on being assumed, power runs the risk of assuming another form and direction” (21). Actually, it is enough to glance at recent publications or to surf the Net to see the obvious proliferation of sexual subjects inappropriate in terms of the recognized categories of sex difference. This means that the apparatus has a certain “new tenor”:

Any apparatus can thus be defined by its new and creative tenor, which also shows its capacity for transforming itself or for having already bent itself toward a future apparatus, unless, on the other hand, its forces retreat to its hardest, most rigid or solid lines. Inasmuch as they escape the dimensions of knowledge and power, the lines of subjectivation seem to be very capable of tracing creative paths, which unceasingly fail but are taken up again, modified, until the old apparatus finally breaks down. (Deleuze 190)

It is this “new tenor” that interests me and which I try to capture in the expression “crisis and mutation of the apparatus of sexuality.”

HISTORY AND STORIES OF SEX AND GENDER

According to the historian Thomas Laqueur, the “obvious” naturalness of sexual dimorphism is quite recent. Before the eighteenth-century, a unisex model seems to have dominated philosophical and medical thought in Europe. In this model, “men and women were arrayed according to their degree of metaphysical perfection, their vital heat, along an axis whose telos was male” (5-6). The reproductive organs partook of one and the same nature: the ovaries were interior testicles, the vagina an inverted penis. So, one sex but two genders, asymmetrical. However, this acknowledgement of sexual indiffer-entiation in the natural order did not in any way prevent the assertion of that difference in the social order.

At the end of the eighteenth-century, this model gave way to a radical model of biological dimorphism: following the triumph of naturalism, men and women became two distinct and incommensurable biological entities. Sex substituted itself for gender in order to ground the asymmetry between men and women. Laqueur insists that biological discoveries by themselves do not explain the appearance of sexual dimorphism. Sex and body remain open constructions, modeled according to power relations: “Sex, in both the one-sex and the two-sex worlds, is situational; it is explicable only within the context of battles over gender and power” (11). Laqueur’s works invite us to historicize and to denaturalize body and sex.

In her history of discourses on Renaissance medicine and women, Évelyne Berriot-Salvadore has followed a similar course. Unlike Laqueur, however, she uncovers critics of the unisex model inherited from Aristotle and Galen, from the end of the sixteenth-century onward: already thinkers were asking why God could have created such an imperfect creature if she didn’t have some use. Their questioning opened the door to medical research on the specificity of the female body. Woman was no longer an inadequate man, in fact, no longer a man at all; she was her own sex: she was a uterus. Berriot-Salvadore is careful

to point out the paradox here: this new discourse broke radically from archaic theories on the unicity of the sexes — and this was significant — but its recognition of women’s separate existence was integrated with current conceptions of a hierarchy between men and women. The latter were reduced to their reproductive role, from which all sorts of calamities were seen to follow (43-45).

These ideas of the historicity of sex are disturbing. A fair number of second-wave feminists have, instead, essentialized and invoked the body as an unproblematic foundation of sexual identity: *Our Bodies, Ourselves*, to echo the Boston Women’s Health Collective. In keeping with this line of reasoning, a series of works have theorized women’s oppression from a viewpoint centered on the specificity of the female body. Without denying the very important contribution to women’s struggles of these feminists’ works — the Americans Robin Morgan and Shulamith Firestone for example — it is difficult today to sustain the idea of a univocal relation between the body and sexual identity. Other feminists, on the contrary, have tended to elide the body, under the pretext that it has been used for centuries as a basis for the subordination of women. This elision particularly marked the passage from the concept of sex to that of gender, which seems to have appeared in feminist theory in 1972 in the writing of Ann Oakley, in order to distinguish biological differences, associated with the genitals and reproductive function, from cultural differences related to the social classification of masculine and feminine.

In the 70s, this distinction between sex and gender had clear stakes. It served to break the link between biological sex and masculine and feminine characteristics, to reveal the sociocultural dimensions of sexual identities, to counter the idea that differences between men and women were natural with the idea of the social relation between sexes (or sex construction), and to show that gender was not necessarily an effect of sex. This approach became ingrained in the American feminist scene over the 1980s; as well, it marked

nearly all research on women and international development, and established itself in some circles of French materialist feminism.³ In adopting this sex/gender distinction, however, feminists stepped into ideologically mined terrain: at the same time as the uprooting of women from their supposedly natural state authorized a historical and sociological approach toward sex difference, it served to consecrate a naturalization of sex itself, of its non-historicity.⁴ Feminist analysis of gender placed the body and sexuality on the side of the biological, and “emptied gender of any desire dynamic” (Mercader, *L’illusion transsexuelle* 84) to make it an arbitrary code, useful for analyzing some power relations, but at the same time likely to hide others. The continually renewed construction of what constitutes the sexed body thus manages to escape analysis, leaving the field open to the idea of the biological naturalness of sex and heterosexuality.

One line of materialist feminist thought does vary from this general path: that developed in particular by Gayle Rubin, Adrienne Rich, Monique Wittig, and Nicole-Claude Mathieu, who put the question of compulsory heterosexuality at the centre of theories of the sex/gender system (Haraway, *Simians, Cyborgs, and Women: The Reinvention of Nature* 137). In these authors, the binarity of sex appears as a constructed category, the result of an appropriation system, a heteronormative social gender system at the service of reproduction, in which the lesbian is reduced solely to the Other of man and of heterosexual women, an Other that, once constituted, is immediately rendered invisible.

In spite of sounding astonishingly current, all these means of theorizing sex seem very trapped in a modernist vision of the subject and of sexual liberation. Wittig maintains that the lesbian is beyond sexed categories, and thus escapes appropriation and power, whereas Rich values the feminist lesbian and situates her at the extremity of a lesbian continuum, construing her as the historical subject of women’s liberation. Rubin, for her part, insists on the social character of every human activity, including sexuality, which she

conceives as trapped by the gender system. She nevertheless envisions something beyond the sex/gender system, a world inhabited by androgynous creatures, without gender but not without sex, autonomous subjects freed from the compulsory gender system.

This raises a new problem. How can sexuality be posited outside the apparatus which constructs it, an apparatus until now founded on sex difference? How can we posit this difference, or gender (as Rubin would have it), without theorizing sexuality? It is precisely here that recent work by Judith Butler, Elizabeth Grosz, and Moira Gatens opens new paths. Without subsuming sex in gender or radically separating the two, without resorting to the “autonomous subject” or “liberation,” they deconstruct the naturalness of sex, problematize the body, and analyze the production of subjectivities which both reproduce and destabilize the apparatus of sex difference.

Butler’s approach is not foreign to that of the materialist feminists, but borrows from Foucault, Derrida, and Lacan, and thus employs genealogical criticism and deconstruction to question the foundations of the category of woman. Butler asks what configuration of power lies at the origin of the construction of the binary relation between men and women, of the relation between the Subject and his Other, and at the origin of the stability of this relation. What would happen to this stability if the heteronormative regime were exposed as responsible for the production of these categories? In critically reexamining feminist ideas on the relation between sex and gender, Butler suggests that gender itself produces the natural category “sex” which seems to found it. In other words, instead of considering sex as the untheorizable biological fact on which gender is inscribed as a cultural element, thus dividing and ordering human beings in two distinct categories, both natural and cultural, Butler suggests that the ontological category “sex” is itself produced and naturalized in “gender,” that matrix of phallocentric and heteronormative power (*Gender Trouble* viii).

The concept of gender appears in Butler on several levels. First, it designates the mechanism that produces sex and sex difference:

Gender ought not to be conceived merely as the cultural inscription of meaning on a pregiven sex (a juridical conception); gender must also designate the very apparatus of production whereby the sexes themselves are established. As a result, gender is not to culture as sex is to nature; gender is also the discursive/cultural means by which “sexed nature” or a “natural sex” is produced and established as “prediscursive,” prior to culture, a politically neutral surface on which culture acts. (*Gender Trouble* 7)

Butler resorts to the term “gender” to designate the effect of this productive mechanism, an effect which she qualifies as performative in that it is obtained through repetition and reiteration of norms:

Gender is performative insofar as it is the effect of a regulatory regime of gender differences in which genders are divided and hierarchized under constraint. Social constraints, taboos, prohibitions, and threats of punishment operate in the ritualized repetition of norms, and this repetition constitutes the temporalized scene of gender construction and destabilization. There is no subject who precedes or enacts this repetition of norms. To the extent that this repetition creates an effect of gender uniformity, a stable effect of masculinity or femininity, it produces and destabilizes the notion of the subject as well, for the subject only comes into intelligibility through the matrix of gender. [...] There is no subject who is

'free' to stand outside these norms or to negotiate them at a distance; on the contrary, the subject is retroactively produced by these norms in their repetition, precisely as their effect. ("Critically Queer" 16-17)

In one sense, with her concept of gender, Butler makes Foucault's concept of the apparatus of sexuality her own, giving it a special twist by using it to analyze the production of the materiality, difference, and hierarchy of the sexes, and their relation to heteronormativity. But with Foucault as with Butler, a dark spot remains: that of bodies and pleasures. In an often quoted and criticized passage, Foucault writes: "The rallying point for the counterattack against the deployment of sexuality ought not to be sex-desire, but bodies and pleasures" (157).

What is the status of these bodies and pleasures? Are they outside the discourses and practices of the apparatus of sexuality? The idea of a resistance emanating from bodies outside the apparatus is difficult to support, as Foucault himself attests. Butler, however, returns to this idea in her distinction between sex, gender, and sexuality, stressing that human sexuality is not completely contained in the categories of the regimes of heteronormative and phallographic sexuality, although it always exists in relation to these categories. But in claiming this, does she not risk re-introducing the idea of the naturalness and non-historicity of a polymorphous sexuality?

This problem of the theorization of bodies and pleasures occupies a central place in the writings of Moira Gatens and Elizabeth Grosz, who deal with it in relation to sex difference. Gatens and Grosz doubt the relevance of the concept of gender: if sex is not the foundation upon which gender is constructed, if sex is always already gender, as Butler herself wrote (*Gender Trouble* 7), then what is the usefulness of this distinction? Grosz suggests, instead, that we distinguish between sexuality, which she describes in part as the domain of

sexual pulsions, desires, pleasures, and practices, produced in power /knowledge matrices as shown by Foucault, and sex, which she confines to the domain of sexual difference and the morphology of bodies. Following Foucault, Grosz conceives of sex as the product of sexual regimes: the body is not merely a surface on which culture inscribes its mark; the body constitutes itself in this inscription, these practices. But she quickly departs from Foucault by claiming that sex is the domain where the sex difference is produced. Instead of resorting to the concept of gender, as Butler does, to mark the gap between what a body can do and the categories of the sexual regime that govern it, Grosz envisions the instability of sex itself, of bodies themselves. She is thus able to imagine beings that escape the categories of sexual regimes, without falling into the idea of the naturalness of sex to show gender's variability ("Experimental Desire: Rethinking Queer Subjectivity" 139-140).

Sex, gender, sexuality? This terrain is not easily mapped, as decades of feminist theories have shown. As such, the concept of the apparatus of sex difference can be useful, as it allows acknowledgement of all the issues. It allows deconstruction of the naturalness of sex, by borrowing Foucault's idea of the apparatus of sexuality and the production of sex; it allows us to think, with Butler and Grosz, that this production is that of sexual difference, whose binarity is part of masculine domination and heteronormativity. It also allows us to propose the instability of sexes and bodies, and the production of subjects that exceed the apparatus, without resorting to the idea of a sexuality prior to power or to that of an autonomous subject. It even allows identification of emerging discourses, those made possible by the bursting of the naturalness of sex.

In fact, the vagueness surrounding notions of bodies and pleasures, along with the insistence on a polymorphous sexuality or indetermination of the sexes, could be signs of the passage to a new apparatus. But for such a path to really open, the apparatus of sex difference would have to be worked by several

lines of force, in diverse fields of practice and knowledge. And perhaps these lines are already drawing themselves in some fields at least, for example that of medicine, the traditional rampart of orthodoxy when it comes to defining sex. To illustrate this idea, I'll use an extreme case, that of the procedures for assigning and constructing sex in cases of sexual ambiguity, which paradoxically temper what "should" be "nature" out of the crucible of the social. Even while some physicians try desperately to make sex and gender coherent and stable, they are far from reaching their objective. And their very practices are susceptible to evocation by their opponents as further proof of the fragility of the biological naturalness of sex.

SCIENTIFIC PRODUCTION OF SEX DIFFERENCE

How is sex viewed today? Common sense defines it as a category allowing human beings to be classified according to one reproductive role. But can human beings really be divided into two distinct and airtight categories, according to reproductive role? Who decides? What possibilities are open or closed today by the assignation of one or the other sex?

According to John Money, a respected specialist at Johns Hopkins, several variables contribute to defining sex: genetic or chromosomal sex, gonadal sex, fetal hormonal sex, internal and external morphological sex, hypothalamic sex, sex of assignment and rearing, pubertal hormonal sex, gender identity and role, and procreative sex (*Sex Errors of the Body and Related Syndromes* 4). According to prevailing theory, sex begins to be determined after a certain number of weeks of embryonic life (six or seven), under the effect of pre-natal hormones (Van den Wijngaard 29). Other researchers indicate that differentiation could occur even before hormones start acting. In fact, the debate is still open as to the signals that direct the embryonic gonads to develop into ovaries or testicles (Peyre et al 29, 33). And to further muddy the waters, the Y chromosome has been observed in persons endowed with female sexual organs, and vice versa.

Several other cases of genetic anomalies have been observed — such as XXX, XXY, XYY — accompanied or not by organ anomalies. Male or female? Is sex genetic or morphological? Is it dichotomic? The sex difference seems to resist any attempt to close its definition.

Curiously, for most scientists, observation of the complexity of sexual differentiation processes does not entail questioning the naturalness of sexual binarity. The birth of individuals with “ambiguous” sex characteristics (micropenis, overdeveloped clitoris, double organs, internal and external organs that do not match, etc.) generates profound anxiety and leads to sophisticated procedures of fabrication and normalization of bodies.⁵

Doctors at Johns Hopkins Hospital are the pioneers in this field. Since the 1920s, physicians and psychologists there set themselves the task of “curing” newborns with genital ambiguities, using surgery, hormone therapy and psychotherapy to endow them with coherent sex and gender. Birth registry offices do not account for sexual ambiguity, either; to be born is to be assigned a sex, single and non-ambiguous. After registration, a citizen, even an adult one, cannot dispose of his or her sex. For years, Johns Hopkins doctors assigned and fabricated sexes on the basis of two postulates: that of the psychosocial neutrality of the newborn — a radical constructivism as to gender — and that of the decisive role of genital appearance.⁶ Money, who was and remains the master thinker in this field, maintains it is possible to assign a gender and construct a sex that corresponds to it, if the intervention takes place early on, before the child is eighteen months old.

Diagnosis is the first step in the process by which the doctor assigns a sex to an infant whose organs are ambiguous. To do this, he carries out a series of tests (chromosomes, hormones, morphology of internal and external organs, etc.). Then, he declares: it’s a boy or it’s a girl. In short, the real sex was there from the start; all he had to do was “discover” it. Then the floodgates open: a whole series of surgical interventions and hormonal and psychological

treatments take place to consolidate and stabilize the sex and gender. What's interesting here are the criteria used to establish the true sex. John Money speaks clearly on the subject:

[...] never assign a baby to be reared, and to surgical and hormonal therapy, as a boy, unless the phallic structure, hypospadiac or otherwise, is neonatally of at least the same caliber as that of same-aged males with small-average penises. (Money quoted in Kessler 224)⁷

In other cases, it is judged preferable to proceed with ablation of a hypertrophied clitoris or of an atrophied penis, then fabricate a vagina and raise the infant as a girl. In the end, science can wield extremely sophisticated tools to carry out the mechanisms of sex determination, but the nugget of truth resides in the appearance of the penis and its potential for orgasm, which are eminently cultural criteria if there ever were any.

This medical effort to create and stabilize has not been without effects on the very people who have undergone constructive and reconstructive surgeries, hormone treatments, and all the psychological follow-up. Even though doctors and parents may act out of good faith, convinced of the impossibility of living outside the borders of the sexually normal, defense groups representing those who have endured the interventions claim that many of the operations were, and still are, clitoridectomies: fabrication of a female sex according to an heteronormative reproductive logic which excludes the sexual pleasure of women (Chase 204-207).

Whatever scientific approach is used at the outset, whether faith in biological determinism or faith in psychological constructivism, the aim is always to adapt ambiguous bodies to arrive at a coherent heterosexual unity, in accordance with stereotypes of a sexual dimorphic model, characterized by sex

hierarchy and reproductive heterosexuality (Van den Wijngaard 95). In the most concrete sense possible, the favouring of this model constitutes an implementation of the apparatus, in other words the production of sex difference, inscribed in an heteronormative frame. But this production is now exposed as what it is — a production — and its structure can be seen as shaky, notably because the “products” have started to speak out and object. Some doctors, who have listened to these objections and examined their own practices, have now added their voices to those of the victims.

THE NEW VISIBILITIES OF SEX

Medical interventions on children with an ambiguous sex are already an old story; what is new is that we now talk about them. Above all, the people themselves talk: intersexed persons, transgendered persons, transvestites and transsexuals⁸ fill our screens, appear in popular media and mobilize politically side-by-side with the already familiar figures of gays, lesbians, and bisexuals of both sexes. They now participate in sex production. Facing the proliferation of these subjects who blur traditional lines of the category “sex,” are we witnessing a mutation of the apparatus? The production of a sexual multiplicity? A kind of becoming-queer of the culture?

Examples are many. Since about a decade ago, queer publications have invaded English-speaking universities of industrialized countries, and conferences resound today with names like Judith Butler. The journal *Differences* has published two issues on the subject, in 1991 and 1994; *GLQ: A Journal of Lesbian and Gay Studies* dedicated an issue to queer theories in 1993; a specialized publication, *Critical InQueeries*, was founded in Australia in 1995; journals like *Sociological Theory*, *Socialist Review*, and *Social Text* have also dedicated entire issues to queer trends (Jagose 2). Anthologies and theoretical works are now impossible to count, and transgender production is close on their heels. In February 1998, *The Globe and Mail* published an article on

“gender bending.” It dealt not only with the growing popularity of transgender studies in North American universities, but also spoke of the wider implications of the presence of transsexual, transgendered or transvestite professors in these institutions (Wilson D9).

At Harvard, a working group has suggested adding gender identity to the list of identities covered by university laws against discrimination, so as to protect the rights of transsexual and transvestite individuals. The University of Iowa already has such a policy. One can imagine the legal and other implications of these decisions: will we see the right to gender identity appear in the list of human rights? Will “civil status unavailability,” that is to say the fact that it is the exclusive prerogative of the State, be questioned? If such were the case, if sex were to cease to be legally constructed according to heterosexual division of the reproductive function, one of the legal bases for the regime of sexuality would collapse, opening the way to the production of new sexual norms.

There are new visibilities as well in publications and conferences: *GLQ: A Journal of Lesbian and Gay Studies* published an issue devoted to emerging transgender studies and movements. A specialized journal has recently been founded: *The International Journal of Transgenderism*. Still more important, perhaps, is the political mobilization of sexual minorities. The example of the Intersex Society of North America (ISNA) will let me illustrate this point. Founded in 1993, ISNA is a group dedicated to the defense of intersexed individuals’ interests, those individuals who were victims of mutilations perpetrated by what they consider to be a medical establishment at the service of the binary and heteronormative regime of sexuality. ISNA now links intersexed individuals on several continents, documents the wrongs inflicted, organizes healing sessions and, while accepting the assignment of gender at birth, exerts pressure on medical authorities to put an end to interventions having no other aim than normalization of the body. Since its founding, other

groups have multiplied in the U.S. and have made alliances with groups whose fields of action range from the defense of transsexuality to the promotion of sexual diversity in general. Similar groups have appeared in England, Germany, and Japan, and physicians and psychiatrists have started to support them (Chase 200).⁹

How can this production of visibilities be deciphered? Inspired by Judith Butler, I would say that this production is performative, which is to say that it produces reality by means of the display and repetition of words, norms, and categories, all of them linked to practices and social institutions which confer this productivity on them. Thus, to say “It’s a boy!” or “I declare you husband and wife” is to give birth to a sexed subject; it is to institute the couple. “We do it by saying it,” as Gilles Deleuze wrote, all the more so since practices and institutions actualize the words by inserting them within power relations.

But how about the status of subjects constituted on the basis of already existing categories? The truth is that subjects tend to exceed the apparatus which induces them: in the repetition and display of norms, shifts occur, flaws appear; the subject is sexually incoherent, unstable. It repeats the norms but does not repeat well, up to the point where these norms sometimes turn against the apparatus they were to reproduce. Butler cites the case of the homophobic injunction “He is a queer!” which, by dint of repetition, has ended up exposing a heteronormative power matrix (“Critically Queer” 17).

In this sense, withdrawing transvestitism, transsexuality, or intersexuality from an exclusively medical and psychological sphere or unleashing them from the world of bars — in both these spheres they operate as exclusion, marking borders between normality and pathology in the apparatus of sex difference — and deploying them in universities and mass media is a performative process, as Butler describes in *Gender Trouble*. Some subjects repeat the norms; they display the categories of femininity and masculinity, but the way they do it reveals the extent to which these identities are imaginary. These subjects

display the incoherence, the instability and the indetermination of sex. Obviously, such performative acts can be normalized and reinvested in the apparatus. Transsexuality is often evoked as an example of this; here, carrying out a surgical intervention to create coherence between genital morphology and what is understood as the real sex, the “interior” one, can seem merely to reinforce the apparatus of sexual binarity. Some authors, Janice Raymond and Patricia Mercader among others, see transsexuality first as a medical enterprise, combined with an abdication of responsibility for the real problems lived by individuals facing contradictions in their sexual identity. These authors suggest a psychological or psychoanalytical approach to “solving” the problems. Transsexuals, however, strongly criticize this attitude, judging it to be moralizing and pathologizing; they demand the status of subjects, capable of self-representation and of choice (Riddell).¹⁰

It would be wrong to attempt to situate the emergence of sexual minorities exclusively in one or the other of these categories: that of reinforcement of the apparatus or that of its destabilization. “Everywhere there are mixes to be unmixed: productions of subjectivity escape powers and knowledges of an apparatus to be reinvested in those of another one, under forms still to be born” (Deleuze 188). Foucault also said as much:

We must not expect the discourses on sex to tell us, above all, what strategy they derive from, or what moral divisions they accompany, or what ideology—dominant or dominated—they represent; rather we must question them on the two levels of their tactical productivity (what reciprocal effects of power and knowledge they ensure) and their strategical integration (what conjunction and what force relationship make their utilization necessary in a given episode of the various confrontations that occur). (102)

What leads me to believe that breaking the apparatus is possible is that its surface is worked over and altered from so many angles. Following Donna Haraway, I maintain that developments in science and technology over the last decade have favoured transgression of the paradigms of modernity which have grounded our conceptions of sex difference. They burst what rigidity still remains in the dichotomies nature/culture and man/woman after decades of feminism and changes in family structure in Western societies, thus opening the door to a multiplicity of sexual identities and to a mutation of the apparatus of sex difference.

SEX IN THE ERA OF ONCOMOUSE™ AND CYBORGS

According to the biologist and science historian, Donna Haraway, we now live in a technoscience world, where located people, other organisms, and machines can be put into direct interface (*Modest_ Witness @Second_Millennium* 52), a world full of cyborgs, creatures constituted in a space where distinctions between human, animal, and machine are blurred. For Haraway, the emblematic figure of that world is OncoMouse™, a mouse altered by the addition of a carcinogenic gene, a patented transgenic creature, fabricated and marketed by DuPont.

Foucault already analyzed the implementation of bio-power in modernity, a set of discourses and practices centered on administration of bodies and the calculated management of life, a set which allows bodies to be inserted into the system of production, and population phenomena to be adjusted to the needs of growing capitalism. The apparatus of sexuality was at the centre of this bio-power (140-141). In view of the developments of the past two decades in the areas of biological and communications technologies, bio-power appears to have given way to techno-biower, a result of a veritable implosion of the technical, political, economic, textual, and oneiric, — an implosion visible in

many practices and entities at the century's end (Haraway, *Modest_Witness@Second_Millennium* 12). I will use biotechnologies as an example to illustrate these transformations and show what is at stake when one ponders sex difference.¹¹

Biotechnologies draw upon a range of scientific disciplines and techniques, all aimed at the knowledge, exploitation, fabrication, and reproduction of living organisms. Gene manipulation has a central place in this industry, which has grown remarkably since its birth at the end of the 1970s, encouraged by the 1980 US Supreme Court decision permitting patenting — and consequently exclusive control and marketing — of genetically-modified organisms (Rifkin 42). Biotechnologies have applications in health, agriculture and industry; transgenic organisms are specially valued. OncoMouse™, the first patented mouse, is used in cancer research. A Dutch firm has created a transgenic cow, which produces humanized milk good for newborns. Borderlines between animal and human blur even more with the emergence of xenografts, the medical use of animal organs for transplant into humans.

Laboratories have sprung up almost everywhere, not just in the United States and Canada but in Japan, Switzerland, Germany, and France, fuelled by a major influx of capital and by collaboration between the State, transnational corporations, and universities. On a global scale, the United States controls the biotechnology industry. According to sources cited by Haraway, more than 50% of research and development funds in the United States are now channeled towards biotechnologies (“*Modest_Witness@Second_Millennium*” 93). According to the Rural Advancement Foundation International, a Canadian organization that monitors biotechnologies, pharmaceutical companies have invested about six billion dollars in that industry throughout the world since 1990 (Shand 51). Even if it lags behind, Canada has entered the race: from 1994 to 1997, the number of biotechnology companies doubled from 120 to 224.

This research and these practices, backed by thousands of scientific articles,

place humans, machines, and animals in interface. More than ever, they blur modernity's border between nature and culture, subject and object. Haraway talks about a mutation in the grand narrative of modernity, a change of paradigm whose implications we can scarcely yet imagine. David Roy, director of the Centre de bioéthique of the Institut de recherches cliniques de Montréal (IRCM), echoes this thought:

[...] biomedical technologies will alter the very components of the human organism, from genes to the brain, and no longer restrict themselves to objects outside human beings. Biomedicine thus proves to be of great importance, since it incorporates human nature itself. [...] Human nature is no longer considered as a fundamental principle governing human action, it has become an unsolved question, a work in progress. [...] (1)

The thought of renouncing the idea of human nature is a frightening one. But when one thinks of the place of sex difference in the modern conception of human nature, the idea of approaching it as an unsolved question appears full of possibilities. In fact, if we are able to openly consider the malleability of the subject and its mutation in the interface between human, animal, and machine, why should we go on thinking according to the categories of sexual dimorphism based on the idea of an unchanging nature? It seems to me that the philosophical and ethical issues raised by biotechnologies open the way to a widening of the recognized categories of human sexuality, reinforcing the practices of individuals and groups who have already put forward this project at the ethical, cultural, and political level.

But the fact that this mutation is linked to major financial interests and that it results in controversial practices causes resistance and, in some ways, a

retreat into humanist and naturalist positions. There is no doubt that biotechnologies give rise to oppressive practices and that their use may completely escape democratic control. Studies of new reproductive technologies and of organ trafficking have signaled these dangers. Moreover, reopening the issue of sexual dimorphism, whether in scientific discourses, in cultural manifestations, or in the possibilities brought about by development of technobiopower, brings forth legitimate anxiety in feminist ranks. Does opening sexual categories not announce the return of a generic masculinity? (Jagose 3, Turcotte 120). Does it toll the death bell for women's struggles? In my opinion, the game is not over, is never over.

MAPPING THE PRESENT AND WELCOMING THE EVENT

By hypothesizing a mutation of the apparatus of sex difference, I want to throw light on new objects and new subjects: "Not to predict anything, but to pay attention to the unknown knock at the door" (Deleuze 191). To symbolize the potential of subjects constituted beyond traditional binary frontiers, Haraway resorts to the cyborg figure. OncoMouse™ is not alone; we too are cyborgs, simultaneously organism and machine, creatures in mutation. This is now our ontology. If it is necessary to resist those who would like women to disappear in the name of sex indetermination, if it is legitimate and urgent to defend the interests of groups threatened by biotechnological predators, it is also as urgent to see the limits of struggles led in the name of nature's integrity or of the stability of the category "woman," set within a logic of representation. For identity categories not only nourish our struggles, but also subordinate us and are used by us to subordinate others; the concept of the apparatus of sex difference shows us this very clearly.

To claim that the body is an open and redefinable entity, that sex is a historical object thought of and produced in knowledge and power apparatuses, that sex difference itself might be thought anew, does not imply that this sex

difference is inconsequential to the sexed subjects it produces. Opening ourselves to new sexual visibilities or being attentive to what is at stake in biotechnologies allows us to denaturalize sex difference, but does not in any way detract from the legitimacy of women's political affirmation, as subjects both constituted and subjectivized in the apparatus of sex difference. To move further, however, requires that we consider sexual difference as a multiplicity, and resist any paranoia about identity. Following Haraway, I believe that we must now look for our pleasures and mobilize our energies not just to protect the frontiers which define us, to defend humanity against machines, or to reaffirm sex binarity, but equally to favour reconfiguration, multiplicity, and dispersion of these categories.

Is this to claim that there is new freedom appearing at the horizon of this multiplicity, this dispersion? It is doubtful. But it could mean that the society of discipline is giving way to a society of control: identities are fragmenting, institutional walls cracking, bodies are penetrated by technoscience, and are mobilizing on their own. In short, to the picture of discipline exercised upon a well-defined and organized subject is juxtaposed the flexible and invisible control over individuals whose identities have exploded. And all of capitalism is now exploding into flexible networks — it has become Foucauldian, as Luc Boltanski and Ève Chiapello ironically report in *Le nouvel esprit du capitalisme* — and no longer needs the stability of territory, family, or hierarchical organization. Should we then conclude that the exploding of identities is just a new ruse on the part of power? The answer cannot be found in such an antinomy. Not “or” but “and, and” says Deleuze.

It is true that the dynamic of power is such that its lines constantly stratify, harden, and institute new normative forces, breeding new forms of control. The case of gay marriage is interesting here: removing the heterosexual foundation of the couple and family fissures the apparatus of sex difference and enlarges individual rights, but if this political gain brings increased marginalization of

minority gay sexual practices along with it, it will simultaneously create new forms of domination.¹²

And... and... if the menace of such reterritorialization still casts a shadow over these struggles, the emergence of lines of flight is still inexorable. Following them means engaging in a political practice that does not simply reject domination on behalf of well-defined identities or retrace reassuring, familiar — and outmoded — horizons, but one that also consists in taking risks, in extending freedom, mobility, reversibility of the games of power, one that welcomes events that might open up cultural, social, and political space, without insisting on knowing in advance exactly where we will end up. For this is how mutation, metamorphosis, begin to occur.

It's along these lines of flight that we'll be able to invent new weapons to oppose to the cumbersome weapons of the State, and 'maybe I'm fleeing, but all during my flight, I'm searching for arms.' (Deleuze and Guattari 250)

NOTES

1 "Apparatus" is the most common translation of "dispositif," a Foucauldian concept meaning matrix, social arrangement. The French term "dispositif" does not, however, possess the slightly mechanical connotation found in the word "apparatus."

This essay is an adaptation of a text published in French in *Les limites de l'identité sexuelle*, Ed. Diane Lamoureux (Montréal : Remue-Ménage, 1999). I thank Jean Antonin Billard and Erin Mouré for this translation, which includes their own translations of all citations from Deleuze and Deleuze/Guattari. I also thank the outside assessors of earlier versions of this text. As well, I am indebted to the Canada Council for the Arts for supporting my work.

2 Translator's note: In Seán Hand's translation of Deleuze's book, *Foucault*, Hand uses "mechanism of visibilities and articulations" for Deleuze's term "une machine à faire voir et à faire parler." To this translator (Erin Mouré), this elides the constructivist agency of the machine or mechanism.

3 To assess exhaustively the use of the concept of gender in feminist analysis exceeds the purview of this text. For further reading, see Rubin ("The Traffic in Women"), Rich ("Compulsory Heterosexuality"), Wittig ("One is not Born a Woman"), Scott ("Gender: A Useful Category of Historical Analysis"), de Lauretis (*Technologies of Gender*), Young (*Gender and Development*), Mathieu ("Identité sexuelle/sexuée/de sexe?"), Butler (*Gender Trouble*), Sedgwick (*Epistemology of the Closet*), Delphy ("Penser le genre, quels problèmes?"), Moser ("Gender Planning in the Third World"), Haraway (*Simians, Cyborgs, and Women*), Hurtig et al (*Sexe et Genre*), Grosz (*Volatile Bodies*), Gatens (*Imaginary Bodies*), and Hawkesworth ("Confounding Gender").

4 Moira Gatens discusses this question at length in "A critique of the sex/gender distinction," *Imaginary Bodies, Ethics, Power and Corporeality*.

5 This is not a new phenomenon. In ancient Greece, veneration of the gods' androgyny or bisexuality occurred alongside the elimination of babies with an ambiguous sex (Pontalis 20).

6 Money and Ehrhardt have qualified their position since 1972 and recognized that some antenatal hormones may have an effect on gender identity. Their research concerned young girls born with XX chromosomes who had female internal organs and a penis. After undergoing an operation and being raised as girls, these children seemed to behave as tomboys, in Money's own words : high IQ, full activity, lesbian and bisexual desires.... Later, Money recommended the children be brought up as boys. The truth of sex is in the penis.

7 Suzanne Kessler notes that the psychologist Robert Stoller, a specialist in gender identity, does not share this point of view concerning the social and psychological importance of the apparent penis.

8 To clarify: The term "intersexed" indicates the presence of both female and male sex organs, in varying degrees (what used to be called hermaphrodite). "Transgendered" indicates persons who are psychologically women but physically men, and vice versa, and who may be taking hormones to alter secondary sex characteristics but usually have not had surgery to change gender. "Transvestite" refers

to those who are both physically and psychologically either male or female, but who enjoy, or feel more comfortable and natural, dressing in clothes generally associated with the other gender. "Transsexual" refers to transgendered persons who have changed their physical sex characteristics through hormones and surgery to bring these characteristics into alignment with their psychological make-up and to have their new gender legally recognized.

9 Thus, in 1999, the North American Task Force on Intersex, NATFI, was created in order to review previously established norms and assess the current psychosexual condition of patients having undergone treatment, and to establish directives for newborns. This group includes about 30 medical doctors, essentially from the USA, as well as representatives of the defense groups, one of which is ISNA. A doctor from the Hôpital Sainte-Justine of Montréal belongs to NATFI.

10 In her extremely well documented book on the issue of transsexualism, *Sex Changes: The Politics of Transgenderism*, therapist and transgender activist Pat Califia supports Riddell's critique of Raymond's positions. She nevertheless thinks that the trend toward surgical operations will diminish. But in the meantime, there is no doubt that these operations to change sex have given rise to a flourishing industry. In April 2000, the TV program *Enjeux*, on the French CBC network, Radio-Canada, broadcast a report on a specialized clinic located in the Montreal suburbs. Patients there, from Canada and United States, had paid several thousand dollars for their operation. However, other professionals are questioning their own practices, as is the case of a Vancouver group of doctors who, in the light of the new debates, reassessed their approach to transsexualism.

11 For more information, see Rifkin; see also *Quebec-Science*, "Les biotechnologies" and "La génétique: de Mendel au clonage" at <http://www.cybersciences.com/ciber>. See also the May-June 1998 issue of *Mother Jones*, as well as issue 38 of *Manières de voir (Le Monde diplomatique)*.

12 See in this respect the very convincing argument of Michael Warner in *The Trouble With Normal*.

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