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No

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Abstract

This article examines how the enunciation (or not) of the word ‘no’ in particular social situations works performatively to produce those situations as sexual, materializing particular subjects as sexual subjects. Three instances are examined in detail: (1) cases of rape, where the meaning of a woman’s ‘no’ may be disputed; (2) the ‘Homosexual Panic Defense’, which claims that unwanted homosexual advances may legitimately be resisted with physical violence rather than words; and (3) sadomasochistic scenes, where ‘no’ is a token of formulaic resistance used to heighten pleasure. It is argued that in analyzing such instances, *performativity* must be distinguished from *performance*, and *identity* from *identification*.

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Performativity as a theory is most closely associated with the American philosopher Judith Butler, who in a number of well-known books has developed what she calls a performative approach to language and culture. The cornerstone of this approach is of course J.L. Austin’s concept of the performative, which is concerned with language as action, language that in its enunciation changes the world—it brings about a new social state. The archetypal performatives with which Austin begins his discussion are utterances like ‘I bet’ or ‘I promise’. However, by the conclusion of *How to Do Things with Words*, Austin has collapsed the distinction between performatives and constatives that he established at the beginning, and he declares that even constative utterances are in fact performatives: ‘there can hardly be any longer a possibility of not seeing that stating is performing an act’, he wrote (Austin, 1997, p. 139).

This collapse of the distinction between performative and constative was the dimension of Austin’s theory that Butler developed in her work. Focusing on gender, Butler claimed that utterances like the ‘It’s a girl’ delivered by a doctor to a mother who has just given birth are not merely descriptive. Like the priest’s ‘I now pronounce

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you man and wife’, an utterance like ‘It’s a girl’ performs an act. It *does something* in Butler’s analysis. That act of naming ‘initiates the process by which a certain girling is compelled’, she wrote (Butler, 1993, p. 232). It requires that the referent so designated act in accordance with particular norms and create, in doing so, the appropriate gender in every culturally legible act that the person so designated performs, from sitting in a chair, to expressing her desire, to deciding what she ought to eat for dinner.

The relevant part of this story for the argument I will develop here is what happened next. After the publication of Butler’s 1990 book *Gender Trouble*, performativity suddenly became all the rage. It entered the lexicon of literary studies, history, sociology and anthropology, and it even merits a separate entry in Alessandro Duranti’s recent collection *Key terms in language and culture* (Hall, 2001). Now for sociolinguists and linguistic anthropologists, this might appear somewhat odd, because while ‘performativity’ was busy hypercirculating in other disciplines, another, older, term that seemingly referred to precisely the same thing—or at least it sounded pretty similar—already existed. That term was ‘performance’.

But performance is not the same as performativity. The difference is this: performance is something a subject does. Performativity, on the other hand, is the process through which the subject emerges (Butler, 1993, p. 2, 7, 95). This is a crucial distinction that was completely missed by many critics of Butler’s work. Early rejections of her framework were based on a reading of performativity as performance; on the idea of an entirely self-aware and volitional actor who could choose to put on or take off genders the way people put on or take off clothes (see e.g. Weston, 1993). This is wrong. Performance is one dimension of performativity. But performativity theory insists that what is expressed or performed in any social context is importantly linked to that which is not expressed or cannot be performed. Hence, analysis of action and identity must take into account what is not or cannot be enacted. Furthermore, a performative approach to language interrogates the circulation of language in society—not so much who is authorized to use language (which was Austin’s concern, as it was a major concern of Pierre Bourdieu, e.g. Bourdieu, 1991), as how particular uses of language, be they authorized or not, produce particular effects and particular kinds of subjects in fields or matrices of power.

Performativity is not a linguistic concept—Austin was not a linguist, he was a philosopher, as is Butler—and this may be one reason why there are really very few linguistic studies that might be said to be performative.¹ There are lots of studies of

¹ Earlier work on language and political economy (e.g. Myers and Brenneis, 1984), discursive regimes of speaking (e.g. Lindstrom, 1990), Bakhtinian dialogism (e.g. Hill and Hill, 1986; Tedlock and Mannheim, 1995), and, most recently, ‘language ideology’ (e.g. Schieffelin et al., 1998) shares many concerns with performativity theory in that it examines who is authorized or enabled to say what, and who is silenced. Where this work arguably differs from performativity theory is, first of all, in its inattention to issues of sexuality; secondly, in its relative lack of concern with the processes through which subjects and subjectivities are produced; and thirdly, in its lack of awareness of the complex role that *identifications* (refusals as well as affirmations) play in linguistic practice. There are of course exceptions to this generalization, such as Hill (1995a), which examines the production of a specific moral subject without using the metalanguage of performativity theory. Cameron (1997), and Valentine’s paper in this volume are good example of an empirically grounded performative studies of language (that do reference performativity theory), because interrogates how particular kinds of language enable or block particular kinds of identifications and subjectivities.

performance, but few of performativity. The difference between the two perspectives is something I hope to illustrate in this paper. I propose to do this through an examination of the linguistic token of rejection or refusal, the word ‘no’. My interest is in how the enunciation (or not) of ‘no’ in particular social situations works to produce those situations as sexual, even as it materializes particular subjects as sexual subjects. I am also interested in how the enunciation of ‘no’ is structured by certain absences, certain other enunciations that cannot or must not be expressed. I will illustrate my arguments by discussing the occurrence of ‘no’ in three seemingly very different contexts, which I will link. The three situations I will discuss are situations of (1) sexual harassment and rape, (2) instances where the so-called Homosexual Panic Defense, which I will explain shortly, is invoked, and, finally, (3) sadomasochistic sex.

Sexual harassment and rape

The foremost context for the analysis of ‘no’ in sexual situations is research that examines the language of sexual harassment and rape. This important research focuses on the fact that a woman’s ‘no’ is constrained by cultural expectations and demands of femininity (Ehrlich, 1998, 2001; Lees, 1996; Kitzinger and Frith, 1999; Matoesian, 1993; McConnell-Ginet, 1989). The strongest articulation of this position is the assertion that a woman’s refusal of sex simply cannot be heard in patriarchal culture (MacKinnon, 1993). In a culture that relentlessly objectifies and sexualizes women, the illocutionary force of a woman’s ‘no’ to sex is consistently thwarted and distorted to mean ‘keep trying’, or even its inversion, ‘yes’. Hence, men can claim that they misunderstood women’s refusal, and women who are raped can be blamed for not having conveyed their refusal clearly enough. This is particularly the case when there is no physical evidence, such as bruises or broken bones, that the woman refused the man’s advances.

Phrased in terms of performativity theory, what linguistic analyses of sexual harassment and rape trials demonstrate is that the subject position ‘woman’ is produced in part by the normatively exhorted utterance ‘no’ when encountering male desire for sex. This differs from the subject ‘man’, who, in contrast, is normatively exhorted to *never* say ‘no’ when confronted with female desire. Indeed, for a male to say ‘no’ to female desire for sex would threaten to signify him as a homosexual. In order to block this signification, extenuating circumstances need to be asserted, such as extreme physical unattractiveness in the female. All of this configures a cultural grammar in which saying ‘no’ is part of what produces a female sexual subject, and *not* saying ‘no’ produces a male sexual subject.² ‘No’ in both its present and absent manifestations facilitates the production of heterosexual subjectivities and heterosexual

² Please note the ‘part of what...’. I am not claiming that ‘no’ is the only linguistic iteration that produces sexualized, gendered subjects. But I am claiming that ‘no’ works as a performative to produce situations as sexual, and it simultaneously materializes sexualized, gendered subjects that are positioned in a specific relation of power.

sexuality. Its utterance invokes a domain in which one interactant can performatively produce himself as a man by responding to it by prolonging the encounter and ideally finally transforming it into a ‘yes’, and the other interactant can performatively produce herself as female by facilitating—willingly or not—that extension and prolongation of the sexual scene.

Any performative approach to language will ask: where does a particular signifying system run up against its own limits? One place ‘no’ meets its limits is when a woman does not utter it, and says ‘yes’ without persuasion. Now, while Conversation Analysts have shown us that a ‘yes’ is an interactionally preferred response,³ as a woman’s response to a sexual advance, it is culturally a *dispreferred* one. Accordingly, the sexual subjects produced through ‘yes’ are *marked* in the linguistic, Jakobsonian sense; they are not just women; there are many other names for them, most of them pejorative. A ‘yes’ to sex can also produce female subjects as being outside heteronormativity, when that ‘yes’ occurs as a response to the advances of a woman (who, of course, is also marked in this discursive system). As an aside, I can also note that women who say ‘yes’ to sex are also marked in our academic texts, in this case through their virtual absence—we have several excellent studies on how women say ‘no’ to sex, but little information on how they say ‘yes’. One paper we do have, interestingly enough, indicates that many women say ‘yes’ to (hetero)sex precisely by saying ‘no’. This was a questionnaire study done in the late 1980s, which asked 610 female undergraduate students if they had ever said ‘no’ to sex, even though they ‘had every intention of and were willing to engage in sexual intercourse’. It turns out that 68.5% of these women reported saying ‘no’ when they meant ‘maybe’, and 39.3% reported saying ‘no’ when they meant ‘yes’. When asked why they said ‘no’ when they meant ‘yes’, women answered either that they were afraid of appearing promiscuous, or they felt inhibited about sex, or they wanted to manipulate the male—they were angry with him, they wanted to make him more aroused, or more physically aggressive; see Muehlenhard and Hollabaugh, 1988.

The field of sexuality produced by ‘no’ also runs up against its limits when a man says ‘no’ to a woman. As I have already mentioned, this appearance of ‘no’ threatens to signify the subject as marked ‘gay’. But interestingly, this ‘no’, rather than quashing sexuality, also invites its prolongation. Movies like the 1998 *The Opposite of Sex* (in which the main female character plots to seduce her brother’s boyfriend, who says ‘no’ to her advances, telling her he is gay) make explicit and exploit this domain of possibility raised by a man’s ‘no’ to female desire.

The most striking place where this system of sexual positionings runs up against its own limits is in instances when a man is solicited by another man. The marked subjectivity here is not so much the man doing the pursuing—men are subjects who pursue others sexually, and cultural stereotypes insist that men who pursue other men are the most fully sexed subjects of all (hence the most repellent heterosexual men in the world feel no embarrassment announcing that homosexuality is ‘OK’ with them, as long as the homosexuals don’t try to seduce them...). In this particular erotic choreography, the marked subjectivity is the man who says ‘no’. Precisely by saying

³ See Kitzinger and Frith (1999) for a discussion of this in the context of sexual harassment and rape.

‘no’, this speaker performatively materializes the position reserved in hetero-normative praxis for women. By having to utter ‘no’, the speaker produces a feminine subject; one that importantly does not reject sex so much as facilitate it, by invoking a matrix of persuasion. In other words, the ‘no’ here ensnares and constrains the male speaker in the same bind that it raises for female speakers who produce it. The fact that ‘no’ ensnares both women and men in this way is one reason why analysis should not concentrate, I think, on the *performance* of ‘no’. What is important to interrogate is the way particular iterations of language *performatively* produce particular subject positions; positions which may in fact undermine the performance of a coherent gender identity.

The Homosexual Panic Defense

That ‘no’ is precisely *not* just ‘no’, and that the performative force of ‘no’ facilitates, rather than ends, a sexual scene, is explicitly highlighted in the form of a phenomenon popularly known as the Homosexual Panic Defense. The Homosexual Panic Defense is the name of a legal defense invoked on behalf of men who have murdered other men who they claim made sexual advances towards them. In effect, the Homosexual Panic Defense argues that a sexual advance is in itself an act of aggression, and that the defendant was justified in responding to it with violence.

The Homosexual Panic Defense is based on something called ‘acute homosexual panic’. This is a psychiatric condition that was first proposed in 1920. In its original formulation, ‘homosexual panic’ did not refer to a fear due to advances by other men. Instead, it referred to cases where men who had been in intensively same sex environments became aware of homosexual desires that they felt unable to control, and unable to act on. The original formulation of the disorder was based on diagnosis a small number of soldiers and sailors in a US government mental hospital after WWI (Kempf, 1920). These men were not violent—they were, on the contrary, passive. The disorder was characterized by periods of introspective brooding, self-punishment, suicidal assaults, withdrawal, and helplessness. So ‘homosexual panic’ was generally understood not as a temporary, violent episode, but, rather as an ongoing illness that comprised severe bouts of depression. Patients suffering from it were catatonic, not violent. Basically, ‘homosexual panic’ was the diagnosis given to men who we today would try to get to ‘come out’ and accept their homosexuality. In fact, some early psychiatrists recognized that the best treatment for the disorder was for the patient to accept his homosexual desires and act on them.

What happened during the course of the 1900s is that the original understanding of this condition shifted, and it came to be applied even to men who reacted violently in situations where homosexual desire was made explicit. In other words, it became used to explain situations where a man allowed himself to be solicited or seduced by another man, but then suddenly turned on that man and beat or even murdered him. In the psychiatric literature, there is no consensus that ‘homosexual panic’ should or can be used to explain sudden violent outbursts like these.

But to the extent that the fury is identified as ‘homosexual panic’, the violence is explained by latent homosexual cravings and a challenge or collapse of a heterosexual self-image.⁴

The Homosexual Panic Defense builds loosely on this later understanding of homosexual panic. It argues that there is a scientific and medical reason for, and, hence, a justification of, the behavior of defendants who murder gay men. The literary scholar Eve Sedgwick (1990, p. 19) has noted that the very existence of such a category rests on an assumption that hatred of homosexuals is a private and atypical phenomenon. But think about it, she says. To what extent would anyone accept ‘race panic’ as an accountability-reducing illness for a German skinhead who bludgeoned a Turk to death? Or ‘gender panic’ for a woman who shot a man who made an unwanted advance to her? (Consider how many bodies would be swept out of bars and clubs every morning). The fact that the Homosexual Panic Defense exists at all indicates that far from being an individual pathology, hatred of homosexuals is actually more public and more typical than hatred of any other disadvantaged group.

The defense is applied in English speaking countries like the US, Australia and Canada in two ways. One is as an insanity defense—that is, a defense that argues that the accused is in a condition or state where they cannot tell right from wrong or not understand the character of their actions. Legal scholars have argued that in pure legal terms, the Homosexual Panic Defense should not qualify as an insanity defense at all, first of all because to the extent that individuals can be said to panic at homosexuality, they do so precisely because they believe that homosexuality is ‘wrong’. Second, cases that invoke the Panic Defense do not assert that defendants do not realize the likely consequences of shooting their victims in the heart, hacking them with meat cleavers, jumping on their heads or beating them with clubs—to take some more charming examples of the cases where the defense has been invoked. It is never asserted that defendants who do these things are unaware that they may kill the victim.

The second way the defense is applied is as a response to provocation. This defense relies on and promotes a view that there is no difference between a sexual advance and a sexual attack. In fact, the Homosexual Panic Defense argues that a sexual advance from a homosexual male is definitionally a sexual attack, and that the accused is justified in responding violently to such an act of aggression.

In practice, the Homosexual Panic Defense is used in ways that often bear almost no resemblance to any version of the psychiatric disorder. For example, the psychiatric criterion that homosexual panic is related to latent homosexuality in the accused is often disregarded. The most famous case of the Homosexual Panic Defense in recent years was a man named Jonathan Schmitz. Twenty-six-year-old Schmitz was brought onto an American television program called the *Jenny Jones* show, which is a kind of *Ricki Lake* or *Jerry Springer* show where people surprise

⁴ See the following sources on homosexual panic and the Homosexual Panic Defense: Bagnall et al. (1984), Comstock (1989), Freiberg (1988), Glick (1959), New South Wales Government (1998), Suffrendi (2001), Hart (1958).

their friends, family and lovers by revealing unexpected and often scandalous secrets about themselves on national television. Jonathan Schmitz had been told by the *Jenny Jones's* show's producers that someone he knew was secretly in love with him, and would reveal this crush on the air. It turned out that the person who was secretly in love with Schmitz was a 32-year-old gay man named Scott Amedure. Amedure greeted Schmitz when he appeared on the television stage and professed his attraction. Three days after the taping of the show, Schmitz bought a shotgun, drove to Amedure's home and shot him twice through the heart.

In the subsequent trial, Schmitz blamed the murdered Amedure for his actions—and this is how the Homosexual Panic Defense is increasingly being used. In other words, Schmitz's lawyers did not claim that Schmitz is a latent homosexual who panicked at the collapse of his heterosexual self image. Instead, they claimed that Scott Amedure's public revelation of his desire in itself constituted an 'ambush'.⁵ Schmitz's lawyers argued that Amedure's public revelation of an infatuation with Schmitz was, in and of itself, an act of aggression that excused a violent retaliation. The jury agreed with this line of reasoning and found Schmitz guilty not of first-degree premeditated murder, but of the lesser charge of second-degree (i.e. not premeditated) murder.⁶

Now let's look for a moment at the Homosexual Panic Defense in relation to what I have already argued about 'no' in cases of sexual harassment and rape. At first glance, the two kinds of cases seem very different, which may be one reason why I have not seen them discussed together in any detail. In the case of rape, the victim of violence is the woman who rejects the sexual advance of a man. In the case of Homosexual Panic, the victim of violence is the man who (is reported to have) made the sexual advance.

What links the two cases, I am arguing, is 'no'. In both cases, a sexual advance acts as an interpellation, a calling into being of a sexual subject. Like Louis Althusser's famous example of the policeman's call 'Hey, you there!' that produces a subject in the person who turns around (Althusser, 1971, p. 174)—a subject who did not pre-exist the call, but who becomes constituted as a subject upon responding to it—a sexual advance calls into being a sexual subject. And in the case of both rape and Homosexual Panic, from the perspective of performativity theory, a 'no' is not just a refusal of that subjection. It is also an acknowledgement of it; a response to the interpellative call that even in disputing it affirms it. It is a 'no' that says 'I refuse to acknowledge that I am being called into being as a sexual subject'. But a refusal to acknowledge something is already a form of acknowledgment. In structural terms, therefore, a 'no' to a sexual advance is—must be—both a 'no' and a 'yes' at the same time.

This dual indexicality⁷ of 'no' is what allows men to claim that they misunderstood a woman's 'no', even as it also facilitates their assertion that sexual solicitation

⁵ Michigan Court of Appeals (1998). 586 N.W. 2d 766, 768.

⁶ For details about the Schmitz case, see <http://www.courtstv.com/trials/jennyjones/background.html>

⁷ I am indebted to Jane Hill (1995b, p. 13) for this term, but I adopt it here to mean something different from what she proposes.

by another man in itself was an act of violence that justified a violent response. Remember that part of what produces the masculine sexual subject is the ‘no’ of the other. To have to utter that ‘no’ oneself is to be forced to produce oneself as a non-masculine subject. I think that it is for this reason that in cases in which the Homosexual Panic Defense is invoked, there is often no evidence that any verbal refusal ever even occurred. The word ‘no’ is not—in a sense, cannot be uttered. Instead, the sexual interpellation is acknowledged non-verbally, with vicious physical violence.

I hope it is becoming clear where this argument is leading. My point is that ‘no’ is essential not so much for the production of a sexual scenario (after all, a ‘yes’ can produce that), but for the materialization of *a particular kind of sexual scenario* in which the sexual subjects so produced are differentially empowered and differentially gendered. In other words, ‘no’ produces a sexualized, gendered field of power. As a final empirical example, I offer a situation that crystallizes all this, namely sado-masochistic sex.

Sadomasochistic sex

Sadomasochistic sex is an extremely straightforward example of a case where ‘no’ is self-consciously used to constitute a sexualized, gendered field of power. To see this, it is important to understand that any description or analysis of S/M discusses what is called a ‘safeword’. This is a word or phrase that is negotiated in advance of the sexual scene and used by either the submissive bottom or the dominant top whenever either of them wants to stop some activity. The most important dimension of this for us is the fact that one of the very few words which cannot function as a safeword is, precisely, ‘no’.

‘Consider. . .this dialogue’, readers are instructed by one S/M manual, in a section on safewords:

Top: ‘Seems to me you deserve a good spanking with this hairbrush, my little slut.’ Bottom (in role as obedient slave): ‘If it pleases you, sir or madam’—or bottom (in role as reluctant victim): ‘No! Please! Not the hairbrush!’⁸

‘In either case’, the manual explains, ‘the top has no guide to the bottom’s real feelings’ (Easton and Hardy, 2001, p. 39). Why is this? The same authors go on to explain:

The reason we need [a safeword] is that lots of us like to pretend we don’t want to have all these amazing things done to us, and we may pretend by joyously shrieking ‘Nononononono’, so we need another word to mean that (Easton and Hardy 2001, p.44).

⁸ For the uninitiated, I should note that the terms ‘top’ and ‘bottom’ in S/M culture denote, respectively, the dominant and submissive partner in a sexual scene.

Another S/M manual (Henkin and Holiday, 1996, p. 89, italics in original) puts it like this:

Words other than No, Stop, or Slow Down are usually designated [as a safe-word] because SM is a *consensual* eroticism in the realm of *erotic theatre*. If a bottom could just say ‘Stop’ to end a [sexual] scene, the illusion that the Top has total control might be threatened. Besides, many bottoms enjoy the fantasy of nonconsensuality and scream ‘No, no, please stop!’—or words to that effect—when the scene is going very well; they would be upset, confused, and even angry if a Top actually did stop in response to their outbursts.

Another S/M manual explains that ‘A plea to ‘Stop beating me’ may well mean ‘I love it. Keep going’ (Lee, 1983, p. 186).

It is clear that ‘no’ in these situations means its inversion, ‘yes’. For that reason, manuals explain that safewords should be anything other than words like ‘no’, ‘stop’, or ‘don’t’—that is to say, any words other than negations or expressions of pain. Most manuals recommend either contextually jarring words like ‘PICKLE!’ or ‘RADISH!’, or words that invoke associations to traffic lights: ‘YELLOW’, meaning ‘lighter or slower’, and ‘RED’ meaning ‘stop’.

In any case, my point is that S/M sex self-consciously exploits the performative potential of ‘no’ to facilitate and extend sexual scenes. It recognizes the dual indexicality of ‘no’ and deploys it to produce a domain of sexuality; a domain of sexuality that is, moreover, saturated with power. Because whatever else it may be about, all practitioners and observers of S/M are agreed that it is an eroticization and staging of power. S/M manuals all discuss power. The title of one of the first and most famous S/M manuals ever published, by the lesbian-feminist S/M support group, Samois (1981), was the pun: *Coming to Power*.⁹ A common definition of S/M is ‘consensual exchanges of erotic power’ (e.g. Henkin and Holiday, 1996, p. 72). One manual elaborates a distinction between ‘power-over’, which is power obtained at the expense of others, and ‘power-with’, which is ‘the idea that we can all become more powerful by supporting each other in being more powerful’ (Easton and Hardy, 2001, pp. 24–25). S/M, this manual explains, is a play with power for the fun of it; hence, a ‘power-with’ in which erotic pleasure is produced by skillful manipulations of forms of power that are invested with new content. This same manual proposes that all bottoms ought to see themselves as what it calls ‘full-power bottoms’.

We can debate the extent to which concepts like ‘full-power bottoms’ are reasonable ones. But even those who reject them—for example radical feminists who insist that S/M practitioners merely reinscribe the very structures of power they claim to transcend—do not contest that what happens in sado-masochistic sex is an erotic staging of power.

⁹ ‘The name Samois was chosen because it evokes several lesbian episodes and the figure of a lesbian dominatrix in *Story of O*, probably the most famous S/M literary classic’ (Samois, 1979: 4). For a history of the group, see Califa and Sweeney, 1996.

The central role that ‘no’ plays in this staging is not fortuitous or arbitrary. On the contrary, the structuring role of ‘no’ in the production of a sadomasochistic sex scene is a distillation and elaboration of ‘no’s role in wider arenas of social life. And that role, as I have been arguing, is not so much about performance as it is production. ‘No’ performatively materializes specific kinds of erotic domains, ones in which power is channeled through and constitutive of specific social positions. Those positions are gendered in the sense that they are differently positioned in relation to ‘no’—as I mentioned earlier, the subject position ‘woman’ is produced in part by the normatively exhorted utterance ‘no’ when encountering a sexual interpellation. This contrasts with the subject ‘man’, who is normatively exhorted to *never* say ‘no’ to sex, and whose position as masculine is produced in part through the ‘no’ of the other. S/M sex invokes this plane in order to exploit the disruptive potential of the erotic to manipulate and invert these positionings. Hence, it provides a space for the male body to temporarily (and socially inconsequentially) inhabit the ‘no’ that is otherwise disallowed it; just as it provides a space for the female body to inhabit the position that is materialized through the enunciation of the ‘no’ of the other (It is no secret to anyone that the overwhelming majority of submissive bottoms are males—frequently the same males who exercise a great deal of social power outside the dungeon. Nor is it a secret that the tops that these men pay a lot of money to dominate them are female dominatrixes—how’s that for a linguistically *marked* category?). The erotic plane that S/M sex constructs for itself also recognizes the violence that inheres in sexual domains invoked by ‘no’, and it produces that violence. But it produces it not as realism or tragedy, but, rather, as *melodrama*, a genre that is characterized by the exteriorization of conflict and psychic structures in dramatic excess (see Gledhill, 1987, p. 31; also Nowell-Smith, 1987; Williams, 1987).

Conclusion

In the introductory essay that opens this special issue of *Language and Communication*, Deborah Cameron and I briefly discuss the way in which issues of language and sexuality for the most part have been studied in terms of language and identity. We noted there that this perspective has regarded sexuality *not* as a set of dynamics or practices that are animated by fantasy, desire, repression and power, but, instead, as an identity that is either revealed or concealed by fully intentional subjects. This focus on identity has unnecessarily restricted the scope of enquiry, and it has made research in this area unable to address the broader semiotic processes through which sexuality is produced and disseminated in language.

One of the points of this essay has been to suggest what I see as a difference between performance and performativity, and the relationship of those two perspectives to language. At several junctures, I noted where I think that a performance perspective differs from a performativity perspective. But there is a particular difference, a crucial one in my view, with which I would like to end—one that brings us back to the question of identity. That difference is this: whereas studies conceived of in

a performance framework have a tendency to see language in relation to *identity*, research framed as performative will concentrate more on *identification*. The difference is between identity, which in sociolinguistic and linguistic anthropological work is conventionally presented as a more or less conscious claim-staking of a particular sociological position¹⁰, and identification, which is concerned with the operations through which the subject is constituted. A psychoanalytic truism about identifications is that they do not constitute a coherent relational system. Nor are they entirely conscious. On the contrary, identifications are just as much structured by rejections, refusals and disavowals as they are structured by affirmations. Because they are not the same thing, it is important to not collapse identification into identity. A performative approach to linguistic phenomena does not start or end with identity. Instead, a performative approach would examine the processes through which some kinds of identifications are authorized, legitimate and unmarked, and others are unauthorized, illegitimate, and marked. I have tried to do this here with ‘no’, examining it not by asking: who says it? but, rather: what does saying it—or not saying it—produce? That question leads me to another, more consequential one, namely: instead of a sociolinguistics of identity, what would happen if we began imagining a sociolinguistics of identification?

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References

- Althusser, L., 1971. Ideology and ideological state apparatuses (notes towards an investigation). In: Althusser, L. (Ed.), *Lenin and Philosophy and Other Essays*. Monthly Review Press, London, pp. 127–188.
- Austin, J.L., 1997 [1962]. *How to Do Things with Words*, second ed. Harvard University Press, Cambridge, MA.

¹⁰ See Cameron and Kulick (2003), chapter 6, for a more detailed exposition of this assertion.

- Bagnall, R.G., Gallagher, P.C., Goldstein, J.L., 1984. Burdens on gay litigants and the bias in the court system: homosexual panic, child custody and anonymous parties. *Harvard Civil Rights-Civil Liberties Law Review* 19 (2), 487–559.
- Bourdieu, P., 1991. Authorized language. In: Bourdieu, P. (Ed.), *Language and Symbolic Power*. Harvard University Press, Cambridge, MA, pp. 107–116.
- Butler, J., 1990. *Gender Trouble: Feminism and the Subversion of Identity*. Routledge, New York.
- Butler, J., 1993. *Bodies that Matter: on the Discursive Limits of 'Sex'*. Routledge, New York.
- Califia, P., Sweeney, R., 1996. Come soon, come in, and come as you are: an introduction. In: Califia, P., Sweeney, R. (Eds.), *The Second Coming: a Leatherdyke Reader*. Alyson Publications, Los Angeles, pp. xi–xvii.
- Cameron, D., 1997. Performing gender identity: young men's talk and the construction of heterosexual masculinity. In: Johnson, S., Meinhof, V. (Eds.), *Language and Masculinity*. Blackwell, Oxford, pp. 47–64.
- Cameron, D., Kulick, D., 2003. *Language and Sexuality*. Cambridge University Press, Cambridge (in press).
- Comstock, G.D., 1989. Developments: sexual orientation and the law. *Harvard Law Review* 102, 1508–1551.
- Easton, D., Hardy, J.W., 2001. *The New Bottoming Book*. Greenery Press, Emeryville, CA.
- Ehrlich, S., 1998. The discursive reconstruction of sexual consent. *Discourse & Society* 9 (2), 149–171.
- Ehrlich, S., 2001. *Representing Rape: Language and Sexual Consent*. Routledge, London and New York.
- Freiberg, P., 1988. Blaming the victim: new life for the 'gay panic' defense. *The Advocate* May 24, 10–13.
- Gledhill, C., 1987. The melodramatic field: an investigation. In: Gledhill, C. (Ed.), *Home is Where the Heart is: Studies in Melodrama and the Woman's Film*. British Film Institute, London, pp. 5–42.
- Glick, B.S., 1959. Homosexual Panic: clinical and theoretical considerations. *The Journal of Nervous and Mental Disease* 129, 20–28.
- Hall, K., 2001. Performativity. In: Duranti, A. (Ed.), *Key Terms in Language and Culture*. Blackwell, Oxford, pp. 180–183.
- Hart, H.H., 1958. Fear of homosexuality among college students. In: Wedge, B.M. (Ed.), *Psychosocial Problems of College Men*. Yale University Press, New Haven, pp. 200–213.
- Henkin, W.A., Holiday, S., 1996. *Consensual Sadomasochism: How to Talk About It and Do It Safely*. Daedalus, Los Angeles.
- Hill, J., 1995a. The voices of Don Gabriel. In: Tedlock, D., Mannheim, B. (Eds.), *The Dialogic Emergence of Culture*. University of Illinois Press, Urbana and Chicago, IL, pp. 97–147.
- Hill, J., 1995b. *Mock Spanish: A Site for the Indexical Reproduction of Racism in American English*. Available from <http://www.language-culture.org/colloquia/symposia/hill-jane>.
- Hill, J., Hill, K., 1986. *Speaking Mexicano: Dynamics of a Syncretic Language in Central Mexico*. University of Arizona Press, Tuscan.
- Kempf, E.J., 1920. *Psychopathology*. C.V. Mosby Company, St Louis.
- Kitzinger, C., Frith, H., 1999. Just say no? The use of conversation analysis in developing a feminist perspective on sexual refusal. *Discourse & Society* 10 (3), 293–316.
- Lee, J.A., 1983. The social organization of sexual risk. In: Weinberg, T., Kamel, G.W.L. (Eds.), *S and M: Studies in Sadomasochism*. Prometheus Books, New York, pp. 175–193.
- Lees, S., 1996. *Carnal Knowledge: Rape on Trial*. Hamish Hamilton, London.
- Lindstrom, L., 1990. *Knowledge and Power in a South Pacific Society*. Smithsonian Institution Press, Washington DC and London.
- MacKinnon, C.A., 1993. *Only Words*. Harvard University Press, Cambridge, MA.
- Matoesian, G.M., 1993. *Reproducing Rape: Domination Through Talk in the Courtroom*. University of Chicago Press, Chicago.
- McConnell-Ginet, S., 1989. The (re)production of sexual meaning: a discourse based theory. In: Frank, F., Treichler, P. (Eds.), *Language, Gender and Professional Writing*. Modern Language Association, New York, pp. 111–134.
- Muehlenhard, C. L., Hollabaugh, L. C., 1988. Do women sometimes say no when they mean yes? The prevalence and correlates of women's token resistance to sex. *Journal of Personality and Social Psychology* 54(5), 872–879.
- Michigan Court of Appeals, 1998. 586 N.W. 2d 766, 768.

- Myers, F.R., Brenneis, D.L., 1984. Introduction: language and politics in the Pacific. In: Brenneis, D.L., Myers, F.R. (Eds.), *Dangerous Words: Language and Politics in the Pacific*. New York University Press, New York, pp. 1–29.
- New South Wales Government, 1998. *Homosexual Advance Defence: Final Report of the Working Party*. Available from <http://lawlink.nsw.gov.au/clrd1.nsf/pages/had>.
- Nowell-Smith, G., 1987. Minelli and melodrama. In: Gledhill, C. (Ed.), *Home is Where the Heart is: Studies in Melodrama and the Woman's Film*. British Film Institute, London, pp. 70–74.
- Samois (Ed.), 1979. *What Color is Your Handkerchief: A Lesbian S/M Sexuality Reader*. Samois, Berkeley, CA.
- Samois, 1981. *Coming to Power: Writings and Graphics on Lesbian S/M*. Alyson Publications, Boston.
- Schieffelin, B.B., Woolard, K.A., Kroskrity, P.V. (Eds.), 1998. *Language Ideologies: Practice and Theory*. Oxford University Press, Oxford and New York.
- Sedgwick, E.K., 1990. *Epistemology of the Closet*. University of California Press, Berkeley and Los Angeles.
- Suffrendi, K.S., 2001. Pride and prejudice: the homosexual panic defense. *Boston College Third World Law Journal* 21 (2), 279–314.
- Tedlock, D., Mannheim, B. (Eds.), 1995. *The Dialogic Emergence of Culture*. University of Illinois Press, Urbana and Chicago, IL.
- The Opposite of Sex*, 1998. Roos, D. (Director), Kirkpatrick, D., Besman, M. (Producers), SONY Pictures Classic Release.
- Weston, K., 1993. Do clothes make the woman? Gender, performance theory, and lesbian eroticism. *Genders* 17, 1–21.
- Williams, L., 1987. 'Something else besides a mother': *Stella Dallas* and the maternal dilemma. In: Gledhill, C. (Ed.), *Home is Where the Heart is: Studies in Melodrama and the Woman's Film*. British Film Institute, London, pp. 299–325.