

The Indeterminable Gender: Ethics in Feminist Phenomenology and Poststructuralist Feminism

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What kind of ethics can we consider in the framework of feminist phenomenology that takes poststructuralist feminism into account? This seems to be a difficult task for at least two reasons. First, it is not yet clear what ethics in poststructuralist feminism is. Second, phenomenology and poststructuralism are still regarded as opposites. As a phenomenologist with strong affinities to poststructuralism, I want to take on this challenge. In this paper, I will argue that phenomenology and poststructuralism share the idea of the “indeterminable.” If this idea is applied to the topic of gender, we can speak of an “indeterminable gender.” Moreover, phenomenology and poststructuralism support an ethical attitude toward genders inasmuch as they both avoid making problematic determinations. My goal is to explore what the so-called “indeterminable gender” is and to illuminate the ethical implications of this concept.

Introduction

Making determinations seems to be an integral part of our every-day life. We ask questions like: What’s your name? How old are you? Where are you from? And if there is some doubt about the gender of a person: Is that a man or a woman? We are able to identify colors immediately: She has black hair. In our daily communication with other people we do not hesitate to judge them: He is an awful, or he is a lovely person. It seems we deal with determinations morning, noon, and night, until we fall asleep and lose consciousness, after which this game of determinations starts again the next day: Tea or coffee? Android or iPhone? Good or bad? Single, married, divorced? Woman or man? Homo or hetero? Transgender, transsexual, bisexual, asexual, queer, et cetera.

The French philosopher Cornelius Castoriadis, in his extraordinary book *The Imaginary Institution of Society*, argued that the entire history of Western thinking is based on the thesis that “being is being something determined” and that “speaking is saying something determined” (Castoriadis 1987, p. 221). Indeed, what would philosophy be without thesis, definitions, determinations and clarification of terms?

However, a majority of things in this world remain undetermined in everyday life. Can we ever list everything that we have perceived in one day? Can we remember everyone we have come into contact with today? How are my inner organs doing? Who is standing behind me at this very

moment? What exactly did we have for lunch? What kind of mood am I in? What's the temperature right now? And how do we determine gender? Outer appearance? Anatomical, hormonal, and genetic characteristics? According to one's own expressed gender identity? Why do we determine things only in certain situations and not in others? These questions demonstrate that the idea of always determining everything is an impossible task.

Even within philosophy itself the matter is not clear. On the one hand, analytical philosophers have generally not subscribed to the notion of an unclear fact. Wittgenstein wrote, "What we cannot speak about we must pass over in silence" (Wittgenstein 1974, p. 89). Husserl viewed philosophy as "a rigorous science" (Husserl 2002). Philosophical logic developed a formal system that did not leave anything up to chance. But on the other hand, there are other voices: Socrates famously said: "I know that I know nothing," and Plato claimed that philosophy begins with wonder—something that goes beyond our will to determine things. Science, in general, is propelled by riddles and unexplained phenomena. The world, as we see it, does not confine itself to determinations. It has always been characterized by undetermined factors. There is something there in the world, but we cannot exactly say what it is. Philosophers in the tradition of phenomenology in particular have argued that the world we live in is mainly characterized by anonymity. In their phenomenological analysis of the reality of everyday life, Berger and Luckmann claim that in social interaction with others in everyday life the others are widely apprehended in anonymous terms (Berger and Luckmann 1966, pp. 32–34). Similarly, Natanson holds that anonymity is indispensable for any further apprehension (Natanson 1986). Merleau-Ponty argued that ambiguity is not some imperfection of existence but its very definition (Merleau-Ponty 1962, p. 332).

Husserl: The Phenomenological Theory of Indeterminacy

In order to understand how existence is characterized by indeterminacy, it helps to turn to phenomenology. The idea of indeterminacy can already be found in Husserl's transcendental phenomenology, and appears in regard to the concept of horizontality. According to Husserl every act of determination is basically embedded in a structure of determination and indetermination. The visible object, for example, is surrounded by an invisible horizon. Husserl calls this horizon anonymous in the sense it

is not yet named—it is indeterminate, or rather *radically indeterminate*.⁴

In *Ideas I* Husserl discusses a specific kind of world relation: “the world of the natural attitude” (paragraph 27). This attitude is essentially pre-reflexive. The world that we discover through this natural approach is marked by “more or less” determined things. Things are “immediately there for me,” they are at least “present as actualities,” and “it is not necessary that they [...] be found directly in my field of perception” (Husserl 1983, p. 51). The world presents itself to us in its perception as “*on hand*”, but this hands-on presence to the world is not limited solely to the really perceived “objects.” In addition to the “mere physical things” also “human beings” are immediately there for me (p. 51). “Along with the ones [objects] now perceived, other actual objects are there for me as determinate, *as more or less well known*, without being themselves perceived or, indeed, present in any other mode of intuition” (p. 51; my emphasis). What marks this world in its “natural” givenness is a simultaneousness of the actual givenness of objects, on the one hand, and the *implicit* givenness of objects, on the other: “In a peculiar way, every perceptual givenness is a constant mixture of familiarity and unfamiliarity, a givenness that points to new possible perceptions that would issue in familiarity” (Husserl 2001, p. 48). The novelty of Husserl’s specific interpretation, in my opinion, lies precisely in this stance: the world does not only present itself to us in its determined form, but also in an undetermined shape: There are “things” clearly before our eyes, but there are also “things” that are more or less determinate. Moreover, beyond this there is also a realm of world experience that is solely characterized by an indeterminate actuality: “What is now perceived and what is more or less clearly co-present and determinate (or at least somewhat determinate), are penetrated and surrounded by an *obscurely intended to horizon of indeterminate actuality*” (1983, p. 52, typo in the original). This “obscurely intended horizon” is the anonymous or indeterminate horizon.

Husserl describes this horizon of perception in great detail in his *Analyses Concerning Passive and Active Synthesis* (Husserl 2001). Every “genuinely perceived” thing relates to something that is “not genuinely perceived” (p. 40). For example, when we see a house, we view it from a particular angle, and this side is therefore what is actually seen. Yet the house still has other segments, a non-visible backside or a non-visible interior, and so forth. The actually and the non-actually seen are linked

⁴ Indeterminacy in Husserl is a key concept with regard to his analyses of the horizontality of sense perception. Anonymity is another term for it that can be found in his work. For a more extensive analysis of Husserl’s characterization of the horizon as “indeterminate” or “anonymous” with respect to the world as horizon in the widest sense, see Stoller 2008.

together through “a system of referential implications” (p. 41) that originates from the actually perceived: *In* perception we point to that which is not perceived, that is, the thing with the “co-present” horizon of perception (p. 40) or the “intentional empty horizon” (p. 42), also called as anonymous horizon. Thus, when we perceive a house, we actually perceive only the facade of the house, which indicates its other possible sides of the house, like the back or the interior. This intentional empty horizon or anonymous horizon is decisive for the constitution of perception. Without this unknown horizon it would be impossible to see the house *as* a house, the constant, identical house. We would, instead, only be able to identify the “front” of the house separate from the house itself. In Husserl’s words, “everything that genuinely appears is an appearing thing only by virtue of being intertwined and permeated with an intentional empty horizon, that is, by virtue of being surrounded by a halo of emptiness with respect to appearance” (p. 42). This “emptiness” is, according to Husserl, not nothingness but a kind of surplus: “Every appearance implies a *plus ultra* in the empty horizon” (p. 48). This surplus of perception in perception is then characterized as indeterminate: “It is an emptiness that is not nothingness, but an emptiness to be filled-out; it is a determinable indeterminacy” (p. 42). The fact that the empty horizon is characterized as a determinable indeterminacy is central to the determination of the horizon. The horizon is there for us as more or less “known,” but indeterminate; it is there for us solely in the form of a “premonition” or a certain “presentiment.” Husserl speaks of a “presentiment of what is to come” (p. 45). We intuitively or unconsciously “know” that there is more to it than we actually know, but it cannot be named or determined. No reflection, no intellectual effort can come close to describing the non-perceived. There is only a *premonition* that more can be determined than is actually perceived.

As Husserl claims in his *Analyses Concerning Passive and Active Synthesis* (2001), the horizon cannot be fully determined, since in the very moment we try to give the anonymous horizon a name, a new horizon arises. What first was behind us is now in front of us, but only because something else has become a horizon. When Husserl wanted to demonstrate the idea of the indeterminate horizon, which, strictly speaking, cannot be grasped, he writes in the “voice” of the things themselves, calling for determination, and he did so not without a certain sense of humor:

“There is still more to see here, turn me so you can see all my sides,

let your gaze run through me, draw closer to me, open me, divide me up; keep on looking me over again and again, turning me to see all sides. You will get to know me like this, all that I am, all my surface qualities, all my inner sensible qualities, ‘etc.’” (2001, p. 41).

“Draw closer, closer still; now fix your eyes, etc. You will get to see even more of me that is new, ever new partial colorings, etc. You will get to see structures of the wood that were not visible just a moment ago, structures that were formerly only viewed indeterminately and generally” (p. 43).

How funny it must sound to apply this “call” for the determination of the thing or the object to the gendered subject: “There is still more to see, turn me so you can see all my sexual characteristics, let your gaze run through me, draw closer to me, open me, divide me up; keep on looking me over again and again, turning me to see all sides of my gender identity, you will get to see structures that were not visible just a moment ago, structures that were formerly only viewed indeterminately and generally, etc.”

Husserl not only emphasizes the role of indeterminacy, but also highlights the fact that each development of a horizon, in the process of a so called “determining more closely” or a “determining otherwise” (p. 63), brings about new horizons and with them new indeterminacy, “a new system of determinable indeterminacy” (p. 43), “*in infinitum*” (p. 60). “My indeterminate surroundings are infinite, the misty and never fully determinable horizon is necessarily there” (1983, p. 52). In relation to an object, this means that the object as the same “is never finished, never fixed completely” (2001, p. 50). Husserl rules out the idea that there could be a perception that precipitates “absolute knowledge” of the object, and claims that the act of perception does not allow for this: “For evidently, the possibility of a *plus ultra* is in principle never ruled out” (p. 58). Husserl does acknowledge, however, that the indeterminate can be transferred into the determined, through the act of drawing attention to the indeterminate and placing it in new perspectives. But ultimately this act cannot contend with any real success:

“The sphere of determinateness becomes wider and wider, perhaps so wide that connection is made with the field of actual perception

as my *central* surroundings. But generally the result is different: an empty mist of obscure indeterminateness is populated with intuited possibilities or likelihoods; and only the ‘form’ of the world, precisely as ‘the world,’ is predelineated” (1983, p. 52).

Husserl holds that the horizon with its “obscure indeterminateness” is a “never fully determinable horizon” (p. 52). This lack of success is connected to the premise that the indeterminate horizon can never be fully determined. The “indeterminate surroundings” are “infinite” (p. 52). Here we find ourselves at the center of Husserl’s determination of the world as a world of the indeterminate or anonymous horizon. From an etymological point of view the fact that he described the horizon with the word “anonymous” is no accident. The Greek word “an ónyma” does not only mean “unknown” but literally “not yet named” or “without a name.” The anonymous horizon is namely not only invisible, implicit and unconscious or latent, it will be always *unknown*: always un-named, and maybe never nameable, I would like to add. It does not have a name one could call it. Although the horizon is a part of the “identical x,” it remains undesignated.⁵ It has a specific color, a specific shape, but we cannot say exactly what this color or shape is. In our immediate experience we see colors but in the very act of sensory perception we cannot say exactly what color we perceive. This type of unknown specificity also applies to perceptions or experiences that do not meet our expectations—to our “presentiments.”⁶

⁵ The “identical x” is the identical through a multiplicity of acts presenting the same object.

⁶ I must point out a certain indecisiveness in Husserl. On the one hand, the horizon is depicted as something radically indeterminate. On the other, Husserl says that the indeterminate horizon can be determined. This inconsistency of once referring to a “determinable indeterminacy” (2001, p. 42) and the next time to an “undetermined determinability” (1999, p. 30; 1983, p. 157) is a sign of this ambivalence. On the one hand, there is an indeterminacy that can be determined: *determinable indeterminacy*. In this case, though, the indeterminacy is robbed of its radical nature; in the end, it can be determined. On the other hand, there is a determinability that cannot be determined: *undetermined determinability*. In this case, the starting point is a determinability that is only softened by adding that somehow it is undetermined. From this we can conclude that Husserl himself, in his determination of the anonymous horizon, remained indeterminate. How this discrepancy can be resolved, if at all, cannot be decided here.

Merleau-Ponty: The Indeterminate as a Positive Phenomenon

In his phenomenology, Husserl introduced a positive conception of what is indeterminate in the experience of the world. This positive conceptualization of indeterminacy was more clearly articulated by the French phenomenologist Maurice Merleau-Ponty who in his *Phenomenology of Perception* claimed: “We must recognize the indeterminate as a positive phenomenon” (1962, p. 6). For Merleau-Ponty, this means recognizing the indeterminate *as* indeterminate and not just as the negation of something else. This reorientation is essential. What Merleau-Ponty calls for is a rehabilitation of the indeterminate in our thinking. In my opinion this rehabilitation of the indeterminate is a challenge we are still facing since it is still difficult, personally and philosophically, to allow the indeterminate to remain indeterminate and to accept indeterminacy as such.

In the following, I will provide an overview of three different forms of indeterminacy in Merleau-Ponty’s phenomenology, or as he calls it, anonymity.⁷ First, there is anonymity on behalf of the “subject.” In this case, the subject almost disappears in action. Merleau-Ponty asks: “Who perceives this red? It is nobody who can be named and placed among other perceiving subjects” (Merleau-Ponty 1962, p. 451). The “subject” of perception disappears because it is focused on something else than on itself. It is out of the focus when concentrating on something else. For example, when I am talking to somebody I do not actually know which gender I am, since my intellectual energy is entirely directed away from my gendered subjectivity and toward something else. As I write this paper, I am concentrating on my ideas, on the typed letters, on my command of the English language, and so forth. If at all, my gendered subjectivity is, at best, operating on a lower level, but I cannot say anything particular about it, because of this exclusive moment of my intentionality. Merleau-Ponty concludes: “The I, really, is nobody, is the anonymous; it must be so, prior to all objectification, denomination, in order to be the Operator, or the one to whom all this occurs” (Merleau-Ponty 1968, p. 246). It almost seems as if somebody or something else but me is doing the perceiving: “So, if I wanted to render precisely the perceptual experience, I ought to say that *one* perceives in me, and not that I perceive. Every sensation carries within it the germ of a dream or depersonalization” (Merleau-Ponty 1962, p. 215). That there is anonymity on the side of the subject, however, is not to say that it is an exception or a failure. On the contrary, it is a mode of normality in everyday perception, as Eugen Fink has pointed out: “The ‘anonymity’ of experiential life, of external experience turned toward

⁷ Other terms Merleau-Ponty used with respect to one and the same phenomenon are ambiguity, vagueness or opaqueness.

things, for example, is not a failure and loss of self-consciousness, but rather it is just its normal mode. Reflection only objectifies the previously unthematic self-knowing of the I” (Fink 1995, p. 13). This holds true also for the gendered subject operating in the world, and there is nothing wrong in losing my explicit knowledge about my gendered existence while operating in the world.⁸

Second, there is anonymity on behalf of the “object.” This means that, from the perspective of lived experience, the perceived object is not fully determinable in the act of sense perception; it remains partly indeterminate since an object presents itself only partially, and some of its sides always remain invisible. As shown by Husserl, a perceived object has anonymous horizons which belong to it, yet remain unperceived—unseen, unheard, untouched, and so on. Since an object does not present itself in full transparency, Merleau-Ponty says it remains incomplete in our perception of it. Moreover, since we are not always directed to things in the world by way of reflection, he even claims that our everyday perception in general is mostly *indifferent*. In our everyday communication we meet hundreds of people, women and men and other gendered beings. However, we are seldom directed to them by way of consciously identifying their gender. They remain indifferent. Insofar as they remain unidentified by way of conscious reflection or logical judgment, they remain anonymous to us.⁹

Third, there is a more general form of anonymity which characterizes our social world and which Merleau-Ponty called “the anonymity of the One” (1962, p. 450). This is a sphere of social generality, an “atmosphere of ‘sociality’” (p. 449), as he puts it, in which the I and the other are not yet distinguished in the sense of distinct subjects or reflected-upon terms. “Subject” and “object” as identified terms would only be abstractions with respect to this anonymous sphere of sociality; the same goes for “woman” and “man.” Other concrete persons do not present themselves to us as simple objects. They may be regarded as objects, at least partly, but in general they cannot be reduced to their objectivity. Merleau-Ponty says: “Another person is not necessarily, is not even ever quite an

⁸ Though phenomenology holds that the “subject” disappears in its intentional acts, this does not mean that we do not have an *implicit* knowledge of our gendered subjectivity. It simply means that we do not have an *explicit* knowledge of it. Put differently, when we are intentionally directed to something or somebody other than ourselves we do not lose our gender or gender identity, nor does it mean that there is no awareness of our gender identity at all. There is an awareness of our own gendered identity but it is only implicit.

⁹ I have once asked my 80-something mother, married to my father for over 50 years, if she knew the color of her husband’s eyes, and she could not say.

object for me. [...] The-other-as-object is nothing but an insincere modality of others, just as absolute subjectivity is nothing but an abstract notion of myself” (1962, p. 448). In general, in everyday life we do not take the other as object but experience her or him as animated concrete subjects. In terms of Husserl, in the case of immediate experience, we can speak of a “pre-predicative experience,” in the case of reflecting upon this experience, we can speak of a “predicate judgment.”¹⁰ At first we experience somebody or something, then we give this experience a name and judge it according to our knowledge. Consequently, there is a social sphere of gendered space between the one and the other; however, this space is also an indeterminate, undifferentiated gender space. For example, if I speak before an audience, the people in the room I talk to are not given to me in a distinct way. While I am talking to them I do not treat them as distinct objects, meaning as objects of a reflective, determining act. As a functioning ego, an *operating* speaking subject, in fact, I am fully unable to identify them in their specificity, as for example, their gendered existence. Thus, they remain undetermined for me, as long as I am proceeding with my talk, focused on my speech. There are women and men and possibly other gendered beings listening to my speech, but I cannot say exactly who, what or how many there are. Consequently, there is a gendered space but it is there only in an indeterminate or anonymous way.

Merleau-Ponty articulates this “principle of indeterminacy” which underlies all our experiences in the chapter “The Body in its Sexual Being” (*être sexué*) in his *Phenomenology of Perception* (1962, pp. 154–73). According to him, indeterminacy is essential for human existence in general and for sexual beings in particular: “Thus there is in human existence a principle of indeterminacy, and this indeterminacy is not only for us, it does not stem from some imperfection of our knowledge [...]. Existence is indeterminate in itself, by reason of its fundamental structure [...].” (p. 169).

Thus, indeterminacy is not a lack of determination but the very presupposition of determinations. It is to speak of a sphere of sexuality in which we have not yet distinguished between different sexes, different genders, and other gender identities. A system of anonymous functions operates in daily life experiences. Contrary to anonymity as an imperfection, a lack or a failure, Merleau-Ponty argued in *Phenomenology of Perception*

¹⁰ This conceptual distinction was first drawn by Edmund Husserl in his study *Experience and Judgment* (Husserl 1973).

that anonymous sexuality represents a *surplus* which makes different experiences possible. Following him at this point, I would like to compare this sort of over-determined sexual sphere with Freud's so-called "polymorphously perverse" sexuality that represents an early stage of sexual development in which female or male identities are not yet developed (Freud 2000). I argue, with the help of Merleau-Ponty, that sexual difference presupposes an anonymous sexuality that underlies gender identifications, and the differentiation between gender identities. As in Freud, for Merleau-Ponty female and male sexuality are later developments. "Men" and "women," "feminine" and "masculine" are second-order terms, as Merleau-Ponty would agree with Freud. Anonymous sexuality is a sphere where sexuality is lived without division, and in particular, without designated gender identities. In other words, *there is* sexuality ("il y a sexualité"), but it is *not yet named* or analytically differentiated—it is an anonymous or indeterminate gender. At this point, Merleau-Ponty's treatment of the anonymous, indeterminate gender leads us halfway to Judith Butler's poststructuralist feminism and brings us one step further to the issue of ethics in feminist phenomenology and poststructuralist feminism.

Butler: Criticism of Determination

Judith Butler sets her sights on to the problematic issue of determining women in the name of identity politics. She addresses the issue of how certain genders are rendered more legible than others, by excluding others that deviate from the norm. Her philosophical work, however, also questions whether gender identity, or, even identity in general can be determined with any sort of certainty. In her early work *Gender Trouble* (1990) she emphasized how difficult it is to deliver a full account of one's subjectivity. The fact that we very often add an "etc." at the end of a list of characterizations, she argues, illuminates the principle of incompleteness of such an effort. Notably, she claims, with respect to identity politics:

"The theorists of feminist identity that elaborate predicates of color, sexuality, ethnicity, class, and able-bodiedness invariably close with an embarrassed 'etc.' at the end of the list. Through this horizontal trajectory of adjectives, these positions strive to encompass a situated subject, but invariably fail to be complete" (Butler 1990, p. 143).

The “embarrassment” that Butler rightly identified in the rhetoric of the representatives of identity politics results from the uncertainty of knowing what else to name in order to pinpoint one’s identity. Race, color, class, age, gender, sex, disability, nationality ... What else will be added in the future? We do not know. However, instead of proposing that this incompleteness represents a failure for feminism, Butler argues that feminists can learn from such a principal incompleteness; it can be seen as a starting point for a non-essentialist gender concept, and it can also serve as a new concept for thinking the political from a feminist perspective. She claims:

“This failure is instructive: what political impetus is to be derived from the exasperated ‘etc.’ that so often occurs at the end of such lines? This is a sign of exhaustion as well as of the illimitable process of signification itself. It is the *supplément*, the excess that necessarily accompanies any effort to posit identity once and for all. This illimitable *et cetera*, however, offers itself as a new departure for feminist political theorizing” (p. 143).

How is the “et cetera” a departure for feminist political thinking? In Butler’s opinion, the “et cetera” indicates that the process of determination is in itself incomplete, and is, in fact, making room for future determinations. It indicates that there is, in principle, something else that could be named, even if we still cannot say exactly what it is. This also means that identity itself cannot be described by way of a finite number of categories, but rather that identity consists of attributes that resist any attributions. Understanding the “embarrassed etc.” as the positive sign that Butler seems to suggest it is, allows for future identities to come into existence, with the caveat that we are open to other possible and not yet named identifications.¹¹

The Indeterminable Gender: Ethics in Feminist Phenomenology and Poststructuralist Feminism

As seen via the line of thought I have articulated from Husserl and Merleau-Ponty to the work of Judith Butler, there are clear analogies between phenomenological philosophy and poststructuralist feminism.

¹¹ Interestingly, the idea of indeterminacy does not only emerge in the field of poststructuralist feminism. It can also be found in one of its pretended opposites, that is, Luce Irigaray’s feminism of difference. In her opinion, Western culture is characterized by a certain practice of reasoning which corresponds to an “appropriation,” a kind of determination which is the wrong path towards the other as other (cf. Irigaray 2004, p. 23).

Husserl refers to the indeterminacy of the horizon; Butler claims that the determination of gender always has its limits. Both speak of the incompleteness of determination and see the “et cetera” as a necessary byproduct of every determination. They share the premise that determination is an infinite process, one without an end in sight. Both claim that the incompleteness of determination is not a failure. For Husserl the indeterminate horizon is *constitutive* for any determination. For Butler this failure is even *instructive* in that it can be channeled into a certain form of gender politics. This kind of agreement is, in my opinion, astonishing, since phenomenology and poststructuralism in general are seen as opposites, and poststructuralist advocates have a habit of criticizing phenomenology.¹²

In the following, I would like to further inquire into whether it is possible to draw conclusions for gender theory from these lessons of poststructuralist feminism and phenomenology. More specifically, I want to explore the ethical implications that can be deduced from the idea of indeterminacy in regard to gender. I find the idea of an “indeterminable gender” extremely attractive, and attempts at such a theory can be found in the works of Husserl and Butler. Can discussions of indeterminacy develop an ethics useful to gender research? And what kind of ethics would that be?

I would like to address this issue on a theoretical as well as a practical level. Theoretically, it has been shown that every determination is marked by indeterminacy. If indeterminacy is not simply a failure that to be remedied and is instead constitutive for determination, then the first step is to recognize the indeterminacy as such. Merleau-Ponty pointed this out clearly when he called for recognition of the indeterminate as a *positive* phenomenon. From a theoretical point of view, we can also conclude that each determination is not characterized solely by determinacy, since it consists of an indeterminate *and* a determinate part. Ultimately, when determination is incomplete due to indeterminacy, then it follows that the determination is not exactly that which it aims to be. The determination is always in jeopardy, that is, not as determined as one would think. Rather, it is instable within its parameters. This is precisely the conclusion Judith Butler reached in relation to the question of gender when, in her book *Bodies that Matter*, she speaks of a “constitutive instability” of gender norms (Butler 1993, p. 10). This insight is, in my opinion, one of the most important realizations pertaining to gender research.¹³ The constitutive

¹² In the 1990s poststructuralist feminists most strongly criticized theoretical approaches in phenomenology surrounding the term experience. Here we should note Joan Scott’s prominent critique of terms of experience (Scott 1992). In one of my articles, I looked closely at her analysis to see if the post-structural criticism of experience extended itself to phenomenology, and found it to be inadequate (see Stoller 2009).

¹³ While Judith Butler applied a constitutive instability of identity to the question of gender, Husserl was far from applying this to gender theory. But the French phenomenologist

instability is confirmed in the repetition of its gender norms, to which the genders themselves contribute, in so far as they behave according to the established gender norms. However, such an adamant and persistent need for repetition reveals that these norms *must*, in fact, have an intrinsic instability. Why else would one constantly strive to be a certain or particular gender? I believe that this compulsion for repetition applies to all gender identities, even those that purport to withdraw from the pre-existing gender norms, because, in the end, they too claim, in a certain way, to be specifically gendered beings. Consequently, from the premise that determinations are marked by a constitutive instability, there can grow a fundamental hope for other determinations. When something is unstable in itself, it need not be compelled to remain so. This opens the door to a kind of ethics that stipulates the instability of determination and assumes that another determination is *basically* possible. The determination itself points to further possible determinations. With regard to the issue of gender it means that living as a specific gender is never fixed once and for all. Every gender has the “option” of taking on another gender identity.¹⁴ This means, for example, that one does not need to wait for the gender norms to change for people to adjust to a new norm. The *opportunity* for change is always present in the corresponding norm and has already been set in motion. Thus, the idea that gender norms permanently determine gender once and for all has to be revised.

In a more practical or concrete vein, I would like to advocate a building of awareness with regard to the indeterminacy of gender. The phenomenological and poststructuralist recognition of the incompleteness of determination has certainly proven to be helpful. If I know that an ultimate determination of gender is an illusion, then it is easier to maintain a critical distance from the pre-existing gender norms. This means that I can demonstrate a great degree of acceptance with regard to genders that deviate from the gender norm. Furthermore, I learn to respect those genders that regularly exist within the normative gender framework in a different sense, because I am now conscious of the idea that a gender identity is also subject to change. To what degree this gender identity can change has been demonstrated often enough in practice. If the willingness increases to react openly to the fundamental principle as well as to the

Merleau-Ponty applied indeterminacy in the form of an anonymity directly to gender when he developed a concept of anonymous or indeterminate sexuality in his *Phenomenology of Perception*. Contrary to some feminist criticisms of his concept of “anonymous sexuality” in the past, I have argued elsewhere that Merleau-Ponty does not omit particularities such as gender (Stoller 2000).

¹⁴ By “option” I do not primarily mean that people can instrumentally and consciously choose one’s sex or gender. Rather, I mean that the change of one’s gender is ontologically given in principal, as for example if a heterosexual man, married to a woman for a couple of years, suddenly identifies himself as actually desiring men.

actual transformation of gender identity then there is less pressure on behalf of the gender being changed to try to squeeze into a specific gender order. Thus, our openness towards this changeability implies an *ethics* which recognizes plural gender identities—not only those gender identities which already exist, but a consideration of the possibility of totally unknown identities as well.

Finally, I propose to view gender identity as a phenomenon in terms of phenomenology, that is, to see it with the eyes of a phenomenologist. According to the phenomenological method this means taking a specific attitude toward the gendered subject. The phenomenologist has to consciously change her or his attitude to the world and toward others. In his phenomenology, Husserl differentiated between two approaches to the world: one, the “natural attitude” and two, the “phenomenological attitude.”¹⁵ Being in the natural attitude means perceiving the world as simply there for us, and we effect all the acts by virtue of which the world is there for us. Taking up a phenomenological attitude means preventing the immediate effecting, with all its determinations, and we take a reflective view of the world. Husserl says that we have to “parenthesize” (Husserl 1983, p. 114) all the knowledge we have of the world. The remarkable thing about the phenomenological method is that with this new attitude we suspend judgment—and this also includes our determinations—of the world and whatever we experience. Husserl calls this methodical step “phenomenological *epoché*” (p. 60).¹⁶ This suspension of judgment is particularly interesting since it means that one no longer makes statements about the “factual being” of the world. Whether something exists or not in an objective manner is not pertinent to phenomenologists. They are more interested in what remains when judgment is refrained from. That is the “phenomenon” in terms of phenomenology, or “that which appears.” It is the task of phenomenologists to describe what appears, regardless of whether what they are describing exists in pure objectivity or not. In this way genders can be described which fit into gender norms as well as those which depart from existing norms and even those that do not yet exist in full concretion or are in a transitional state of gender identity. A phenomenologist does not care because what she or he is interested in is the “phenomenon” whatever that may be.

The more abstract phenomenological method in phenomenological theory is a way of training one’s eyes by means of phenomenology—namely

¹⁵ Cf. the corresponding paragraph 50 in *Ideas I* (Husserl 1983, pp. 112–14).

¹⁶ The Greek *epoché* means “cessation.”

by not judging people according to preconceived gender knowledge, and not categorizing them along given gender norms. Applying phenomenology to the issue of gender means we can put in parentheses what we know of gender and dedicate ourselves to observing the “phenomenal gender,” the gender “as it appears to us.” The “phenomenal gender,” thus, is not the objective gender or the reflectively asserted gender but rather the anonymous gender, that is, the gender not yet named, or the indeterminate gender not yet determined. This kind of phenomenological attitude would be an ethical attitude, as it holds back from the normative compulsion to make fixed determinations about gender, thereby alleviates any negative effects that could accompany gender determination in a psychological or political sense. In fact, the phenomenological approach to the gendered other is a kind of invitation to perceive this other in its indeterminacy and to resist acts of determination. What remains are indeterminate genders that are not defined as failures but as beings in their determinacy *and* indeterminacy at once.¹⁷

Taking this non-judgmental phenomenological attitude one step further, a reference to Luce Irigaray and her ethics of sexual difference might be helpful in order to understand what I have in mind. In order to introduce a model of sexual difference based on the recognition of the other as radical Other, Irigaray has come to speak about wonder. In *An Ethics of Sexual Difference* she argues that a radical ethical relationship between the sexes requires that we turn back to wonder (Irigaray 1993, pp. 72–82).¹⁸ In particular, she demands to regard the other gender as if it were a wonder. Phenomenologically speaking, wonder is something that happens to somebody; it is not something one can have control over it. It is an event in the strict sense of the word and as such comparable with a sudden surprise where we lose control. Furthermore, like the phenomenal “experience” in the phenomenological tradition, wonder is a pre-reflective experience and the starting-point for any further determinations. The wonder that takes place between two gendered subjects emerges before any determination: “Before and after appropriation, there is wonder” (p. 74), Irigaray says. Contrary to wonder as something that can be grasped or captured by knowledge, it is nothing else but the “appetite for knowledge” (p. 78). Even more, wonder, per definition, resists any appropriation or determination. Similar to what Husserl and Merleau-Ponty, as well as Judith Butler have said, Irigaray maintains that wonder essentially comes as

¹⁷ In its critical attitude towards determinations, phenomenology is not so far away from queer theory and its main project of exploring the contesting of the categorization of gender and sexuality.

¹⁸ For more on Irigaray’s concept of wonder, see La Caze 2002 and Heinämaa 2005.

a surprise and therefore it is something “*not yet assimilated or disassimilated as known*” (p. 75). One wonders if it is not the child with its curiosity and impartiality who is best capable of treating the other as a wonder. It seems to me that the view of the child which, at least in certain stages of childhood, is much more presuppositionless and admirably non-normative than the view of the adult could serve as a means for an ethical encounter with the other.¹⁹

Yet, one can easily identify problems with such a proposed “ethics of indeterminacy.” Could one be so tolerant that there is no action on behalf of the other? Does the continual recognition of indeterminacy not lead to being, sort of, incapable of human action? Given, somebody is fundamentally open to the possibility of change—will she or he not fail in responding adequately to a given indeterminate situation? How can agency be guaranteed if indeterminacy is dominating one’s life? Put differently, does feminist political action not require determinacy instead of indeterminacy?

I would like to respond to this critical intervention, by saying: First, strictly speaking, one cannot simply *choose* not to be open toward the world or decide against indeterminacy, because the world itself is always ontologically characterized by indeterminacy or anonymity, as Husserl and Merleau-Ponty pointed out. There is also a fundamental incapability of fully determining identities, as Butler rightly demonstrated, and as I have shown with Husserl’s phenomenology. This means that the idea of determination is in a certain way an illusion. Thus, demanding determinacy with respect to political actions is paradoxical in itself. Calling for determinacy is, in fact, always also calling for incomplete and fragmentary determinacy—determinacy is not fully determined.

Second, it seems one can only make oneself permanently *aware* of this ontological condition of being in the world by being aware of the world in its anonymity, indeterminacy, and incompleteness. However, the knowledge of such an anonymity, indeterminacy and incompleteness might serve as a new starting point for political action. The newly accepted openness toward the world and the others in their incompleteness can serve as a means for further agency if not to say judgments in the world, but this agency and these judgments will hopefully be less harmful and more insightful. Such an agency consists in the acknowledgment of the

¹⁹ Eva Simms has developed a unique phenomenology of childhood in which she has, in various ways, explored the child’s specific attitude to the world (Simms 2008). As she writes in her book *The Child in the World*: “Wonder is a child’s ability to be open to the surprising otherness and fullness of the things in the world” (2008, p. 106).

indeterminate world with its dwellers. This acknowledging is itself a certain “decision” in the face of the requirements of the world. At the more concrete level, it may also prevent somebody from hasty and imprudent decisions. If I am aware of the fragmentary character of determinations, I might also be more careful against unjust determinations. I see this as something extremely political.²⁰ It is political insofar as it does not solely consist of making clear decisions or labeling someone. It also consists of the abstinence of certain actions and the continuous anticipation of future change. Thus, in my opinion, the anonymity of the world and the indetermination of gender do not have the effect of finalizing one’s decisions. They are and remain the very condition under which future and alternative determinations may become possible.²¹

Translated by Ida Černe

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²⁰ I should add that poststructuralist feminists such as Judith Butler did not fully argue against determination in the field of the political. A so-called “strategic essentialism,” is indispensable, she argues, for political work.

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