The Promise of Lauren Berlant: An Interview

I promise to be present to the scene...’ (Lauren Berlant)

Lauren Berlant is Professor of English and the Humanities at the University of Chicago. Berlant’s research and published work reflect an inter-disciplinary trajectory and a (counter) political agenda. She works between several academic disciplines, English, Law, Cultural studies, Politics, Queer studies, and Women’s studies. What binds her different projects together is her interest in the force of optimism in peoples’ attachments to each other and to concepts, for example, of the good life, good intentions, political worlds, and transparent affects (such as love and pain). These attachments are especially animated in proximity to the formal institutions of collective life, such as the family, academia, and the nation, but are engendered in conventional practices as well. Berlant is soon to complete a trilogy of books which focus on questions of national fantasy and citizenship. In the first, The Anatomy of National Fantasy: Hawthorne, Utopia and Everyday Life (University of Chicago Press, 1991) Berlant argues that citizenship is the place where nationality, subjectivity, and agency meet. In the final book in the trilogy, The Queen of America Goes to Washington City: Essays on Sex and Citizenship (Duke University Press, 1997), Berlant focuses more explicitly on the question of the citizen, via an analysis of the privatisation of national culture in the Reaganite period. This book uses the pilgrimage to Washington narrative as its structuring trope and asks why things that cannot act as citizens – foetuses and children, for example – bear so much of the burden of defining official and popular discussions of citizenship in contemporary mass national culture. She analyses the relationship between the hegemonic politics of intimacy that places sex and family at the centre of national life and structural economic and cultural forces that also engender subjectivity, fantasy, and value. The trilogy will soon be completed by The Female Complaint: the Unfinished Business of American Sentimentality, a book about ‘women’s culture’ and its historic role in the production of national/capitalist norms of affect and identity. Along with this trilogy, she has recently edited Intimacy (University of Chicago Press, 2000), an elaboration of an issue of Critical Inquiry, of which she is co-editor.

In the interview we have tried to engage with the promise that emerged out of our conversations with Berlant, which involved initial face to face meetings in Lancaster and Chicago and culminated in the ’live’ transatlantic e-mail interview transcribed here. We have directed
some of our questions to key issues and debates in our respective disciplines, cultural studies and critical legal studies. We have questioned Berlant on her understanding of the role of academia in the creation of alternative knowledges, and the (counter-) political project which underlies and informs her work. Reading Berlant, one is consistently struck by her political commitment to transformatory potential of academic work. For this reason, the idea of a promise seems to encapsulate both the promise of Berlant’s work to create alternative ‘worlds’ and the strange temporalities of academic practise itself. In the interview Berlant writes about her work as a reader of culture, as the work of tracking repetitions across different fields of discourse. For Berlant this idea of repetition has a temporal dimension which can be likened to that of a promise. She notes that it is our lag in our understanding of the present that enables the creation of ‘pasts’ but ‘as we create pasts’, new and unstable relations are posited between the double enigma of the present and the future. Berlant thus demonstrates why the imagined futures (of national or sexual fantasy), as well as imagined pasts, must be critiqued. In this sense, her work breaches open the pasts and imagined futures of dominant ideologies by working at the scene of the production of such fantasies, within the popular texts and mythologies of the present. This critical breach and/or questioning of national fantasy operates on one level as a promise. What Berlant’s promise to us, her readers, is, is that such pasts and presents are subject to critical intervention and that academic work can intervene in the production and reproduction of ideologies via the processes of ‘unlearning’ and critically reading the imagined pasts and futures we are presented with. Although a ‘promise’ always signifies its own failure to be kept, it retranslates the present into other possible and necessarily unsecured futures. The role of the academic here is to commit to the process of unlearning in order to hold open a space for thought outside of ‘putative common sense’. As she notes, we cannot assure the value of this process, but ‘we must hazard the appropriateness of what looks like failure. Especially if the project is unlearning the norms of intelligibility that mark as given what should be the unliveable violences and inequities we nonetheless live with’.

The following Interview was conducted between the 17th and the 20th of June 1999 via e-mail exchange.

Q1 Imogen Tyler: We are interested in what it means to be an academic at the end of the twentieth century and what the role of the public intellectual might conceivably be, given the relative absence of such public figures (in the UK at least).

Lauren Berlant: I wonder if you’re really talking about the devaluation of left academic thought in the contemporary political public sphere,
since both of our worlds are filled with ‘public intellectuals’ whom perhaps we don’t respect or who don’t recognize our modes of analysis. Part of what’s at stake in this question of publicness is particular to the humanities: we are supposed to be preserving great knowledge for all times, not sticking our noses in contemporary struggle, and we are supposed to be comprehending Literature or History and not ‘texts’ or events that we make through acts of criticism. Our expertise is supposed to be fundamentally meditative, which is deemed to be the opposite of ‘engaged’. Additionally, there is pressure from the right wing cultural ambition to banish the political investments of critical theory and cultural studies. This struggle takes place both within the academy and the public sphere, through nostalgic appeals to many things, such as one’s youthful admiration of professors and the universally true knowledge they seemed to produce while disengaged from the real; it also, I think, appeals to anxieties about the class mobility education is supposed to foster. How can radical knowledge movements assist with that aim? There the contradiction is as much ours as anyone’s. Anyway, under these conditions, it is hard to imagine a space for ourselves that isn’t merely a reactive one in any mass public sphere. Some people are better than others at responding quickly and I think it’s important in this light to try to cultivate a written version of what I would call one’s pedagogical voice, the voice of the clarity machine. The real challenge, though, is to build publics from where we are, in the academy, privileged to be able to sustain thoughts longer than sound bites, and then proactively to ‘make’ things happen elsewhere.

Q21T: An esteemed academic gave a guest lecture to my undergraduate cultural studies students; she is engaged in a large-scale media research project, which includes extensive archival research and interview projects. At the end of the lecture one of the students asked ‘but who is this research for’? and another asked ‘who is paying for this research and why?’ I was both embarrassed and intrigued by these questions. Such questions are ‘out of place’, in terms of [an] imagined academic past, when academic research was automatically bestowed cultural value in and of itself and yet, within consumer culture and for the current generation of undergraduate students, the question of value is inextricably bound up with the short term economic imperatives of capitalist ideology. Within this context the question of the status of academic labour and the knowledge it produces takes on new significance.

This relation, between consumerism and academic work, also relates to the increasing ‘professionalization’ of academic work itself. In the UK, this takes the form of, for example, the research assessment exercise, (R.A.E.) the introduction of ‘national benchmarks’ for subject groups and the demands on academic staff to be involved in increasing self-
regulation and ‘quality control’. These factors are having a large impact on what it means to be an academic, in terms of workload and ethos. Could you tell us a little about how the processes of the professionalization of academic work are taking effect in the US and what impact you think such a process will have in the creation of the universities of the future?

**LB:** I love the story you’re telling because it speaks exactly to the conditions of speed-up that affect all workers in the U.S., including professors and researchers. Universities in the U.S. confront the same conditions you describe in the U.K., with added pressures re tenure and the marketing of different kinds of university. Yesterday I spoke with a biologist who works on the sexual preferences of fruit flies, and he spoke of the exciting work he does on gene mutations that show male fruit flies who desire to ‘mate’ with other male fruit flies. (It apparently involves beating their wings frantically to show ‘desire’!) Whatever one thinks of the animal/human analogy implied in this kind of work, it has eventuated in his being run out of his department. His Chair wants to promote only applied science, work conceived with a direct impact on industry, and he convinced the dean that the fruit fly study had huge ‘opportunity costs’ to the department because it was not market-oriented, and thus took up too much valuable lab time and space. So the biologist is leaving. Sexual preference is not a product that can be sold, apparently. (But it can certainly be marketed!)

In any case, this story said to me that even in the sciences the knowledge produced by universities is more instrumentalized than ever, by which I mean that its ‘productive’ outcomes must be increasingly intelligible in the present, as it is being very narrowly conceived. There is such panic about value that speed-up and quick profit-taking increasingly shape fields of knowledge, with pseudo-antithetical words like ‘tradition’ and ‘innovation’ constituting the money form, as it were. The university becomes a place of constant hoarding and expenditure: but perhaps it was always this, just less explicitly imagined and exposed. The notion of an ‘opportunity cost’ – the accurate claim that when one kind of knowledge is promoted, another is displaced – must be seriously engaged by us, though, because in an era marked by a rhetoric of shrinking resources, this phrase casts a shadow over knowledge policy.

What is the opportunity cost of promoting one kind of knowledge over another, and what does it mean to be forced to see our ‘product’ in terms of short term profit (whether of cultural capital or the other kind)? It is not obvious that the fetish of short-term value is only a fantasy of bad Capitalist logic: after all, critics have used a language of ‘intervention’ to describe our desire for work to be politically meaningful. This tendency can telescope the field of our engagement to a known space in which cause and effect can be tracked and
appreciated, an appreciation which reflects on us and our ideas, paying out in reverential aura, prestige, jobs, and the presumption of expertise. This fantasy about transformative knowledge is related, I think, to the more explicitly capitalist one about immediate product, value, and profit. But the content of these relations remains relevant to any critical analysis of particular modes of knowledge.

This shift poses a few challenges to people in the humanities and social sciences. One is that we must always ask ourselves a version of the student’s question: what will change if this work is done? What will be different if people learn what we want to teach them, if we learn what we need to know, that we were not taught to know? What do we risk by phrasing thought outside of a putative common sense? If we cannot assure of its value, its payoff, how do we describe the place thought holds open? If the work we do is committed to a Spivakian project of ‘unlearning’ (or an Adornoesque attachment to the negative) then we must hazard the appropriateness of what looks like failure. Especially if the project is unlearning norms of intelligibility that mark as given what should be the unlivable violences and inequities we nonetheless live with. The second challenge is to feel obliged to see what happens when one’s work is addressed to different audiences, a challenge we regularly meet when we teach, but which we resent when confronted with more public demands that we speak in language that seems less ‘foreign’. It feels like an insult when one’s own language seems to require translation: it forces one to speak or to listen not as ‘oneself’. But whenever questions of alterity are raised, this risk of insult goes in both directions. Here I believe a strong stand must be taken for theory and other modes of thinking whose outcomes are not directly accessible as ‘product’. Fostering the unmarketable thought is one of the University’s unique functions, an opportunity that must not be abjected to utilitarian claims. On the other hand, one must have the courage to face one’s own language in the places of its stark inadequacy. There are many ways to do this: one of these is trying to make a kind of sense that matters to audiences who have not phrased the problem of living the way we have. A healthy disrespect for academic expertise is not a bad thing! This means listening as well as talking, no?

Q3IT: I wonder whether the shift you have made from the study of the literary canon to an archive which is distinctly un-traditional is part of a larger, perhaps ethical?, transition in terms of your own practise as an academic. That is, we all engage at some level already with what you term in Queen as ‘the waste materials of everyday communication [and] experience’. Do you see yourself as involved in a process of ‘listening’ to the popular, to these waste products? and as a result is your archive and your work on it, simultaneously more easily translatable back into the cultures and experience not only of students, but to those who are
outside of academic enclaves? Another way of phrasing this might be, what is the politics of the popular?

**LB:** I want to listen to everything: that is, I don’t especially think that the materials of any particular domain constitute privileged archives or express more authentic voices. What I do as a reader, I think, is to track repetitions across different fields of discourse (of knowledge, of practice): repetition of a gesture or a logic or a scene engenders form, something people and cultures latch on to and use to make the world intelligible. So I read everything I can, high and low, near and far, and try to pay attention. In my own pedagogy, teaching people to pay attention is central. It means listening and reading, for sure, but more than that it requires noticing what you’ve decided is not knowledge, is extraneous as knowledge, and ask why it is that you have produced waste knowledges, just as they are produced within hegemonic domains. So the ‘waste materials’ I study are products of dominant processes of value formation: not just with respect to popular culture, but to the construction of populations, ways of thinking, and so on, as well. And yes, to me a commitment to remaining a student, to meeting head on what I am also overwhelmed by when I am learning, is one place of practical agency where ethics and politics meet.

**Q4 IT:** I also wanted to ask you a little more about teaching. You have spoken about teaching as a form of seduction. This raises interesting pedagogical questions about the role of the academic. For example you teach a course entitled ‘love theory’, which sounds fascinating and seductive. Can you say a little about teaching as seduction and perhaps how your teaching practises could be put to work in the dissemination of knowledge academics produce?

**LB:** Did I say that? I take it all back! Nothing upsets or titillates people more than discussions of teaching as seduction – ask Jane Gallop. What I mean by it is something simple, something formal about the intimacy of the scene of learning. The teacher wants to provide what Christopher Bollas calls a ‘transformational environment’. You ask your students, your readers, your people to form an attachment to the condition of possibility you hope you represent. You not only want to give them new knowledge but to foster in them the capacity for surprising thinking. This latter desire can be really threatening, but you want people to take it up nonetheless. When people read my or anyone’s work, or when they go through the pedagogical scene one wants to make with them, they engage in an exchange without guarantees. They take the risk of inhabiting the scenes of thought I identify and identify with. I promise to be present to the scene, to listen to them and help them find ways to understand someone else’s sustained thoughts and to produce them as well. But we don’t know what will happen, only that we are focusing on generating kinds of knowledge that will simultaneously ground and
transform us. The kind of trust (I typed tryst! But I didn’t mean it!) this relation of description and transformation involves is like that in love or seduction, where one is seeking attachment before there is history or knowledge of the other, which always eludes us in any case, since we are seeking something of ourselves, we know not what, from the intimate scene. That’s probably what I meant. As for the love theory class, there is little to no metapedagogy in this class about love or the intimacy between ‘us’ as teachers and students. I’ve written critically about this fantasy, the fantasy that teachers are to students as lovers are to each other and as analysts are to their analysands: this seems false to me, because the teacher student relationship is not a dyad! Even in the Symposium it is clear that Diotima is a great teacher of the beautiful and the true who has passed her knowledge on to her protege; nonetheless Socrates’ power here is in his understanding that the scene of teaching means nothing if it is private. World-building requires public talk, which requires breaking down a model of knowledge as a monument to one’s singular excellence and uniqueness. In class, and in my other work on intimacy, we do talk about the intimacy of knowledge production. This means a focus on the ambivalence played out in the tension between mastering and being mastered by new knowledge and the people associated with it, and this tracks through the ways love plots are so often detective plots too. Yet they’re as much about epistemophobia as -philia. I like to think of plots as work against the very knowledge they generate. But thankfully this project is not mainly self-referential!

Q5 IT: You say that you are interested in tracking down ‘repetitions’. This practise suggests an engagement with past-future-present. Could you elaborate a little by describing how Queen, although situated historically during the Reaganite reign, contains much which is repeated during the Clinton era.

LB: I’ll begin responding to this in terms of Queen. One question is about the temporality of a repetition, or the place of temporality in the repetitions we track when we are trying to tell a story about the shape of consciousness. Here's how I think about it, on the model of the Freudian apres coup: the form internal to a repetition turns a lag in our understanding of the present into a past of some sort. But as we create pasts, what relation is posited between the double enigma of the present and the future? This is a powerfully variable relation, which plays out so much ambivalence regarding whether and how one wants to be intelligible in terms that one currently understands. Enigmas are very comforting insofar as they can absorb questions about a conundrum infinitely, and create the need for a knowledge that will never be achieved as long as the question of the future is posed. Anyway, in Queen the best example of trafficking in lag so that an operation on the future can be played out as anything but a presently anxious relation of
power is in the ‘Face of America’ chapter. This chapter describes the ways ‘American’ political innocence, a non-instrumental and pseudo-democratic relation to social membership, takes on a new ‘face’ of virtue when immigration politics is at issue. People of color are about to overtake the white majority in the United States. White people fear a future of minoritization, because they know how terrible it has been. Thus at the same time that explicitly white supremacist movements are emerging, the liberalesque center comes out with a new fantasy ‘face of America’. She is not a future citizen who becomes ‘American’ by virtue of social membership or agency, but an immigrant who will engage in interracial reproduction, mainly with white people. Generally African-Americans are left out of the hybridizing story, although in the film Bullworth (directed by Warren Beatty, 1998) they are central to it. In this fantasy, in a few reproductive generations, the U.S. can then be assured a white-esque ‘post-racial’ future: a nation of hybrids. A reproductive logic takes up, maintains, and protects the national future along the axis of generationality. A rhetoric of ‘blood’ substitutes for a rhetoric of culture or politics, and thereby assures national life. In your dreams, or someone’s dreams! The class politics of race and xenophobia are completely elided in this analysis, and while this can seem like a good, because racism, if not exploitation, would be passé, we know that this fantasy emerges so that the nation (of white people) has an imaginable future. This future is secured by heterosexual privacy, which here becomes something like a universal. And rather than being an impotent grunt at the end of white patriarchal nationalist hegemony, this fantasy actually has had and will continue to have effects on policy and law, as well as in the domains of ideology and value that make authoritarianism attractive to people.

Q 6 Elena Loizidou: But one can equally argue that specific events shift our understanding of practices and concepts. For example I would argue that the Clinton/Lewinsky ‘scandal’ has shifted our understanding of ‘public sex’ since Reagan by making ‘sex public’, and has also shifted our understanding of public sexuality.

LB: You are suggesting that the argument of Queen – that zones of sexual privacy are now seen as the national default zones of citizenship – has been challenged by the public status of sex talk in the Clinton/Lewinsky event. I think it challenges but ultimately reinforces the book’s argument. Remember that, in the argument, publicity is not the opposite of sexual privacy, but one of its conditions. Burgeoning discursive events can actually serve to intensify the desire for sex to be recontained in a narrowly perceived intimate space, and even once again to become a thing beyond words. So in ‘Live Sex Acts,’ (Queen) when I talk about the possibility of a sexual counter-public, it is not publicity itself that makes sex critical, but a commitment to refusing to
recontain sexuality within a fantasy/discourse of the private, the personal, the unmediated intimate.

This is one place in which the difference between the notion of heterosexualized gender and heterosexuality might be useful to describe. I entirely agree with you, Elena, that there has been a shift, through Clinton’s body, in styles of public hetero-masculinity (in the U.S.). In contrast to George Bush, Clinton was elected in part because he isn’t disembodied: he is a man of appetites. But I think that this is different than a shift in the understanding of heterosexuality per se. If anything the erotophobia, the disgust and moralism, that have accompanied the Clinton affair reinforces the story that privatized heterosexuality is the source of all moral order. It would have been different had he not apologized. Abjection at being caught having (a disorderly) sexuality is the American thing to do. Mitterand didn’t have to, did he!

Q7 IT: I would like to ask you about intimate academic writing, for example the move towards the ‘autobiographical’ in cultural studies. Is this move towards academic intimacy related to the collapsing of the personal and political into ‘the public intimacy’ you describe in Queen? Or is it a reflection of anxiety, the anxiety about making claims to truth and the ‘post-structuralist’ desire to situate knowledges?

LB: This paradox—that privacy depends on a terroristic notion of exposure in a public aversive to the facts about sex and sexuality it is nonetheless fascinated by—is directly related to the personal turn in Cultural Studies. I think you’re right, Imogen, that an overdetermination of causes creates the emergence of the memoir, the testimonial, and the autobiographical form into critical discourse. Feminism, the critique of mastery, the contingency of self-presence and of language, all of that made questions of ‘situated knowledge’ ever more urgent. No knowledge can be situated enough to exhaust its unruly destiny. At the same time, in the U.S. these textual forms of self-performance have become visible in so many fields, and in so many lives, where no metaphysics of presence or rational self-development narratives rule. Instead, the trauma form, the modalities of anxiety and loss over one’s continuity in history, generates the urge to tell a story about oneself that one cannot have lived or in which one experiences oneself as impossible (this is the paradox of trauma, as it defines you at a moment of incomplete negation). In some cultural studies work testifying to this aspect of violence, its simultaneously personal and impersonalizing modalities, is crucial. In my own work, there is some explicit autobiography. It is always partly an attempt to show theorizing in living. It is also part of a general project to see the ways all encounters can be read off as knowledge (I think very much of Roland Barthes here, of the way he talks about reading as bruising the surface of a text. His
commitment was to use/bruise all of the senses involved in readerly absorption, and I resonate very much with that desire).

No doubt there is some connection between the privatization of politics and the emergence of what we might call self-referential criticism. Slavoj Zizek makes the very useful claim that the ‘I’ bridges the incommensurateness between the impersonality of power and the subjectivity engendered in its field of force. In this case the ‘I’ is a paradoxical symptom of the subject’s sense of impossibility: and in this post-reason age of trauma I sense this general anxiety about being impossible everywhere. Sometimes it is true, nonetheless, that people write about themselves to circulate a mirror of their excellence. Still, I am always suspicious of charges of self-indulgence made against anyone – usually these tone of voice accusations are made against the shamed classes whose voices always seem to take up too much space and take it up so badly, in such an ungainly way. But I also think that confronting the problems of contingent value re the anecdote, the example, and the scale of the event is crucial to working through questions of survival and justice, which is what so many of these first-person narratives are about.

Q8 EL: Moving more into the political sphere. You demonstrate in Queen, how counterpublics and counterpolitics have learnt to ‘perform against’ the politics of the intimate public sphere. These counterpolitical publics fantasise an alternative national/public sphere; however, does the counter-public not always risk becoming ‘the Same’ once they become ‘the Public’?

LB: I don’t think publics work that monolithically. We argue, in ‘Queer Nationality,’ that the danger of using ‘nationality’ as the suture between the counterpublic and the official public is precisely the elision of a critique of the image of nationality as a unifying metaculture. But the notion of the ‘national’ public changes radically when it cannot be universalized. So I don’t worry too much about the assimilation of margin to center if the marginals make themselves politically indexical, rather than aspiring to the nation form as it is. Counterhegemonic movements are unified by a resistance to modes of negation but frequently disparate in terms of what good life they imagine in the world that would exist were the negation negated. This is especially clear in the difference between, say, liberal multiculturalism and economic justice movements, which can ally across so many issues but ultimately have different notions of what would be satisfying politically. Or take the anti prison movement, which begins its counterpublicity not against a bad universal identity, but against a carceral ideology that targets the poor, the person of color, the non-middle class family, and the taking of profit and labor from these imprisoned and disciplined populations. There is no way that these populations can be assimilated
into the national norm! The norm will have to become different, that's how powerful the critique is.

**Q 9 EL:** While I will agree with you that the effect of counter hegemonic movement would be to create a different norm, I am also concerned with the counter individuals that contest the Universal and the fantasy of one nation in the courtroom. Can heteronormativity, gender, race, class and other marginalized peoples, be effectively negotiated when faced with the Universalizing logic of Law – a logic which reduces the other to the Same? I was thinking here for example of the O. J. Simpson trial, where racial and gender amongst other issues where pitted against each other.

**LB:** Let's presume at the start that any formation of power and desire like the law can be 'effectively negotiated,' since law has served both to constrain and to innovate liberty and equality, not to sound too American! But nothing, not even law or theory, can neutralise the contradictorily negative logics of racism and misogyny that are expressed every day, and quite spectacularly in the O.J. trial. As I argue in the last chapter of the Queen, pitting subordinated populations against each other is one of the great spectator sports of the contemporary United States. Additionally, there will inevitably be tensions between an antiracist logic that wants to transform the economic and ideological negativity attached to men of color (demonized for excess phallus at the corporeal level and insufficiency at the economic), and a feminist desire to, say, deromanticize a generic thing called male violence. The feminist desire has not attended much to the possibility that there are different species of male violence—it would seem like academic prissiness, almost, to taxonomize the motives that lead different kinds of men to snuff out women. But such different kinds of work need to be done to achieve these aims that it seems overwhelming. It can be done, it has to be, but the Law is not going to be sufficient to remedy what the ideology governing it has so long reinforced. As I and others have long pointed out, a politics of social transformation that is committed to economic and intimate justice—there used to be a phrase like feminist socialism to mark that desire—must understand the paradoxes between the concept of justice and the things that represent it to people. This is why psychoanalysis is as relevant to radical social critique as are the other more traditional modes of social theory.

**Q 10 EL:** In your recent work you speak of the 'juridical subject'. This seems to highlight a shift from your use of citizenship in Queen. Could you expand on what this term means in your work, particularly how it differs from Foucault’s use of the term?
LB: I’m not sure this will be an interesting response. In Foucault the juridical subject is generated as an effect of domination (this is earlier Foucault, before The History of Sexuality). Later Foucault would have it that the juridical subject is also generated as an effect of governmentality, such that taxonomies of the normal position people as though it were inevitable that they be so marked. My critique of the juridical subject is more particularly against liberal notions of individuality. Legal theorists tend to think of the law as engendering the subject, the citizen, tout court. In that imaginary the notion of contradiction and ambivalence within the law does not matter all that much, since in the end the subject is formally subordinated to the law’s superior force. This is why we find that strange mirroring in critical legal studies wherein the very law that binds can seem available to unbind unjustly harmed subjects. In The Anatomy of National Fantasy as well as in the Queen of America and beyond, I argue that, even if the juridical law is the phenomenal form of a hegemonic ideology (in all its non-coherence), subjects experience the law at different intensities of relevance at different times and spaces. I try to understand the relation between the intensively juridical version of the subject (who believes in property logic of the individual self) and all of its others (subjects in their different dependencies, incoherences, desires, practices). Then, what I would call the Queer project of refunctioning this relation begins. I have been working on the concept of intimacy, for example. This project tracks the ways institutions of intimacy (very much fostered by law) foreclose the recognition and therefore the conditions of possibility of modes of attachment and self-sustenance that have no legitimating monuments but that nonetheless are already working to make people’s lives more possible. I redescribe these relations in terms of repetition and internal form, as I narrated earlier, in the aim of proliferating a shift in the relation between desires for, say, continuity and unconflictedness on the one hand, and the forms that represent these desires, on the other. This is a very abstract way of talking about shifting the normative relations within desire’s formalism. But there it is.

Q11 EL: While critical legal studies is both critical of the ways in which justice is delivered and equally, is committed to a form of law that can unbind injustice, it tends to forget that injustice is violently perpetrated against and inscribed upon actual bodies. The way in which your work moves ‘outside’ the Law, by focusing on the ways in which ‘subjects experience the law at different intensities of relevance at different times and spaces’, presents back to the law different images or representations of itself and its end product, justice. I am trying to think of the ‘outside’ as way of ‘re-thinking’ the ‘inside’. But I worry about a coup that the ‘inside’ (Law) might stage in its response to the alleged ‘danger’ of what it will name ‘popular justice’. This is why I find your critique of the
juridical concept of intimacy powerful. Are there any other concepts (legal or not) that could be ‘interrogated’ in a similar way?

LB: This is a very interesting question, one about which we must continue speaking elsewhere, if not here. I think two other tropes of legal thought and practice that need real interrogation are harm and that fuzzy thing called community standards, which to me also intends what you talk about when you talk about ‘actual bodies’. In the latter case, I notice a trend in critical legal studies now to fight the violence of universalities by insisting on the local and on, to a certain degree, ethnography. The most experimental work gathers different kinds of voice, hypercontextualizes, and makes a claim that such care speaks from the harmed position rather than about it. You know, in a way this can’t be false. I mean by this that the more different things one knows – the more kinds of evidence that can be brought to bear on the definition of a crime – the more likely it is that something approaching the law’s recognition of the social can happen. On the other hand, it is not as though the local and the interior/ witnessing voice are a given, an apriori, a condition of inevitable resistance against the homogenizing tendencies of the law or universal philosophies of the subject. Locales are engendered dialectically, like anything else: they are a romance of the possible, a heterotopic fantasy, just as is the self-continuous notion of the subject. The local is already constituted by the law. Face to face relations are both more and less personal, and so on. In other words, I am arguing that we must open up more rigorously the notion of particularity that we are using and holding on to as a life raft against the tidal wave of the universal. One person’s particularity is another person’s stereotype, after all.

On the topic of harm, I have been thinking about the ways liberal ideology (with its fantasies of unimpeded continuity between subjectivities and institutions) presents with it a fantasy of an unconflicted world. Right now, in my view, legitimate worries about what’s dangerous to people have become conflated with worries about what makes people uncomfortable. The elision of the difference between danger and discomfort as modalities of harm has really made for a certain conservatism within the legal community, liberal and otherwise. The social will never be a space without struggle and contradiction; discomfort at difference is simultaneously personal and an effect of the taxonomizing ideologies against difference that so much orthodox thought is based on. So discomfort can not be legislated against, but fought with knowledge and passion. What is the line between the need to fight constantly for popular justice and a dire situation in which someone’s survival is on the line? What constitutes the kind of harm the law makes accountable? Why engender a politics organized around
these affects without, at least, an analytic of the affect that admits and gives dimension to its heuristic or tactical function?

Q 12 EL, IT: Psychoanalysis, despite extensive feminist critique, is too often employed as an explanatory tool which insidiously reinforces obedience to both the paternal law and the primacy of sexual difference. Psychoanalysis is constituted by bodies of work which are myth-making, world-making and Universalistic. How do we employ psychoanalysis without reinforcing, despite our best efforts, the universality of its mythic foundations? In other words, how can one employ psychoanalysis in ways which will create new and better myths, worlds as opposed to a world?

LB: There is so much to say in response to this. The fact that I am writing as though speaking here makes me want to go on forever, in the way that people who use language for a living can go on as though the talking cure meant never having to stop talking at all. Or to stop repeating oneself, at least until the language crumbles. However: here are some epigrammatic directions. I also would want to cite some of those who help me think about the political challenge of psychoanalysis: Renata Salecl, Teresa Brennan, Joan Copjec, Jacqueline Rose, Gayatri C. Spivak, Teresa de Lauretis. In this interview we haven’t talked about citationality and its relation to the violence and optimism of knowledge: if nothing else psychoanalysis reminds one of one’s attachment to the people who have opened the book.

Anyway: to me the great work of psychoanalysis is to provide ways to think about attachment. I want to break up the relation between desire and conventional form in order to proliferate a temporal notion of the subject whose slide among diverse formal identifications includes the conventions that enable that slide itself to be disavowed. I learned this way of phrasing the subject’s mobility from Jacqueline Rose’s work on Sylvia Plath, where Plath’s bisexuality becomes evident not in some concrete object-oriented practice but in the gendered incoherence of her pronouns. But I am also describing here something like liberal ideology as it plays fields of ‘free’ choice against the seductions of normative individuality. By what processes do people come to recognize their attachment to particular concepts, institutions and life forms, individually and collectively? How can we understand the radioactive forms of collective life-racism and patriotism, for example—in terms not just of their ‘badness’ but of the optimism that gets attached to them by subjects who see them as a way of gaining recognition? How can we describe the relation between a sexuality that emerges from the contradictions among apparent, psychic, and material subordination, on the one hand, and the processes of quasi-abjection that lead citizens to choose a ‘good life’ that ends up atrophying the political aspects of their agency? The English teacher in me wants to point out that this latter
question provides the central structure of the historical novel, starting with Scott.

Another way of asking this might phrase the question of subjectivity as a fundamentally collective one rather than a merely individual or individualizing thing. Fantasy and desire (what Althusser and Negt and Kluge meant by ideology) are central to understanding the coming to heuristic coherence of a social formation. But fantasy itself must also be understood not as a site of clarity or even cognitive mapping but as a scene of bargaining. Ambivalence is a kind of temporalized bargaining, after all.

What we haven’t yet tapped is the notion of the unconscious of institutions, which most relevantly here includes the law (and the nation or any metacultural form). Fantasy and desire are made evident by the erotics of form where social institutions are concerned. Since, speaking in Foucault’s terms, this denotes desire without a head but with tissues, sinews, and muscle, the question of attachment to institutions of intimacy or of law must address the relation between the unpleasant authoritarianism of the law (the phallus as the gift that keeps on taking) and the desire for the law to provide an absolutely stable environment of recognition (the mother who always disappoints, holding out an enigmatic hope like some promissory note, or something). There has been too much queer and feminist work that presumes the universality for which psychoanalysis is, sometimes, an argument. Meanwhile claims of universality (of sexual difference, or of the very ‘subject’ who has visited this answer) get to put off, or to answer in advance, the question of how attachment to particular forms happens, as though the ones we recognize really are all the ones we have. But one cannot overemphasize the placeholding function of conventions, their ideological function as sites of order and optimism. Yet what strikes me constantly is the nonreciprocity between the love of the law and the law of love: is this not the story of patriotism and racism, of homophobia, misogyny, and erotophobia? Psychoanalysis, a science of the erotics of optimism, loss, and bargaining, thus has a lot to say to a criticism that wants to understand the technologies of subordination in liberal societies that place desire at the center of personhood and history.

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