

Accounting for Genderqueer Performativity

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Abstract

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This paper challenges Judith Butler's gender performativity framework from a genderqueer standpoint. It does not seek to discredit Butler's thought since its scope is limited to a standpoint disentangled from binary gender categories. The thesis contends that, if gender performativity is conceived solely in Butler's terms, it fails to account for gender performances that seek to drag themselves out of the binary bind. The thesis roots its claim in Butler's reliance on an iterative understanding of language performativity that they inherited from Derrida. Once the theoretical limitations of the canonical account of gender performativity have been ascertained, the text broadens the boundaries of the theory by incorporating divergent readings of Austin's theory of language performativity. Specifically, Medina's 'New Austinian' framework serves as the groundwork from which an adequate understanding of genderqueer performativity emerges.

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Introduction

This paper contends that Judith Butler's theory of gender performativity is ill suited to meaningfully characterize the performative constitution of gender identities that exceed the masculine-feminine binary. Specifically, it points out the aspects of Butler's theory that limit its applicability to binary gender identities. Following this assessment, the paper addresses this lacuna by complementing the theory with reflections around the language act for self-determination to articulate the specificities of a genderqueer performativity. It defends the thesis according to which a genderqueer performativity differs from the performative constitution of binary identities because it does not rearticulates the limits of existing categories through the instantiation of gender norms, it brings forth novel modes of gender incarnation by claiming legitimacy for gender identities that were not socially recognized as real.

While a definition of genderqueerity is important in order to contextualize the paper, I previously argued in a conference titled "Genderqueerity: A Case for Non-Substantivity" that any attempt to authoritatively define is fundamentally ill-guided. Without detailing my argument, it hinged on the idea that enclosing genderqueerity with strict definitional boundaries undermine the vagueness that the term offers and that upholding this vagueness is key to understand how genderqueerity radically differs from binary gender identities. Nonetheless, the text can be read as following a definition that Dembroff discusses in their paper "Beyond Binary: Genderqueerity as a Critical Gender Kind" according to which the term "genderqueer" describes those who identify outside of the binary (Dembroff, 2020, 1). The circularity of the definition is not worrisome in the context of this paper.

It is worth noting that a previous text carried a project similar to this one. Indeed, Toby Finlay wrote about the inadequacies found in Butler's theory that prevent it from making sense of genderqueer performativity. Their work proposes theoretical amendments in

order to rectify this oversight (Finlay, 2017). While this text documents interesting flaws in the performative theory of gender constitution, it focuses on aspects of Butler's that this paper leaves out. Thus, both the criticisms that they address to Butler and their proposed solution differ in a way that preserve the pertinence of the present project.

Lastly, this paper is separated into three sections. The first points out the theoretical stances that Butler adopted throughout the articulation of gender performativity that prevent them from making sense of genderqueerity. The second proposes the diagnostic according to which the source of the above mentioned limitation comes from the fact that their understanding of the concept of 'performativity' is embedded in Derrida's interpretation of J.L. Austin. The third section bolsters Butler's framework by suggesting that supplementing it with the concept of 'infelicitous agent' from Medina's work can fill the hermeneutical gap identified in the first section.

Gender Performativity's Genealogy (And Its Limits)

The aim of the first section of the paper is to highlight why Butler's theorization of gender performativity is unable to produce a meaningful account of genderqueer identities. The section opens by establishing that Butler intended to construct a theory that would render the above mentioned identities intelligible. However, the bulk of the section will consist in a genealogy of the Butlerian performative theory of gender. A particular focus will be given to *Gender Trouble* (1990) and the subsequent books, *Bodies that Matter* (1993) and *Undoing Gender* (2004) since the evolution of Butler's theoretical work is explicit in those works. The section will bring to light how certain aspects of Butler's theory restrict its applicability to binary gender identities, notably their understanding of gender subversion, their reliance on the concept of citationality and their views regarding self-determination. The section closes by identifying the building blocks found in Butler's work that will serve as the foundation for the account of genderqueer performativity propounded in the third section of this paper.

1.1 Butler and Genderqueerity

First off, it matters to point out that the fact that Butlerian performativity fails to properly account for genderqueer performativity is a real dent in Butler's project because they declared that providing such an account is one of the aims of their project. As early as *Gender Trouble*, they stated that their main task was to formulate the different modes of gender subversion in a way that would offer intelligibility to acts of gender resistance (Butler, 1990, 203). The preface brings this point home when Butler notes "If there is a positive normative task in *Gender Trouble*, it is to insist upon the extension of this legitimacy to bodies that have been regarded as false, unreal, and unintelligible" (Butler, 1990, XXIV). In this sense, when Butler published their first major work on gender performativity, they did so with the hope of rendering legible gender possibilities occulted by binary gender norms.

The same objective is reasserted in *Undoing Gender* when Butler writes that their theoretical project does not point towards a future where new gender identities could emerge since the gender identities that blur gender binarism already exist (Butler, 2004, 219). Specifically, it is "[b]ecause the norms governing reality have not admitted these forms to be real, we will, of necessity, call them new" (Butler, 2004, 219). Hence, fourteen years after the publication of *Gender Trouble*, they held onto the idea that gender performativity provided an account of gender identities deemed unreal.

It is thus clear that, when theorizing gender performativity, Butler strived to account for gender identities that were kept out of the field of legibility. Among those identities are those who oppose the norms of gender binarism that Butler mentions in *Undoing Gender* (Butler, 2004, 35). The rest of the first section will present how this objective is not quite achieved in their work.

1.2 Genesis of Gender Performativity

The first text which unfolds Butler's view of gender performativity was published in the Theatre Journal in 1988. In "Performative Acts and Gender Constitution: An Essay in Phenomenology and Feminist Theory", Butler returns to de Beauvoir's famous "one is not born, but, rather, becomes a woman". They insist that de Beauvoir's insight lies in the fact that gender should not be conceived as stable or given, but that it is rather constituted in time via a stylization of both bodies and acts (Butler, 1988, 519). The text then supports this insight by detailing how such a stylization naturalizes the very identities it realizes.

Specifically, they expound how a body becomes gendered through a series of acts which reaffirms and consolidates its gender identity (Butler, 1988, 523). Assuming a gender thus entails acting the gender in question. In this view, the gendered self exists by enacting its identity by way of acts that actualize the expectations culturally tied to a given gender identity.

Additionally, Butler points out that the repetition of such acts is compelled by the fear of sanctions in the sense that failing to perform one's gender adequately regularly leads to punishments (Butler, 1988, 520). Performing a discrete gender contributes to humanizing the gendered body by allowing for cultural legibility and, opposingly, failing to enact one's gender in a normatively sanctioned manner leads to punishments that reinforce the norms that are transgressed.

However, fear of punishments alone does not suffice to explain how subjects are compelled to repeat acts which conform to expected norms. The theoretical breakthrough that Butler unveils lies in the fact that gender assumes an apparent naturalness by hiding its genesis (Butler, 1988, 520). In other words, the compulsive reenactment of norms that actualize discrete gender identities serves to veil the fact that the existence of these identities hinge upon their enactment. They become natural categories only when the actors themselves regard them as given or necessary. On the subject, Butler writes "The tacit collective

agreement to perform, produce, and sustain discrete and polar genders as cultural fictions is obscured by the credibility of its own production'' (Butler, 1988, 520).

With that in mind, Butler proposes that the potential for gender subversion is located in the possibility to reveal gender as a regulatory fiction (Butler, 1988, 528). Reveal in the sense that if gender is performative, then it exists only through the repetition of acts that constitute it. Subversion is thus situated in the possibility to enact gender differently, in a way that exceeds the discrete binary genders that are deemed legible in the present context. Performances that are not intelligible in the framework of discrete and polar gender identities also serve to expose the fact that, at its core, gender is performatively constituted (Butler, 1988, 528). They undermine the naturalness of discrete categories by exemplifying that they exist solely through the performances that actualize them.

This first theorization of gender performativity contains a number of important points that Butler reasserts in their later work. However, as will become apparent, it does so without relying explicitly on the concept of 'citationality' that is at the core of the theory in *Bodies that Matter*. This conceptual difference is important since citationality is the clearest barrier that prevents the theory of gender performativity from making sense of genderqueer identities. In the framework of ''Performance Acts and Gender Constitution'' it is possible to imagine an account of genderqueerity that understands the identities that do not fit in the gender binary as alternative performances of gender. Performances that erode the naturalness of binary identities by turning their back to gender norms that stabilize discrete gender identities. The last section of this paper will return to this account of gender subversion to propose a view of gender performativity that could render genderqueer identities intelligible.

1.3 From *Gender Trouble* to *Undoing Gender*

Following the article in *Theatre Journal*, *Gender Trouble* expanded Butler's reflections on gender performativity. The work rearticulates and bolsters the theoretical propositions

brought forward in the seminal article. In it, Butler reasserts that gender is constituted performatively through the repetition of corporeal and discursive acts which manufacture gender identities. This leads them to state “That the gendered body is performative suggests that it has no ontological status apart from the various acts which constitutes its reality” (Butler, 1990, 185).

The key difference between the texts lies in their respective discussion of gender subversion. While the former focuses on rendering the laws of gender explicit to reveal the possibilities to perform gender differently, the latter suggests that any subversion must take place within the repetition of the acts that constitute gender identities. In fact, Butler writes that “it is only *within* the practices of repetitive signifying that a subversion of identity becomes possible” (Butler, 1990, 199). Hence, subversion ceases to be understood in terms of developing other viable means to performatively produce gender and is limited to the search for agency within the repetition of acts that constitute gender. Butler adds “The task is not whether to repeat, but how to repeat or, indeed, to repeat and, through a radical proliferation of gender, to *displace* the very gender norms that enable the repetition itself” (Butler, 1990, 202).

This view of subversion is apt to account for the ways in which one can resist the rigid norms that constitute a binary identity, but it cannot render legible genderqueer identities. This is so because genderqueer identities are not situated within a critical repetition of the norms that regulate the discrete genders, rather, they suggest that the norms through which the binary identities claim intelligibility do not exhaust the ways in which gender can be enacted.

In short, Butler’s view of gender subversion in *Gender Trouble* is useful to imagine the proliferation of “gender configurations outside the restricting frames of masculinist domination and the compulsory heterosexuality” (Butler, 1990, 193) since the norms which regulate these frames can be rearticulated and negotiated through their repetition. In other

words, Butler's theory allows for variations within the repetition that could broaden and weaken the rigidity of the norms governing existing binary gender identities (Butler, 1990, 198). However, it fails to account for the subversion inherent to genderqueer identities which consists in a refusal to repeat the norms in question. If genderqueerity represents a rupture in the chain of acts that constitute discrete gender identities (and it does since, at its core, it refuses to be read through the lens of binary norms), then Butler's framework for subversion in *Gender Trouble* is the first theoretical stance which prevents them from making sense of genderqueer identities.

While their view of subversion in *Gender Trouble* hinders the possibility of giving a meaningful account of genderqueer identities, the crux of the problem begins with the publication of *Bodies that Matter*. In the book, Butler strives to clarify certain aspects of *Gender Trouble* (Butler, 1993, X). Specifically, they address uncharitable readings that regard gender performativity as purely agential. Indeed, the preface reads:

“For if I were to argue that genders are performative, that could mean that I thought that one woke in the morning, perused the closet or some more open space for the gender of choice, donned that gender for the day, and then restored the garment to its place at night. Such a willful and instrumental subject, one who decides on its gender, is clearly not its gender from the start and fails to realize that its existence is already decided by gender” (Butler, 1993, IX).

Hence, it is part of the project of *Bodies that Matter* to reframe gender performativity in a way that would emphasize that the theory does not entail a free subject adorning the gender it desires by highlighting how gender conditions the emergence of the subject itself; that gender precedes the subject. To do so, Butler drew from Derrida's understanding of performativity in terms of iterability (Butler, 1993, XXI). This ‘drawing from’ makes sense in the context of Butler's project since Derrida suggests that a performative achieves its goal not

because of the will of the locutor, but because it conforms to an iterable model; because it cites previous occurrences of the performative in question that accumulated power in time. In this view, agency does not play an explanatory role in the workings of performatives. A performative is effective because it ‘‘accumulates the force of authority through the repetition or citation of a prior, authoritative set of practices’’ (Butler, 1993, 172). For Butler, it meant that the oversimplified criticisms that regarded gender performativity as purely agential could be circumvented by showing how citationality (rather than agency) is at the heart of the theory.

In the book, this clarification takes the form of specifying how certain acts can performatively produce discrete and binary gender identities. As such, Butler states that gender norms require the embodiment of idealized versions of masculinity and femininity (Butler, 1993, 176). A given subject is ‘compelled to “cite” the norm in order to qualify and remain a viable subject’ (Butler, 1993, 177). Plainly, Butler writes: ‘‘It is in terms of a norm that compels a certain “citation” in order for a viable subject to be produced that the notion of gender performativity calls to be rethought’’ (Butler, 1993, 177). In rethinking how gender is performatively constituted, Butler arrives at a theory which sees gender performativity as the citation of idealized binary traits compelled by the threat of not qualifying as a viable subject.

However a problem emerges with this rethinking because framing gender performativity as the citation of binary norms makes it so that the applicability of the theory is limited to identities that can be regarded as citing idealized sets of norms. If performativity consists in citing norms associated with masculinity and femininity, then the theory cannot offer legibility to genderqueer identities since their whole *raison d’être* lies in the fact that they refuse to be understood within a binary framework. In this sense, when Butler integrated Derrida’s concept of citationality in their theory, they fended off oversimplified readings of *Gender Trouble*, but they did so at a cost. Whereas ‘‘Performance Acts and Gender

Constitution’’ made room for gender performances that exceed discrete masculinity and femininity, in *Bodies that Matter*, gender performativity is framed as the citation of norms that consolidate binary identities.

That is not to say, that Butler viewed gender as anymore fixed than they did when writing their first article on performativity. Like *Gender Trouble*, *Bodies that Matter* sought to illustrate how the hegemonic gender categories can be negotiated and transformed. Nonetheless, the possibility for transformation is also framed within binary terms; within the compulsory citation of idealized norms. Butler writes ‘’The practice by which gendering occurs, the embodying of norms, is a compulsory practice, a forcible production, but not for that reason fully determining’’ (Butler, 1993, 176). Because the forcible production of binary gender identities must be constantly reenacted, these identities are subject to change with time. In fact, it is because they are neither fixed nor given that they can and are performed differently. With each inflection in their enactment, the norms that govern what qualify as masculine or feminine fluctuate.

Moreover, *Bodies that Matter* bolsters Butler's view of gender subversion by adding that, since the norms that structure gender identity are idealized, a subject is condemned to never fully realize them. At best, the enactment of a gender identity can approximate the norms, but the accurate actualization of the entirety of norms that comprise the set of an identity will necessarily be an impossible endeavor. This idea is explicit when Butler asserts that ‘’To the extent that gender is an assignment, it is an assignment which is never quite carried out according to expectation, whose addressee never quite inhabits the ideal s/he is compelled to approximate’’ (Butler, 1993, 176). The impossibility to meet the normative expectations is thus inherent to the production of gender identities. This fact reveals another frailty intrinsic to binary gender identities. Since they can never be fully realized, failures in their enactment are inevitable and with each failure comes a normative breach which

undermines the apparent coherence of the identity. Once more however, this insight can shine a light on how binary gender identities are negotiated in time, but its scope is limited in a way that excludes genderqueer identities. This is so because these breaches are theorized as possible only in the context of the (mis)citations of binary norms. The notion of failing to perform one's gender will nevertheless play an important role in the third section of this paper.

The last point of interest concerning *Bodies that Matter* and genderqueerity concerns Butler's view on self-determination or the self-naming of one's gender. They had briefly discussed the question in *Gender Trouble* through their reading of Wittig, but the self-naming in question revolved around the category "lesbian" (Butler, 1990, 173). In *Bodies that Matter*, Butler does not refute the possibility to claim a gender category for oneself. They even go so far as stating that it is a necessity to frame political demands from the standpoint of an identity category (Butler, 1993, 173). Nonetheless, they caution against a view that would regard self-naming as essentially liberating or as a sheer expression of autonomy. They write that "The expectation of self-determination that self-naming arouses is paradoxically contested by the historicity of the name itself: by the history of the usages that one never controlled, but that constrain the very usage that now emblemizes autonomy" (Butler, 1993, 173). Butler thus warns against a view that would conceive of self-naming as extracting oneself from the discursive power of the categories that shape the subject. This view would be naive inasmuch as it is based on an image of the subject that creates oneself through its will alone. They write that the view is based on "the belief that there is a one who arrives in the world, in discourse, without a history, that this one makes oneself in and through the magic of the name, that language expresses a "will" or a "choice" rather than a complex and constitutive history of discourse and power" (Butler, 1993, 173-174). Consequently, Butler

notes that such a view fails to take into consideration the power held by the categories that precede the emergence of the subject.

While these considerations somewhat stray away from the core of gender performativity, they matter in the context of this text because the possibility to self-determine one's identity category is foundational for genderqueerity. In fact, as the third section of this paper will lay bare, the speech act of self-naming oneself as genderqueer is the kernel around which a performative theory of genderqueerity can be articulated. For that reason, Butler's reservations surrounding self-naming is another hindrance in providing an account of genderqueer identities.

However, this does not mean that Butler's caution does not hold water. It means that a theory that would rely in part on the act of self-naming needs to take into consideration that the subject is not self-created; that the categories that conditioned its emergence cannot be willfully ignored. Hence, a theory of gender performativity apt at providing an account of genderqueer identities needs to be articulated in a way that could circumvent the view of performativity as citationality without falling into the pitfall that Butler points out.

This section would remain incomplete without an overview of *Undoing Gender*. This is so because the work was published a decade after *Bodies that Matter* and the years separating the two books allowed for a reworking of the conceptual apparatus in which gender performativity is embedded. While Butler held onto the concept of citationality, the perspectives for gender subversions were broadened in a way that announces how genderqueer identities can serve to destabilize existing gender categories without being explicitly spelled out.

Indeed, Butler stresses once more how performativity cannot be understood outside of the citation of idealized sets of norms. Particularly, they write "if we accept that that ideality and frame are socially articulated, we can see how it is that embodiment is not thinkable with-

out a relation to a norm, or a set of norms” (Butler, 2004, 28). In other words, if performativity entails that gender is produced through the repetition of acts that consolidate a discrete identity, then these acts must function as citations which point towards the norms associated with the identity in question. Again, performativity is thought of as iterative; as the actualization of norms through discursive and corporeal practices. The norm “is itself (re)produced through its embodiment, through the acts that strive to approximate it, through the idealizations reproduced in and by those acts” (Butler, 2004, 48).

While performativity is again formulated in terms of citationality, the terms with which Butler conceptualizes gender subversion change considerably in *Undoing Gender*. They pay a particular attention to the moments where the stability of the binary framework is put into question. Specifically, Butler strives to identify the “the moments where the binary system of gender is disputed and challenged, where the coherence of the categories are put into question, and where the very social life of gender turns out to be malleable and transformable” (Butler, 2004, 216). The prospect of gender subversion ceased to be confined to the possibility of redefining and subverting identity categories within the chain of citations that sustain discrete and polar categories. It is conceived as a way to expose the contingency of the binarity that restricts what identities qualify as real. This is a return to the view expressed in “Performance Acts and Gender Constitution” as performances that do not conform to the binary model serve to unveil the unnaturalness of the discrete categories by bringing about divergent ways to enact one’s gender. Butler adds

“These practices of instituting new modes of reality take place in part through the scene of embodiment, where the body is not understood as a static and accomplished fact, but as [...] a mode of becoming that, in becoming otherwise exceeds the norm, reworks the norm, and makes us see how realities to which we thought we were confined are not written in stone” (Butler, 2004, 29).

The practices that Butler had in mind in this quote were drag performances and butch femme and trans identities, nevertheless the awareness that embodying ways of doing gender in a manner that thwart normative expectations apply to genderqueer identities as well.

Lastly, *Undoing Gender* takes the question of self-determination more seriously than its predecessors. Butler addresses the fact that the language act of self-determination is viable if and only if the social context allows and supports the act (Butler, 2004, 7). That “One only determines “one’s own” sense of gender to the extent that social norms exist that support and enable that act of claiming gender for oneself” (Butler, 2004, 7). In addition, they understand the claim of once unintelligible identities to realness as more than a mere assimilation within the norms that govern legibility. In this claim for realness, “[t]he norms themselves can become rattled, display their instability, and become open to resignification” (Butler, 2004, 7). When performances of gender that do not fit in the binary model are enacted, it is the normative bedrock of the framework that is put into question. It serves to challenge what counts as a real identity by embodying gender identities that exceed the norms that regulate the field of legibility.

This section ascertained that Butler strived to make sense of gender identities that lie outside of the binary model. It pointed out how certain theoretical stances, namely the adequation of performativity with citationality and views of gender subversion prevented the attainment of this goal. Finally, it closed with an examination of the developments brought about in *Undoing Gender* to show that Butler’s work contains the seeds of a theory that could provide an account of genderqueerity. These seeds will be explored further in the third section in order to formulate such a theory by building on Butler’s theory.

The Derridean Shadow

The aim of this section is twofold. Firstly, it shows that, while Butler undoubtedly studied Austin seriously, their conception of performativity owes more to Derrida than to

Austin. Secondly, it demonstrates that this Derridean leaning is at the heart of the lacunas identified in the first section. In order to stress this second point, a small detour via the famous Searle-Derrida debate is necessary. The historical background will highlight the idiosyncrasies of Derrida's reading of Austin in 'Signature Event Context' (1988/1971) and, by the same token, show that this peculiar reading of Austin led Butler to adopt a view of performativity which prompts the theoretical cul-de-sacs discussed previously. It is important to note right away that this section will not take position in the debate. The point is not to side with Searle, especially since his own reading of Austin is not unanimously shared by the readers of the Oxford philosopher (Cavell, 1995, 73), but rather to note when and why Derrida departs from a common understanding of the Austinian corpus; to note how he led Butler to adopt a theory of performativity centered around the concept of iterability.

2.1 Derrida's influence on Butler in their own words

The clearest mark that Butler left concerning their debt to Derrida in the theorization of their theory of performativity appears in the 1999 preface of *Gender Trouble*. In the preface, they write that the first clue that brought them to theorize performativity as they did can be found in a colloquium organized by Jean-François Lyotard around the question 'how to judge' in which Derrida intervened (Derrida, 2018). Derrida offered a reading of Kafka's 'Before the Law' and Butler took from it the idea that the subject who waits before the law grants a force to the law in this very waiting. In their own words 'the anticipation conjures its object' (Butler, 2006/1990, xv). This understanding of the force of anticipation is reformulated within their theory as the force which compels a given body to cite the norms associated with a binary gender (Butler, 1993, 177). Kafka's protagonist exemplifies how the binding power of gender norms is enforced. This first mention of the French philosopher places Derrida at the genesis of Butler's theory of gender performativity. It does not suffice to assert that Derrida's influence led Butler to equate performativity with iterability, but it serves

to show that Derrida accompanied Butler in the formulation of their theory from the very start.

Nonetheless, the central role of Derrida's reading of Austin's *How to Do Things With Words* [HDTWW] for Butler is obvious in *Bodies that Matter*. In the introduction, Butler asserts that the power of performatives is derivative rather than originating from a will by appealing to a critical reformulation from Derrida (Butler, 1993, xxi). The reformulation in question refers to a text from a conference that Derrida presented in 1971 titled 'Signature Événement Contexte' [SEC] in which he offers a reading of Austin's HDTWW. While Derrida is undoubtedly laudatory towards the English philosopher at times, Butler aptly notes that his reading is critical in pointing out a number of misconceptions that Derrida attributes to Austin.

The mention in the introduction illustrates one such misconception as Derrida regards Austin as defending the idea that the intentions of a locutor is the driving force behind the effectiveness of a performative (Derrida, 1988/1971, 15). Derrida chastises the explanatory power of the concept of intention in the description of the felicity of performatives by insisting that the force of these speech acts is derived from the fact that they conform to an iterative model (Derrida, 1988/1971, 18). The theoretical differences between Derrida's position and what he takes to be Austin's will be surveyed in depth in the second part of the section. What matters for now is that, early in their theorization, Butler upheld Derrida's criticism. As we will demonstrate, this 'siding with' Derrida is not inconsequential since it ushered them away from the richness of Austin's text by adopting Derrida's conception of performativity.

Furthermore, Butler does not reject Austin's theorization only in passing, through elusive remarks, they also refer to Austin directly and, like Derrida, they attribute to him a view of performatives that rely heavily on the intentions of the speaker. Indeed, in *Excitable*

Speech, Butler cites the same passage from SEC, but, this time, they specify that, when Derrida insists on the fact that a performative functions as a citation, it is to undermine the view attributed to Austin according to which the sovereignty of the subject is a prerequisite for a performative to be effective (Butler, 1997, 48-49). Admittedly, the phrase ‘sovereignty of the subject’ does not come from Derrida. However, since Butler refers to it as a criticism and cites Derrida directly afterwards to amend this ‘lacuna’ in Austin, it is clear that, when they write that Austin theorizes the subject as sovereign, they reformulate Derrida’s critique. Especially because the quote from Derrida asserts

‘Could a performative utterance succeed if its formulation did not repeat a “coded” or iterable utterance, or in other words, if the formula I pronounce in order to open a meeting, launch a ship or a marriage were not identifiable as conforming with an iterable model, if it were not then identifiable in some way as a “citation”? ... [I]n such a typology, the category of intention will not disappear; it will have its place, but from that place it will no longer be able to govern the entire scene and system of utterance [l’énonciation].’
(Butler, 1997, 51)

Hence, when Butler writes, following this quote, that a performative is effective not because it is governed by intentions, but rather ‘through the repetition or citation of a prior and authoritative set of practices’ (Butler, 1997, 51), they are rehashing one of Derrida’s key critique of Austin. Again, the second part of this section will serve to show how attributing to Austin the concept of a sovereign subject who governs their speech acts through intention is dubious.

The second important amendment that Derrida introduces in his reading of Austin and that Butler embraces in their theory of gender performativity concerns the possibility of defining a context in which a performative is enunciated. Specifically, in *Excitable Speech*, Butler writes ‘Austin’s claim, then, that to know the force of the illocution is only possible

once the “total situation” of speech act can be identified is beset by a constitutive difficulty. [...] The speech situation is thus not a simple sort of context, one that might be defined easily by spatial and temporal boundaries.’ (Butler, 1997, 3-4). In other words, Butler asserts that Austin’s theory hinges on the idea that the context of a given speech act needs to be exhaustively defined in order to understand its illocutionary force and points out that such a definition is constitutively impossible.

While Derrida’s name does not appear in this specific reproach addressed to Austin, it is worth noting that this same critique is formulated in SEC. Indeed, Derrida asserts that ‘[...] I shall take for granted the fact that Austin’s analyses at all times require a value of *context*, and even of a context exhaustively determined, in theory of teleologically’ (Derrida, 1988/1971, 14). Derrida then goes on to merge this point with the first critique discussed in this chapter by noting that in order to have an exhaustively determined context, Austin’s theory depends on the possibility of ‘the conscious presence of the intention of the speaking subject in the totality of his [*sic*] speech act’ (Derrida, 1988/1971, 14). Put otherwise, Derrida underlines the fact that, since Austin theorizes the intentions of the speaker as part of the context of enunciation, an exhaustively determined context implies the possibility for these intentions to be transparent for the locutor. He sees this as a problem in Austin’s work since, for him, the intentions that lay behind a speech act is never fully present in its utterance, thus the context can never be fully determined (Derrida, 1988/1971, 18).

With that in mind, it is evident that Butler is following Derrida’s footsteps when criticizing the necessity for an exhaustively defined context in Austin. When pointing out the constitutive difficulty to fully determine a context, they are once more echoing Derrida’s view. However, it matters to point out that they nuance this view in the same book when writing that this difficulty should not prevent any attempt of delineating a context, but they

quickly add that it is important to remember that ‘any such delineation is subject to a potentially infinite revision’ (Butler, 1997, 148).

While they do not go as far as Derrida in their rejection of the concept of ‘context’ in understanding a performative’s force, Butler nonetheless reappropriates his theoretical solution to the problem at hand. Namely, that the force of a performative has more to do with the fact that it functions as a writing mark rather than with its contextual situation or its prior usages (Butler, 1997, 148). Referencing Derrida, Butler writes ‘The force of the performative is thus not inherited from prior usage, but issues forth precisely from its break with any and all prior usage. That break, that force of rupture, is the force of the performative, beyond all question of truth or meaning’ (Butler, 1997, 148). The break in question is theorized by Derrida as the citational structure of the performative. Thus, a given performative is not tied to a context of use, but rather functions as a chain of citation which takes a given speech act from a context to another like a citation from a text. Butler emphasizes this point when asserting that ‘[Derrida] clearly opposes the Austinian account of repeatability as a function of language as social convention. For Derrida, the iterability proper to convention has a structural status that appears separable from any consideration of the social (Butler, 1997, 148). For Butler then, the Austinian account which establishes convention as the basis of the force of a performative is to be abandoned in favor of Derrida’s theorization in terms of linguistic iterability (Butler, 1997, 148).

This really is the kernel of the problematic influence that Derrida had on Butler. The first chapter of this paper highlighted how Butler’s view of performative as the citation of binary gender norms is the main reason why their theory could not account for gender identities that do not conform to those binary norms. The genealogy presented above unfolds how Butler came to adopt this view of performativity over Austin’s theory by accepting the reading that Derrida offers in SEC.

Section 2.2 Relevant Remarks Surrounding the Debate

As stated at the beginning of the section, the text around which Butler bases their reading of Derrida's theory of performativity is historically situated within a debate that took place between Jacques Derrida and John Searle concerning their respective interpretation of Austin. The debate itself is characterized by misunderstandings and uncharitable readings from both sides and is not of specific interest for this paper. However, commentators of the debate provide an helpful overview of the key singularities of Derrida's interpretation of Austin which serve to explain how his view of performativity as citationality diverge from Austin's theory.

The first point which explains how Derrida came to provide such an idiosyncratic reading of Austin is that his text SEC focuses exclusively on *HDTWW*. The reason why his interpretation pays no attention to the rest of the English philosopher's corpus is simple since, according to Moati, at the time of his elocution for SEC, Derrida had not seriously read Austin's work beside *HDTWW* (Moati, 2014/2009, 103). He suggests that Derrida discovered the *Philosophical Papers* of Austin in the decade following the presentation in 1971. Admittedly, focusing one's reading on Austin's most famous text is not in itself a problem. What is problematic however, is that part of Derrida's criticisms are resolved in texts that were available to him at the time of SEC.

A prime example concerns Austin's methodological exclusion of what he calls parasitic speech in *HDTWW*. Parasitic in the sense that the speech acts in question mirrors performatives, but they take place in contexts which drastically diverge from their normal use. Austin exemplifies this concept by pointing to actors on a stage who would profess something that sounds performative. The profession of the speech act would not have the performative force of its normal use since the context renders it hollow in this sense (Austin, 1955, 22). From this exclusion, Derrida takes that, by not considering parasitic speech acts in his theory,

Austin misses the citational form of the performatives which is, for him, their driving force (Navarro, 2017, 110). However, this conclusion loses its interpretative merit when one understands that Austin had already provided a theory which deals specifically with the speech acts provisionally excluded from *HDTWW*. This is noted by Cavell when he writes that Austin offers such a theory in ‘‘Pretending’’ which deals with non-serious or parasitic usages of language (Cavell, 1995, 71). Hence, Derrida is wrong when thinking that Austin misses the citational aspect of performatives in excluding parasitic speech from his theory since this exclusion never really took place.

The effect of Derrida’s lack of acquaintance vis-à-vis Austin’s work had more dire effects on his interpretation however. Specifically, when Derrida objects, in his second criticism discussed above, that Austin’s concept of an exhaustively defined context of speech is a theoretical impossibility, he objects to something that Austin does not hold as true. Indeed, Navarro notes that Austin himself had deemed such a definition as impossible in ‘Three Ways of Spilling Ink’ (Navarro, 2017, 130). Thus, it becomes apparent that when Austin analyzes the context of a speech act, he does not believe that such an analysis could exhaust all the defining characteristics of the context.

On this point, Cavell offers an illuminating interpretation of the concept of ‘context’ when discussing a similar criticism against Austin’s philosophical method. He suggests that, although a complete description of a context of use is impossible, there is such a thing as a description that would focus on the pertinent aspects of the context in a way that would provide a sufficient understanding of the latter (Cavell, 1976, 17). The idea of a sufficiently defined context allows for a methodological concept that highlights the conventional aspects that underline the felicity of a performative. Thus, Austin’s contextual perspective only serves to shed a light on the appropriate circumstances for a performative to achieve its goal (Austin, 1955, 8). In this sense, when Butler reformulates Derrida’s criticism about the impossibility to

exhaustively define a context of speech, they miss the point that Austin is making. A rehabilitation of the concept of ‘context’ through Medina’s New Austinian interpretation of the English philosopher will be key in the third section to resolve the inability of the Butlerian theory to provide a satisfactory account of genderqueer identities.

The second misconception to which Derrida falls victim to has to do with the fact that he reads Austin as more of an intentionalist than his work suggests. While some commentators of Austin indeed provide interpretations which offer an important role to intentions in the performance of a performative, most notably Searle himself (Navarro, 2017, 49), Derrida’s interpretation emphasizes the role of intentions in Austin in a way that is very specific to his reading. Concretely, when he attributes to Austin the idea that a speaking subject must have a conscious presence to their intentions in the totality of their speech act (Derrida, 1988/1971, 14), it appears that he is not dealing with the same understanding of the concept of ‘intention’. Moati suggests that Derrida’s reading interprets the use of ‘intention’ in Austin in a way that is influenced by his philosophical background in phenomenology (Moati, 2014/2009, 37). In this sense, when Austin offers an explanatory role to intentions in his theory, Derrida understands that the Oxford philosopher uses it in a manner similar to the husserlian matrix of signification which denotes ‘the unifying convergence of the will to say something (the intention to signify) and the signifiers of language’ (Moati, 2014/2009, 37). It is likely with this phenomenological viewpoint in mind that Derrida reads Austin as asserting the sovereignty of the subject (as Butler states in his wake). It is this radical interpretation which led Derrida to circumvent any reference to intentions in his own theory of performativity (Navarro, 2017, 106). As was previously discussed, the force of a performative for Derrida comes from its ability to break from any particular context of use which allows it to be cited in new contexts. The force ceases to be tied with what a locutor wants to say and is wholly dependent on the citational character of language.

While a theory that provides an explanation of the workings of performatives without any reference to the intentions of the speaking subject could undoubtedly have some merit. Derrida's reading comes from a misunderstanding of Austin's position on the subject. In effect, Cavell points out that Derrida, along with many commentators of Austin, fails to note the role of the inclusion of a citation from Eurypide's Hippolitus in *HDTWW*. Austin takes from the Greek author the following passage: 'my tongue swore to, but my heart (or mind or other backstage artiste) did not' (Austin, 1955, 9). He uses this excerpt specifically to rule out the idea that a promise would lose its binding force if enunciated without the intentions to keep it or, clearer put, that a promise is still binding regardless of the intention of the promiser. Cavell calls attention to this often brushed over part of *HDTWW* in order to clarify the role of intentions for Austin. Hence, when Austin writes:

'Where, as often, the procedure [performative] is designed for use by persons having certain thoughts or feelings, or for the inauguration of certain consequential conduct on the part of any participant, then a person participating in and so invoking the procedure must in fact have those thoughts or feelings, and the participants must intend so to conduct themselves (Austin, 1955, 15),

he does not have in mind a view according to which intentions are the driving force of a performative. This proviso serves to explain the absurdity of a sentences like 'I promise to but I do not intend to keep that promise' in the same way that we would regard a sentence such as 'There is a cat on the mat, but I do not believe it' as absurd because '*our word is our bond*' (Austin, 1955, 10).

Following Cavell, it is thus reasonable to read Austin as offering an explanatory role to intentions in the force of a performative without theorizing intentions as the driving force behind it like Derrida suggests. This interpretation is worthwhile, firstly, because Butler shared Derrida's radical interpretation of the role of intention in Austin, but, additionally,

because rehabilitating the concept as Austin intended to use it will allow us to formulate a theory of gender performativity that renders intelligible genderqueer identities in the last section of this paper.

Section 3

The aim of this section is to construct an account of genderqueer performativity. It opens by underlining the insights found in Butler's later work that hint towards the aforementioned account. Subsequently, the centrality of the language act of self-determination in the constitution of trans identities will be underscored through an overview of an article by Talia Mae Bettcher in order to justify the foundational role that this act will play in the account. The bulk of the section will focus on a rearticulation of the concept of infelicitous subject coined by José Medina. His work revitalizes the austinian theory of performativity. This theoretical shift opens up the possibility to construe genderqueerity as a contextually embodied normative negotiation.

3.1 Butler's Building Blocks

The end of the first section pointed out the theoretical features found in Butler's work that foreshadow a meaningful characterization of genderqueer performativity. While a particular attention was put on the theoretical obstacles that prevented the inclusion of such identities, the section unveiled both their explicit desire to provide such an account and the moments where they came close to achieving this goal. With that in mind, the account that will be put forward should be regarded as a broadening of their theory rather than a flat out dismissal. Specifically, their reflections on the possibility to break from chains of citation of binary norms, on the role played by infelicities in the performative constitution of gender identities and on the language act of self-determination will serve as building blocks in the context of this paper.

Firstly, Butler expanded their conception of gender subversion in *Undoing Gender*. From the view enunciated in *Bodies that Matter* that focused on the normative leeway intrinsic to the need for performatively constituted identities to continuously recite the norms that shape them, they came to reflect upon the possibility for gender identities to be realized outside of the chain of citations of binary norms. In other words, gender resistance ceases to be confined to divergent (mis)citations of binary gender norms when gender legibility ceases to hinge on the embodiment of said norms.

The clearest mark of this shift appears when Butler states that “when the unreal lays claim to reality, or enters into its domain, something other than a simple assimilation into prevailing norms can and does take place. The norms themselves can become rattled, display their instability, and become open to resignification” (Butler, 2004, 27-28). Thus, when a gender identity regarded as unreal asserts its legitimacy, it does more than simply expand the domain of legibility. It challenges the very normative framework that determines what qualifies as real identity categories. Moreover, in the same text, Butler posits that the violence targeting a person who embodies their opposition to binary gender norms is rooted in a desire to quash their claim to reality (Butler, 2004, 35). The relevance of this reflection lies in the fact that it posits the possibility for a person to display or perform their opposition to gender binarism. Tying these thoughts together paves a path towards an account of gender queer performativity. In effect, Butler foretells an opposition to binary gender norms that incorporates an identity located outside the legibility granted by binary categories and that this opposition carries within itself the possibility to redraw the limits of what counts as a real identity. While they do not draw the full conclusions of this insight themselves, it constitutes a useful point of departure for the account that will follow.

The second fruitful input found in Butler’s work concerns the transformative potential of infelicitous speech acts. The concept of infelicity comes from Austin’s work on

performatives. He used it to put forward a “doctrine of *the things that can be and go wrong*” when uttering a performative speech act (Austin, 1955, 14). An infelicitous speech act is thus an act that fails to achieve its performative force for various reasons that Austin lists in *HTDTWW*. In *Excitable Speech*, Butler stresses how a speech act that fails to bring about the intended performative effects can serve to redraw the limits of what counts as a felicitous act. Specifically, they write that “an invocation that has no prior legitimacy can have the effect of challenging existing forms of legitimacy, breaking open the possibility of future forms” (Butler, 1997, 147). This is so because, as Austin noted, the felicity of a given speech act hinges on the fact that it is a conventional procedure (Austin, 1955, 14). In short, both the persons and the context in which the utterance takes place must be appropriate for a performative to be operative (Austin, 1955, 14). In this sense, Butler points out that a speech act that claims legitimacy even though it does not conform to its conventional expectations can reshape what counts as an appropriate person or context for the performance of the act. It serves to undermine and broaden the conventional limits that grants it its performative force.

For Butler, such infelicitous speech acts fulfill two functions. Firstly, by infringing upon the conventional norms that regulate a performative, the infelicitous act exposes the norms that are usually tacit (Butler, 1997, 158). Secondly, an infelicitous speech act can become felicitous by upholding a legitimacy that was not previously authorized. On that note, Butler writes: “That moment in which a speech act without prior authorization nevertheless assumes authorization in the course of its performance may anticipate and instate altered contexts for its future reception” (Butler, 1997, 160). Put otherwise, the conventions that legitimate a performative can be altered in a way that allows for an act previously deemed infelicitous to become felicitous. These functions prefigure the concept of normative lucidity and normative negotiation at the heart of Medina’s work that will prove useful in the theorization of a performative account of genderqueerity.

In their later work, Butler underscores the role of infelicity in the self-assignment of a gender identity. In “Categories by which we try to live”, they exemplify the transformative potential of infelicity when writing

“What seems like an “unauthorized” mode of sex assignment, for instance, including modes of self-assignment, may be dismissed by authorities, but over time these extra-legal practices can, and have, changed the law. At first, they are distinct from legally or medically established modes of authority, but that in no way precludes the fact that they are exercising authority in another way, one that relies on a new citational practice that is self-authorizing in nature” (Butler, 2023, 284).

In this passage Butler insists on the fact that the speech act of assigning to oneself a gender that differs from the one assigned at birth can claim felicity over time. That the medical and legal conventions can be circumvented by claiming for oneself the legitimacy to perform the speech act. While the text from which it is extracted is more interested in the legal transformations that such a claim entails, the idea that a person can performatively construct their gender identity is of the utmost importance in a genderqueer context, it offers a theoretical framework that expounds how a performative force can be asserted in contexts that do not authorize it.

3.2 Genderqueerity as an Infelicitous Subject

The point of departure of a performative account of genderqueerity is articulated around the importance of the possibility to self-determine one’s gender identity. Baumle and Nordmarken point out the necessity to recognize self-determination in order to provide a substantial understanding of trans and genderqueer folks in their compilation of demographic researches on transgender, nonbinary and gender minorities population (Baumle and Nordmarken, 2022, 3). In the philosophical context, the same argument has been made by Talia Mae Bettcher in “Trans Identities and First-Person Authority” when she asserts “that

trans politics ought to proceed with the principle that trans people have first- person authority (FPA) over their own gender’’ (Bettcher, 2009, 98). It is so because a meaningful account of trans or genderqueer identities hinges on the possibility to claim for oneself these identities. Hence, in the context of this paper, the language act of self-identifying as genderqueer will serve as the performative root of the account.

Specifically, the account is embedded in Medina’s performative framework and posits that the act of self-identifying as genderqueer amounts to a self-positioning as an infelicitous subject. This self-positioning redraws the normative boundaries that shape gender legibility. While Medina’s work focuses on the philosophy of language, it is nonetheless useful to reason about gender since he notes himself that linguistic performativity has a crucial significance in the formation and the constitution of our identities (Medina, 2006, 168-169). He also discusses gender performance specifically in a number of his works notably in *Speaking from Elsewhere* (2006) and ‘How to Undo Things with Words’ (2007).

Medina’s work focuses on the performative negotiation between what is deemed sayable or unsayable (Medina, 2006, xiv). In this regard, a particular attention is given to the agency of speaking subjects who reproduce or transform ‘‘the consensus of action of our linguistic practices and the meaning that emerges from that consensus’’ (Medina, 2006, 28). In other words, by engaging in established linguistic practices or, on the contrary, by inaugurating new linguistic practices, speakers performatively reinforce or rearticulate the limits delineating what can be said.

Following Butler, he understands the engagement in previous linguistic practices as entering a chain of citation in the sense that the meaning and force of our speech acts are conditioned (without being fully determined) by their previous uses (Medina, 2006, 140). However, and contrary to Butler, Medina clearly theorizes the possibility for a speaker to disengage from those chains of citation. This is clear when he writes that ‘‘the responsibility

of speakers concerns how to contribute to these performative sequences, how to continue or discontinue them, how to echo voices and their performances in and through these chains” (Medina, 2006, 141). The possibility to discontinue a chain of citation in favor of another linguistic practice is thus implicit in our performative negation of what is sayable and the refusal to repeat and reinforce speech acts is seen as “critical interventions in our performative chains” (Medina, 2006, 141).

While Butler understood the performative subversion of gender identities as interventions within the chains of citation of binary norms, Medina opens up the possibility to remove oneself from a citational practice in order to produce a new linguistic practice that inaugurates an alternative chain. For Medina, extracting oneself from sanctioned linguistic practices does not constitute a step outside of the social contexts in which they are embedded, rather, it entails the production of a new social context in which speech acts previously deemed unintelligible can gain social recognition and claim meaning.

Furthermore, Medina notes that, contrary to the received interpretation of Austin, Butler understood the significance of infelicity in the work of the English philosopher (Medina, 2007, 134). Indeed, he points out that Butler aptly insists on the fact that repeated failures in the performance of our gender identities should be regarded as ways of resisting the normative order that regulates the practice (Medina, 2007, 133). Contrarily to Butler though, the practice of infelicity does not constitute a mere resistance for Medina as it can also “critically question the norms of our actual practices by providing alternative normative frameworks” (Medina, 2007, 132). Hence, repetitively failing to conform to normative expectations can broaden the normative boundaries of what is socially sanctioned when the infelicitous acts become felicitous. It inaugurates a new practice through the legitimization of previously unauthorized practices.

The heightened relevance of infelicities in the working of performatives is part of an interpretive project to which Medina contributed through his work dubbed *The New Austin* (Medina, 2006, 146). On the one hand, this austinian reading highlights the Constitutivity Thesis in *HTDTWW*, namely that the possibility for a performative to fail is constitutive for the possibility for its success (Medina, 2007, 131). Upholding this thesis led Medina to assert the normative significance of infelicities through their critical potential as stated above. On the other hand, it argues against the derridean argument presented in the second section of the paper according to which the impossibility to fully describe the context in which a speech act occurs suggests that the force of a performative cannot be tied to contextual normativity (Medina, 2006, 148). Rather, *The New Austinian* reading acknowledge the essential openness and indefiniteness of the contexts in which the speech acts are embedded (Navarro, 2017, 35) while still insisting that their significance or force can only be understood through the contextually situated practices of agents (Medina, 2006, 173). Taken together, it allows for a theory of performativity that posits that the normative negotiations that affirm or redraw the boundaries of what can be said takes the form of a repetition of contextually incarnated infelicitous acts that achieve recognition in time.

The last relevant aspect of Medina's theory of performativity expands on the Austinian notion of infelicity. In effect, while the latter applied the concept solely to speech acts, the former contends that there is a kind of infelicity that affects not only the acts, but also the subject performing them. Medina distinguishes the incidental infelicity which simply affects the success or failure of an act from the constitutive infelicity which position the subject themselves as 'a paradigm of how things should not be done' (Medina, 2006, 169). The two kinds differentiate infelicities that apply to what a subject does from those who affect what a subject is. Medina contends that infelicitous subjects inhabit the margins of our normative practices as living examples of infelicities and that this stigmatization embodies the

frontier between felicity and infelicity (Medina, 2006, 170). Infelicity is inscribed at the heart of the identity of these subjects through an original transgression or a series of transgressive acts and it deems them inadequate to perform certain aspects of their identity (Medina, 2007, 135-136). In other words, it is because an infelicitous subject is regarded as inapt at performing part of their identity in a normatively sanctioned manner that they become archetypes of how not to enact the identity in question.

Although Medina understands the inscription of infelicity onto the infelicitous subject as a stigma engraved by others (Medina, 2007, 136), the concept is fruitful to understand the critical potential of genderqueerity. Indeed, the account of genderqueerity put forward in this text hinges on a reversal of the inscription of infelicity. Rather than being stamped by those situated within the normative boundaries that stabilize gender identities, it suggests that claiming for oneself a genderqueer identity amounts to positioning oneself on the frontier of gender legibility. The mark of infelicity is thus not affixed by a third party, but is instead asserted by the subject who performs the act of self-assignation. It constitutes a constitutive infelicity since the infelicity tied to self-assignation does not concern solely the speech act. It is not as though the act would fail to bring about its desired performative force. Rather, the speech act performatively redefines the gender identity of the utterer in a way that transgresses the normatively sanctioned modes of performing gender. Through this transgression, the subject situates themselves in the margins of the admitted practices of gender which exemplifies Medina's theorization of what qualifies as an infelicitous subject.

Following Medina, when a subject shifts the conventional expectations tied to gender assignment by upholding the possibility to self-assign a gender identity rather than surrendering the legitimacy to do so in the hands of medical professionals, they challenge the conditions that render the speech act felicitous. This shift constitutes a disengagement from

the citational chain that grants the performative force to the speech act and, through this disengagement, it institutes a new chain that produces a new linguistic practice.

Evidently, the production of a new linguistic practice is neither straightforward nor effortless. Medina notes that the acts that breach normative expectations come with what he identifies as a burden of eccentricity (Medina, 2010, 25). This burden entails that the subject who engages in a violation of expected normalcy must “make a case for the acceptance of her actions in the practice” (Medina, 2010, 25). For Medina, the work that can lead to such an acceptance requires both that the new act is connected to the practice from which it departs and that the connection in question is fruitful (Medina, 2010, 25).

In the case of the self-assignation of a genderqueer identity, the act is connected to the linguistic practice that precedes it since, in both instances, the language acts performatively establish the affiliation of the targeted subject to a gender category. The novel act merely broadens the conditions regulating who can meaningfully perform the speech act.

Moreover, in order to ascertain the fruitfulness of the connection, one has to look at what the novel act makes possible or, otherwise put, what possibilities were restricted by the felicity conditions of the former act. As any infelicitous act, the self-assignation of a genderqueer identity accomplishes both of the functions highlighted by Butler which were noted earlier. Firstly, by infringing upon the normative expectations of what counts as a meaningful act of gender assignment and by claiming legibility for an identity that exceeds the binary understanding of gender, the act lays bare the tacit norms that frame the predominant understanding of gender. Medina proposed the concept of normative lucidity to describe this ‘laying bare’. The concept expounds the fact that, through the infringement, we “can restore our sight with respect to the norms that our own behavior embodies and responds to” (Medina, 2007, 134). The possibility for the norms to become explicit leads to the second function of infelicities identified by Butler, namely that they can grant felicity to previously

unauthorized acts in time. In effect, the newly acquired sight vis-à-vis the norms that are transgressed makes possible for a negotiation regarding which normative framework should sanction the felicity of our speech acts. By becoming apparent, the norms become open to critical interventions that carry within them the possibility to transform what ought to be regarded as a meaningful linguistic practice. The success of those critical interventions hinges, for Medina, on the response of the community (Medina, 2010, 25). In other words, whether or not the chain of citation introduced with the novel linguistic practice is taken up and incorporated in different contexts of use.

In sum, genderqueerity is performatively constituted through the self-assignation of an identity which positions the speaking subject as infelicitous. The infelicity breaks from both the normative expectations of what constitutes a legible gender identity and who can legitimately assign a gender identity. The break brings about a normative lucidity which allows for the infringed norms to become visible. This acquired visibility makes possible for a normative negotiation regarding what ought to count as a legitimate gender identity and what ought to be regarded as a meaningful speech act of gender assignment. These negotiations can inflect the normative frameworks of what counts as a real gender category or as a felicitous speech act in time depending on the response of the linguistic community.

This account of genderqueer performativity is embedded in Medina's notion that the possibilities and the experiences that are rendered unintelligible by the discursive norms of our linguistic practices must be challenged context by context in order to grant them intelligibility (Medina, 2006, 192). In this sense, the repetition of the act of self-assignation serves to use the transformative potential of infelicity in order to redefine the discursive possibilities of gender. Each utterance does more than affirming the identity of the speaker, it rearticulates the limits of intelligibility by incarnating a possibility barred off by the norms in

place. It constitutes a normative subversion that opens our discursive contexts to new ways to relate to gender identities.

Contrarily to Butler's view of gender transformation, this subversion does not take place within the limits of the chains of citations of binary gender identities. Nevertheless, as Medina specified, it does not posit an outside of our social contexts or practices. Rather, it reshapes the normative frontiers of our existing contexts to yield intelligibility to the practices that were excluded. Genderqueer performativity entails the incarnation of unintelligible performances of gender in order to redefine the normative limits conditioning our gender practices.

Conclusion

The paper comes to a close by expounding the kernel of genderqueer performativity. In effect, performatively constituting oneself as genderqueer entails redefining what counts as a real gender identity. Following Medina, the language act of self-identifying as genderqueer serves to function. Firstly, it reshapes the identity of the locutor through the assertion of membership to a gender category that exceeds the masculine-feminine binary. Secondly, it performatively claims legitimacy for the new category. The claim for legitimacy hinges on the possibility to use what was relegated outside of the normative limits to speak of oneself. In time, the repetition of this claim has the potential to redraw the normative limits of what counts as a real identity through a normative negotiation; the repetition of an infelicitous language act can alter the felicity conditions of gender constitution to ensure that the language act comes to be understood as felicitous.

In order to reach this point, the paper insisted that Butler's performative framework is unequipped to bring to light this specificity. While it is fruitful to discuss the different gender subversions that take place within the binary categories, it lacks the explanatory force to note

the fundamental difference that takes place when the very limits of our normative categories are put in question.

The second part of the paper focuses on the reason that explains the limitations of Butler's views. It points out that an iterative model of performativity has its merit when it comes to characterizing the constitution of binary identities, but that understanding the constitution of gender identities as the repeated iterations of gender norms entails the impossibility to grasp how certain identities (like genderqueer identities) break from the iterative chains to inaugurate new modes of gender constitution.

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