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ABSTRACT *This essay critically evaluates Judith Butler's recent writings on kinship. In this work, Butler challenges the universalist assumptions of psychoanalysis, hoping to lay the analytical groundwork for imagining new forms of familial relationship. Butler examines the way that anthropology and psychoanalysis have constructed the incest taboo as necessitating heteronormative forms of kinship. Butler's critique of kinship, which draws on her theories of subjection, belies her own attachment to a vision of social life occupied primarily by normative institutions, in particular the state. I suggest that new forms of kinship must be understood on their own terms, whether or not they are accorded legitimacy in law or accepted by psychoanalysis. Anthropology's ethnographic practice can emendate an account of subjection and recognition that obsessively looks to institutions and norms even as it criticizes them.*

KEYWORDS *Kinship, homosexuality, the state, subjection*

'Kinship'[1] is definitely back on the anthropological agenda, but did it ever leave? Anthropology seems sometimes eager to proclaim its hallowed topics passé – to 'rethink' itself – only to resurrect those topics later with occasionally self-congratulatory gestures of re-discovery (Faubion 1996; Weston 2001:147–152). In what has become something of a conventional narrative, we read that David Schneider's provocative and brilliant critiques were instrumental in displacing formalist and/or functionalist analyses of 'kinship,' beginning especially in the 1970s (Carsten 2000; Franklin & McKinnon 2001). Of course, this displacement, which one might lump together with a turn toward 'interpretation,' 'meaning,' or, indeed, 'culture' (as in, 'A Cultural Account'), was itself displaced by attention to power, inequality, and more recently, transnationalism or the global. But 'kinship' is now rediscovered; will 'culture' come back into vogue (Ortner 1997)? My terminology is

deliberate. We might chastise anthropology for its fickleness in relation to some of these analytical categories (fickle or perhaps hypocritical: whether 'dead' or not, many monographs went right on describing kinship in much the same terms in which they always had [Borneman 1996]), but this is probably an inevitable aspect of cultural process, which re-creates itself afresh by breaking itself apart and finding new combinations, new relations, and new syntheses. Anthropologists, as much as big men in the highlands of New Guinea, want to appear attractive and interesting: cultures (including anthropology) have fashions, and it seems that kinship is back in style.

Perhaps this is a response to shifts in the zeitgeist and to the cultural contestations taking place in the domains of family, reproductive technologies, and the life sciences. I remember when my undergraduate advisor predicted in 1992 that Woody Allen's quasi-incestuous affair with his ex-wife's adopted daughter would usher in a new attention to kinship in anthropological circles. The notion was only half-absurd, notwithstanding Woody's re-embrace by Hollywood in the form of a standing ovation at the 2002 Academy Awards. The controversy around his affair concludes Françoise Héritier's most recent re-theorization of incest (1999:309-311). But we may also wish to remember that modern kinship studies were 'invented' by a man married to his mother's brother's daughter, a union considered despicable and unnatural by many of Lewis Henry Morgan's contemporaries (Trautmann 1987:244-245). Kinship appears to be invented and re-invented out of the abrogation of its constitutive taboos.

Incest is in the public eye. Indeed, I was dumbfounded by the coincidental appearance of an article on incest and genetics on the front page of the *New York Times* just as I was completing this essay (Grady 2002). Making reference to immigration, state laws, and genetic counseling, the article symbolizes many of the concerns and themes of the new kinship studies: the interdigitation of biotechnology, globalization, new social movements, and the state. The article vividly illustrates how contemporary ideas about kinship are often rendered within the terms of scientific (and legal) discourse, where reproduction becomes a matter of managing genetic risk (see also Rabinow 1992; Finkler 2000; Rapp, Heath & Taussig 2001), and where science appears to dissolve and challenge taken-for-granted assumptions about 'nature' even as it reinscribes them.

This is the context for Judith Butler's challenging and intricately-argued recent work on kinship, which itself calls for a re-thinking of the incest taboo as a foundational prohibition. *Antigone's Claim: Kinship Between Life and Death*

(2000) presents a re-reading of Antigone, asking whether she might be read as a figure of resistance *vis-à-vis* state-legitimated norms of kinship. And in a widely-distributed paper, 'Is Kinship Always Already Heterosexual?' (Butler n.d.), Butler applies her analysis in *Antigone's Claim* to the debate over civil unions in France, a debate in which Butler's writings themselves were cast as a dangerous symbol of non-normative identities and relations. Butler's arguments about the way that the incest taboo is mobilized by critics of new forms of familial relationship, and her arguments about the way that it works in conjunction with the taboo on miscegenation to secure a particular fantasy of the self-constitution of the nation-state, deserve careful attention. In this review, I sketch some aspects of the theoretical and cultural context in which anthropologists might receive Butler's ideas before moving on to a closer inspection of the ideas themselves. In approaching Butler's work, I draw on analyses of gender and kinship across the anthropological spectrum, but especially those that have emerged from the ethnography of New Guinea, where I conduct research. I am led to ask: What assumptions about social life undergird Butler's critiques? What do Butler's accounts of kinship reveal about her theories of subjection? And what do anthropology and Judith Butler have to learn from each other?

Kinship

As Sarah Franklin and Susan McKinnon (2001), as well as Janet Carsten (2000), argue, the new interest in kinship often begins with the figure of a superseded 'nature'. Schneider's critique of early- to mid-twentieth century kinship studies as exporting Euro-American notions of natural relatedness to cultures that divide up the world differently appears to have presaged the dissolution *within* Euro-American culture of the foundational status of 'nature' as the ground on which human enterprise is both reflected and constructed. Thus, Marilyn Strathern's creative dialogue with Schneider in *After Nature* (1992a) is something like a key text for the new studies. 'Nature' now seems, in an often-quoted phrase, 'enterprised-up' (Strathern 1992b), a notion that Paul Rabinow captures in the term 'biosociality' (Rabinow 1992).

This means two things: it will not be obvious what 'kinship' is, for it will vary contextually, and, for that reason, there can probably be no universal theory of it (but cf. Lévi-Strauss 1969, Héritier 1999). The new kinship studies apparently reflect this uncertainty and provisional particularity. Indeed, although all of them still deploy the term 'kinship,' they differently modify it. Kinship is now 'postmodern' (Finkler 2000) or 'nonmodern' (Carsten 2000:31–

34, after Latour). Is it also 'flexible' (Martin 1994)? 'Queer'? 'Open'? From the audience at the Gauss Seminars in Princeton where Professor Butler initially presented her interpretation of Antigone, I asked her to define 'kinship' since, although seeming to articulate a devastating critique of certain Western notions of it, she still found herself using the very term she ostensibly wanted to exceed or rethink. She said: 'I want to leave it open for now.' Perhaps we should call these studies ~~kinship~~.

Much as we might want to put such terms as 'kinship' and 'nature' under erasure, the new genetics seems sometimes to bring them back with a vengeance. In the context of genetic testing and risk counseling, Finkler writes: 'People are compelled to recognize consanguinity even when in the lived world they define family by a sense of sameness that may be grounded in friendship or sharing of affect and interest rather than in genes' (2000:238). Dolgin, in a comment on Finkler's paper, points out that recent liability law-suits pertaining to doctors who treat patients with genetic 'disorders' but fail to notify extended family of *their* potential risk factors, contain arguments that 'assume a genetic family, delimited exclusively through reference to shared DNA. Within that family, each person is presumed to mirror each other person and the larger whole' (Finkler 2000:250), where the whole is a body of carriers of particular genetic markers. Dolgin worries that the new genetics, activated in law, dissolves individuality. And as 'family' or kinship become geneticized, the genetic metaphor might also operate fractally across social scales, much as 'blood' once did (Herzfeld 1992). If the family is a body of uniquely genetically-configured persons, the state comes to understand its patrimony as a genetic resource: national DNA is born (Rabinow 2000).

In the midst of this confusion as to whether new technologies and relations either magnify the capacity of individuals to act as consumers of kinship, that is, to exercise 'choice' (Strathern 1992b; Weston 1991), or whether those new technologies reconfigure persons as amalgams of DNA that does not belong to them (Rabinow 1992), that is, that erase individuality, can we really expect 'nature' to be easily figured? 'Enterprised-up' does not, anymore, capture the whole picture. As Strathern herself has written, apropos current arguments about intellectual property rights and patent law and the distinction between 'discovery' and 'invention,' Euro-American culture 'imagines "nature" existing apart from human creations. It is clear that the life of these old Euro-American divisions is not over yet. Intellectual property protocols, notably patenting, foster the divide between "technology" and "nature" while presaging its collapse' (2001:16).

These are all social trends to which Butler refers: 'this is a time in which kinship has become fragile, porous, and expansive' (2000:23). Confusion reigns: there is no end of ironies. Think of marriage. It is reified as the natural base of society, and yet it is 'defended' in hateful legislation that actively disenfranchises populations, such as the 'Defense of Marriage Act' in the United States. Indeed, 'marriage' evidently needs government funding over and above any tax incentives for persons to marry and bear children, and in the United States the Bush administration plans to earmark $100 million dollars for programs that promote it (Toner 2002).

There are broad implications for the project of anthropology in these developments. By virtue of its supposedly self-evident nature, kinship was once a kind of global context for gathering together disparate phenomena, whether those phenomena were conceived as geographically or temporally separated 'social systems' or 'societies,' or conceived as different kinds of social practice (kin terms, naming, marriage prohibitions, patterns of affect, etc.) within a single such society. Reading Lowie's *Primitive Society* (1920) or Lévi-Strauss's *Elementary Structures* (1969), one is swamped with all kinds of ethnographic detail amassed from nearly every corner of the earth, but synthesized within the ethnological project. New analyses of kinship are almost always ethnographically and historically specific. We might then redescribe the shift in kinship studies as precisely a shift in the ability of kinship to provide its own context (Strathern 1987). Carsten and Franklin & McKinnon assemble essays that, for the most part, describe and analyze particular situations: since the 1970s, kinship studies 'have either focused on kinship in a local or regional ethnographic context, or have made something else – gender, personhood, houses, bodies, death, procreation – the main object of comparison, with kinship emerging as a prominent subtheme' (Carsten 2000:6). It is not the case that there is no comparative gesture at all in the new kinship studies, but rather that comparison consists in the juxtaposition of particularities, as opposed to the merographic (Strathern 1992a) encompassment of part by whole. We witness instead, of course, 'partial connections' (Strathern 1991, see also Clifford 1986).

Still, Butler's focus on 'intelligibility' and on what counts as 'human,' might re-introduce such a comparative context. In the new kinship studies, as well as with the critical cultural studies of science, 'the human' appears to be returning as a proper object of anthropological discourse (Scheper-Hughes 2000). Whether or not this reverses the eclipse of anthropology by ethnography remains to be seen (Marcus 2002). Arguing against universalist theories of

kinship and culture, Butler situates herself in relation to Schneider, Strathern, and the other proponents of the new kinship studies. It is thrilling to see anthropology turned to such diverse aims, at once encompassing grand theory and grassroots politics, and in the service of a progressive social movement. This is a salutary rapprochement with anthropology, and it deserves close inspection.

Queer Unions and Greek Tragedy

In *Antigone's Claim*, Butler suggests that Antigone's tragic fate signifies not the intractability of the laws of the state and the laws of kinship, but rather their possible alteration. If Antigone's death marks the boundary of 'thinkable' kinship, it therefore also points to kinship's possible future, a future subject to transformation and change. The book is comprised largely of detailed and challenging readings of Hegel and Lacan and their respective readings of Antigone. For Hegel, Antigone offers a parable of the conflict between the law of the state and the law of the family. Antigone's death signifies the necessary transcendence of relations of the state over and above the ties of kinship. Antigone's conscious defiance of a sovereign edict (she buries her brother and refuses to deny the act) results in her death and belies her ultimate guilt. But where Hegel reads Antigone's fatality as a consequence of the necessary repudiation of kinship required for the emergence of the universal morality of the state, Butler suggests that Antigone's death points to the instability of the very law that sentences her. Butler writes: 'One might reapproach Antigone's "fatality" with the question of whether the limit for which she stands... is not precisely the trace of an alternate legality that haunts the conscious, public sphere as its scandalous future' (2000:40).

Butler challenges the notion that non-normative desire (e.g., the love of Antigone for her brother Polyneices) must necessarily lead to tragedy. Here, Butler challenges the Lacanian argument that there is no 'livable' position outside that which is inaugurated by the Symbolic, by the signifying relations that support the intelligibility of all subjects. For Butler, Antigone represents the contingent temporality of normative social life. She stands for the possibility of a different future without ever articulating what that future entails. *Antigone's Claim*, then, lays out the critical ground work for imagining new forms of kinship. Butler implies that these forms will not emerge from a radical outside or from some point purely exterior to normative relations but will rather evince a resignification, or tactical appropriation, of the norm.

In Butler's paper on same-sex civil unions, she applies this critique to a contemporary political situation, the debate over *Le Pacte Civil de Solidarité*

(PaCS) legislation in France, and to similar debates over gay marriage else-where (see especially Fassin 2001). Here, opposition to legal recognition of same-sex couples is the occasion for critically examining theories of culture that explicitly and implicitly abject non-conventional sexual and familial re-lations. In arguments that oppose same-sex unions, 'Variations on kinship that depart from normative, dyadic heterosexually-based family forms se-cured through the marriage vow are figured not only as dangerous for the child, but perilous to the putative natural and cultural laws said to sustain human intelligibility' (Butler n.d., see also 2000:70). Butler rejects the sup-posed universality of these accounts of cultural law. New arrangements and new technologies, some of which I have described above, demand a retheoriza-tion of culture and indeed of 'the human,' much as they demand a rethinking of 'nature.' The newness of these arrangements is for Butler and for the new anthropology of kinship much like the otherness of other cultures was for the modern inventors of kinship (Trautmann 1987). In both cases, the unfa-miliar must be reckoned with. And in both cases, scholars wish(ed) to resist mainstream efforts to demonize their subjects. Butler wishes to re-articulate a vision of the human that does not work through principles of exclusion.

If Butler seeks to re-humanize the kinship practices of gays and lesbians, she does so critically, painfully aware that to participate in the game of legi-timation is already to cede a diacritic function to those one wishes to criti-cize. Participating in projects of legitimacy not only allows one's opponents to set the terms of the debate, it also reinscribes a sort of politics of recogni-tion or belonging in which efforts at inclusion always carry with them (not infrequently unseen) exclusions and foreclosures. However, Butler here modi-fies the position of Michael Warner, who argues that *all* forms of marriage are unethical (Warner 1999). Butler is mindful that in the context of the eve-ryday terror of anti-gay hate crimes and a continuing AIDS epidemic, this po-litical and theoretical debate is not simply a thought experiment. Summing up the horns of the dilemma, she writes: 'it becomes increasingly important to keep the tension alive between maintaining a critical perspective and making a political claim' (Butler n.d.). Antigone, who mimics the mantle of state autho-rity in the act of resisting it (Butler 2000:9, 23), might be one figure for this critical ambivalence.

In the French debate, the writings of Lévi-Strauss have been used by op-ponents of state endorsement of civil unions (which can encompass but are not limited to homosexual unions) to argue that any state recognition of same-sex marriages would threaten French culture because of the universal under-

pinnings of 'culture' itself. Butler suggests that this revival of Lévi-Strauss's arguments is 'spectral' and 'anachronistic,' given the efforts of anthropologists (many of whom I have just cited) to critique the presumptions of structuralist accounts of kinship (and see Butler 2000:93-94, n. 3). Butler suggests that Lévi-Strauss is used in the French debates because his theory of culture, or more specifically of the incest taboo at the threshold of culture, mandates compulsory heterosexual marriage exchange in the service of clan reproduction, where 'clan' comes to stand for 'race' and for 'nation.' It is as though Lévi-Strauss himself is a Father of Culture, for it is his discourse that enables an authoritative ideal of culture's very possibility to be articulated.

We remember that the incest taboo for Lévi-Strauss was a kind of paradox, a rule that exists everywhere but is everywhere different, a universal that is always culturally-specific, and as such can be said to exist at the very boundary between nature and culture. This is how Butler glosses the psychoanalytic rendition of his argument: 'the bar that prohibits the sexual union with the mother is not arrived at in time but is, in some sense, there as a precondition of individuation, a presumption and support of cultural intelligibility itself. No subject emerges without this bar or prohibition as its condition... Indeed the mother is disallowed because she belongs to the father... the *father* and the *mother* exist as logically necessary features of the prohibition itself' (Butler n.d.).

'Who is missing here?'

Butler's synopses of Lévi-Strauss quickly segue into psychoanalysis, and the symbolic positions and relations that structure and enable subjecthood. Indeed, Butler seems to read Lévi-Strauss almost exclusively through Lacan: this is quite explicit in *Antigone's Claim* (Butler 2000:17–19, 41–43). Butler's subversive reading of Antigone is meant to destabilize and resist the transcendentalizing and universalizing claims of a structuralist psychoanalysis, indeed to show how those claims contain the seeds of their own subversion. Referring to Lévi-Strauss's emphasis on 'the rule' as constitutive of culture, she writes: 'Can such a rule, understood as a prohibition, actually operate, however effectively, without producing and maintaining the specter of its transgression?' (2000:17). This is a tantalizing idea, and it recalls Butler's earlier critique of Lévi-Strauss in *Gender Trouble* (1990:40–41). Following James Boon, we might note that it recalls Lévi-Strauss himself: 'One theme has remained primary in all Lévi-Strauss's works, including his magnum opus on mythology: cultures encode proprieties by imagining their transgressions' (1992:25).

Butler rightly points to the analogy between language and kinship in Lévi-Straussian thought. Lévi-Strauss writes: 'Although they belong to another order of reality, kinship phenomena are of the same type as linguistic phenomena' (1963:34). However, we may not wish to meld the Lévi-Strauss of *Elementary Structures* with the Lévi-Strauss of the *Mythologiques*, as a consistent theorist of variant but essentially homologous systems of communication. Boon, writing with Schneider, has shown that the premises and methods of Lévi-Strauss's kin and myth analyses are divergent, the prior relying largely on Western genealogical categories and the later grounded much more in the native's point of view (Boon & Schneider 1974, but cf. Boon 1972:62–107, Boon 1992:25–26), even if the aim of both is to uncover the universal workings of the human mind in its capacity for symbolic thought.

But what about Lévi-Strauss's myth analysis? It is surprising that Butler makes no mention of it, although Lévi-Strauss himself offered an exegesis of Oedipus that, he said, includes and supersedes the Freudian rendition of the myth (1963:206–231). Lévi-Strauss reduces the tragic drama that befalls Oedipus and his kin to the following question: Am I born from one or from two? The incest taboo pertains to the autochthony of Greek gods and to the facts of sexual procreation, that is, to questions of identity and difference, and to the relative reproductivity of relations of identity and difference.

Incest:Homosexuality::Marriage:Heterosexuality?

Working from different premises, Roy Wagner, a student of Schneider's, arrives at similar questions.[2] Wagner rejects the Lévi-Straussian emphasis on 'rule' and 'law,' and suggests that incest is not about Law, but rather about meaning: 'law and normative force should be approached in *relative* terms, in so far as they ultimately derive from the contrastive, mutable relations that generate cultural meaning' (Wagner 1972:607, original emphasis). I quote his essay at length:

> We might think of 'kinship' in this way as a symbolisation of how various categories of people should act towards one another, couched in terms of the metaphors that define humanness. Precisely because they generalise the human condition, drawing upon 'vital' attributes that all persons share in common... the content of these metaphors has been limited to a few recurrent themes [especially 'blood']... Thus if 'blood' is the crucial symbol of humanness, specific bloodlines will be distinguished as 'Smith' blood, 'Jones' blood etc. A marriage, or exchange of vital fluids, between two individuals manifesting 'Smith' blood would in effect distinguish the participants as 'Smiths' *rather than* human beings; it would make use of the

forms through which humanity is constituted to assert individual identity. In the objective language of ideology, this would amount to a 'mixing' of one substance with itself, which is indeed one of the ways in which incest is commonly defined.

But by so doing, by failing to be human and converting a general ideological act into a private 'marriage,' the incestuous offender simultaneously violates the morality of personal motivation. The ways in which a person can differ from others are all contingent upon his essential humanity; if his skills, talents, desires, actions, etc., fail to 'anthropomorphize' him, the reflection is on his volition. He is then said to be 'bestial' or 'monstrous,' to have 'no shame,' no tempering of his desires towards others, to be 'inhuman' by default or inclination (1972:607–608, original emphasis, see also Schneider 1968:39).

Incestuous relations render one monstrous, grotesque, bestial, blinded, immoral,[3] and we converge here again with Butler's critique, for surely what is being surveilled in the taboos around incest (and by implication, its obverse: legitimate marriage) are the borders and margins of the human. Incest relations are abject, and they are differentiated as such because they involve self-mixing. While Wagner emphasizes that incestuous abjection results from what it *means* to violate a taboo, rather than the fact of the violation, and indeed, he therefore questions the very universality of the taboo, he nonetheless vividly captures the stakes involved.

If incest is at once the abrogation of a prohibition that inaugurates difference (minimally, a difference between persons in respect of their moral sexual availability; maximally, the difference that enables meaning) and the reinscription of that prohibition (as an act, 'incest' is only knowable as such in the context of its taboo), and if incest entails relations between the same, then it seems homosexuality is not outside kinship at all, but rather exists as a dangerous possibility that, in being foreclosed, secures the boundaries of kinship proper. I might restate this two ways, as a rejoinder to Butler's titular question, Is Kinship Always Already Heterosexual. Is *incest* always already homosexual? Or: Is kinship *ever* heterosexual?

Françoise Héritier's answer would seem to be: Yes. In a brilliant if problematic re-theorization of the incest taboo (1999), Héritier argues that the taboo on marriage or sex between close relatives in fact derives from the taboo on a person sharing two consanguineous sexual partners. She for her part re-reads Oedipus to mean not only that a son shall not sleep with his mother (though that too), but also that he shall not have sexual relations with a woman with whom his father has already had sexual relations. Héritier is a grand theorist, and she almost gleefully deploys the universalism of her

argument, saying that it in part depends on the universal and immutable fact of sexual difference. I wonder if she had Butler's and Schneider's work in mind while conjuring her schema. Héritier does not argue, in fact, that self-mixing is universally abhorrent. Rather, the moral evaluation and therefore generative capacity of relations of identity and difference will vary culturally. But as Butler points out, Héritier is one of those opposed to state-legitimated homosexual civil unions. If Héritier attends to particularities, her book nonetheless consistently links two concepts; her second form of incest is a kind of 'indirect homosexuality.' Incestuous acts are in Héritier's view always homosexual in their compulsive mixing of the consubstantial, and the converse probably holds true as well: homosexual unions are versions of incest, a circumvention of foundational truths, and therefore dangerous (and see Faubion 2001:14).

If incest pertains to the differential fecundity of relations of identity and difference (and Lévi-Strauss himself offered one image of barren homosexual couples strolling on the boardwalks of Fire Island (1992 [1955]:163)), what sorts of differences are we talking about? Differences of social origin? Gender difference? A Melanesian response to accounts that suggest that reproduction can only be linked to an irreducible difference might be to point out that such difference devolves from social activity rather than being the precondition for it (Wagner 1977; Gillison 1987; Strathern 1988).

Working with Wagner's concept of the analogical flow of relationships, Gillian Gillison has interpreted a body of myths among the Gimi, of the Eastern Highlands of New Guinea. Gillison describes a mythical world of indistinguishable identities: a woman appears to bear herself as her own child, the father of the child is simultaneously the woman's brother and her husband, the growing fetus is the father/brother's penis, semen and mother's milk are the same thing in different forms. Social life consists in the constant, one might say performative, attempt to undo this identity and to *create* the very distinctions that Héritier claims are universally foundational. In 1988, and putting Gillison and Wagner's work to good use, Strathern wrote: 'Gimi symbolization establishes the male or female character of a person as an incident, an event, a historical moment created in time. What differentiates men and women, then, is not the maleness or femaleness of their sexual organs but *what they do with them*. Whether a tube turns out to be a penis or a birth canal depends on how it is and has been activated' (1988:128). What Strathern articulates for the sexing of bodies, Gillison articulates for the separation of relationships:

> Kin relations originate in, or are devised in opposition to, culturally constituted
> fantasies of incest... they are at their core undifferentiated... In these terms, the soci-
> ally cohesive 'work' that initiation ritual begins and that marriage and exchange
> carry forward is to create and maintain distinctions among relationships. [In Gimi
> myth] the mother's brother is 'initially present' – not primarily as a wife-giver but
> as ego's original father, as his mother's mythic 'first husband.' I propose that elimi-
> nating the mother's brother is a central problem for the patrilineal Gimi, an eter-
> nal dilemma which they attempt to solve by making regular payments to him
> (1987:170,168).

To return to Butler's account of Lévi-Strauss, I suggested that her image of
the logically-necessary aspects of the incest taboo was missing somebody.
Gillison's work reveals just who that is: the mother's brother. What the in-
cest prohibition means is not simply that the mother belongs to the father
(as Butler states), but that she has come from elsewhere, and in that sense
does not belong to the father at all. (Indeed, in many cultures of the high-
lands of Papua New Guinea, the identity between husband and wife is not
achieved until after the death of the mother/wife's last child, and then it is
only achieved when wealth exchanges honor even as they separate the con-
nection of a mother's child to the mother's natal clan [Gillison 1987].) Lévi-
Strauss's 'atom' of 'kinship,' we remember, includes the 'family' of parents
and child, but also always already the mother's brother (note however that
what anthropologist's have conventionally called the 'avunculate' is not there-
fore universal in the same way that the incest taboo is (Lowie 1920:81–83)).
But this is already askew. The logically-necessary aspects of 'kinship' are not
'terms,' but relations: 'In order for a kinship structure to exist, three types of
family relations must always be present: a relation of consanguinity, a rela-
tion of affinity, and a relation of descent – in other words, a relation between
siblings, a relation between spouses, and a relation between parent and child'
(Lévi-Strauss 1963:46).

   What are we to make of Butler's omission of the mother's brother? To be
sure, Butler also refers to the elsewhereness of the mother/wife: 'the incest
taboo functions in Lévi-Strauss not only to secure the exogamous reproduc-
tion of children but also to maintain a unity to the "clan" through compul-
sory exogamy as it is articulated through compulsory heterosexuality. The
woman from elsewhere makes sure that the men from here will reproduce
their own kind' (Butler n.d.). Butler here is formulating an argument about
the racialist project of French national identity, and in *Antigone's Claim* she
cites Lévi-Strauss's 'Race and History' (1976 [1952]):

one can see in the work of Lévi-Strauss the implicit slide between his discussion of kinship groups, referred to as clans, and his subsequent writing on race and history in which the laws that govern the reproduction of a 'race' become indissociable from the reproduction of the nation. In these latter writings, he implies that cultures maintain an internal coherence precisely through rules that guarantee their reproduction, and though he does not consider the prohibition of miscegenation, it seems to be presupposed in his description of self-replicating cultures (2000:74).

Let me suggest that there is a bias in this reading of Lévi-Strauss, a bias which takes the object of Lévi-Strauss's theory to be the identity of subjects, whether we conceive of those subjects as persons or clans. Reading backwards through Lacan to Lévi-Strauss, Butler seems to arrive at a portrait of Lévi-Strauss as unilineal descent theorist. Keeping the atom of kinship in mind, and being mindful that the atom is not coextensive with the elementary structures but rather the logical prerequisite for the generation of those structures (Boon 1990:104), we remember that the concern for Lévi-Strauss is not the identity of the clan at all, but rather the initiation of the *vis-à-vis* of social life. A clan can only be known relationally of course, and it is the relations that interest Lévi-Strauss, not the identities. Any social unit is enriched by its relational universe. At every level of abstraction – two individuals, two groups, two civilizations – it is the creative possibilities enabled by relational difference that are the very essence of the social, and the social is the very essence of the human. Indeed, far from being an account of cultural reproduction as transmissible racial purity, Lévi-Strauss's 'Race and History' rejects any biological basis for 'race,' rejects evolutionist arguments that proclaim the superiority of Western civilization, rejects the view that some cultures are outside of history, and suggests that no single civilization can ever itself take credit for its accomplishments, since no culture exists in isolation, and if it did, it would shrivel and die.[4] It is as though Lévi-Strauss sought himself to burn the straw man of a reified structuralism before its subsequent critics could.

As a theory of subjects who are passionately attached – by necessity – to that which oppresses and produces them, could we expect Butler's critique itself to escape such a paradoxical circumstance? It is worth asking: what does her resolute focus on authority and authoritative discourse foreclose? In Butler's work, there is an analogy between the State that is performatively instantiated, but nevertheless transcendent, and the Symbolic, in that these both seem to be opposed to something like 'the social.' Butler consistently refers to the complex variability of social life, a social life that exceeds the efforts of the State and the Symbolic to regulate it. Do Butler's dazzling extrapolations

of Althusserian interpellation (recall the lone pedestrian subjecting herself to the call of state power) and Lacanian subjection (the child called into existence by the discourse of the Father) exercise their own foreclosure on her theory (see especially Butler 1997b)? Remembering the avunculate, we might say that the social field of interpellation is much more complex than either of these ideal types might suggest.

It may seem disingenuous or misguided to criticize a theorist for being attached to forms of authority when she has been instrumental in theorizing modes of politics and resistance that exceed state-oriented norms (see especially Butler 1997a). It might also be naïve merely to reinscribe a division that Butler identifies and seeks critically to analyze: between a politics of legitimation and a politics of the radical. It sounds like I have got it backwards. But look at the evidence of her accounts of 'kinship.' If the rendering of Lévi-Strauss is truncated by a psychoanalytic focus on subjection, the field of the social is foreshortened by the resolute attention to law and legality.[5] Alongside the mother's brother, we may wish to ask: Where is the church and its complex history with respect to the family and marriage? We may also wish for more analysis of the fact of gay marriage. Butler makes no reference for example to the significant ethnographic work of Ellen Lewin on same-sex commitment ceremonies, nor to Lewin's work on lesbian mothers (Lewin 1993, 1998). If Schneider taught us anything about kinship, it is precisely that we have to attend to what it is that people think they are up to when they relate to one another. And this is not necessarily a plea to articulate the 'voice' of the native or to recover the 'experience' of gay subjects. Rather, to paraphrase Strathern, 'What we analyze as [kinship is] situated within specific theories which actors hold about [relations] as such. Our subject matter must surely be the manner in which we are to situate their theories within our analyses' (1984:44).

And so I conclude by pondering the *fact* of gay marriage, beyond the efforts of any authority to regulate it. For gay marriage is happening. But why?

Ethnographic Coda

At a club called Sugar in San Francisco's South of Market district, on a Saturday night, the DJ plays house music manifestos. People are sweaty, dancing. A singer speaks over the driving thud of a bass line: 'House music will set you free. Join us children.' Cue excerpts from Martin Luther King's 'I Have a Dream' speech. And then a shrill screech as the DJ turns down the music and grabs a mic. He says that he has a special announcement. He intends to marry his

boyfriend, but has not asked him yet. Over the mic, to his boyfriend, he asks: 'Will you marry me?' The crowd, smushed together in drug-addled libidinal abandon, cheers. Cue the volume. Resume dancing.

What will be the topoi of queer 'kinship'? Will they devolve from 'choice' (Weston 1991)? Or 'care' (Borneman 2001)? Will gay kinship require constitutive prohibitions? Will it be, as it evidently is for revelers at gay discos, a practice of freedom? A form of ethical subjectivation (Faubion 2001)? Is it an ambivalent mimicry of heterosexual norms? Or is gay marriage and kinship the sign of a normative subjection, a kind of melancholia, in which persons remain compulsively attached to forms of love from which they have been violently excluded? Why indeed do gays and lesbians continue to subjectivize themselves and their relationships in familial terms, where 'gay mother' might refer to a lesbian with children or to a drag queen and her coterie of devotees? What does it mean? We will not be able to say without inspection.

Butler's critiques of Law, and her accounts of performativity and subjection, have given us lucid analytical tools for understanding the uncertain and tenuous nature of that which we take for granted. She has argued away the inevitability of any particular form of politics; she advocates an always already critically-self-conscious form of activism. In arguing through the solidity of the regulatory ideal, she has shown how the practices of abject populations can appropriate and deform those norms and forms of legitimacy that might inveigle them, as when a man legally adopts his lover in order to secure citizenship rights for him (Borneman 2001).

But anthropology is particularly well-suited to emendating an account of subjection and recognition that obsessively looks to institutions and norms even as it criticizes them. Our theories of culture and power need to match the creativity of subjects, a creativity whose shape we cannot presuppose. What form of recognition occurs when sweaty throngs cheer a disco marriage proposal? When MTV's 'reality' show broadcasts a gay marriage between an HIV+ Latino man and his African-American lover? Or, indeed, when a bride, beneath a shimmering head-dress of black feathers, is embraced by the sisters and mothers of her new husband's clan in the Asaro Valley of New Guinea? Does any state see these acts? *More importantly, do we?*

for her comments on that occasion. I especially thank John Borneman and Rena Lederman for the invitation to discuss Butler's work.

Notes

1. To place 'kinship' in quotes throughout this review would be a cumbersome affectation. Even when absent, quotes are implied whenever the term 'kinship' is used here: this article pertains both to the relational practices of persons and to the representation of those practices in anthropological and critical thought. We should resist too-easily re-naturalizing 'kinship' as a proxy for either everyday notions of 'family' or theoretical notions of 'social structure.'
2. On the whole, Wagner's work represents a sustained critique of Lévi-Strauss's theories of kinship and myth.
3. They may even render one godlike, see Boon 1990:94–114.
4. Apropos the Lévi-Straussian emphasis on dialectics of identity and meaning, Boon writes: 'What communicates is already corrupted; no pristine purity can speak' (1992:22).
5. Compare Borneman's warning that 'the state and its law remain the most powerful institutional force in our contemporary world conferring rights and privileges. Very few people can afford to live outside this law' (2001:24). My question is how we can see those who are outside this law if we have already decided that such a position is unaffordable.

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