



Kent Academic Repository

Kavanagh, Declan (2016) *Beyond Tolerance: Heteronormativity and Queer Theory*. Maynooth Philosophical Papers: An Anthology of Current Research from the Department of Philosophy, NUI Maynooth (8). pp. 73-82. ISSN 2009-7743.

Downloaded from

<https://kar.kent.ac.uk/58317/> The University of Kent's Academic Repository KAR

The version of record is available from

<https://www.maynoothuniversity.ie/philosophy/maynooth-philosophical-papers>

This document version

Author's Accepted Manuscript

DOI for this version

Licence for this version

UNSPECIFIED

Additional information

Versions of research works

Versions of Record

If this version is the version of record, it is the same as the published version available on the publisher's web site. Cite as the published version.

Author Accepted Manuscripts

If this document is identified as the Author Accepted Manuscript it is the version after peer review but before type setting, copy editing or publisher branding. Cite as Surname, Initial. (Year) 'Title of article'. To be published in *Title of Journal*, Volume and issue numbers [peer-reviewed accepted version]. Available at: DOI or URL (Accessed: date).

Enquiries

If you have questions about this document contact ResearchSupport@kent.ac.uk. Please include the URL of the record in KAR. If you believe that your, or a third party's rights have been compromised through this document please see our [Take Down policy](https://www.kent.ac.uk/guides/kar-the-kent-academic-repository#policies) (available from <https://www.kent.ac.uk/guides/kar-the-kent-academic-repository#policies>).



**MAYNOOTH
PHILOSOPHICAL
PAPERS
ISSUE 8
(2016)**

*An Anthology of Current Research from the Department of
Philosophy, NUI Maynooth*

Issue Editor: John Haydn Gurmin

General Editor: Michael W. Dunne

ISSN: 9780992746667

ISBN 9780992746667

© 2016, The Department of Philosophy, National University of Ireland, Maynooth, and the individual authors.

CONTENTS:

General Editor's Foreword	iv
Issue Editor's Introduction	v
Notes on Contributors	vi

FACULTY

Michael Dunne	Evil and Indifference	1
Alan Forde	A Response to Yablo's Ontological Fictionalism	14
John Haydn Gurmin	Richard Dawkins, Daniel Dennett, Sam Harris: An Analysis of Free Will and Determinism	30
Yinya Liu	Discussion of the Ethical Significance of Language in the Philosophy of Heidegger and Levinas	45
Denise Ryan	Avicenna (980-1037) on the Internal Senses, Emanation and Human Intellect	61

INVITED SPEAKER

Declan Kavanagh	Beyond Toleration: Queer Theory and Heteronormativity	73
Steven Lydon	Nietzsche's Interpretation of Chladni's Sound Figures	83

Beyond Toleration: Queer Theory and Heteronormativity

Declan Kavanagh
University of Kent

ABSTRACT:

The recent widespread transformation in the conjugal rights of Lesbian, Gay, Bisexual and Transgender (LGBT) people across much of the globe may seem to suggest that, at long last, the history of heterosexism has reached its terminus. In Ireland, the Equal Marriage Referendum in May 2015 offered the opportunity for the citizens of the Republic to extend the same rights, permissions, and privileges to same-sex couples that married heterosexual couples freely enjoy. The passing of that referendum and the extension of these rights to same-sex couples denotes a move beyond societal toleration toward societal acceptance, yet it remains to be seen whether or not the affordance of conjugal rights to LGBT people will necessarily mean that all queer subjects will be given the same acceptance.

This article examines equal marriage and its potential engendering of binary divisions between queer subjects who adhere to the logic of cultural heteronormativity and those who transgress its structuring forces. It aims to historicise the discourse that surrounds gay marriage by tracing these debates back to the Enlightenment's production of the companionate marriage. The works of Edmund Burke, his aesthetic writings and political speeches, provide the textual basis for an examination of 'normative desire' in the eighteenth century. The article contends that assessing the eighteenth century's regime of heteronormativity will allow us to see the provisional nature of our own heterosexist cultural formations.

Introduction

Over the past decade or so, we have witnessed a widespread transformation in the conjugal, and potentially, other civil rights of Lesbian, Gay, Bisexual and Transgender (LGBT) people across much of the Western world. As Ana de Freitas Boe and Abby Coykendall note in the introduction to their seminal collection *Heteronormativity in Eighteenth-Century Literature and Culture* (2014), this transformation may seem like an auspicious sign that the regime of heterosexism is drawing to a close in the West.¹ In 2013, Queen Elizabeth II granted royal assent to the Marriage Act of the British Parliament, thereby sanctioning same-sex marriage in England as well as Wales. Most recently, the Irish people passed equal marriage by popular vote in a referendum on marriage held in May 2015; while just a few weeks later, the United States' Supreme Court followed by ruling that same-sex marriage was now legal in all fifty states. This move towards marriage equality began over a decade earlier, outside of both the United Kingdom and the United States, when first the Netherlands (2001), then Canada and Belgium (2003), and finally Spain (2005), South Africa (2006), New Zealand (2012), France (2013) and nearly a dozen South American and European countries took successive turns legalising same-sex marriage.²

The aim of this article is to go some way to offer a queer-literary-historical context for this move toward marriage equality. Broadly speaking, the article's methodological approach is a blend of literary historicism and queer theory, and the archive in focus is British

¹Ana de Freitas Boe and Abby Coykendall, 'Introduction' in *Heteronormativity in Eighteenth-Century Literature and Culture* (London: Ashgate, 2014), p. 1.

²Ibid.

Enlightenment literature. Chiefly, in tracing the development of LGBT politics toward its *telos* of marriage, the argument that follows is concerned with a re-tracing or, rather a tracing back. In particular, the work of that eighteenth-century Irish man of letters, Edmund Burke (1729-1797), namely his philosophical treatise, *A Philosophical Inquiry Into the Origin of Our Ideas of the Sublime and Beautiful* (1757), and some parliamentary speeches. Queer theory is a particularly illuminating, if albeit unlikely, lens through which to view Burke's aesthetic theory. Irish Feminist and psychoanalytic critic, Noreen Giffney, defines queer theory as:

denot[ing] a collection of methods all devoted to examining desire and its relationship to identity. Queer theorists interrogate the categorization of desiring subjects (that is, the creation of identities based on desire), while making visible the ways in which some desires (and thus identities) are made to pass as normal, at the same time that others are rendered wrong or evil.³

Queer theory, then, interrogates the formation of desiring subjects along the fault line of the binary between normative, or heteronormative, cross-sex desiring subjects and supposedly non-normative same-sex desiring subjects. In blending queer theory with literary and aesthetic histories, my aim is to historicise some of the vocabulary that emerged during the Equal Marriage Irish referendum debates. In sum, this article addresses the ahistorical nature of much of the discourse surrounding the Equal Marriage referendum in Ireland in May, and the United States' Supreme Court's ruling in June 2015.

By ahistorical, I mean the way in which certain terms are invoked as if the signified of the signifier - of the term - exists in a vacuum. An obvious and recurrent example of this discursive ahistoricism is the use of the very word marriage. So called Marriage defenders and reformers alike tend to premise debates upon the casually anachronistic phantasm of the 'traditional marriage', otherwise known as the bourgeois companionate marriage, drawing upon that single formulation of matrimony as the sole incarnation of matrimony, irrespective of historical period or cultural context. Yet, as de Freitas Boe and Coykendall have shown, companionate marriage was itself initially denounced as a 'scandalous contravention of custom, the regulated and promulgated at the behest of the state during the eighteenth century'.⁴ The 1753 Marriage Act, through which the British Parliament set the conditions for consensual heterosexual marriages, was itself initially thought to be an unacceptable redefinition of the very terms of marriage.⁵

It is no mistake that the companionate marriage — the most heteronormative of institutions — was engendered during the Enlightenment, as it was during the long eighteenth century that the rise of a large scale print culture helped to circulate and sustain Anglo-European configurations of the sex/gender system through novels, newspapers, educational tracts, fashion magazines, philosophical treatises, declarations of rights, and numerous other mass-reproduced texts of the period. In complex ways, the Enlightenment has bequeathed to us our modern regime of the heteronormative and, this article contends that a queer critical

³ Noreen Giffney, 'Queer Theory', in *Irish Postmodernisms and Popular Culture*, Wanda Balzano, Anne Mulhall and Moynagh Sullivan (ed.), (Hampshire: Palgrave Macmillan, 2007), p. 200.

⁴ de Freitas Boe and Coykendall, p. 2.

⁵ The 1753 Hardwick Marriage Act prompted much controversy. The Thelyphthora controversy arose when Martin Madan attacked the Act, and in doing so, constructed a defence of polygamy. For Madan, polygamy is a serious solution to an epidemic of seduction and female ruin caused by false or bad marriages. See Felicity Nussbaum, 'The Other Woman', in Margo Hendricks and Patricia Parker (ed.) *Woman, 'Race' and Writing in the Early Modern Period* (London and New York: Routledge, 1994), p. 147; Conrad Brunström, *William Cowper: Religion, Satire, Society* (Lewisburg: Bucknell University Press, 2004), pp. 85-86.

return to the texts of that period allows us to assess current norms, which, in any case, should not be privileged as stable but remembered instead as provisional and shifting. In what follows, we will first examine the historicity of ‘homosexuality’ - its historical development within an Irish context - before attending to the vexed ways in which Enlightenment texts attempt to uphold and perform heteronorms. For the purposes of this, I will examine two texts by Edmund Burke: the first, his 1757 *A Philosophical Inquiry Into the Origin of Our Ideas of the Sublime and Beautiful*; the second, the text of a speech, which Burke delivered to parliament in 1780 on the topic of the brutal mob murder of two pilloried sodomites. In examining these diverse texts – one philosophical, the other rhetorical – we can trace how the Enlightenment’s heteronorms, insecure as they were, provide us with a basis for reconsidering, and, indeed, reconceiving, our own current formulations.

Love and Marriage: Historicising Homo and Hetero-normativities

Heteronormativity, as a term, requires some parsing. Lauren Berlant and Michael Warner, the first theorists to deploy the term, define heteronormativity as: ‘institutions, structures of understanding, and practical orientations that make heterosexuality seem not only coherent — that is organized as a sexuality — but also privileged’.⁶ Hetero norms are not reducible to hetero sex acts. As de Freitas Boe and Coykendall state, unlike the term ‘*heterosexuality*, which refers to the erotization of mutually exclusive yet attracted male-female sex partners, the term *heteronormativity* comprehends the entire array of polarised taxonomies that organise compulsory heterosexuality and generate its aura of obviousness’.⁷ Furthermore, heteronormativity inflects judicial, medical, historical, sociological, and other cultural discourses so thoroughly that any intentional intervention in their everyday workings is almost needless to bolster and perpetuate it.⁸ Everyday examples of heteronormativity are easily drawn upon; Berlant’s and Warner’s well-known example of campaigning for president in the United States is a case in point. The office of the President of the United States of America is an office that is clearly heterosexualised with its inbuilt narrative expectation of a cis-gendered male President and cis-gendered female First Lady. From the sublime to the ridiculous, we could also mention the well-documented experience of booking accommodation as a same-sex couple in the West, when, more often than not, the hotel’s default position is to provide a twin bed room instead of a double bed room; as if two men or two women could not possibly wish to share the same bed; as if LGBT people never travel, or at the very least, as if they never travel together. As de Freitas Boe and Coykendall suggest:

the ‘hetero’ of heteronormativity sets the conditions for who does — or who does not — signify as normally and rightfully human by producing and policing three interwoven categories of difference: *sex* (dichotomous male/female embodiment), *gender* (asymmetrically socialized roles, characteristics, or behaviours), and *sexuality* (the expectation, even obligation, to form heteroerotic attractions culminating in marriage, reproduction and kinship).⁹

It is important to recognise how these interwoven sets of conditions serve to define the heteronormative; we might note how marriage is a core part of heteronormativity; we might

⁶ Lauren Berlant and Michael Warner, ‘Sex in Public’, *Critical Inquiry*, Vol. 24, No. 2, Intimacy (Winter, 1998), p. 547.

⁷ de Freitas Boe and Coykendall, p. 7.

⁸ Ibid.

⁹ Ibid.

ask then how will equal marriage, the extension of the rights and privileges afforded to heterosexual couples in marriage to LGBT couples, revise, or renew, this heteronormative expectation? Some might say that the inclusion of those LGBT people who decide to marry into the conjugal fold will weaken the institution of marriage, yet, the mystique of marriage had been diminishing quickly long before the affording of legal status to same-sex marriage. For decades, the upsurge in elective singlehood, in protracted, serial, asexual, or polyamorous cohabitation, in divorce, in unmarried couples, or in non-biological, extramarital models of kinship have all done much to demonstrate alternative couplings or ways of living. We might even say that the opening up of marriage to LGBT people will do much to refresh the institution's mystique.

Even at the germinal point of traditional marriage, or companionate marriage in the eighteenth century, most people, as Susan S. Lanser has shown, lived outside of 'heterosexual dyads, unwittingly or wittingly transgressed heteronormative rubrics...'¹⁰. As this article explores, Edmund Burke's *Philosophical Enquiry* bears out this anxiety of Enlightenment hetero-normalization of desire; in other words, it attempts to heterosex subjects into the binary of desiring and gazing male subject, and its corollary of an objectified and stationary female subject. When discussing Enlightenment sexuality, we must be careful to consider anachronism. In the following oft-quoted passage, taken from *The Will to Knowledge: The History of Sexuality, Vol. 1* (1976), Michel Foucault historically locates the emergence of the category of the 'homosexual' in the West in the 1870s:

As defined by the ancient civil or canonical codes, sodomy was a category of forbidden acts; their perpetrator was nothing more than the juridical subject of them. The nineteenth-century homosexual became a personage, a past, a case history, and a childhood, in addition to being a type of life, a life form, and a morphology, with an indiscreet anatomy and possibly a mysterious physiology. Nothing that went into his total composition was unaffected by his sexuality. It was everywhere present in him: at the root of all his actions because it was their insidious and indefinitely active principle; [...] Homosexuality appeared as one of the forms of sexuality when it was transposed from the practice of sodomy onto a kind of interior androgyny, a hermaphroditism of the soul. The sodomite had been a temporary aberration; the homosexual was now a species.¹¹

Advancing a debate that is now axiomatic in the field of the history of sexuality, Foucault argues that the contemporary notion of homosexuality is the product of a number of nineteenth-century institutional and discursive constructions such as psychology, sexology, education, law and medicine, as opposed to the Early Modern condition of a single discursive domain of the juridical. From the sodomitical, a category that figured a range of sexual and social transgressions emerged the homosexual as a species. Indeed, Foucault's argument is a foundational one for queer historical enquiry. The Foucaultian project demonstrates the cultural and historical contingency of all sexual identities – including heterosexuality.

As Alan Sinfield theorises, 'gay' as a term is historically specific and therefore unique in how it is currently.¹² The identity of 'gay' or 'homosexual' was not available in the

¹⁰ Ibid., p. 9.

¹¹ Michel Foucault, *The Will To Knowledge: The History of Sexuality Volume 1*, Robert Hurley, trans. (London: Penguin Books, 1998), p. 43.

¹² Alan Sinfield, *Gay and after* (London: Serpent's Tail, 1998), p. 13.

eighteenth-century, and, curiously, as such, the absence of such coherence meant that heteronormativity must work harder against a range of transgressive figures – the molly, the fop, the Sapphic dame – to ensure its own stability.

Enlightenment Sex and its Aesthetics of the Normal

Edmund Burke's *Inquiry* typifies the circular logic of heteronormativity as it emerged during the eighteenth century. Notably, the philosophical treatise emerged at a time when many civic commentators were energetically establishing connections between luxury, effeminacy and national degeneration in their diagnoses of an enervated body politic. Rather than celebrating 'manly' behaviour, the theatre of the Seven Years' War (1756-1763) frequently cast back a distorted image of an incompetent elite officer class. The narrative of Admiral John Byng (1704-1757), who was court-martialled and executed for his failure to secure the trading post of Minorca against the French in May 1756, presents an episodic example of how imperial anxieties became condensed into broader fears over manliness and its antithesis, effeminacy. Foppish effigies of Byng were burned in symbolic executions throughout the country, rehearsing the belief that Byng's unmanliness had precipitated Minorca's fall. The phobic lampooning of generals for their unmanly failures functioned, with varying levels of success, in order to deflect criticism away from the more material shortcomings of Newcastle's Administration.¹³

It is within this particularly charged social context, fraught with gender and sexual panic that we should read Burke's explication of the desiring subject in the *Enquiry*. For example, a careful reading of Burke's aesthetic treatise betrays his anxiety over how to account for male beauty. Whilst beauty is eventually embodied in woman, for much of the treatise the category of beauty actually remains queerly un-gendered.¹⁴ While there are difficulties with reading a straightforward gendered dichotomy in *A Philosophical Enquiry*, it is nonetheless clear that a process of gendering is operative throughout the treatise. Building on Alexander Pope's figuring of lust as the basis of society in Epistle III of *An Essay on Man* (121-135), Burke writes:

The passion which belongs to generation, merely as such, is lust only; this is evident in brutes, whose passions are more un-mixed, and which pursue their purposes more directly than ours. The only distinction they observe with regard to their mates, is that of sex. It is true, that they stick severally to their own species in preference to all others. But this preference, I imagine, does not arise from any sense of beauty which they find in their species [...] But man, who is a creature adapted to a greater variety and intricacy of relation, connects, with the general passion, the idea of some *social* qualities, which direct and heighten the appetite which he has in common with all other animals; and he is not designed like them to live at large, it is fit that he should have something to create a preference, and fix his choice; and this in general should be some sensible quality; as no other can so quickly, so

¹³ Katherine Wilson makes the point that some extra-parliamentary campaigns *intensified* their attacks on the Government as a result of its attempt to foist blame onto figures like Byng. See Wilson, *The Sense of the People Politics, Culture and Imperialism in England, 1715- 1785* (Cambridge: Cambridge University Press, 1998), p. 181.

¹⁴ Ana De Freitas Boe, 'Neither Is It at All Becoming': Edmund Burke's *A Philosophic Enquiry, the Beautiful, and the Disciplining of Desire*", Queer People V, Cambridge United Kingdom, July 2008 (unpublished conference paper).

powerfully, or so surely produce its effect. The object therefore of this mixed passion which we call love, is the *beauty* of the sex. Men are carried to the sex in general, as it is the sex, and by the common law of nature; but they are attached to particulars by personal *beauty*.¹⁵

While brutes only adhere to distinctions of sex and species, the social, or what Burke terms man's 'intricacy of relation', works on the affect of beauty, which "connects with the general passion" some '*social qualities*' that serve to 'direct and heighten' the sexual appetite that is common to both man and animal.¹⁶ Men are 'carried to the sex [women]' because of the 'common law of nature', and it is an attraction to the particulars of 'personal *beauty*' that helps them to fix their social-sexual choice.¹⁷

Contrary to Pope's assertion that 'Reflection, Reason, still the ties improve' (*Essay on Man*, III, 133) 'Reason' seemingly does not have a formative part in Burke's heterosocial order. As we are told, this social ordering of the sexes is pre-rational and based on the 'common law of nature', which is analogous to the foundation of 'natural pleasures' referred to in the 'Introduction on Taste'. Yet, Reason does guide men in the self-management of their erotic impulses. Burke makes clear that the frustration of the pleasures of the society of the sexes, the gratification of heteroerotic desire, causes no 'great pain', that the 'absence of [this] pleasure [is] not attended with any considerable pain'.¹⁸ Moreover, men are 'guided by reason in the time and manner of indulging them'.¹⁹ Whereas brutes obey 'laws', natural laws, which condition their 'inclination' to emerge during 'stated seasons', it is through the operation of the reasoning faculty that men, and men alone, direct their own pleasures. Extending on Pope's elevation of 'Reason ... o'er Instinct', Burke foregrounds how pleasure is always within man's control.²⁰ Mankind's ability to exercise Reason as a self-controlling mechanism prevents over-indulgence in the 'pleasures of love'.²¹ In this way, Reason ensures that the effeminacy brought about by an over-active heterosexual appetite is avoided. What is emphasised is pleasure, and in particular, hetero pleasure, in and of itself.

Yet, Burke must do further work to close down the queer potential of the spectator's desire for the beautiful man. Whereas personal beauty encourages men towards individual women, beauty is more capaciously conceived of as:

A social quality; for where women and men, and not only they, but when other animals give us a sense of joy and pleasure in beholding them, (and there are many that do that) they inspire us with sentiments of tenderness and affection towards their persons; we like to have them near us, and we enter willingly into a kind of relation with them, unless we should have strong reasons to the contrary.²²

Crucially then, beauty is first introduced as a 'social quality' that is not limited to the cross-sex gaze. Not only women, but also men, children and animals can excite 'love', which

¹⁵ Burke, *A Philosophical*, p. 39.

¹⁶ *Ibid.*

¹⁷ *Ibid.*

¹⁸ *Ibid.*

¹⁹ *Ibid.*, p. 38.

²⁰ *Ibid.*

²¹ *Ibid.*

²² *Ibid.*, p. 39.

causes feelings of tenderness and affection.²³ Having outlined how beauty is a socialising force in the first part of the *Enquiry*, Burke then spends much of the third part limiting the erotic pleasure of the beautiful to the bodies of women. While men may excite the ‘love’ of other men, this ‘love’ is somehow always emptied of erotic feeling:

We shall have a strong desire for a woman of no remarkable beauty; whilst the greatest beauty in men, or in other animals, though it causes love, yet excites nothing at all of desire. Which shews that beauty, and the passion caused by beauty, which I call love, is different from desire, though desire may sometimes operate along with it.²⁴

Whilst beauty is grounded as a property of certain bodies, which causes ‘love, or some passion similar to it’, Burke ensures that only female bodies excite a love that is mixed with desire.²⁵ While this may seem like an unremarkable, and indeed, unavoidable qualification, it nonetheless determines Burke’s vision of social order as heteronormative. Importantly, keeping social order largely independent of procreative instinct ensures that heterosexuality itself is not entirely reducible to its procreative function. More intriguingly, Burke’s entire reading of beauty in the third part of the *Enquiry* rests on disinvesting male beauty of desire. If utility, proportion, or fitness determined beauty then the male body would be ‘much more lovely than women; and strength and agility would be considered as the only beauties’.²⁶

Burke’s discussion of deformity is particularly interesting when read in dialogue with David Hume’s comments on beauty in his ‘Of the Standard of Taste’. For Hume, beauty exists only in the mind and cannot be assessed as a ‘quality in things themselves’. Hume writes that:

Beauty is no quality in things themselves: it exists merely in the mind which contemplates them; and each mind perceives a different beauty. One person may perceive deformity, where another is sensible of beauty; and every individual ought to acquiesce in his own sentiment...²⁷

In contrast to Hume’s libertarian aesthetic, Burke argues that deformity is not the opposite of beauty but of: ‘*compleat, common form*’.²⁸ Rather than allow individual sentiments free range, the import of Burke’s discussion of deformity demonstrates a clear divide between the positive pleasure of beauty and its absolute opposite: ‘*ugliness*’.²⁹ Between the beautiful and the ugly exists: a ‘sort of mediocrity, in which the assigned proportions are most commonly found, but this has no effect upon the passions’.³⁰ This grey area between beauty and ugliness ensures that when confronted with beauty, our passions are uniformly moved. In contrast to Hume then, Burke advances a concept of beauty as both grounded in bodies and uniformly

²³ Ibid.

²⁴ Ibid., p. 83.

²⁵ Ibid., p. 106.

²⁶ Ibid., p. 96.

²⁷ David Hume, *Four dissertations. I. The natural history of religion. II. Of the passions. III. Of tragedy. IV. Of the standard of taste* (London: printed for A. Millar, in the Strand, MDCCCVII. [1757]), p. 209.

²⁸ Burke, *A Philosophical*, p. 93.

²⁹ Ibid., p. 95.

³⁰ Ibid.

affective: ‘beauty is for the greater part, some quality in bodies, acting mechanically upon the human mind by the intervention of the senses’.³¹

Rather than read the *Enquiry* as simply presenting a gendered apartheid, we should acknowledge how Burke’s delineation of the sublime and beautiful contributes to complex and interrelated discursive processes of heterosexualising Enlightenment pleasures. Part Three of the *Enquiry* culminates in the grounding of erotic beauty in the bodies of women. In arguing that ‘perfection’ is not the cause of ‘beauty’, Burke supports the claim with the observation that women: ‘learn to lisp, to totter in their walk, to counterfeit weakness, and even sickness’ in a performative effort to appear more feminine, and ultimately more desirable.³² Beauty in distress is ‘the most affecting’, and aware that beauty involves weakness or imperfection, women, as ‘guided by nature’ regulate their behaviour accordingly.³³ In this way, performed delicacy or weakness is what constitutes a beautiful female body. We know that this weakness is, indeed, performed because Burke clearly states that any real weakness, such as that which arises from ill health, has no ‘share in beauty’.³⁴ In delineating a range of recognisably feminine behaviours, Burke is in many ways theorising what Judith Butler terms ‘intelligible genders’.³⁵ Rather than presenting the beautiful as feminine, Burke’s deconstruction of the beautiful says more about his awareness of the socially constructed basis of both gender and the gendered structuring of desire. We might then say that at the core of heteronormativity’s construction we find its potential deconstruction.

Indeed, a recurring tension evident throughout the *Enquiry* involves the discussion of beauty as both learned behaviour and an inherent property of bodies. The serpentine ‘S’ line, identified by Hogarth in *The Analysis of Beauty* as ‘that [which] leads the eye a wanton kind of chace’ and that gives pleasure, is found in the *Enquiry* in the curve of a woman’s neck and in the swell of her breast.³⁶ While in agreement with Hogarth’s line of beauty *S*, Burke queries the idea that this particular line is always to be found in ‘the most completely beautiful’.³⁷ Burke, as Ronald Paulson notes, ‘dissociates himself from Hogarth’s epistemology of pursuit (Addison’s Novel)’.³⁸ In Chapter V of Hogarth’s *Analysis*, it is literally the hair on a woman’s head that is most arousing: ‘The most amiable in itself is the flowing curl; and the many waving and contrasted turns of naturally intermingling locks ravish the eye with the pleasure of the pursuit, especially when they are put in motion by a gentle breeze’.³⁹ While still describing the beautiful in terms of variety, the idea of pursuit is curiously understated, if at all present, in Burke’s version of female beauty. Unlike the tousled hair of Hogarth’s passing women, the woman in the *Enquiry* is observed in a much more intimate and stationary relation to the male spectator:

Observe that part of a beautiful woman where she is perhaps the most beautiful, about the neck and breasts; the smoothness; the softness; the easy

³¹ Ibid., p. 102.

³² Burke, *A Philosophical*, p. 100.

³³ Ibid.

³⁴ Ibid. p. 106.

³⁵ Gender for Judith Butler amounts to ‘the repeated stylization of the body, a set of repeated acts [or behaviours that operate] within a highly rigid regulatory frame that congeal over time to produce the appearance of substance, of a natural sort of being’. See Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity* (New York: Routledge, 1990), pp. 45-46.

³⁶ William Hogarth, *The Analysis of Beauty*, Ronald Paulson, ed. (New Haven: Yale, 1997), p. 33.

³⁷ Burke, *A Philosophical*, p. 105.

³⁸ Hogarth, p. xlvii.

³⁹ Burke, *A Philosophical*, p. 34.

and insensible swell; the variety of the surface, which is never for the smallest space the same; the deceitful maze, through which the unsteady eye slides giddily, without knowing where to fix, or whither it is carried. Is not this a demonstration of that change of surface continual and yet hardly perceptible at any point which forms one of the great constituents of beauty?⁴⁰

The most intensely affective form of beauty then, for Burke, is engendered through the cross-sex gaze, which excites love mixed with desire. Peter Cosgrove reads this passage as evidencing ‘a complex fear of matriarchal rule’: ‘It is not merely variation that arouses Burke’s anxieties but the simulation of power in an object too small to evoke the terror of the sublime’.⁴¹ A reading of a woman’s breasts as producing anxiety must be reconciled with the fact that an aim of the *Enquiry* is to show that, while clearly disorientating, beauty is ultimately a pleasurable experience. Moreover, Burke is quite clear that the power of an object is not dependent on its proportions, providing the example of the snake as a small creature that still produces feelings of terror. In contrast to William Hogarth’s flowing curls, the fluctuating line of beauty is, according to Burke: ‘a very insensible deviation [that] never varies ... so quickly as to surprise, or by the sharpness of its angle to cause any twitching or convulsion of the optic nerve’.⁴² While not denying that the beautiful is powerful, it would seem that Burke’s unique and timely intervention in these debates is not to disarm the enervating force of the beautiful, nor render its transport less powerful, but curiously to intensify its emasculating power. What we find then in the *Enquiry* is a text, which attempts to heterosexualise the politics of the male gaze and the pleasure that the male gaze affords, but which, in doing so, unwittingly emphasizes the performative nature of all pleasures, as well as the power of female beauty to disorientate and to overwhelm for all of its supposed objectified passivity.

Conclusion: Shaming the Sodomite / The Shame of Gay Tolerance

In moving toward a conclusion, this article will refocus on a much later work in Burke’s career, that is, to look at the text of a speech that he delivered on the punishment of two men who had been convicted of sodomy. In April of 1780, Burke made a brave speech in parliament, which denounced the crowd’s brutal murder of a plasterer, William Smith, who was being pilloried as punishment for ‘sodomitical practices’.⁴³ As Sally R. Munt argues, in addressing men who have been defined in legal terms as sodomites, Burke draws on the epistemological uncertainty that troubles all sodomitical representation.⁴⁴ He argues that the punishment received by the man was in excess of the crime and its conviction, as the pillory was ‘a punishment of shame rather than of personal severity’.⁴⁵ Burke deploys a description of the scene in order to evoke sympathy from his fellow parliamentarians:

⁴⁰ Burke, *A Philosophical*, p. 105.

⁴¹ Peter Cosgrove, ‘Edmund Burke, Gilles Deleuze, and the Subversive Masochism of the Image’, *ELH*, Vol. 66, No. 2 (Summer, 1999), p. 414.

⁴² Burke, *A Philosophical*, p. 140.

⁴³ Burke, ‘Text of Edmund Burke’s Speech to the House of Commons on 12th April 1780’, in Sally R. Munt, *Queer Attachments: The Cultural Politics of Shame* (Hampshire: Ashgate, 2007), p. 51.

⁴⁴ Munt, p. 41.

⁴⁵ Burke, ‘Text’, p. 51.

The poor wretch hung rather than walked as the pillory turned around ... he had deprecated the vengeance of the mob [...] he soon grew black in the face, and the blood forced itself out of his nostrils, his eyes, and his ears. That the officers seeing his situation, opened the pillory, and the poor wretch fell down dead on the stand of the instrument [...] The crime was however of all crimes, a crime of the most equivocal nature, and the most difficult to prove.⁴⁶

As Munt suggests, Burke's speech allows his fellow parliamentarians to imaginatively enter into the experience as a substitute for Smith.⁴⁷ Rather than the brutality experienced by Smith, Burke advocates a tactic of shame. The crime is of an "equivocal nature" and, by extension; the category of the sodomite is also unknown or unknowable. We could be tempted here to suggest that 'shame' could register in Burke's eighteenth-century parlance as near equivalent to our own definition of 'tolerance', in so much as society's contemporary toleration of the queer subject is animated by a kind of shame, which, in turn, perpetuates shaming practices. Yet if there is a lesson to be drawn from Burke's unlikely and compassionate defence of the pilloried sodomites, it seems to be more to do with the reification of sexual minority identity – he is warning against pretending to know what is unknowable – what the sodomite actually signifies. His illumination of the mysteriousness of the sodomite anticipates Eve Sedgwick's caveat about queer scholarship potentially reinforcing the perception that contemporary homo/hetero subject positions are knowable and privileged.⁴⁸

In a sense, the passing of equal marriage may not signal the collapse of heteronormativity, but rather the affirmation of a competing homonormativity, with its corollary binary of good queers who marry and bad queers who do not. Should that unfold, it seems clear that heteronormativity, as a regime will have a renewed sense of who counts as legitimately human and who does not, who should be accepted and who should be tolerated, if at all. If Enlightenment literature has anything to teach us about heteronormativity, it is that the process of normalisation itself invariably illuminates counter points to resist and to subvert its certain forces; in welcoming acceptance in our own time we must not do so at the risk of stigmatising queer subjects who desire different lives and different loves

⁴⁶ Ibid.

⁴⁷ Munt, p. 43.

⁴⁸ Eve Kosofsky Sedgwick, *Epistemology Of The Closet* (Berkeley: University of California Press, 1990), pp. 47-48.