

The Freedom of Gender Constitution and the Unconscious Determination of Sex –What Separates Them and What Unites Them

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ABSTRACT

This article aims at discussing the origin of female sexual desire, its relationship to bisexuality, the interplay between identifications and the choice of love objects, according to the ideas of Irigaray [1], Kristeva and Butler [2]. We tried to rethink the centrality of melancholy in the constitution of gender, attributed by the authors to the patriarchal and heteronormative gender frame and to resume the ambiguities of the Freudian theory and clinic on feminine sexuality [3], so as to (re)weave the threads of a family plot, which ended up short-circuiting a patient's motherhood and her feminine sexuality experience. The "masquerade" hypothesis, as the effect of a feminine melancholy, associated with the ontology of the phallus as Lacan [4] supposes - a debate that, regarding gender, is retaken by Butler [2] and discussed by Schaffa [5] - is re-evaluated as freedom of gender constitution and a place of passage of libido and mutual enrichment between sexes, as stated by Schneider [6].

Keywords

Female desire, Bisexuality, Ontology of the phallus, Gender melancholy, Heteronormativity, Freedom and unconscious sexual determination.

Introduction

To think about the feminine, the bisexuality, and the gender issue from different perspectives, one needs to imbue oneself with a true "free spirit", as stated by Nietzsche [7] in the following excerpt: "Once a human being reaches the fundamental conviction that he must be commanded, he becomes 'a believer'. Conversely, one could conceive of such a pleasure and power of self-determination, such a freedom of the will that the spirit would take leave of all faith and every wish for certainty, being practiced in maintaining himself on insubstantial ropes and possibilities and dancing even near abysses. Such a spirit would be the free spirit par excellence" [7]. Image that seemed interesting to think about what happens behind the scenes of an analysis, where conviction does not prevail, since, as such, it would become ideology, as rightly pointed out by Jacques André [8]. Instead, I was faced with non-autonomous and unconscious choices that were rooted in childhood experience, which, however multifaceted it may be, imprison the subject and their domain of desire in a neurotic functioning – hysterical at

times - but one that finds an appropriate configuration to the fluid relationships of our time.

With those ideas in mind, I pondered that, to discuss some clinical cases in which gender, desire and sexuality issues are placed, it would be interesting, even in the face of so many uncertainties in the present, to let ourselves be touched by renewed ideas and ways of being, that are capable of causing ruptures in our representations and discourses, in this particular case, about sex. A necessary rupture for an attentive listening to the experience of our patients that could shuffle convictions and even theorizations about the theme.

The freedom with which some of our young patients experience their female sexuality, how they construct their field of female desire and place themselves in the field of male desire, without relinquishing themselves, or even to their freedom and erotic triangular and bisexual fantasies, does not seem to find repercussion in established gender-related debates or in psychoanalysis.

It just so happens that what is observed in the clinic is that the fields of object choice and identificatory processes involved in the gender issue tend to be much "blurrier" than imagined, something

that, perhaps, is more clearly observed nowadays, given the transformations at the level of customs. However, we must consider that Freud [9], had already pointed out, particularly in the Dora Case, how the coincidence between object of libidinal investment and object of identification, bisexuality, would be a characteristic trait in hysteria, which would immediately shuffle that which we currently call sexual orientation and gender identity. Accordingly, it seemed to us that we needed to return to Freud and clarify some ambiguities present in the Freudian psychoanalysis interpretations of certain feminist authors. One of those issues can be deduced from the idea defended by Irigaray [1], in a way retaken by Kristeva, who associates femininity to melancholy. This idea was reiterated by Judith Butler [2] (We would like to clarify that, for the most part, we followed the debate held by Judith Butler in her book *Gender Trouble - Feminism and the Subversion of Identity* (1990), since, in this work, the author retakes the idea of feminism as masquerade, in a dialogue with the authors mentioned herein.), when she attributes melancholy to the "denial of homosexuality", which is placed in the production of gender "...within the obligatory frame of reproductive heterosexuality" [2].

I thought that it would be valuable to compare the different views of the authors on the topic and advance the debate based on the clinical case mentioned.

Moving into the femininity in Freud?

So as to think about the role of repression in the field of femininity constitution, Freud had already acknowledged the importance of the preoedipal bond of the girl with her mother. In the article *The Femininity*, he mentions the girl's early and quite troubled relationship with her mother, from whom she runs away searching for a safe harbor... the father. However, Jacques André [3] observes that the Oedipal love for the father looks nothing like a safe harbor, and is a field as challenging, or even more so, as the relationship with the mother, with the difference that a third figure is inscribed there. Another issue raised by Jacques André's interpretation of Freud's texts on *femininity* is that, although the interpretation tone proposed by Freud in theoretical articles (It primarily refers to Freud's following articles: *The femininity* (1933/1974) and *Female Sexuality* (1931/1974).) is eminently phallic, in the clinical cases, such as the Dora Case [9], an early female sexuality is announced... thus, if there is anguish in the development of female sexuality, it is related to the threat of losing the love object... where the mother is the seductress, as Freud has announced since his theoretical texts. At any rate, so that there is an action of repression, an instinctual drive excess must have been triggered. And the question raised by Jacques André is that there must be a very powerful force for the repression of this early female Oedipal sexuality to be so emphatically replaced by the primacy of the phallus, as he demonstrates by associating it with Delacroix's well-known painting "The Death of Sardanapalus" [3], in which death, enjoyment and annihilation are combined.

And how does this hypothesis articulate with the contemporary gender debate?

Aiming at broadening this debate on the feminine and the gender

issue, I also resort to the articles written by Joan Riviere [10] and Sandra Schaffa [5]. And to rethink the field of desire, I try to do so, not as the way lack is conceived by Lacan and paternal function, besides the patriarchal frame, as pointed out by Butler [2], but much more as function that refers to the psychic inscription of the third [11,12]. This is essential for inscribing the subject in the symbolic field, thus allowing the subject to access alterity, in other words, to the differentiation between the self and the other, so as to drive the debate toward contemporary forms of sexuality and gender constitution.

The Violation of Intimacy and the Fantasy of Child Abuse

At the age of 12, after living a traumatic experience of sexual abuse by her maternal grandfather, who locked her in the bedroom and asked her for a kiss, which she was able to evade after allowing herself to be led in a near automatic state, S. started to experience the position of abuser in her adult life... she and the mother... *No, this is absurd! It was just a mother!* Reiterate the young patient when remembering what she seemed to have witnessed - *the mother abusing her newborn brother. I'm so mean... I can't forgive myself for moving away from my grandfather*, she told me one day... *and also for thinking such things about my mother...* And, on another day, while having sex with her partner, the image of the same scene came back - *She was having sex with a boy! She was the abuser...* Perhaps that's why she never grew up: her body/image was held back for a long time in a girl's body... it wouldn't grow... And, what's worse, she started to fear having children and have the same thing happening to her... *Because you can't trust men!*, she told me. And even less herself...

An early Oedipus Complex among the girl, the mother and the baby emerge. Such an intense experience of losing a privileged place in the field of maternal desire that was able to produce fantasies of sexual abuse (between mother and child/baby) that return in a frightening form in her adult sexual fantasies.

It just so happens that the fields of maternity and female sexuality were strongly *intertwined*... since childhood... in which motherhood, seduction and abuse merged and frightened her... which led her to wonder: "*What would I be capable of?*"

On several occasions, she told me that she had fantasized having sex with women while having sexual relationships with her husband... Since there was an oscillation of sexual love for men and women, which was followed by a fantasy of baby abuse anchored to the traumatic sexual and loving childhood experience, it seemed to be an interesting case for discussing some issues raised by Judith Butler [2] about gender and bisexuality, based on which I think we can move forward with the debate on gender within the psychoanalysis field.

The Debate on Gender and Bisexuality

According to Judith Butler [2], what is conceived as "nature" - be it biological body or sex - belongs to a story and is marked by a political trajectory. The sexual difference is marked and formed by highly regulatory discursive practices.

In contrast to that more open positioning toward constitution of gender identity that ultimately points to the end of the difference between genders, Butler [2] argues that the interior and organizing gender core departs from Freud's universal assumption that a phallus would be left, around which not just sexuality would be organized but the antithetical definition of male and female genders as well. And what does the author criticize? It is that the male/female binary notion is problematic not just because it is reduced to itself, but also because it's abstracted from each and every contextualization, such as race, class, ethnicity, and other "axes of power."

But to support that thesis, Judith Butler, as I see it, interprets the Oedipus Complex and the prohibition of incest based on misreading the article *Mourning and Melancholia* [13]. The author argues that the heterosexual and phallogocentric matrix in the Freudian theses, particularly that on female sexuality, lead a woman to a truly impossible mourning of her homosexual love relationship with her mother, by imposing heterosexuality in a compulsory way. Freud, according to her, by prioritizing the incest taboo as being a central structuring element of the subject, would be neglecting the role of melancholy in gender constitution. But the issue is whether the debate raised by Judith Butler about gender is anchored in the assumption of a dual and not triangular relationship as the basis for thinking about the constitution of the feminine outside the heterosexual matrix. But for Freud, the triangular relationship, incestuous in nature, occurs according to different configurations, and not necessarily among father, mother and children. It is enough to recall the article *A Child is Being Beaten* [14], in which an incestuous, female and masochistic fantasy experienced in a triangular relationship among father, son/daughter and siblings is found in female and male patients alike. In the patient's case, it was basically among mother/daughter and brother/baby. And that the resolution of the Oedipus Complex does not necessarily include the narcissistic identification with the lost object, a condition of the melancholic outcome, but with the very prohibition of incest, in other words, with the Law of the Father. This is represented by the function of the cut performed by the parental figure in question, as a result of the encounter between a real infant and the family and social configuration, which perhaps has more to do with inscribing the subject in the symbolic field, as pointed out by Schaffa [5] on Lacan's [4] theses, than to heterosexuality per se. In other words, as suggested by Butler, and, in this respect, she is right to do so, Oedipal love for the father or for the mother is not forbidden only as object, but it is internalized as object of forbidden love, as Law of interdiction.

To that end, I address the debate on masquerade [2], initially proposed by Joan Rivière [10], and retaken by Lacan [4] (I refer to the seminar *Les quatre concepts fondamentaux de la psychanalyse* (Lacan, 1964/1973), chapter 15, *De l'amour à la libido*, which refers to the female attitude mentioned by Rivière (1929/1994) - *La féminité en tant que mascarade.*), as female identification with the phallus being mainly a defense strategy, a simulacrum, such as the effect of feminine melancholy. Butler stands against it by saying that this thesis reduces the ontology of being and, ultimately, of

gender to mere appearance. I agree that the prevalence of the phallic hypothesis is present in the masquerade thesis without destabilizing it. Perhaps it is the case of opening other conceptions about sexuality and retaking female sexuality as a place of passage, of encounter with pleasure, of mutual enrichment between sexes, as stated by Monique Schneider [6].

And What about the Feminine Position? From Impostor To Masquerade And Still A Phallus Is Left?

Butler discusses Lacan's interpretation that states how the symbolic order creates cultural intelligibility: "By claiming that the Other that lacks the Phallus is the one who is the Phallus, Lacan clearly suggests that power is wielded by this feminine position of not-having, that the masculine subject who has the Phallus requires this Other to confirm and, hence, be the Phallus in its 'extended' sense" [15]. But what does such a paradox consist of? If not that the "...women must become, must 'be' (in the sense of 'posture if they were') precisely what men are not and, in their lack, establish the essential function of men" [2].

But how Lacan explains that women "seem" to be the Phallus? Unless, as Butler argues: "..., the lack that embodies and affirms the Phallus?" [2]. This occurs through the "masquerade", an effect of a melancholy that is essential to the feminine position. Well, if, for Butler, the being of the female entity, when translated by the Phallus ontology, is a masquerade, this seems to reduce the ontology of being to an appearance and, as a result of that, the very ontology of gender ends up being reduced to mere appearance as well.

In this regard, Sandra Schaffa [5] clarifies that the primacy of the Lacanian phallus means the primacy of the signifier/significant, which produces the sexual difference. The author highlights that Lacan [4], despite supporting the primacy of the Phallus as upheld by Freud in his article *Female Sexuality* [16], conceives it as representative of the signifier, by triggering a displacement of meaning. And that the male and female ideal would be less related to the opposition between passivity and activity, actually re-evaluated by Freud [16] himself, and more to a female sexual posture – the masquerade, as defined by Joan Rivière [10]. Schaffa [5] considers that Butler [2], when proceeding to a melancholic interpretation of masquerade, may have minimized the "reach of the subversion operated by Lacan", regarding the signification of the phallus. A tributary interpretation, as she sees it, of confusion between penis and phallus, from which the Lacanian text moves away.

Still in the same line defended by Fiorini [12], we would say that, beyond the differentiation between genders, symbolic castration recalls a founding dimension of differentiation between self and the other, thus implying the acceptance of incompleteness and the renunciation to narcissism, which are forced upon us as a result of the structuring dimension of the cut arising from it. Well, accordingly, to resort to Joan Rivière's [10] idea of "masquerade", in which femininity is reduced to simulacrum, to mask, disguised as castrated woman, means referring castration to a defense strategy

against anguish in the face of a possible male revenge. For desiring to take her place and to take the Phallus for herself? Even thinking about Lacan appropriation of the masquerade concept attributed to femaleness, no longer functioning in the domain of the imaginary phantasmatic relation, but at a symbolic level, would it not be necessary to rethink this concept? Not necessarily according to the meaning proposed by Judith Butler as gender melancholy, but perhaps as something that has already been overcome by some young women and men, who see feminine much more as a place of passage, of mutual recognition and enrichment between sexes, as suggested by Monique Schneider [6].

In a scenario of the couple meeting a girl at the bar, the patient told me that she was accompanied by mutual praise and her jealousy of her husband, not exactly motivated by his desire for the girl. She even wondered, for example, since she herself thought the girl was very sensual, if it was highly likely that he desired her too... Is it a childhood trace that is updated within the field of adult desire? The girl with makeup on... herself with no makeup... both beautiful and desiring. And the boy observing... the three of them... scenario that takes shape within the field of desire... no linear at all nor Oedipal on the classic sense, in which the field of female desire emerges as a place of passage and of constitution of the male desire itself, as suggested by Monique Schneider [6]. How does wanting the phallus and being the phallus fit in this case? Does the patient experience the desire by positioning herself as the masquerade looking like she wants to be the phallus?

According to Butler, Irigaray [1] observes that masquerade is what women do to take part in men's desire, but at the cost of relinquishing themselves... But in the patient's case, would she not be outlining herself within a field of female desire not necessarily marked by the phallus?

Freud and Gender Melancholy

And when the feminist theory or, more specifically, the queer theory, supported by Butler in this work from the 1990s, raises the question whether Freud, when speaking of the prohibition/taboo of incest as being central to the formation of the unconscious of men and women, and leaving aside the prohibition/taboo of homosexual love for the mother, would be contributing to imprison the gender issue within the heterosexual frame by taking melancholic denial/preservation of homosexuality as presumption?

Let us analyze Butler's [2] arguments in that sense and to what extent the case I present can evoke new views to think about the issue.

The author clarifies that, even though Irigaray considers femininity and melancholy as being mutually reiterated, and that Kristeva identifies motherhood with melancholy, neither of them clearly address or contribute to understanding "... the melancholic denial/preservation of homosexuality in the production of gender within the heterosexual frame" [2]. Butler resorts to the article *Mourning and Melancholia* [13] to refer to the role of mourning in shaping the self, while highlighting that Freud mentions nothing about the

centrality of melancholy in gender constitution.

In this regard, she argues that the incest taboo, according to her, involves the loss of the love object (the way I see it, not a loss per se, but the prohibition of incestuous object-love) and its replacement by the internalization of the taboo object of desire. It just so happens that this is the case of hysteria, as clarified by Freud in the article *Mourning and Melancholia* [13], since the narcissistic identification precedes the hysterical identification, which, unlike the first, is done jointly with the investment of the object, as the case of our patient seems to be.

The author further adds that, in the case of the choice of heterosexual love, the object is denied, but the desire directed to another object is not. But in the case of forbidden homosexual love, both the object and the desire are forbidden and restricted to the strategies of melancholy internalization. Hence the identification of the boy with the father, and what is most enigmatic, according to the author, without a previous amorous investment.

We need to recognize that the author is right when she highlights that Freud does not clarify how the transposition/transmutation of maternal object of investment to the identification with the father occurs in the boy's case. However, Freud [17] hints that, on the one hand, the threat of castration that affects and puts at risk the boy's phallic narcissism, and, on the other hand, the love for his father, although marked by ambivalence, are the factors that distance him from the Oedipal drama.

For Freud, what is at stake in childhood sexuality is the type of love choice, whether it is of narcissistic nature or not; it is true that, in the choice of homosexual love, there is a stronger probability of being of narcissistic nature, but not necessarily. It just so happens that, in the Oedipal plot, there is a game of identifications and a love choice that is not dual but triangular and can have as love object someone of the same sex or of the opposite sex. The boy's identification with his father is explained not along the lines of melancholic identification but for triggering a process of regression from love choice to identification, as it is expected in the rivalry with the father, love and hate relationships, which can even be potentiated by bisexuality.

I believe that Butler, by supporting the hypothesis of gender melancholy, has reduced it to the narrow limits of the uno, or at most to a dual specular relationship, always restricted to the narcissistic field, therefore, in the melancholic register, be it to think about the love relationship with the mother, pre-Oedipal, or with the father, post-Oedipal. And it is within this register that Butler interprets the gender debate in Freud.

Butler points out that gender consolidation in Freud occurs when the boy repudiates his mother for fear of castration and consequent feminization, motivated not by Oedipal rivalry but by primary bisexuality, whose homosexual investment must be subordinated to a culturally sanctioned heterosexuality. But, as pointed out by Jacques André (2016), psychoanalysis does not deal with norms

but with the psychic determinism of the unconscious. Furthermore, at no time does Freud say there is a single outcome of the Oedipal Complex.

Regarding the girl, Butler acknowledges in Freud the presence of the conception of both the positive Oedipus complex (identification with the same sex) and the negative one (identification with the opposite sex). According to her, the loss of the father, triggered by the incest taboo, can result in identification with the lost object (masculinity) "...or a deflection of the aim form of object, in which case heterosexuality triumphs over homosexuality, and a substitute object is found" [2]. Once again, Butler does not seem to distinguish between childhood and adult sexuality. The result predicted by Freud is not restricted to the identification with the lost object (father), since it involves the renunciation of the love object and the identification with the interdict (the Law). It is not exactly the triumph of heterosexuality over homosexuality, but rather the internalization of the prohibition against incest, whether with the mother or the father.

Although this discussion was made by Judith Butler in the 1980s/90s, these are theses still held by the feminist movement and particularly by psychoanalysis aligned with the feminist movement. As well as some misconceptions, such as the ones I pointed out in the article, such as confusion between infantile sexuality and adult sexuality, or even a possible denial of a girl's homosexual childhood love for her mother that generates a truly impossible mourning, as a result of heterosexual normativity and not of instinctual drive excess, as Jacques André points out [3].

Concerning the evolution of Judith Butler's ideas on gender melancholy, for instance, in the article "Gender melancholy/identification refused", in which she reaffirms her hypothesis on gender conceived as an effect of melancholy, she resorts to the ideas of Freud in his work *The Ego and the Id* [18] and affirms that Freud would have seen melancholy, while unfinished mourning, as essential for ego constitution. In fact, in my opinion, there is again a distinct interpretation of what Freud said. In this work, the author indeed points out what is common, even paradigmatic, in the melancholic states of any identification process, in other words, the process by which the lost object is reconstructed in the self, because of the regression of the choice of object to an identification with it. This is far from the assertion that melancholy, as "unfinished mourning" or as the result of "unresolved mourning", according to Butler, is essential to ego formation. Finally, the author pursues her point of view by reinterpreting the hypothesis of an Ego Ideal, as a superficial projection conceived as part of gender morphology. An idea that seemed interesting, but when associated with melancholy identification as essential to the hypothesis of gender definition of the Ego, it seems to fall into the same difficulties that I had reported about her book *Gender Trouble - feminism and the subversion of identity* [19].

In turn, young women in my clinic, who recognize themselves as bisexual, opened me up to an experience that is much closer to psychic bisexuality, with all the fantasies of openness to the non-

identical other with various forms of triangulation, not necessarily within a single model.

Final Considerations

Based on the vicissitudes of the field of desire constitution and of the complex interplay of identifications, while involving the most diverse ambiguities and ambivalences, in how my patient experienced sex (that is, desire, love choices of bisexual nature and non-binary gender positions, among others), I believe that the discussions presented could raise new questions for such a current debate, such as the constitution of the field of the feminine desire suggested by the various authors mentioned, which, the way I see it, could broaden the debate on the gender issue. Accordingly, I emphasize that, when debating gender issues and what psychoanalysis has to say about them, one should not throw out the baby with the bathwater, since the phallogocentric bases of the Freudian hypotheses about sexuality do not eliminate the ambiguities and contradictions that open up within the theoretical-clinical field, in order to rethink these same phallogocentric bases on which the Freudian theory of the feminine sexuality (non-biological, therefore, psychic) was forged. Such discussion can find echoes in the field of Sociology of Gender and Epistemology of Feminism.

As for the patient, would she be resorting to the masquerade, as Joan Rivière and Lacan suppose, an effect of melancholy, which is essential to the female position, as a defense strategy against male revenge? Or even as Butler supposes, without the ontology of gender being reduced to a mere appearance, as in the case of the masquerade, or to the "melancholic denial/preservation of homosexuality" as prescribed by compulsory heterosexuality? But, in the case of our patient, would she not want to build a field of feminine desire very different from what had been prescribed for the women in her family, without having to relinquish herself, her freedom, and participate in the field of male desire? Would she not be experiencing something closer to the idea of femininity as a place of passage for the libido that is constituted of a non-hierarchical field of enrichment between the sexes and, therefore, non-dichotomous and, according to the sociological version, non-binary?

Finally, I return here to Nietzsche's idea, which seemed so current to me to think about the gender issue: "*being practiced in maintaining himself on insubstantial ropes and possibilities and dancing even near abysses...*" and, thus, exercise the autonomy possible in this world we live in, as the philosopher stated about "free spirit."

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