

NAMES

GENDERED NOMENCLATURE
in Art, Language, Law, and Philosophy

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Ed: Rudolfine Lackner

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ELISABETH SEBASTIAN ERB

The Artist Lisa Erb in an
Email Interview with Rudolfine Lackner¹

In September 2007 the art work "Elisabeth Sebastian Erb" was on view in the exhibition "Strike: New Renditions of Old War-Cries."² The art work consisted of 22 pages of sweeping textual work, including many illustrations, a video with a montage of kids' film-clips and a letter of acknowledgement from the legal authorities in Munich, Germany. On 14 December 2006, the Munich Court of Justice confirmed the receipt of an entire chain of correspondence: a document that was shown in the exhibition. In this document, the German-based artist Lisa Erb argued for the legal amendment of her first-name with a second masculine first-name. Although this measure seems severe, it is, upon closer examination, merely a resounding of old war-cries against normative rules in diverse naming practices-and name-changing laws.³ Thus, when we consider that no information other than the sex of its holder is more frequently transmitted by names, and that in Germany and Austria, somewhat in contrast to the United States, gendered naming practices are legally mandated, then the implications of the inherent codification-mechanism of gender become all too clear.⁴ It is precisely this gender-specific, one-sided marking that Lisa Erb wanted to force open by means of sounding a masculine middle name "Lisa Sebastian Erb." The following email-interview discusses how she, by latching onto a legal loophole and various theoretical contradictions, negotiated this in the artistic domain.

¹ I cordially thank Lisa Erb for this Email Interview. Her contact address is: angriffvonaussen@penetrant.net, www.penetrant.net.

² The exhibition ran from 1-7 September 2007 on the premises of the Vereinigung bildender Künstlerinnen Österreichs (VBKÖ, or Austrian Association of Women Artists). The coordinators were Iris Borovcnik and Angela Tiefenthaler; Participants included: Elke Auer, Linda Bilda, Eva Egermann, Lisa Sebastian Erb, Christoph Freidhöfer, Kathryn Gray, Esther Straganz, Nina Stuhldreher, Ines Rössl, Julia Wieger, and Anna Witt.

³ See, for instance, the "old" claims for a change in the law Austrian transgender people have at <http://transx.transgender.at> [October 2007].

⁴ Middle names, such as Klaus (masculine) or Maria (feminine), can be freely determined regardless of gender.

⁵ See Susanne Oelkers, "Warum Adam und Eva?" In *Adam, Eva und die Sprache*, Karin M. Eichhof-Cyrus, ed. (Mannheim, Wien: Duden, 2004), 140.

Rudolfne Lackner: *Lisa*, the work "Elisabeth Sebastian Erb" (is about your desire to amend your first feminine forename Elisabeth' with a second masculine forename, specifically 'Sebastian,' and have this name officially recognized, something that is not so easy in Germany. Would you briefly summarize the course of events?)

Lisa Erb: I was invited to an exhibition, entitled "Women's World," in Munich.⁶ Within its framework, I began to distance myself from such Women-Stuff, something that had never concerned me up to that point. During this process I then developed a sort of anti-attitude because I wasn't so keen on this constructed identity of 'woman.' For this reason was 'Sebastian' of service to me, which—already defined by gender—represented my second potential. 'Sebastian' would have been the name my parents would have given me if I had been born a boy. And when I am invited to an exhibition where I am defined as female, that is, reduced to sexual components that in no way or no-how can describe me, then the question is raised: at which point and to what extent must one feel as a woman—and for what? I do not feel my gender as one-sided, but rather have a potential to both. I always have a strange feeling of unease with words like 'feminine,' 'womanly,' and 'being a woman.' It's like Celine Dion, swaying on the ship's railing with her billowing hair and compassionate, knowing gaze. 'Strong women,' who must stress 'strong' and 'woman' separately, make me nauseous. And, above all, this particularistic structure, this sense of 'Being Other,' this division into little-men and little-women; what purpose does it serve? Articulating one's own self (subject) in terms of gender represents only one value of a personal expression. That what I am, I am and immediately runs through filters when I must articulate it. The view from outside into a system changes its parameters. First of all I am—for me—simply myself. I wanted it formally and firmly known.

For this reason you filed a claim in Munich, Germany. Likewise, it formed the artistic work that was to be seen in the exhibition. What did it consist of?

The petition is an official legal motion. One cannot simply request changes of names, but rather must take repeated legal action. The suit consisted of a five-paged written work with excerpts from the German Transsexual Law [TSG], the Naming-Law and the Basic Law. All of the arguments were then pieced together through logical reasoning. The argument revealed that it did not necessarily represent a contradiction to simultaneously carry my birth name of 'Elisabeth' and the additional forename of 'Sebastian.' An appendix to the petition

⁶ That was the working title of the exhibition "Feminine Preferences," which ran from 15–21 December 2001 in the Pasinger Factory in Munich, Germany. Curated by Stefan Maria Mittendorf, the following artists took part in the exhibition: Uli Aigner, Irina Baschlakow, Katrina Daschner, Lisa Erb, Kirsten Helfrich, Anna McCarthy, Edith Plattner, Nina Radelfahr, Cornelia Renz, Cornelia Schleime, Stephanie Senge, Corine Stübi, and Stephanie Trabusch.

tion, in the form of photos and videos, was another type of evidence seeking to document my statement of claim's foundation: namely, that the potential of a feminine self-identity does not preclude the possibility of a masculine self-identity. Both can be accommodated in one life. Both are constructs that, in all of their shadows and facets, add up anew to one. In my statement of claim it was phrased as such: "The definition of my biological sex as feminine and not masculine in my official identification reflects the truth. The expression of my social gender in the form of first-names does not. I experience my social-cultural gender as Elisabeth as well as Sebastian. In a biological sense I am feminine, and in the sum of my socio-cultural guises, I experience my gender as a spectrum of the quantum-union of both of these (two) polarly-created factors. Consequently, changing my name to Elisabeth Sebastian does not contradict the polarity of the legal understanding of gender. Because, in reality, gender play outs temporarily in the range in-between."⁷

The line of argumentation elaborated in your case is a mixture of personal, and above all, legal information. Would you please summarize the connections as well as the background to the argument?

The line of argumentation in the petition is in no way personal, what it can or should not be. I argued with the help of logical operative-connectors, such as "if," "then," "at the same time," "thus," etc. and latched onto relevant, non-contradictory excerpts from the law. Only with my evidence did things become personal. The appendix to the petition is based upon the division of male and female on a subjective, phenomenological level. It is clearly broken down into feminine and masculine as polar opposites. The law, as well, is based upon this polarity. Female or male. This or that. Nonetheless, since the introduction of the German Transsexual Law, the law has also held that sexual un-affiliation exists and that this condition can actually arise years after birth. Here, sex/gender suddenly has nothing more to do with biology, as biological sex in this case would be positively established at birth as the manifestation of certain phenotypical forms. An uneasiness in the form of feeling an affiliation to one's own sex is, however, social and not biological. In this respect, an indeterminateness about the word sex/gender exists in legal texts. Nowhere is gender clearly defined.

The course of your argument's development yielded nothing less than a legal loophole. The gap in the law existed well before my actions. Gender was treated as biological. But not exclusively. In the Transsexual Law, sex is used as something to which one can feel as belonging—or not belonging. At one point is it understood as biological, at another socio-logically, and thus this concept is no longer clear-cut; and when it is no longer clear, the

⁷ Lisa Erb in her petition of 14 December 2007 to the Munich Court of Justice.

concept points to both. From that moment, it can then be construed in both directions, and one can therefore use the second, masculine first-name.

Did you want to prove something with this project beyond the fact that you like having this name?

Sure. My concern is not of a personal nature. I don't absolutely need the name but I want the possibility to be allowed to use it. In addition, the absurdity of the matter provokes me: what steps are necessary and through which roundabout paths must one go for the chance to have something as banal as a first-name officially recognized. What this, at any rate, would mean when it comes to allowing a change of my first-name is the most interesting point. For me, rather, the logical necessity of this work exists as an individual, political statement. It's only just a first-name, so what?

How do you view the artistic aspect and how did the specified "strike-aspect" for the exhibition express itself for you concretely?

It is artistic from the point where I do not merely do something, but rather do this in public. Because I call my art professional research-platform is this an artistic work. I am interested in Space•Body and Systems•Operations and their relation to each other in such form, whether real, virtual, sociological, or juridical. In this case, it was a juridical system with certain laws, which one can set into operation in relation to each other. I injected myself into this situation. The artistic aspect perhaps resides in the fact that these relations are bound to forms and are experimentally processed and re-processed. Here, seriousness and seemingly playful detachment correlate. The system is tested. If the structure of the resistance is a self-withdrawn, consciously against-the-current action, which only is temporary opposed to the system, then my work is virulently empathetic. I put myself into the system and piece together data logically within the system, to generate, from my perspective, a uniform output. Both methods connect, in any case, a regenerating mode that should be striven for.

We have already seen, on the path to the lawsuit some borders—including some occasionally counter-productive aspects from the standpoint of feminism—were opened up. Nonetheless, this became problematic at the point where your claims forced an essentialist justification of your biological and social sex, something which has not only been long deconstructed, but indeed something you had always thought already disregarded. Nevertheless, you use in your "Appendix" a sort of gender-classified attribute and clothing grid, which should have proved your at times masculine, at times feminine, affinity with regards to both sexes, what is then, once again, not fulfilled [see Figure 1]



Figure 1: Lisa Erb, Appendix: "Lisa Sebastian Erb," VBKÖ, Vienna 2007

As the only possibly method of argumentation was to divide and to take up both sides separately and concurrently, I willingly bought into this division. It was precisely this absurdity that was present and which predominated the entire debate. I had to introduce the division between masculine and feminine because I can not claim a great new whole containing both, yet if I point out that one life does not preclude the possibility of living both simultaneously, whether in succession or as a mixture, I latch onto the only possible line of argument that opens up the basis of the law. There is no unambiguousness. It cannot be divided—on any level. Therefore it is moronic to appeal to a feminine self-understanding. The entire debate is the enemy of its own thesis.

Couldn't a general goal be to bring the entire patriarchal, religious baptismal-naming-system into question and to devise new naming practices?

Yes it could and will be. Yet this is the task of another. I will hurl myself into the next system.

Translated by Megan Brandow-Fair