Debates and Developments

The Dolezal affair: race, gender, and the micropolitics of identity

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ABSTRACT

This article treats the pairing of “transgender” and “transracial” in the intertwined discussion of Caitlyn Jenner and Rachel Dolezal as an intellectual opportunity rather than a political provocation. I situate the Dolezal affair in the context of the massive destabilization of long taken-for-granted categorical frameworks, which has significantly enlarged the scope for choice and self-fashioning in the domains of race, ethnicity, sex, gender, and sexuality. Anxieties about opportunistic, exploitative, or fraudulent identity claims have generated efforts to “police” unorthodox claims – as well as efforts to defend such claims against policing – in the name of authentic, objective, and unchosen identities. Instead of a shift from given to chosen identities, as posited by theories of reflexive modernity, we see a sharpened tension between idioms of choice, autonomy, subjectivity, and self-fashioning on the one hand and idioms of givenness, essence, objectivity, and nature on the other.

KEYWORDS Race; gender; transracial; transgender; identity; categories

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Just ten days after a corseted Caitlyn Jenner appeared on the cover of Vanity Fair, marking a new stage in the mainstreaming of transgender identity, Rachel Dolezal, the 37 year old president of the Spokane chapter of the NAACP, who had long presented herself as black, was “outed” as white by her parents. Dolezal resigned a few days later, but she insisted in a series of interviews that she was “definitely … not white” and that she “identif[ied] as black.”1 Not surprisingly, the Jenner story – and the transgender phenomenon more generally – served as a key point of reference in the ensuing discussion. If Caitlyn Jenner could legitimately identify, and be accepted, as a woman, did this mean that Rachel Dolezal could legitimately identify, and be accepted, as black? If Jenner could be recognized as transgender, could Dolezal be recognized as transracial? If gender could be chosen, could race be chosen as well?
Within hours of the breaking of the story, the hashtag “transracial” had started to trend on Twitter. The term was deployed largely as a political provocation on the cultural right, intended to embarrass the cultural left for embracing Jenner while censuring Dolezal. And it was taken as a provocation by the cultural left, which categorically rejected the “if Jenner, then Dolezal” syllogism and proclaimed that transracial was “not a thing.”

I treat the pairing of “transgender” and “transracial” as an intellectual opportunity rather than a political provocation. The Dolezal affair was a new kind of “trans moment”: it marked the migration of “trans” from the domain of sex and gender to a much broader domain of public social thought and commentary. As historian Susan Stryker (2015) observed, trans narratives have become a kind of “master story for other kinds of bodily transformations that similarly pose problems regarding the social classification of persons.” Participants in the Dolezal affair were no longer just thinking about trans; they were thinking with trans. I step back from the flurry of controversy that the pairing of “transgender” and “transracial” occasioned – and from efforts to validate or invalidate the identities claimed by Jenner and Dolezal – to analyze what the controversy reveals about the constitutive tensions in the micropolitics of sex/gender and racial/ethnic identity and difference.

I begin by situating the Dolezal affair in its broader context, characterized by the increasing complexity and fluidity of the landscape of identities. The massive destabilization of long taken-for-granted categorical frameworks has significantly enlarged the scope for choice in the domains of race, ethnicity, sex, gender, and sexuality. Yet the enlargement of choice has generated anxieties about unnatural, opportunistic, exploitative, or fraudulent identity claims. And this, in turn, has generated efforts to police questionable claims in the name of authentic, objective, and unchosen identities, as well as attempts to justify unorthodox claims in the name of such identities. Instead of a shift from given to chosen identities, as posited by theories of reflexive modernity, we see a sharpened tension – in everyday identity talk, public discourse, and even academic analysis – between idioms of choice, autonomy, subjectivity, and self-fashioning on the one hand and idioms of givenness, essence, objectivity, and nature on the other.

With this as context, I turn to the Dolezal affair itself. I show how comparisons of race and gender were deployed to stake out, defend, and attack particular positions within a space of positions defined by the stance taken on two questions: Can one legitimately change one’s gender? And can one legitimately change one’s race?

The commonsense sociology deployed in the Dolezal affair was interesting and revealing in its own terms. Governed by the “logic of the trial” (Wacquant 1997), however, analysis was largely subordinate to efforts to validate or invalidate the identities claimed by Jenner and Dolezal. I conclude by suggesting
that the larger significance of the affair for the social sciences lies in the opening it provides for the development of a more nuanced and reflexive comparative analysis of the micropolitics of sex/gender and racial/ethnic identity and difference. While the participants in the controversy were “thinking with trans” in an often narrow and partisan way, the affair provides an opportunity to think with trans in a broader and potentially generative way about the micropolitics of embodied identities in an era of categorical flux.

Analyzing race and ethnicity in relation to sex and gender, as the Dolezal affair invites us to do, is not without its risks and difficulties. The relation between race and ethnicity and sex and gender is not just a theoretical question; it is a practical question. Analogies between race and sex have been central to the development of antidiscrimination law and practice, for example, and to the emergence of the “inclusion and difference paradigm” in biomedical research (Epstein 2007). Such analogical reasoning has been criticized for privileging comparison over intersectionality (Mayeri 2001, 1048–1051). Yet it remains important to consider both the similarities in the workings of categorical difference across domains (Tilly 1998) and the ways in which race/ethnicity and sex/gender operate as “different differences” (Epstein 2007; Brubaker 2015: Chapter 1). The Dolezal affair provides an unusual opportunity for doing so.

A final preliminary word about the scope of the argument. While some aspects of the discussion are US-specific – notably those relating to the distinctive American history of race – other aspects are relevant to a broader range of societies in which prevailing categorical frameworks of ethnoracial and sex/gender difference have been unsettled in recent decades as a result of demographic, cultural, and political changes. The scope of different strands of the argument should be clear from the context.

**Categories in flux**

Recent decades have seen a massive destabilization of prevailing categorical frameworks for the organization of cultural and somatic difference. This has been most spectacular in the domain of sex and gender; but as the literature on superdiversity suggests, it has been striking in the domain of race and ethnicity as well, and in the related domains of religion and language. In all these domains, the landscape of identity categories has become much more complex, fluid, and fragmented. Uncertainties and ambiguities in identifying oneself or categorizing others have been thematized and highlighted, and prevailing practices of counting, categorizing, and classifying have been challenged. New categories have proliferated; old categories have come to seem ill-fitting; and the very act of categorization itself has been challenged. As basic categorical frameworks have become the objects of self-conscious debate, critical scrutiny, strategic choice, and political claims-making, they have lost their self-evidence, naturalness, and taken-for-grantedness.
In the domain of sex and gender, a profound destabilization of heteronormativity and increasingly complex forms of sexual pluralism have been accompanied by growing challenges to binary regimes of gender and even sex. Within days of the Dolezal revelations, the Supreme Court’s decision in Obergefell v. Hodges, affirming a constitutional right to gay marriage, completed the stunningly rapid collapse of the most visible and contested symbol of normative heterosexuality in the United States. As recently as 2012, 41 states had constitutional provisions or legislation barring gay marriage (Sanders 2012, 1423). While gay marriage debates have been most visible in the US, the retreat from heteronormativity has been even more striking in parts of northern Europe, notably the Netherlands, where pro-gay attitudes have been enlisted as a symbol of Dutchness by anti-immigrant politicians (Mepschen, Duyvendak, and Tonkens 2010).

Challenges to basic categorical frameworks governing sexual difference of course go well beyond gay marriage. Recent decades have seen a diversification of forms of sexual diversity. Sexuality—and sexual diversity itself—is increasingly “destabilized, decentered and de-essentialized” (Plummer 2012, 247). One indicator of this has been the acronym creep in designations of the reference categories for understandings of sexual (and gender) diversity: from an initial concern with the categories gay and lesbian, the portfolio of categories has expanded to include bisexual, transgender, queer, questioning, intersex, asexual, ally, pansexual, and even, in a nod to certain Native American understandings of third-gender statuses, “two spirit,” yielding the unwieldy LGBTQIAP2S. One might therefore be tempted to speak of sexual or sex/gender “superdiversity.”

Accompanying—and intertwined with—the diversification of sexual diversity has been a gathering challenge to the binary gender category framework. This is strikingly shown by the spectacular career of the term “transgender” in the last two decades. As a collective category deployed by social movement activists to embrace all forms of gender variance, the term not only gained traction among activists but rapidly found broader public resonance, acquiring institutional recognition, legal weight, academic gravitas, media exposure, and popular currency (Stryker 2006; Valentine 2007, 33–34).

The transgender moment has two analytically distinguishable aspects. The first is the increasing acceptance of the possibility and legitimacy of mobility between categories. Such inter-category mobility, to be sure, does not necessarily destabilize the categories themselves or the boundaries between them, as Barth (1969, 9–10, 21ff) observed long ago about ethnicity. Some feminist authors have argued, similarly, that transgender boundary-crossing may reinforce rather than subvert gender categories and their boundaries (Raymond 1979; Burkett 2015).

The second, more recent and more radically destabilizing, development is an increasing acceptance and even institutionalization of categories other
than the binary pair. The mainstreaming of third-gender options is illustrated by Facebook’s 2014 decision to offer 56 “custom” gender options, and by the accommodations American colleges have begun to make for students who prefer to be referred to by pronouns other than “he” or “she,” or, because of their gender identification, to be addressed by a first name other than their legal name (Leff 2013; Scelfo 2015). The binary regime of official sex categorization, too, has been loosened. Since 2013, for example, Germany has allowed parents of intersex infants to check a third, unlabeled box rather than being forced to opt for male or female.

Challenges to prevailing categorical frameworks have been less dramatic in the domain of race and ethnicity – if only because the categorical frameworks, in contemporary liberal societies, are not as clearly defined, deeply institutionalized, or pervasively implicated in the structuring of social life as they are in the domain of sex and gender. Yet the challenges have nonetheless been profound. Prevailing frameworks governing racial and ethnic diversity (and religious and linguistic diversity as well) presuppose a population neatly segmented into a small number of clearly bounded, easily identifiable, relatively stable categories. But changing immigration (and post-immigration) patterns, rising intermarriage rates, and increasingly fluid practices of self-identification have generated a much more complex, less stable, and less easily “legible” pattern of racial and ethnic heterogeneity.5

The fluidity and fragmentation of the ethnoracial landscape have generated pervasive uncertainties and ambiguities about self-identification and categorization of others as well as critical reflection on the lack of fit between increasingly complex forms of heterogeneity, and the subjective experience of that heterogeneity, on the one hand, and prevailing categorical frameworks on the other. The change has been particularly striking in the United States, long characterized by a rigid system of racial classification, an historical legacy of the principle of hypo-descent or “one-drop rule” that categorized as black a person with any identifiable African ancestry. 6 Diversifying immigration patterns and the mixed race movement in the US have powerfully disrupted the black-white binary. And Saperstein and Penner (2012) have documented a surprising degree of micro-level fluidity in racial self- and other-identification in the US, even when one excludes respondents self-identifying as Hispanic, Native American, or multiracial.7

Everywhere, practices of counting, classifying, and categorizing by race and ethnicity have become increasingly politicized (Kertzer and Arel 2002; Loveman 2014). Whether to count and categorize by race and ethnicity at all; what to count; whom to count; how to count; and how to report the results of counting and categorizing exercises – all of these questions are increasingly contested worldwide (Goldstein and Morning 2002; Prewitt 2005; Simon 2008). As categories become increasingly politicized, they
cease to be taken for granted and come to be the focus of self-conscious attention and debate.

The enlargement of the space for choice and self-fashioning

Rhetorics and practices of choice and self-fashioning have been central to, even constitutive of, Western modernity. They have structural roots in the erosion of ascriptively based forms of social organization; cultural roots in powerful normative complexes of individualism, dignity, autonomy, and self-realization,⁸ and political roots in classical liberalism, neoliberalism, and feminism.⁹ What was formerly given must now be chosen: what line of work to pursue; whether, when, whom, and how to marry; whether, when, with whom, and how to have children, and how many; whether and how to practice religion; and how to form, transform, and responsibly manage our bodies (Giddens 1991; Novas and Rose 2000; Beck and Beck-Gernsheim 2002).

As part of this broad structural and cultural shift, the space for choice has vastly expanded in the domain of sex and gender in recent decades. Choice is a fraught term in the field of sexual and gender politics: while a woman’s “right to choose” has been central to the defense of abortion rights, and to third wave feminism more generally, the language of choice has also been used to demand conformity to sex and gender norms, while the language of givenness – the assertion that one has no choice – has been used to dignify and legitimize sexual and gender difference. I return to this issue below. The point to underscore here is that one can believe sexual orientation or gender identity to be involuntary or even innate – a matter about which there is inconclusive research and ongoing disagreement (Fausto-Sterling 2012) – and still acknowledge the massive expansion in the space for choice of sexual conduct and gender expression or presentation.¹⁰

The ideal of sexual autonomy – built around the freedom to choose whether, when, how, and with whom to have sex – has been central to the women’s movement and to movements to legitimate alternative sexualities (Seidman 2001). Though it remains contested by religious and other cultural conservatives, this notion of sexual autonomy has been spectacularly successful; it informs law, policy, education, and popular culture.¹¹ A greatly expanded range of sexual conduct is not only legal but more or less publicly legitimate and socially acceptable. Regardless of one’s orientation, one can – and indeed must – choose between a wide range of options, styles, and models. Technologies such as Tinder, Grindr, and other online dating or sexual matching services expand the range of choice of prospective partners and the forms of sexual encounters. Even new forms of sexual regulation expand the space for choice: “yes means yes” legislation, for example, mandates that every step in a sexual encounter be expressly and mutually chosen and consented to.
The space for choice in the domain of gender expression has expanded as well, as a much wider range of modes of behavior, dress, adornment, grooming, and bodily transformation has come to be seen as legitimate (at least in some circles and settings), and claimed as a right (Feinberg 1998). The cultural mainstreaming of transgender options has led many families and schools to offer non-gender-conforming children more leeway in choosing their gender self-presentation (Talbot 2013). As noted above, choice among a wide range of gender identifiers has been institutionalized on some social media and dating sites and college campuses. And in 2013, California became the first state to grant public school students in grades K through 12 the right to “participate in sex-segregated school programs and activities, including athletic teams and competitions, and use facilities consistent with [their] gender identity, irrespective of the gender listed on the pupil’s records.”

Even official sex/gender designations are increasingly chosen rather than given. In several countries (and some American states), changing one’s legal sex or gender no longer presupposes sex-reassignment surgery or hormone treatments. In 2014, Denmark went a step further and dropped the requirement of any medical statement or clinical diagnosis: gender self-identification is determinative of legal gender identity (Saner 2014). New Zealand citizens can change the sex/gender designation on their passports through simple declaration and can select X (indeterminate/unspecified) in addition to male or female.

Notions of autonomy have informed the expansion of choice in the domain of race and ethnicity as well. Constructivist theories of ethnicity have long emphasized the situational variability and instrumental manipulability of ethnic identities and the fact that, in many contexts, individuals can choose between a variety of “ethnic options” (Waters 1990; Posner 2005; Chandra 2012). Race, by contrast, is often characterized as involuntary. Legal scholar Camille Gear Rich, however, describes an emerging era of “elective race,” in which individuals increasingly claim the right to racial self-identification and seek to “control the terms on which their bodies are assigned racial meaning” (Rich 2014, 1505; see also Rich 2013, 179). And legal scholar (and bestselling author) Randall Kennedy has expressly defended “free entry into and exit from racial categories, even if the choices [people] make clash with traditional understandings of who is ‘black’ and who is ‘white’” (2003, 333). Of course, options for meaningful choice are unequally distributed. But the complexification of the ethnoracial landscape, the increase in ethnoracial intermarriage, the rise of the mixed-race movement, and (in the US) the decay of the one-drop rule have expanded the scope for choice (Rockquemore and Arend 2002; Rockquemore and Brunsma 2002; Song and Aspinall 2012). Even genetics, counterintuitively, has enlarged the scope for choice in certain respects: autosomal ancestry tests, by revealing complex mixtures...
of biogeographic ancestry, have created new options for identification and “affiliative self-fashioning” (Nelson 2008; Brubaker 2015: Chapter 2). Changing institutional practices, too, have enlarged the space for choice. Since 2000, individuals have been able to choose multiple racial identifications in the US census. And in line with a longer-term global shift from enumerator-identification to self-identification in census-taking (Kertzer and Arel 2002, 34; Loveman 2014, 171), the Equal Employment Opportunity Commission (EEOC) shifted in 2007 from asking employers to collect data on the racial composition of the workforce based on employers’ own perceptions to requiring employers to collect this data by asking employees to self-identify (Rich 2014, 1520–1521).

The policing of identity claims

The enlarged scope for choice, in the context of the destabilization and denaturalization of previously taken for granted categorical frameworks, has provoked concerns about unregulated, fraudulent, opportunistic, exploitative, unnatural, or otherwise illegitimate identity claims. These concerns are expressed inter alia in efforts to police identity claims by challenging the legitimacy of certain claims in the name of objective, authentic, natural, or otherwise unchosen identities. So while theorists of reflexive modernity posit a shift from given to chosen identities, what we actually see is a sharpened tension between the language of choice, autonomy, subjectivity, and self-fashioning on the one hand and the language of givenness, essence, objectivity, and nature on the other. We see not the disappearance but – in some contexts – the strengthening of essentialist, objectivist, and naturalist reasoning.

Transgender identity claims, for example, have been subjected to objectivist policing in the name of nature, in the name of history, and in the name of medicine. Policing in the name of nature is illustrated by the claim of Paul McHugh (2014) – the former psychiatrist in chief of Johns Hopkins Hospital, who identifies as a conservative Catholic – that sex change is “biologically impossible” and that people who have sex-reassignment surgery “do not change from men to women or vice versa [but] become feminized men or masculinized women.”

Policing in the name of history is illustrated by radical feminist Janice Raymond’s claim that a male-to-female transsexual cannot “have the history of being born and located in this culture as a woman. He can have the history of wishing to be a woman and acting like a woman, but this gender experience is that of a transsexual, not of a woman” (Raymond, 1979, 114, emphasis in original). While surgery may alter one’s bodily constitution, “it cannot confer the history of being born a woman in this society”; and it is this history that makes one a woman (1979, 114). In neither McHugh’s nor
Raymond’s perspective can a female identity legitimately be claimed by (male to female) transgender people: their choices, claims, and subjectivities provide no warrant for their claimed femaleness.

Unlike policing in the name of nature or history, policing in the name of medicine admits – and indeed validates – the legitimacy of certain transgender claims. But it does so by subjecting them to medical – and specifically psychiatric – scrutiny. For those seeking access to (or insurance coverage for) hormonal or surgical treatments (and, in many jurisdictions, for those seeking a change in sex or gender on official documents), a diagnosis of Gender Identity Disorder (renamed Gender Dysphoria in 2013) has been required (Spade 2003). This “highly medicalized gateway model” (Green 2006, 235) has denied both treatment and social validation to those who do not satisfy the criteria.

The language of givenness, essence, objectivity, and nature is deployed not only by those who contest the legitimacy of certain identity claims, but also by those who advance those claims. This is notably the case for many transgender people. In this mode of trans discourse, one’s basic identity is not chosen, but given. One does not choose who one fundamentally is; but one must choose whether to live in conformity with, or in tension with, that basic identity. This objectivist language has been required of those seeking access to hormonal or surgical treatments from medical gatekeepers, since it conforms to prevailing medical understandings of Gender Identity Disorder or Gender Dysphoria. More broadly, in a context of actual or anticipated policing of unconventional or controversial identity claims, objectivist language serves as a response to, and as a preemptive defense against, such policing. To the claim that “you can’t just choose to be a woman,” the response, in effect, is that “we don’t choose to be women; we simply are women.”

Like the policing of gender identity claims, the policing of racial identity claims reflects concerns about unregulated, fraudulent, opportunistic, or exploitative identifications. There is of course a long and ugly history of the policing of the boundaries of whiteness. Formal social closure along racial lines – culminating in the Jim Crow system of comprehensive legally mandated segregation – required the formal definition and policing of racial category membership. Southern states adopted legal definitions of blackness, using variations of the “one-drop rule” (Davis 1991). The 1924 Virginia “Act to Preserve Racial Integrity” made a “false” racial self-designation punishable by a year in prison (Ford 1994, 1275). And courts were involved in adjudicating whiteness in cases involving naturalization (Yang 2006, 376), marriage annulment (Walker 2008), and petitions to change racial designations on birth certificates (Domínguez 1986).

More immediately relevant as background to the Dolezal affair is the concern with policing claims to blackness that emerged in the era of affirmative action. Concerns that the unregulated practice of racial self-identification
invited opportunistic misrepresentations of racial identity (in an effort to secure employment, college admission, or financial aid) crystallized around the case of the Malone twins, who self-identified as black when they applied for positions with the Boston Fire Department in 1977, but were fired a decade later after a hearing officer found their application to have been falsified.\textsuperscript{17} This and other cases led to proposals by some legal scholars to “verify” claimed racial identifications and to penalize “racial fraud” (Wright 1995; Onwuachi-Willig 2007).\textsuperscript{18} Even when tangible benefits are not at stake, anxieties about unregulated self-identification inform provisions for policing. As noted above, the EEOC shifted in 2007 to gathering data on the racial composition of the workforce through employee self-identification; but regulations allow employers to correct self-identifications that are “patently false” (Rich 2014, 1524–5).

Here too objectivist language can be used not only to challenge identity claims but to formulate (or at least to justify) the very claims that are challenged. This is made possible by the multiplicity of criteria for socially defining race, including different aspects of phenotype, genealogical and genetic ancestry, self- and other-identification, and a range of cultural practices. Anecdotal evidence, for example, suggests that some college applicants seek DNA ancestry testing in order to justify identifying as black or Native American on admission or financial aid applications (Harmon 2006).\textsuperscript{19} In a cultural context in which any identifiable African ancestry has been sufficient for self- and other-identification as black, discovery of such ancestry, ironically, can ground an objectivist claim to be black even if one has never subjectively identified as black.

In both sex/gender and racial/ethnic domains, then, we see not only a tension between idioms of chosenness and givenness, subjectivity and objectivity, but also a tension between competing languages of objectivity – competing ways of grounding identity claims in something beyond individual choice and subjectivity. It is this fractured and contested terrain that provides the backdrop to the Dolezal affair.

“\textit{If Jenner then Dolezal}”: The argument from similarity

Having sketched the broader context, I turn now to the Dolezal affair itself. The proximity of the Dolezal revelations to the mediatized spectacle of Caitlyn Jenner’s \textit{Vanity Fair} cover debut ensured that comparisons of Dolezal to Jenner – and of racial re-identification to gender transitions – would figure centrally in the commentary. And indeed, within hours of the breaking of the story by the \textit{Coeur d’Alene Press}, the hashtag “transracial” – a word previously used almost exclusively in the context of interracial adoption but now expressly counterposed to “transgender” – had started trending on Twitter.\textsuperscript{20}
Comparisons of race and gender were deployed to stake out, defend, and attack particular positions within a space of positions (see Table 1) defined by the stance taken on two questions: Can one legitimately change one’s gender? And can one legitimately change one’s race? Quadrant 1, at the top left of Table 1, includes those who see both gender and racial identities as grounded in nature or in a life-long lived history and therefore as identities that cannot legitimately be changed. Quadrant 3, at the bottom right, represents the opposite stance of voluntarism or radical constructivism, according to which both gender and racial identities can legitimately be changed. While those in quadrants 1 and 3 emphasized the similarities between Jenner and Dolezal, and more broadly between gender and race, those in quadrants 2 and 4 highlighted the differences. Quadrant 2 is defined by the combination of gender voluntarism and racial essentialism, quadrant 4 by the inverse combination of gender essentialism and racial voluntarism.

The labels in Table 1 are imperfect shorthand simplifications. “Essentialist” stances include both the view that gender and/or racial identities are grounded in nature and the view that they are grounded in history. “Voluntarist” stances include those that assert that gender and/or racial identities can be chosen, as well as those that assert (particularly with respect to gender) that public, socially validated identities can be changed even if – on some level – the core personal identity is understood as unchosen. In either case, “voluntarism” signals the active, agentic dimension of identification: for even where the core identity is understood as unchosen, voluntarist stances emphasize the choice of self-presentation and public identification.

In quadrants 1 and 3, the asserted similarity of race and gender was deployed in quasi-syllogistic fashion. If we accept that Caitlyn Jenner is a woman, it was asserted, then we must accept that Rachel Dolezal is black. The syllogism cut both ways. Addressed to an audience inclined to accept the legitimacy of transgender claims, it could be used to legitimize Dolezal’s claim to identify as black, or at least to argue that her claim deserved a respectful hearing, rather than a derisive dismissal. But addressed to an audience inclined to dismiss changing race as absurd, the syllogism worked in reverse, to undercut the legitimacy of Jenner (and of transgender claims and identities more generally).

**Table 1. The space of positions.**

<table>
<thead>
<tr>
<th>Can one legitimately change one’s gender?</th>
<th>Can one legitimately change one’s race?</th>
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<tbody>
<tr>
<td>No</td>
<td>No</td>
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<tr>
<td></td>
<td>1. Essentialism</td>
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<td></td>
<td>4. Gender essentialism, racial voluntarism</td>
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<tr>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>2. Gender voluntarism, racial essentialism</td>
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<tr>
<td></td>
<td>3. Voluntarism</td>
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</table>
The latter, reverse working of the syllogism was by far the more common. “If Bruce Jenner is a Woman, Then Rachel Dolezal is Black,” read the headline of a blog post on the site of the American Family Association of Pennsylvania. From the perspective of the association and others on the cultural right, Dolezal’s claim to be black was taken to be palpably absurd, not even worthy of refutation; and this absurdity was then used to assert or imply that Jenner – and by extension others following similar trajectories – could therefore not legitimately be recognized as a woman.

Much of the commentary was expressly partisan. Commentators on the cultural right gleefully seized on the Dolezal revelations as a weapon in the culture wars, constructing the Dolezal affair as a “gotcha” moment that exposed the hypocrisy and inconsistency of the mainstream media, “liberals,” or “the left” for embracing Jenner’s claim but rejecting Dolezal’s. Some added that Dolezal’s claim was prima facie more reasonable than Jenner’s, since differences of race are superficial, while differences of sex and gender are deep. If one rejects racial re-identification out of hand, these commentators suggested, one would have an even stronger case for rejecting transgender claims.

Partisan quadrant 1 commentary assailed the cultural left not only for its hypocrisy but also, more fundamentally, for its subjectivism – for letting “self-identification trump objective truth,” as the National Review put it (Cooke 2015) or, more colorfully, for “solipsism” and the “end of reality,” as a website devoted to “traditional Anglicanism” put it. The cultural left may not have been faithful to this subjectivism in its response to Dolezal, but the cultural right did not hesitate to blame it for the triumph of subjectivism that seemed to inform both Jenner’s and Dolezal’s claims.

Similar themes, coupled with an everyday common-sense primordialism, were articulated outside the professional commentariat and the blogosphere – notably in readers’ comments on news stories and opinion pieces. The following comment was one of more than a thousand posted in response to a Spokane newspaper’s report:

If we (not I) feel gender choice/identification is up for grabs, allowing anyone to choose and declare their gender (note, the current number of supposed genders is now over 50) … then why not allow one to chose [sic] their color/ethnicity? How can our society have it both ways? We either look for truth … , or we allow anything goes and deal with the fall out … which can be very destabilizing and tension producing.

A similar sense of the destabilization of the cognitive and moral order was expressed on a Catholic message board: “The world is upside down. If Bruce Jenner can claim he is female, regardless of the fact that he is not, then I don’t see why a white person can’t be black.”

Some expressly Christian commentaries converged with the cultural right’s critique of liberalism and subjectivism. Others, however, used theological
rather than political or scientific language, arguing as one evangelical pastor did that God “made us the way we are … for His purposes and His glory,” and that self-identification in different terms – as illustrated by Jenner and Dolezal – is therefore “nothing more than self-deception.”27 Worse, Jenner and Dolezal are “telling their Creator He mad[e] a mistake, and God being perfect, it is impossible for Him to make mistakes …. Why can’t we all be ourselves as God made us? Why are we always trying to be someone else?”28

Quadrant 1 was dominated by cultural conservatives, but some liberal and radical feminists shared the anti-voluntarist stance on gender and race. Just five days before the Dolezal news broke, the New York Times published a critical reflection on the Jenner affair and transgender politics by Elinor Burkett (2015), objecting to Jenner’s claim to have a “female brain” and to the reactionary idea of womanhood suggested by the Vanity Fair debut. Unlike some radical feminists, Burkett did not expressly deny the legitimacy of Jenner’s claim to be a woman. But she objected to trans activists’ “attacks … on women’s right to define ourselves.”29 “People who haven’t lived their whole lives as women shouldn’t get to define us … They haven’t traveled through the world as women and been shaped by all this entails.” In effect, Burkett was distinguishing between first-and second-class citizens, between life-long women, entitled to self-determination, and newcomers to the category, who “shouldn’t get to define us.” Burkett’s appeal to life-long history and experience as a criterion of authentic womanhood exactly parallels a prominent strand of the self-consciously progressive critique of Dolezal’s claim to identify as black. And Burkett’s essay strikingly anticipated the Dolezal affair:

The “I was born in the wrong body” rhetoric favored by other trans people … is just as offensive, reducing us to our collective breasts and vaginas. Imagine the reaction if a young white man suddenly declared that he was trapped in the wrong body and, after using chemicals to change his skin pigmentation and crocheting his hair into twists, expected to be embraced by the black community.

Burkett and radical feminists of course espouse positions antithetical to those of cultural conservatives. And the naturalist essentialism of the cultural conservatives differs sharply from what might be called the “historical essentialism” of the radical feminists. Yet they share an objectivist critique of self-identification, voluntarism, and subjectivism.

If quadrant 1 – where the language of objective difference was used to defend racial and gender essentialism – was largely the province of the cultural right, one might have expected quadrant 3 – where the language of individual autonomy, social constructivism, and performativity was used to defend gender and racial voluntarism – to be the province of the cultural left. And indeed there were voices of the cultural left, as well as the anti-identitarian left, among the defenders of gender and racial voluntarism. But the overwhelming majority of cultural or identitarian left opinion was to be
found in quadrant 2, defending gender voluntarism but racial essentialism. I consider this stance in the next section. But first I sketch the main lines of argument developed by the small set of gender and racial voluntarists of quadrant 3.

The “if Jenner can be a woman, then Dolezal can be black” syllogism, as noted above, worked primarily in reverse: conjoined with the taken for granted assumption that Dolezal could not be black, the if-then premise seemed to lead ineluctably to the conclusion that Jenner could not be a woman and, by extension, to the de-legitimation of transgender claims and identities more generally. This is why the syllogism was wielded so gleefully by the cultural right – and why the cultural left, committed both to gender voluntarism and to racial essentialism, rejected the premise of the syllogism and denied that the Jenner and Dolezal cases were comparable.

A few contrarian voices, however, accepted the premise of the syllogism and – addressing those who already acknowledged that Jenner was a woman – argued that, by a similar logic, one should acknowledge, or at least entertain seriously, Dolezal’s claim to be black. Writing as a black transgender man, and as a scholar of race, gender, and sexuality, Kai Green (2015) challenged prevailing black and transgender commentary by defending the question of the relation between “transgender” and “transracial”: labeling the question as “transphobic” or simply asserting that race and gender are “not the same thing,” he argued, is “not a good answer,” and the question “is not a stupid question. It is a perplexing question,” and one that is “important [to] wrestle with.” Legal scholar Camille Gear Rich (2015), whose work on the cultural, institutional, and legal shift toward racial self-identification was noted above, challenged the prevailing framing in terms of “deceit” or “appropriation.” Rich professed to “admire the way [Dolezal] chose to live her life as a black person . . . . I will not indict her for her choice to link herself to this community, and I would consider her claim no greater if she identified a long lost African ancestor.” Sociologist Ann Morning, who has studied multiraciality, endorsed the transgender-transracial analogy in a CBS interview, and observed that “We’re getting more and more used to the idea that people’s racial affiliation and identity and sense of belonging can change.”

When historian Allyson Hobbs, author of a book on racial passing, was asked by MSNBC’s Melissa Harris-Perry whether, by analogy to the transgender experience, there might be “a different category of blackness, that is about the achievement of blackness, despite one’s parentage,” Hobbs replied that it was “absolutely possible … Why not? … there certainly is a chance that she identifies as a black woman, and that there could be authenticity to that.”

And anarchist philosopher Crispin Sartwell, while acknowledging others’ discomfort with the prospect of gender and racial categories breaking down, enthused about the “wild and liberating possibilities [that] might open up” at this “excruciating and beautiful moment.”

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The most sustained argument for embracing racial along with gender voluntarism was developed by political scientist and anti-identitarian left intellectual Adolph Reed Jr. (2015). Like the conservative essentialists of quadrant 1, Reed criticized the inconsistency of the identitarian left for embracing Jenner while repudiating Dolezal. But rather than deploy this critique in defense of gender essentialism, he used it in opposition to racial essentialism. That essentialism, he suggested, rests ultimately on biology: on the argument that Dolezal simply couldn’t be black because she had no known African ancestry, implying that she could be black if she did have some African ancestry. As Reed and others (Leong 2015) observed, this troublingly mirrors the essentialist logic of the one-drop rule.

Reed also challenged non-biological, historical essentialisms that claimed that Dolezal was “raised outside of ‘authentic’ black idiom or cultural experience,” observing that this raises the question of “whose black idiom or cultural experience” would count as definitive. Nor does authenticity enable us to distinguish between Jenner and Dolezal: “How do we know that Dolezal may not sense that she is ‘really’ black in the same, involuntary way that many transgender people feel that they are ‘really’ transgender?” He rejected, finally, the “cultural appropriation” argument, which has force, he suggests, following Michaels (1992), only if “‘culture’ is essentialized as the property of what is in effect a ‘race.’” Reed concluded that there is “no coherent, principled defense of the stance that transgender identity is legitimate but transracial is not.”

**Gender voluntarist and racial essentialist boundary work: the argument from difference**

While the essentialists of quadrant 1 and the voluntarists of quadrant 3 embraced the “if Jenner, then Dolezal” argument and underscored the similarities between transgender transitions and racial re-identification, others rejected any kind of equivalence between Jenner and Dolezal and underscored the fundamental differences between “transgender” and “transracial.” They did so, overwhelmingly, by accepting the legitimacy of changing one’s gender, while denying that of changing one’s race. They crowded into quadrant 2, defined by gender voluntarism and racial essentialism, while shunning quadrant 4, defined by the inverse combination of gender essentialism and racial voluntarism.

The emptiness of quadrant 4 is in one sense puzzling, given the widely shared sense that differences of sex and gender are deeper and more fundamental than those of race. The avoidance of this quadrant no doubt reflected the fact that Jenner had a “good” identity narrative, while Dolezal’s narrative appeared tainted by deception and misrepresentation. Yet there are deeper patterns at work that go beyond Jenner and Dolezal. On the cultural left, race remains a more closely policed category than gender: gender
voluntarism can fairly be said to be hegemonic in this milieu, while racial voluntarism is heretical or at best suspect. Speculatively, one might suggest that this reflects the fact that transgender claims have been framed as a civil rights issue and as a response to exclusion, oppression, and marginalization, while claims to choose or change one’s racial identity – such as those advanced by the multiracial movement – have not been frameable in the same way, and indeed have been criticized for weakening and fragmenting the black community and undermining the civil rights and racial justice agendas. On the cultural right, by contrast, sex and gender are much more closely policed than race or ethnicity: the destabilization of the basic categorical frameworks of sex and gender is much more threatening to the core agendas of the cultural right, centered on the defense of the family, than is the destabilization of racial and ethnic categories. As noted above, some commentators on the cultural right did observe that Dolezal’s claim was prima facie more plausible than Jenner’s, since differences of sex and gender are deeper than those of race. But this did not lead them to argue expressly for racial voluntarism, at least not in connection with Dolezal, whose politics were antithetical to their own.

The flood of commentary in quadrant 2 can best be understood as a kind of boundary work. The concept of boundary work was developed in the sociology of science to bring into focus the rhetorical work undertaken to demarcate science – as a prestigious form of activity commanding certain privileges, resources, respect, and authority – from non-science or pseudoscience (Gieryn 1983). As Gieryn noted, the concept is easily applied to analogous attempts to distinguish medicine from quackery, religion from non-religion, art from crafts, disciplines and professional jurisdictions from one another, and so on; and it has since come to be used in a wide variety of contexts (Lamont and Molnár 2002). Here I extend the concept to the quasi-sociological rhetorical work undertaken to distinguish two orders of phenomena: the (putatively legitimate) phenomenon of changing one’s gender and the (putatively illegitimate) phenomenon of changing one’s race.

The boundary work of quadrant 2 rejected any equivalence between Dolezal’s identification as black and Jenner’s identification as a woman. Dolezal chose to identify as black; Jenner simply was a woman. Dolezal was living a lie; Jenner was being true to her innermost self. Dolezal was opportunistic; Jenner was authentic. Dolezal gained material benefits from her imposture; Jenner gained only the satisfaction of being true to herself. Dolezal was guilty of appropriation and “cultural theft,” taking what rightfully belonged to others; Jenner harmed no one. But it was not simply the two cases that were distinguished; it was two orders of phenomena. Boundary work drew a more general, quasi-sociological line between the possibility of changing one’s gender and the possibility of changing one’s race.
Boundary work in the Dolezal affair was undertaken on two fronts (see Table 2). Both forms of boundary work sought to distinguish transgender claims as a socially legitimate form of identity change from “transracial” claims as a socially illegitimate form. But they were oriented to different threats and inscribed in different projects. Gender voluntarists – committed to institutionalizing and legitimizing transgender claims and identities – sought to prevent the essentialist policing of racial identities that was triggered by the Dolezal affair from strengthening the essentialist policing of gender identities. Racial essentialists – committed to preserving the integrity of racial categories – sought to prevent gender voluntarism (which had been strengthened by the Jenner debut) from licensing racial voluntarism and encouraging fraudulent or opportunistic racial identity claims.

Along the frontier between quadrants 1 and 2, boundary work sought to protect Jenner – and the still-fragile public legitimacy of transgender identities – from “contamination” by association with Dolezal. The Jenner debut had marked an extraordinary moment in the mainstream acceptance of transgender identities. Writing in The Economist, essayist Will Wilkinson (2015) declared the “social forces that brought us to the Caitlyn Jenner moment” to be “irreversibly ascendant.” Two days later, however, the Dolezal affair – with its discourse of deception, fraud, and pathology – threatened to spoil the moment and undo the gains it had made possible. As writer, television host, and prominent transgender activist Janet Mock tweeted, “Trans folks’ lives should not be part of the Dolezal conversation. It’s dangerous.” To conflate trans folks with Dolezal,” wrote media studies scholar Khadijah White (2015), “gives credence to the deepest, most malicious lie there is about transgender identity and queer sexuality – that they are deceitful.” For Samantha Allen (2015), a scholar of gender and sexuality, “Dolezal’s domination of

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**Table 2. Two forms of boundary work.**

<table>
<thead>
<tr>
<th>Can one legitimately change one’s race?</th>
<th>No</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Can one legitimately change one’s gender?</td>
<td>1. Essentialism</td>
<td>4. Gender essentialism, racial voluntarism</td>
</tr>
<tr>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>2A</td>
<td>2B</td>
</tr>
<tr>
<td>2A: Gender voluntarist boundary work, at the frontier between quadrants 1 and 2, presumed the illegitimacy of changing race (a position shared by quadrants 1 and 2), and sought to explain why changing gender was different. By rejecting the equivalence of Jenner and Dolezal, it aimed to prevent the critique of racial voluntarism (highlighted by the Dolezal affair) from de-legitimizing gender voluntarism and promoting defections from quadrant 2 to quadrant 1.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2B: Racial essentialist boundary work, at the frontier between quadrants 2 and 3, presumed the legitimacy of changing gender (a position shared by quadrants 2 and 3), and sought to explain why changing race was different. By rejecting the equivalence of Jenner and Dolezal, it aimed to prevent gender voluntarism (strengthened during the Jenner moment) from legitimizing racial voluntarism and promoting defections from quadrant 2 to quadrant 3.</td>
<td></td>
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</tr>
</tbody>
</table>
public conversations around identity comes at a particularly inopportune time … [T]his lone woman from Idaho has the potential to do real damage to public perceptions and conceptions of transgender identity.”

Jenner thus risked being tainted by association with Dolezal, “transgender” by association with “transracial” – not to mention “transspecies” and other purported fruits of liberal solipsism and anything-goes social constructivism, conjured up by the gleeful conservatives of quadrant 1. Faced with this attempted reductio ad absurdum, those who had cautiously embraced gender voluntarism as a result of the mainstreaming of transgender identities in the last few years might now revert to gender essentialism. Gender voluntarist boundary work was an effort to prevent such “defection.”

To forestall the delegitimation of Jenner and transgender by association with Dolezal and transracial, it was necessary to challenge the “if Jenner, then Dolezal” logic. This is the context for the oft-repeated assertion that transracial is “not a thing” (see for example writer and cultural commentator Zeba Blay 2015). The Dolezal case was cordoned off, marked as pathological, and treated as sui generis. This quarantining of Dolezal facilitated the contrast between the “non-thingness” of “transracial” and the legitimate, institutionalized social reality of transgender claims and identities.

To bolster the objective “thingness” of transgender identifications, and thereby to demarcate them sharply from the “nothingness” of transracialism, gender voluntarist boundary work underscored the objective foundations of transgender identities, which were characterized as deep, stable, life-long, unchosen, and probably grounded in biology. “Caitlyn Jenner is not pretending,” wrote Dana Beyer (2015), head of a Maryland gender rights association.

Jenner has been a woman since birth – or more likely, before birth – like many, if not most, trans women. … And while there are variations in trans biology … it really is pretty clear cut: your sense of self as a sexual being, your gender identity, is rooted in your brain.

Without appealing to brain differences, Meredith Talusan (2015, emphasis is in the original), a writer and transgender activist, made a similar point:

The fundamental difference between Dolezal’s actions and trans people’s is that her decision to identify as black was an active choice, whereas transgender people’s decision to transition is almost always involuntary …. Dolezal identified as black, but I am a woman, and other trans people are the gender they feel themselves to be.

On accounts such as these, gender identity is at once subjective and objective. It is defined by subjectivity, by one’s “sense of self”; but that subjectivity is understood as determined by objective factors. The sources of subjectivity are situated outside the realm of choice and reflexive self-transformation, outside the realm of culture, and even, paradoxically, outside the self. In this way the defense of gender voluntarism is pushed onto essentialist
terrain. This is of course not new. Claims to deep, unchosen, biologically grounded gender identities at variance with one’s body have long been one prominent strand of transsexual and transgender discourse. Such essentialist self-accounts have long been obligatory for those seeking access to hormonal or surgical treatment. But the boundary work prompted by the Dolezal affair revealed the underlying tension with particular clarity by highlighting the objectivity of subjectivity.

While gender voluntarist boundary work at the frontier between quadrants 1 and 2 presumed the illegitimacy of Dolezal’s change of race, and sought to explain the legitimacy of Jenner or others changing their gender, racial essentialist boundary work at the frontier between quadrants 2 and 3 presumed the legitimacy of changing one’s gender, and sought to explain the illegitimacy of Dolezal’s change of race. And while gender voluntarists faced an acute threat of contamination from the Dolezal affair, racial essentialists were oriented to a more diffuse threat: that the growing legitimacy of gender voluntarism – dramatized by the broad public embrace of Jenner – might cross over into the racial domain and encourage “racial fraud” and cultural appropriation. The ubiquitous “if Jenner, then Dolezal” trope – and the suspicion that Dolezal herself was seeking to ride the transgender wave – seemed to concretize this threat.

Racial essentialists’ explanation of the illegitimacy of Dolezal’s identification as black – in contrast to the presumed legitimacy of Jenner’s identification as a woman – pivoted on two themes: objectivity and appropriation. The term “objectivity,” unlike “appropriation,” was not used by participants in the debate. But it enables me to bring together a set of ideas sounded repeatedly in the Dolezal debates. The underlying argument is that racial identity, unlike gender identity, is constituted by an ensemble of supra-individual facts: the biogenetic and genealogical facts of ancestry; the social facts of classification systems and categorization practices; and the historical facts of enslavement, oppression, and discrimination. Subjectivity is constitutive of gender: the “truth” of gender is found in the innermost feelings of an individual, and those feelings must be recognized and respected. But as many commentators emphasized, how one feels about race – no matter how sincerely – is irrelevant. Subjectivity is understood as an expression of racial identity, not its ground.

The supra-individual objectivity of race explains why it cannot legitimately be changed or chosen. Dolezal could change her appearance, style, and self-presentation; she could change her networks of social relations and activities; she could “feel” black and identify, no doubt sincerely, with black culture and history; and she could exploit contemporary versions of the one-drop rule to pass as black. But passing, on the objectivist understanding of race, does not involve changing one’s race; it involves successfully pretending to be something one is not. Passing, on the objectivist view, intrinsically involves deception (Kennedy 2003: Chapter 7) – justifiable deception, perhaps, for the many
light-skinned blacks who have successfully passed as white, but deception nonetheless. Passing is always trespassing (Harris 1993, 1711).

The deception involved in performing an identity on which one has no legitimate claim underwrites the charges of appropriation and cultural theft. In a context in which who is what can determine not only who (legitimately) gets what but also who (legitimately) gets to do what, Dolezal was accused of selectively indulging in “blackness as a commodity,” of “donning blackness” in order to “negotiate black spaces,” while retaining the privilege of removing her “costume” at will (Blay 2015). While gender transitions are understood to be undertaken at great personal cost, and to bring no extrinsic benefits, Dolezal was asserted to have “capitalized on her fake blackness” (Modkins 2015), “building a career and persona off it” (Noman 2015)37: she selectively “appropriated aspects of blackness” for her “personal benefit” (Fang 2015) and “occupied and dominated spaces ostensibly reserved for people who had life-long experiences of racial marginalization and disenfranchisement” (White 2015).

The viscerally negative reaction to Dolezal’s reverse passing that informed racial essentialist boundary work drew on a politically and morally charged contrast between the optional and reversible donning of blackness by Dolezal and the involuntary and (for most) inescapable somatic reality of the other-defined black body, understood as the or at least a primary meaning of blackness for black Americans. Dolezal could “pick and choose [her] blackness.” But “those of us born into black bodies can’t do that. We can’t take our blackness off when the situation doesn’t suit us.”38 This contrast was all the more poignant in the context of the Black Lives Matter movement, focused on police violence against black bodies.39 “Michael Brown couldn’t be transracial,” said legal scholar Jody Armour. “When you walk into prisons and jail cells, you see cellblocks brimming with bodies that are conspicuously black. Those black bodies had no choice in how they were perceived.”40 The contrast became more poignant still on June 17, when Dylann Roof killed nine parishioners during a prayer service at a historic black church in Charleston. This marked the end of the Dolezal affair; further discussion seemed frivolous. As New Yorker writer Jelani Cobb (2015) put it the next day, “the existential question of who is black has been answered in the most concussive way possible” by the massacre.

**Conclusion**

It is tempting to dismiss the Dolezal affair as an inconsequential internet-driven summer diversion, and on one level it was no doubt just that. At the same time, however, the affair revealed with striking clarity the constitutive tensions in the contemporary micropolitics of sex/gender and racial/ethnic identity and difference. One basic tension, I have argued, is between
chosenness and givenness. A cumulative – and in recent years accelerating – destabilization of basic categorical frameworks has vastly enlarged the scope for choice and self-fashioning in the domain of sex, gender, and sexuality. And while nothing quite so dramatic has occurred in the domain of race and ethnicity, the complexification of the ethnoracial landscape, the increasing prevalence of ethnoracial intermarriage, and the challenges to prevailing systems of counting and categorizing by multiracial activists and others seeking official categorical recognition have combined to significantly enlarge the space for choice and self-fashioning in this domain too.

In both domains, the enlargement of choice has generated anxieties about unnatural, opportunistic, exploitative, or fraudulent identity claims, along with efforts to police questionable claims in the name of authentic, objective, and unchosen identities. Transgender identity claims – including Jenner’s – have been policed in the name of nature, history, and medicine; unorthodox racial identity claims – including Dolezal’s – in the name of phenotype, ancestry, and history. In the face of actual or anticipated policing, many of those who advance controversial or unorthodox identity claims have themselves sought to justify such claims in objectivist terms. Thus the language of DNA has been deployed to fortify unorthodox claims to racial and ethnic identities, the language of “born that way” to legitimize claims to gender and sexual identities.

Both the voluntarist language of choice, undergirded by powerful ideals of autonomy and dignity, and buttressed by liberal, neoliberal, and feminist ideologies, and the essentialist language of givenness, undergirded by equally powerful ideals of true being and authenticity, and buttressed by appeals to the authority of biology, are central to the practice of the contemporary politics of identity and difference. Neither, however, is an adequate language of analysis. In practice, the opposition between chosenness and givenness is a constitutive and generative tension. From an analytical point of view, however, it is a false opposition, an instance of the pervasive opposition between subjectivism and objectivism that, as Bourdieu (1990) never tired of emphasizing, the social sciences must seek to transcend. We can recognize both the practical resonance, force, and efficacy of idioms of chosenness and givenness, and their theoretical poverty as instruments of analysis.

The entanglement of race and gender in the Dolezal affair generated a large-scale exercise in vernacular comparative sociology. This exercise, I hope to have shown, was interesting and revealing on its own terms. But most of the commentary, as noted at the outset, was governed by what Wacquant (1997) has called the “logic of the trial”: analysis was subordinated to efforts to validate or invalidate the identities claimed by Jenner and Dolezal.

The larger significance of the Dolezal affair, for the social sciences, lies in the opening it provides for a more nuanced and reflexive comparative
analysis of the micropolitics of sex/gender and racial/ethnic identity in an era of categorical flux. Both racial and gender identities are situated – like all social identities (Jenkins 1996) – at the intersection of self-identification and identification by others (including others within the identity category, others outside the category, and institutions – like the modern state – that assign, recognize, or regulate identities). And both are bound up with the classification of bodies in ways that other identities (religious identities for example) are not. But they are bound up with the classification of bodies in differing ways.

For most people, gender identity is more deeply bound up with the anatomical, physiological, and hormonal differences that are closely and consistently (though of course not perfectly) associated with socially defined sex categories than racial identity is with the superficial phenotypic differences that are only loosely and variably associated with socially defined racial categories. Yet paradoxically, gender identity is at the same time more autonomous from the socially classified sexed body than racial identity is from the socially classified racial body.

The emergence of the concept of gender as distinct from sex in the second half of the twentieth century, and the irrelevance of ancestry to definitions of sex or gender, permitted the decoupling of gender identity – understood as an ultimately subjective individual property – from the sexually differentiated body. This individualist, subjectivist definition of gender identity is rejected by conservative essentialists in the name of nature, and by some radical feminists in the name of history. But it is very widely accepted, both inside and – increasingly – outside the academy.

In North America, where the classification of racial bodies depends not only on phenotype but also, crucially, on ancestry, racial identity is prevailingly understood as a supra-individual, social-relational phenomenon, not as a subjective individual property. This is compatible with a view of race as socially constructed: but the prevailing mode of constructivism emphasizes the accumulated weight of others’ ancestry-and phenotype-based classifications, not the constitutive significance of self-identification. A few racial voluntarists have sought to reverse the emphasis; but they are in a distinct minority, and are working against the grain.

Prevailing understandings of gender and racial identity have made changing gender much more thinkable than changing race. Changing one’s gender is not understood as changing one’s gender identity: it is understood as bringing public classifications into alignment with that subjective identity, and perhaps transforming the body to bring it into alignment with that identity as well. There is no established vocabulary for thinking of changing race in this way, not least because there are no widely available cultural tools for thinking of racial identity in subjectivist and individualist terms.

But what makes subjective gender identity a socially legitimate basis for demands to alter public classifications and reconstitute the body? After all,
subjective identifications – particularly those that are radically at variance with prevailing classifications of sexed bodies – are vulnerable to the charge of subjectivism or even solipsism. To make subjective identification a socially legitimate grounds for a change in gender, it has been necessary to fortify and naturalize gender identity by casting it as a deep, stable, lifelong, unchosen, and probably biologically grounded disposition. Thus while gender identity was disembodied and de-naturalized by being decoupled from the sexed body, it paradoxically gets re-embodied and re-naturalized. It is this rhetorical emphasis on the objectivity of subjectivity that has allowed a voluntarist stance – affirming the right to choose and change one’s gender – to be defended in the name of the involuntary, change in the name of the unchanging, and choice in the name of the unchosen.

Prevailing understandings of the supra-individual objectivity of racial identity – as distinguished from the individual subjectivity that constitutes gender identity – help to explain the widely shared view that racial identity cannot be changed or chosen (Heyes 2009). Passing as white is an old theme in American history; and Rachel Dolezal, along with a few other cases, has shown that it is possible to pass as black as well. But passing is not understood as changing one’s race; it is understood as getting others to misperceive one’s race. And while passing might be justified as a response to oppression, Dolezal’s reverse passing was condemned for appropriating a culture, history, and social position that legitimately belonged to others.

Yet the decay of the “one-drop rule” – which long classified as black a person with any identifiable African ancestry – complicates matters and opens up a space for legitimate changes of race. Though the one-drop rule still has political defenders in the context of counting and categorizing practices (Hickman 1997), its erosion in practice – an erosion that was both cause and consequence of the mixed race movement and the emergence of “multiracial” as a legitimate, socially available category – is incontrovertible, if uneven. Though identity options are of course unequally distributed, many people with racially mixed ancestry can and do choose and change their racial identities in ways that are not captured by the objectivist vocabulary of “passing,” which was underwritten by the one-drop rule (Rockquemore and Arend 2002). The Dolezal story, with its objectivist narrative focus on deception and appropriation, occluded from view this new and increasingly legitimate form of “elective race” (Rich 2014), notwithstanding the efforts of a few voluntarists of quadrant 3 to bring it into the discussion.

The Dolezal affair, I noted at the outset, prompted people to think with trans, not just about trans. And the category “trans” is indeed good to think with. But participants in the Dolezal affair were thinking with trans chiefly in a narrow way that was constrained by the logic of the trial. In retrospect, at a certain distance from the claims and counterclaims, the Dolezal affair provides an opportunity to think with trans in a broader and potentially
generative way about the micropolitics of embodied identities in an era of categorical flux.

In the domain of sex and gender, “trans” has at least three analytically distinct meanings, only one of which figured in the Dolezal discussions, and that only in a truncated way. Trans as trajectory involves unidirectional migration from one established category to another, from male to female, for example, or from one racial or ethnic category to another. A broader view would bring into focus not only passing – the focus of the Dolezal discussions – but also other forms of racial and ethnic re-identification, about which there is a substantial historical and comparative literature. And it would distinguish migration from a less to a more privileged category from the reverse trajectory illustrated by Jenner and Dolezal, which provokes a different kind of policing.

The trans of between (exemplified by various forms of androgyny) involves a positioning of oneself with reference to two (or perhaps more) established categories, without belonging entirely or unambiguously to either one, and without moving definitively from one to the other. This may take an additive form involving a “both-and” identification, a recombinatory form defined by the selective mixing of elements from established categories, or a gradational form, defined by a position on a spectrum between the established categories. In the domain of race and ethnicity, the multiracial movement in the US sought to legitimize a form of trans as betweenness. The movement succeeded in establishing multiracial as a socially legitimate identity, and though it failed to secure a specific multiracial census category, the compromise that has allowed respondents to choose more than one race since 2000 has itself institutionalized a “both-and” form of trans as betweenness. HypHENated ethnic identities are an older example of this.

The trans of beyond, finally, involves positioning oneself in a space that is not defined with reference to established categories. It involves the claim to “transcend” existing categories or the even stronger claim to transcend gender categorization altogether. This may take the form of an assertion of a new category that is not situated between established categories (the category genderqueer, for example); or it may involve an anti-categorical or post-categorical stance. In the domain of race and ethnicity, this is exemplified by post-racial or post-ethnic stances, and by the opposition to racial or ethnic categorization in any form.41

There are major tensions, not just differences, among the differing trans discourses and projects. The trans of trajectory disturbs existing categorical frameworks least, and may even reinforce them. This explains the ambivalence in trans circles about the Caitlyn Jenner moment. Even as it marked a new stage in the public acceptance of transgender identities, it seemed to reinforce and even re-naturalize gender binaries: the person who had once been perceived as the most masculine of men had come out as the most feminine of women. The Dolezal story, too, did more to reinforce than to disturb
racial categories. It is the trans of between and – even more so – the trans of beyond that more profoundly destabilize categorical frameworks.

Rather than denouncing the transgender/transracial analogy as fundamentally illegitimate, as many scholars weighing in on the Dolezal affair did, I have sought to treat it as an intellectual opportunity. As Stryker (2015) suggested, reflecting on the initial round of commentary, it is important for scholars to “hold open a space for real intellectual curiosity, for investigations that deepen our understanding of how identity claims and processes function, rather than rushing to offer well-formed opinions based on what we already think we know.” This paper has sought to take a first step in that direction.42

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Notes

1. Johnson, Pérez-Peña, and Eligon (2015). For background to the affair, see also the reporting of the Idaho newspaper that originally broke the story (Selle and Dolan 2015). Dolezal had long been immersed in African American culture, networks, and institutions. Her fundamentalist Christian parents had adopted four black children in quick succession when Dolezal was a teenager; she later became the legal guardian of one of them (Kuruvilla 2015). Dolezal left her native Montana to study art at Belhaven College, a Christian liberal arts college in Mississippi, drawn inter alia by her interest in Mississippi-based civil rights activist and minister John Perkins, in whose Voice of Calvary organization she was active during her college years (Royals 2015). The then Chair of the art department recalled her “interest [in] and … ‘identification’ with black culture,” adding that while she did not then represent herself as black, “it was clear where her heart was”. Another teacher remembered her as a “white woman with a black soul” and an unusually sophisticated social awareness (Swayze 2015). At Belhaven she also developed “a passion for taking care of and styling black hair” (Samuels 2015). After college, Dolezal received an MFA from historically black Howard University; much of her artwork features African-American themes and subjects (see the selection on her art webiste: http://racheldolezal.blogspot.com/). Dolezal was married for several years to an African American man, and had one child with him. And she taught part time for several years in the Africana Studies program at Eastern Washington University.

2. Heyes (2009) notes the “analogical minefields” involved in any such comparison.
3. On “superdiversity,” see Vertovec (2007). On religion and language, which lie beyond the scope of this paper, see for example Casanova’s (1994) magisterial study of the challenge posed by “public religion” to long-prevailing Western models of the privatization of religion, and the work of Blommaert and Rampton (2011) on the challenges posed by immigration-driven “superdiversity” to basic categorical frameworks for making sense of linguistic pluralism.

4. This argument applies both to unidirectional and permanent transsexual or transgender trajectories and to the temporary, playful, or performative crossing of gender boundaries by transvestites and others (Lorber 1994, 21).

5. This is suggested by the burgeoning literature on superdiversity (Vertovec 2007). On increasing intermarriage in the US, see Wang (2012); on changes in self-identification between the last two censuses in the US, see Liebler et al. (2014). For some groups, changes have been much more dramatic. The number of those identifying as Native American and Alaskan Native increased from half a million in 1960 to nearly 2.9 million in 2010, plus another 2.3 million who identified as Native American and some other race. This growth is explained primarily by changing patterns of self-identification (Passel 1997; US Census Bureau 2012).

6. The potential for the destabilization of racial categories has always been immanent in the racial mixing that has shadowed systems of racial domination. In the context of slavery and legally articulated racial domination in North America, miscegenation was a long-standing threat to the stability of racial categories and to the structure of racial domination itself. It was therefore found necessary to legally regulate racial category membership – and specifically to define the status of the offspring of interracial unions. With some exceptions, the principle of hypodescent prevailed even in the colonial and early post-colonial era, though it was consolidated only in the early twentieth century (Davis 1991).

7. Saperstein and Penner note, however, that “the more fluid race is at the individual level, the more entrenched racial inequality will be at the societal level” (2012, 679), since downwardly mobile individuals are more likely to identify, and to be identified, as black, while the upwardly mobile are more likely to identify, and to be identified, as white.

8. Beyond these general Western cultural roots, idioms of choice have additional culturally specific roots in the US, in the myth of the “self-made man” and the tradition of self-reinvention.

9. The celebration of choice per se by some third-wave feminists, coupled with the reluctance to make judgments about the content of choices, has generated debates about “choice feminism” (Ferguson 2010; Snyder-Hall 2010; Budgeon 2015).

10. For challenges from within the gay and trans communities to the prevailing understanding that sexual orientation and gender identity are unchosen, see Ambrosino (2014a, 2014b) and Reed (2013).

11. On sexual autonomy and the law, see Richards (1978), Schulhofer (1998), Childs (2001), and (sharply critical of the convergence of sex law around autonomy) Rubenfeld (2013). Frank et al. (2010) document a global shift in the criminal regulation of sex from a corporatist mode, protecting corporate entities like family, race, or nation from “unnatural” forms of sexual activity, to an individualist mode, protecting individuals (by criminalizing marital rape and child sexual abuse, for example) yet allowing much greater latitude for a wide range of forms of sexual activity between consenting adults (by decriminalizing sodomy and adultery).
14. Another form of racially inflected self-fashioning involves cosmetic procedures ranging “from hair-straightening treatments, to rhinoplasty, to eyelid surgery, to skin-lightening creams,” though these are legitimized by an “ideology of … individual self-expression rather than (as with sex change) [by an ideology] of psychological identity” (Heyes 2009, 144).
15. The radical feminist argument from history is strikingly similar to the cultural left’s critique of Dolezal, discussed below. While policing in the name of nature or medicine applies equally to male-to-female and female-to-male transgender claims, policing in the name of history applies specifically to male-to-female claims (and, analogously, to concerns about opportunistic or exploitive identification as black). For a contemporary instance of the radical feminist policing of the category “woman,” see Jeffreys (2014).
16. As Green (2006, 235) observes, the selective pressures exerted by this medicalized gatekeeper model are responsible for the prevalence of “born in the wrong body” narratives – a narrative that fails to capture the experience of many transgender or gender-variant individuals. Spade (2003) makes similar observations.
17. The hearing officer ruled that the Malones were not “objectively” black by any of three criteria: phenotype, documentary evidence, or evidence of self-presentation and perception of others in their community. They appealed their dismissal, but it was upheld by the Supreme Judicial Court of Massachusetts (Ford 1994, 1232–1234). For critiques of the reasoning in the Malone case, see Yang (2006, 390ff) and Rich (2013, 199, 205–209).
18. In response to similar concerns about “box-checkers” opportunistically identifying as Native American to bolster their chances of securing faculty positions, the Association of American Indian and Alaska Native Professors issued a statement recommending a series of measures to police “ethnic fraud” (Pember 2007).
19. Some ancestry testing sites highlight this possibility. DNA Testing Adviser.com, which bills itself as “the independent guide to DNA testing,” notes on its main web page that “proving minority status can be helpful in race-based college admissions and job applications.” http://www.dna-testing-adviser.com/EthnicAncestry.html
20. One prominent strand of the commentary focused on the illegitimacy of using the term – properly reserved for adoption contexts – to designate racial re-identification. See especially the open letter from “members of the adoption community,” characterizing the use of “transracial” in this context as “erroneous, ahistorical, and dangerous” (McKee et al. 2015). This line of commentary is unanimous in insisting that transracial adoption does not involve any change of race on the part of the adoptee or the adoptive family members (Rollins 2015). As leading scholar of transracial adoption John Raible has argued, transracial adoption may indeed involve a process of “transracialization,” to the extent that white adoptive parents and siblings, for example, “become immersed in wider social networks populated by people of color” (Raible n.d.); as he suggested in an open letter to Dolezal, this would seem to capture much of her own experience (Raible 2015).
21. “Voluntarism” has been primarily a term of criticism in feminist theory, notably in discussions of Butler’s (1990) understanding of gender as performance (Allen 1998). Here I use voluntarism in a non-pejorative way to designate a stance that
highlights the agentic dimension of identification and the possibility and legitimacy of changing one’s public, socially validated identity.

22. This is a branch of a national association devoted to “standing up for traditional Judeo-Christian values.” http://afaofpa.org/archives/blog-post-if-bruce-jenner-is-a-woman-then-rachel-dolezal-is-black/

23. Conservative commentator Steven Crowder, for example, argued that “as opposed to sex, which differentiates humans by their organs, reproductive functions, hormonal profiles, bone-density, neuropsychiatry and physical capabilities, many of the delineations surrounding race are merely cosmetic.” http://louderwithcrowder.com/actually-trans-racial-is-much-more-reasonable-than-transgender/. And a commentator on Glenn Beck’s The Blaze website observed that “My whiteness is far less hardwired and far more difficult to define than my maleness.” http://www.theblaze.com/contributions/rachel-dolezal-is-just-another-person-driven-insane-by-liberalism/.


29. Burkett singled out trans activists’ objections to the “exclusionary” uses of the word “vagina” for offering an “extremely narrow perspective on what it means to be a woman”; to the definition of abortion rights as a “women’s issue” rather than a “uterus owners’ issue”; and to the use of “women” and female pronouns at women’s colleges.


In a subsequent Huffington Post contribution that addressed only race, not gender, Morning (2015) rejected the widespread charge that Dolezal had been “lying” about her race, asking rhetorically: “How can you lie about something that doesn’t have any objective truth to it in the first place?” She also noted that while Dolezal’s identification as black did not accord with her ancestry, it did accord with the practice of identifying people’s race by their behavior and social networks, and with the contemporary practice of acknowledging mixed and fluid racial self-identifications.


33. https://twitter.com/janetmock/status/610153490694950913

34. For a critique of medical gatekeeping and the essentialist narratives it requires, see Spade 2003; for a broader critique, from a trans perspective, of the essentialism inherent in notions of an intrinsic, deep, unchosen gender identity, see Reed 2013.

35. This follows by definition from my construction of the space of positions: quadrants 1 and 2 share an essentialist stance on race but are divided on gender, while quadrants 2 and 3 share a voluntarist stance on gender but are divided on race.

36. The notions of appropriation and cultural theft presuppose an understanding of identity, culture, and history as forms of property. The notion of race as property
has been articulated by legal scholars, beginning with Harris’s (1993) influential analysis of “whiteness as property.” In response, Chen (1997) and Lee (2015) have explored the question of whether blackness might also be analyzable as a kind of property. And Leong (2013) has analyzed “racial capitalism” as “the process of deriving social and economic value from the racial identity of another person.” For a critique of the essentialism involved in understandings of culture and history as the property of a particular group, see Michaels (1992).

37. The appropriation theme was particularly piquant since Dolezal herself had criticized the film “The Help” in 2012, noting that “A white woman makes millions off of a black woman’s story” (Noman 2015).


39. Dolezal was herself actively involved in the Black Lives Matter movement. Just three weeks before her story broke, she traveled to Baltimore to speak at a protest against police brutality in the aftermath of the death of Freddie Gray (Shen 2015); she was also a featured speaker at an earlier Black Lives Matter Teach-In at Eastern Washington University, where she was a part-time instructor in the Africana Studies program (Archer and Colburn 2015).


41. The three forms of trans have analogs in other domains as well. In the domain of religion, they are exemplified by conversion, syncretism, and atheism, respectively. In the domain of language, for both individuals and groups, one can distinguish language shift (trans as trajectory) from creolization or bilingualism (as two distinct forms of trans as betweenness); while the development of new languages that did not emerge from transformations of established languages – sign language, for example – exemplifies the trans of beyond. In the domain of sexuality, the three forms are exemplified by coming out or shifting from one established sexual orientation to another (trans of trajectory), by bisexuality (trans of between), and by various alternative sexualities or non-sexualities (pansexual, skoliosexual, or asexual, for example) that are not defined in relation to the established categories (trans of beyond).

42. Building on the analysis of this paper, I seek to develop a comparative account of the micropolitics of sex/gender and race/ethnicity in an age of categorical instability in a forthcoming book, provisionally entitled The Dolezal Affair: Race, Gender, and the Micropolitics of Identity.

References


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