

## Identity after Identity Politics

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There is something very strange about the nation's current discourse on race and gender.<sup>1</sup> On the one hand, race and gender are more than ever recognized as important phenomena of social life. In the 2008 presidential campaign, we constantly talked about both as influencing the outcome. We wondered whether Hillary Clinton's crying was helpful or not to her campaign for the Democratic Party's presidential nomination. We pondered how the racial remarks of Barack Obama's pastor might hurt Obama's chances. We talked about Clinton's appeal to older, white women and Obama's problems with older, white men. The topics of race and gender were all over the news, with few disputing the assumption that race and gender would in some ways affect the outcome. But, at the same time, even while we were making the above claims, we also kept saying that the era of identity politics was dead and that Americans were now in a "post" racial and "post" gender era.<sup>2</sup> And now that that presidential

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1. In this Article, mostly I will be using "gender" to refer to the male/female distinction though occasionally I will use "sex." In current usage, "gender" has become the more common term. However, there are many instances in even contemporary usage where "sex" is still more frequently used. Since an important element of this Article involves describing how "sex" became "gender," it seems more appropriate to use "sex" when historically, or even in the present, that term is the one more commonly used.

2. David Roediger makes this point about the many proclamations of the ending of race in *Race Will Survive the Obama Phenomena*, CHRON. OF HIGHER ED., Oct. 10, 2008, at B6-8. The following statement also points to the fact that some believe we are now in a "post-black" world:

A decade ago they called post-blacks Oreos because we didn't think blackness equaled ghetto, didn't mind having white influencers, didn't seem full of anger about the past. We were comfortable enjoying blackness as a grace note rather than as our primary sound. Post-blackness sees blackness not as a dogmatic code worshipping at the altar

race is behind us, we still continue to assume that race and gender profoundly influence social life even as we continue to proclaim that race and gender no longer matter. What is going on? How can we be so loudly and constantly talking about race and gender even as we keep saying to ourselves that we are no longer thinking or talking about such things?

In this Article I want to explore this pronounced contradiction in our current discourse about race and gender. I do so not only because there seems something very strange about a national discourse which endorses two very contradictory ideas. I do so because this contradiction is embedded in many of the policy dilemmas we face and provides cover for rhetorical manipulation in political disagreements. Educational policymakers worry about the fairness of single sex schools even in the face of evidence that indicates their educational benefits for some.<sup>3</sup> Politicians claim to reject “identity politics” even as they use versions of these politics to advance their political chances.<sup>4</sup>

If we are to resolve such confusion and avoid such manipulation, we must talk more about the contradiction itself: about why historically we have inherited it and about how we ought to deal with it. In this Article, I will address these goals firstly by elaborating on some of the historical contexts that have shaped how we think today about race and gender. Drawing together themes from my recent book, *Identity Before Identity Politics*, I will show that our

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of the hood and the struggle but as an open-source document, a trope with infinite uses.

Touré, *Visible Young Man*, N.Y. TIMES, May 3, 2009, at BR1 (reviewing COLSON WHITEHEAD, *SAG HARBOR* (2009)).

3. Some of the controversy over single sex schools is addressed in JANICE M. IRVINE, *TALK ABOUT SEX: THE BATTLES OVER SEX EDUCATION IN THE UNITED STATES* (2004); see also Kathryn Herr, *Accountability and Single-Sex Schooling: A Collision of Reform Agendas*, 41 AM. EDUC. RES. J. 527 (2004).

4. Thus in July 2008 John McCain accused Barack Obama “of playing the race card” because Obama had previously pointed to the fact that Obama didn’t look like most other presidents on dollar bills. However, it could be argued that this accusation was made in the context of a campaign, where some others, if not McCain himself, at least implicitly used Obama’s race as a means to question Obama’s patriotism and other character issues. On the McCain accusation, see Michael Cooper and Michael Powell, *McCain Camp Says Obama is Playing “Race Card,”* N.Y. TIMES, Aug. 1, 2008, available at <http://www.nytimes.com/2008/08/01/us/politics/01campaign.html?em>.

contemporary contradictory stance about the relevance and irrelevance of race and gender is at least partly the historical legacy of the growth over the course of the twentieth century of two very different ways of using environmentalism to think about race and gender.<sup>5</sup> Both ways of thinking were employed to combat older forms of racism and sexism, yet each also contradicts the other in important ways. The first way of thinking, initially infiltrating public discourse in the first half of the twentieth century, and then becoming widely adopted during the second half of the twentieth century, used environmentalism to deny the importance and depth of racial and gender differences. This denial became attached to a politics that stressed the commonality of human beings and claimed that differences operated only at the individual level. The second way of thinking aimed to attack racism and sexism not by denying such differences, but by describing these differences as environmentally caused and by rejecting many of the older valuations of these differences. This second approach was initially adopted by advocates of identity politics in the late 1960s, specifically in the case of race by those who turned from civil rights to Black Power, and in the case of gender by those who moved from women's rights to women's liberation. These advocates began to see political limitations in the earlier civil rights and women's rights movements stress on human similarities and began to formulate a politics based more upon differences. While this stress on differences was initially promulgated by advocates of identity politics in the late 1960s and early 1970s, a greater acceptance of the reality and importance of socially caused differences has also become more an accepted part of public thinking in the decades since. Thus, both denying differences and accepting differences have now become part of public discourse. In short, we are now left with two very contradictory ways of thinking and talking about race and gender.

That historical examination will then lead me to the second purpose of this Article: to provide means for getting us beyond this impasse. I will argue that while both of these ways of using environmentalism to combat older forms of racism and sexism

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5. LINDA NICHOLSON, *IDENTITY BEFORE IDENTITY POLITICS* (2008).

generated productive political consequences in their time, both also are problematic in various ways. Moreover, the problems in both stem from a premise shared by both: that race and gender depict relatively stable bodily and behavioral characteristics whose effects (either minimal or maximal) are stable across social contexts. I will argue that we need to reject this common premise and instead come to understand race and gender more fully as symbolic/linguistic means by which bodies, behaviors, and their relationships with each other and with diverse social situations are variously interpreted. This latter way of thinking about race and gender can help us to better understand some of the complex ways in which these categories of identity operate today. Most importantly, it can help us move beyond our present “either/or” way of thinking about the current relevance of these two social categories.

#### I. THE HISTORICAL BACKGROUND

For most of the nineteenth century in the United States, as well as in many western countries, very few would have adhered to the idea that race and sex did not matter. Most ordinary folks, as well as intellectuals, assumed that there existed different types of racial and sexual human beings who varied from each other in profound and naturally given ways. Few doubted that nature generated important character and behavioral differences between men and women, and among members of different racial groups. Such differences in character and behavior were in turn often assumed to both explain and justify the different social places members of such groups occupied.<sup>6</sup> “Identity politics” did not emerge de novo in the 1960s; it was alive and well in western societies long before the twentieth century.

But ideas about identity were curiously applied in the nineteenth century U.S. While theoretically both “race” and “sex” were neutral organizing categories of nature, that is, means for placing all human

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6. Nature was used to justify hierarchical social arrangements among other groups as well, i.e., between the wealthy and the poor. However, since this Article is about identity politics, which principally were about the social categories of race and class, it is the history of these two categories that are the focus of this Article.

beings into one kind of racial and sexual box or another, in actuality, “nature” was differentially relevant to the different boxes that these categories established. In the case of race, while “black” and “white” were, on one level, equivalently “natural” ways of distinguishing human beings, in actuality, those designated as “black” were understood by many white people to be much more a product of their naturally given “race” than did many whites understand themselves. “White” was a curious self identity designator, one that made itself less relevant for explaining an individual’s specific characteristics than other identity designators, such as “citizen” or “worker.” “Black,” on the contrary, at least from the perspective of whites, operated in the opposite way, making itself more relevant for explaining an individual’s character and behavior than such other categories. But since race was an identifier of nature whereas other identity designators such as “citizen” and “worker” were thought more as following from an individual’s exercise of reason and will, whites often understood blacks as having their characters and behaviors more thoroughly determined by nature than was the case with their own. In short, whites tended to think of themselves more as capable of rising above nature and shaping their destiny through the exercise of reason and will. Whites, on the contrary, tended to think of blacks as more homogeneously determined by inborn characteristics over which blacks possessed little control.

This differential naturalization of blacks and whites was made possible by a host of prior historical factors. Even before the expansion of slavery in the new world in the eighteenth and nineteenth centuries, Europeans had often thought about those of African descent as lesser than themselves. But explanations as to why this was the case had relied primarily upon non-naturalistic stories, stories which appealed to the Bible or to negative accounts about the distinct daily practices and forms of government of African peoples.<sup>7</sup>

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7. Philip Nicholson underlines this power of Biblical understandings to justify inferiority by pointing to a 1656 court ruling. In this year, an African American woman was granted freedom from slavery by a Virginia court on the grounds that she was a Christian. As he notes, religious affiliation became irrelevant to later courts in determining the justification of slavery. See PHILIP NICHOLSON, WHO DO WE THINK WE ARE: RACE AND NATION IN THE MODERN WORLD 76 (M.E. Sharpe 1999). Nicholas Hudson points to the disparaging accounts of the practices and governments of many, though not all, African peoples in many seventeenth

It was only beginning in the latter part of the eighteenth century, as natural science gained authority as a source of explanation for many different kinds of phenomena, that these stories began to appeal increasingly to nature as the cause of human differences.<sup>8</sup> But as to why nature was used differentially in regard to blacks and whites, requires attention to the expansion of colonialism and slavery and to changing meanings about white social identity in many parts of the country in the eighteenth and nineteenth centuries. One of the consequences of imperial conquest and of slavery was to erase the local and specific identities of those who were conquered.<sup>9</sup> In the United States, a common colonial administration did much to erase the specific, local identities of Native Americans.<sup>10</sup> African slaves also lost their local identities in the transatlantic crossing. While some slave owners knew of the specific geographical backgrounds of some of their slaves, this was not an identity signifier of great importance to these owners.<sup>11</sup> On the contrary, other differences, particularly those differences of natural appearance that were becoming increasingly encompassed under the newly emerging category of race, were becoming of much greater significance. A very different story of self-identification was, however, occurring with whites. During this period, many white male property owners were seeing themselves not only as linked genealogically to a particular and supposedly highly “civilized” nation, but by the late eighteenth century, now even as “citizens” capable of creating and sustaining a government through the exercise of reason and will alone. Moreover,

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century travelers’ reports. Nicholas Hudson, *From “Nation” to “Race”: The Origins of Racial Classification in Eighteenth Century Thought*, 29 EIGHTEENTH CENTURY STUDIES 247, 249–50 (1996).

8. Two among many works that describe this change are NANCY STEPAN, *THE IDEA OF RACE IN SCIENCE: GREAT BRITAIN 1800–1960* (1982); *RACISM IN THE EIGHTEENTH CENTURY* (Harold E. Pagliaro ed., 1973).

9. This is a point stressed by Hudson, *supra* note 7. Hudson argues that this loss of local identity made it possible for Europeans to then identify those conquered under the very broad and encompassing categories of race. This way of characterizing those conquered contrasted with the ways in which eighteenth century Europeans were now coming to characterize themselves, as members of distinct “nations.” “Nations,” unlike “races” differed among themselves not by reference to natural characteristics but by reference to differences of custom. *Id.*

10. *Id.*

11. *Id.* at 251–52.

during the nineteenth century, the work identities of white men particularly in the northeast and expanding west were becoming increasingly disassociated from family descent and were coming to be seen more as the outcome of individual character and will.<sup>12</sup> In short, during the eighteenth and nineteenth centuries, as those of African descent were coming to be identified in increasingly naturalistic terms, many of those of English descent were coming to understand themselves in ways that marked themselves as rising above nature. By the late nineteenth century, when evolutionary accounts began to gain increasing popularity, it was not surprising that a revival of an older “great chain of being” metaphor was used to place blacks between animals and humans and to place whites as furthest away from all natural phenomena.<sup>13</sup>

Very similar dynamics were occurring in regard to the use of the category of sex in the eighteenth and nineteenth centuries. Here also, changes in male and female social roles meant that the new authority of nature came to be applied in differential ways to men and women.<sup>14</sup> As noted, during the eighteenth and nineteenth centuries, male labor in many parts of the country was becoming less linked to the family and to inherited occupations, enabling male identity to become viewed as more the result of individual character and ability than of genealogical lineage. With women, on the other hand, some natural aspects of their social role were growing during this period as “mothering” was expanding its meaning. “Mothering” was coming to

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12. I discuss this change in the meaning of “manhood” in the nineteenth century United States in *IDENTITY BEFORE IDENTITY POLITICS*, *supra* note 5, at 29–33. Several books that I relied upon in my discussion were: E. ANTHONY ROTUNDO, *AMERICAN MANHOOD: TRANSFORMATIONS IN MASCULINITY FROM THE REVOLUTION TO THE MODERN ERA* (1993); MICHAEL KIMMEL, *MANHOOD IN AMERICA: A CULTURAL HISTORY* (2006); DAVID G. PUGH, *SONS OF LIBERTY: THE MASCULINE MIND IN NINETEENTH CENTURY AMERICA* (1983).

13. Nancy Stepan discusses this revival for racial purposes of an older “great chain of being” metaphor in *THE IDEA OF RACE IN SCIENCE*, *supra* note 8, at 6. On how scientists, employing this metaphor, then began to “prove” the higher standing of those of European descent to those of African descent, see STEPHEN J. GOULD, *THE MISMEASURE OF MAN* (1996).

14. On how science came to describe women in particularly naturalistic terms, see ROSALIND ROSENBERG, *BEYOND SEPARATE SPHERES: INTELLECTUAL ROOTS OF MODERN FEMINISM* (1982); CYNTHIA EAGLE RUSSETT, *SEXUAL SCIENCE: THE VICTORIAN CONSTRUCTION OF WOMANHOOD* (1989); Charles E. Rosenberg, *The Female Animal: Medical and Biological Views of Women*, in *NO OTHER GODS: ON SCIENCE AND AMERICAN SOCIAL THOUGHT* 54 (rev. ed., 1961, 1962 and 1976).

include not only the activity of bearing children and taking care of infants but also of rearing older children. "Mothering," with all of its natural associations, therefore was coming to be seen as a more encompassing aspect of women's identity than it had been. To be sure, class and race were complicating factors regarding how "natural" women were understood to be. But even upper and middle class white women, who in many respects were viewed as far removed from the influence of natural desires, were understood as much more governed by their reproductive organs than were their male counterparts.<sup>15</sup> With "sex" as well as with "race," naturalistic explanations could be employed in very differential kinds of ways.

To be sure, not all in the population ascribed to such beliefs. Some intellectuals challenged the importance of race and sex in shaping the characters of blacks and women. These intellectuals emphasized the commonality of human nature, arguing that the differences among us were less significant than the similarities. They also claimed that the differences that did exist were more the result of environmental influences than they were of what was naturally given.<sup>16</sup> But it was not until the middle of the twentieth century that assumptions about natural group differences began to be challenged extensively within more popular discourse. Within the early twentieth century academy,

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15. On the ways in which mothering changed its meaning in this period and came to ground a particularly naturalistic view of women see my discussion in *IDENTITY BEFORE IDENTITY POLITICS*, *supra* note 5, at 26–29; see also Ruth Bloch, *American Feminine Ideals in Transition: The Rise of the Moral Mother, 1785–1815*, 4 *FEMINIST STUDIES* 101 (1978); Jan Lewis, *Mother's Love: The Construction of an Emotion in Nineteenth Century America*, in *SOCIAL HISTORY AND ISSUES IN HUMAN CONSCIOUSNESS* 209 (Andrew E. Barnes & Peter N. Stearns eds., 1989).

16. Such eighteenth and nineteenth century intellectuals as Mary Wollstonecraft, John Stuart Mill, and Harriet Taylor are well known for these positions and tied their arguments for political change to their environmental positions. But these ideas can even be found among many intellectuals not noted for such political positions. Johann Friedrich Blumenbach, for example, a noted creator of the idea of "race," used "race" to distinguish the human population on the grounds of physical appearance. But Blumenbach, in the company of many other eighteenth century monogenists, also pointed to the transient and environmentally caused nature of such differences. Nancy Stepan notes this position of Blumenbach in *STEPAN*, *supra* note 8, at 9. Environmentalism was a significant idea, though related in complex ways to diverse political positions, among many intellectuals in Europe and the United States throughout the eighteenth and nineteenth centuries. It was expressed by many, in the U.S., such as Benjamin Franklin, who did not in other respects support human equality. On the reference to Franklin, see *GOULD*, *supra* note 13, at 71.

whole disciplines, such as psychology and anthropology, switched their previous allegiances from somatic based frameworks of explanation to environmentally based ones. New intellectual approaches such as dynamic psychology and cultural anthropology were reflected in the writings of scholars like Sigmund Freud and Ruth Benedict, scholars whose ideas spread beyond the academy and into U.S. popular discourse.<sup>17</sup>

By the middle part of the twentieth century in the United States, environmentally based explanations of social group differences had come to have a significant degree of social credibility. Qualifying this point is that at this moment in time, such acceptance was more widespread in regard to some group differences than others. White Protestants of English and northern European descent had become more willing to think of such previously racialized groups as Jewish Americans, Irish Americans and Italian Americans as different from themselves in trivial and environmentally caused ways, i.e., as members of “ethnic groups,” than they were to think of African Americans in such terms.<sup>18</sup> And male/female differences were still largely understood as differences of nature. But even with regard to the differences between women and men and between European and African Americans, some greater acceptance of environmentalism was evident by the middle of the century.

One sign of this change in thinking about both of these groups was the increased support activists could generate for challenges to the social exclusion of women and blacks from previously racially and sexually designated public spaces. During the first half of the twentieth century, activist organizations such as the National Association for the Advancement of Colored People and the National Women’s Party had worked for the rights of African Americans and women to occupy such spaces equally with whites and with men. But it was not until the 1950s and 1960s that organizations committed to these ideals could generate the kinds of mass movements that were

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17. I discuss the changes in these disciplines and their effects on public opinion in *IDENTITY BEFORE IDENTITY POLITICS*, *supra* note 5, at 35–91.

18. On the differences in the ways in which white Americans came to view African Americans from other immigrants of non-northern European descent in the first half of the twentieth century, see MATTHEW FRYE JACOBSEN, *WHITENESS OF A DIFFERENT COLOR: EUROPEAN IMMIGRANTS AND THE ALCHEMY OF RACE* 201–73 (1998).

able to make major challenges to the legalization of such forms of exclusion. This new ability to generate mass movements had many causes, including changes within the growth of such organizations themselves.<sup>19</sup> However, also contributing to their increased success was a growing acceptance within the general population about the legitimacy of their goals. And here, the growth in credibility of environmentalist explanations played an important role.

Activists in the civil rights and women's rights movement of the 1950s and 1960s, as well as those who pushed for similar goals in earlier decades, relied heavily upon such environmental explanations in generating support. But they used these explanations in particular kinds of ways to make particular kinds of political arguments. Firstly, they used environmentalism to minimize the depth and importance of differences among human beings.<sup>20</sup> Nature, as author of human differences, was a serious force to counter. If differences among us were naturally caused, those differences must be deep and wide. Environmental influences, on the other hand, could be described as more arbitrary and shallow, affecting us all in more accidental and limited ways. An attack on the natural causes of human differences through appeal to environmental factors could therefore also be used as an attack on the depth and pervasiveness of such differences. Those who emphasized the environmental causes of human differences in the first half of the twentieth century tended to

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19. For an exposition of some of the historical events that led to the flourishing of the Civil Rights movement in the 1950s and 1960s, see ADAM FAIRCLOUGH, *BETTER DAY COMING: BLACKS AND EQUALITY, 1890–2000*, 203–93 (2001). Other useful works include those of ROBERT WEISBROT, *FREEDOM BOUND: A HISTORY OF AMERICA'S CIVIL RIGHTS MOVEMENT* (1991) and HOWARD SITKOFF, *THE STRUGGLE FOR BLACK EQUALITY 1954–1992* (rev. ed. 1993). I discuss some of the historical changes that led to the emergence of the women's rights movement in the early 1960s in *IDENTITY BEFORE IDENTITY POLITICS*, *supra* note 5, at 161–67.

20. For an excellent discussion about how, from early on in the twentieth century, those promoting civil rights for African Americans avoided arguments that stressed differences between African Americans and European Americans, and relied instead on those that stressed similarities between the two groups, see LEE D. BAKER, *FROM SAVAGE TO NEGRO: ANTHROPOLOGY AND THE CONSTRUCTION OF RACE, 1896–1954* (1998). A good discussion of this tendency can also be found in Matthew FRYE JACOBSON, *WHITENESS OF A DIFFERENT COLOR: EUROPEAN IMMIGRANTS AND THE ALCHEMY OF RACE* 91–135 (1998). As Jacobson notes in this chapter, those who wished to de-emphasize the importance of race, most often still accepted the reality of race. The consequence is that while they were pushing to de-emphasize the idea of race in certain contexts, they were also emphasizing it in others. *Id.*

minimize differences associated with race and sex—to speak, for example, of race as “about skin color only.” They acknowledged existing differences in patterns of behavior among those of different races and now “genders,” but also claimed that such differences could—and following principles of fairness perhaps *should*—be changed to overcome whatever limitations were associated with such differences.

Secondly, appeals to environmentalism were politically used by early- and mid-century activists to strengthen claims about the individuality of each of us. “Nature” as organizer of human differences had often been presented as simple and orderly. Those who argued that nature differentiated humans also argued that it did so in organized ways, placing us all into one or another clearly differentiated box. Activists opposing this position pointed to environmental influences as more arbitrary and accidental, and consequently as capable of generating human beings who could not easily be placed into boxes at all. Thus, those who stressed environmentalism in the first half of the twentieth century tended also to stress the individuality of human character, an emphasis that cohered well with that emphasis on individuality that had long been an important thread in U.S. white male self-understanding. Now women and blacks could claim to be as “individual” as white men.

In sum, by the middle of the twentieth century, a certain understanding of environmentalism had become tied to a certain type of politics. This politics was one that sought to expand the opportunities open to women and blacks by elaborating on the minimal relevance of race and sex as social organizing categories. African American activists and their supporters stressed the point that “race” was “about skin color only,” thereby emphasizing human similarities over differences. Both civil rights advocates and those beginning to argue for “women’s rights” made claims about the individuality of us all. These kinds of claims, in the middle decades of the twentieth century, seemed most able to convince large parts of the U.S. population to overturn legalized forms of racial and what now was increasingly coming to be called “gender” discrimination.

Such arguments have been highly successful. During the second half of the twentieth century, after the onset of the civil rights movement and the women’s rights movement, an ever-growing

portion of the American public has come to reject the idea that people's characters are the result of group-based, naturally given differences. "Nature" is still given much credence in affecting who we are. But increasingly since the middle of the twentieth century, nature has come to be seen as operating at an individual level, individually determining our genetic makeup and only therefore at an individual level, our characters.<sup>21</sup>

But while appeals to the individuality and similarity of human beings had been gaining increased credibility among the general U.S. population and contributing to the success of the civil rights and women's rights movement by the middle of the twentieth century, and continuing after, a very different set of ideas was also coming to gain credibility among certain sections of the population slightly later in the century. To understand this second set of ideas requires going back to the 1920s and 1930s and the emergence of a different way of thinking about the implications of environmentalism for understanding social group differences. This way of thinking did not use environmentalism to minimize social group differences or to emphasize human individuality but instead employed it to describe and explain group differences. This alternative use of environmentalism became elaborated through a new meaning of "culture."

Prior to the twentieth century, "Culture" had referred primarily to the special accomplishments of the few. It included those very special artistic, intellectual, and personal practices that could be found among those who saw themselves as having risen above natural determination. But as environmentalism became a more credible way of understanding human character, so too did new understandings begin to arise about the differences that separated the practices of groups of human beings. Anthropologists, among others, began to

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21. Obviously, I am speaking only of a trend as there remain many in the U.S. population who believe that "race" and "sex" determine the characters and behaviors of different groups of people in overarching and homogeneous kinds of ways. I often think of history as like a kaleidoscope where at any given moment in time within a given society there will be present a variety of diverse beliefs about the same issue. At following turns of the kaleidoscope, or moments in time, all of the previous beliefs may still be present, but now in slightly different degrees of intensity, with some having grown darker and others lighter. I hope readers will understand my historical claims in light of this metaphor.

introduce into popular discourse a new, much less elitist meaning of “culture,” one which referred not to the special accomplishments of the few, but to the entire “way of life” of distinct social groups. Such differences in “ways of life” were not the consequence of some groups having been able to rise above nature but were rather merely the consequence of all groups being subject to different environmental heritages and challenges. “Culture” with a small “c” was now found in the ordinary practices of all social groups.<sup>22</sup>

This new concept of “culture” was the consequence of applying environmentalist ways of thinking to whole societies. It suggested that whole societies, or social groups within them, differed in their practices only because each had encountered unique environmental influences and challenges. While this invocation of environmentalism theoretically was only about the acquisition of group characteristics, it also had political implications. If differences among social groups were the understandable responses of differentially situated groups to different types of environmental influences and challenges, then it became harder to label such differences as *necessarily* inferior or superior to one another. Not surprisingly, the adoption of societal environmentalism, first within the academic discipline of anthropology, and then later within the general public, has been accompanied by a certain move toward cultural relativism, i.e., the position that diverse societies are not so much “better” or “worse” than one another, as they are just “different” from one another.<sup>23</sup>

The gradual introduction of this new idea of “culture” and of “cultural relativism” is illustrated in changes in many aspects of U.S. popular media from the 1930s onward. New types of publishing houses, new types of magazines, and new forms of music and theater, began to introduce a wide public to scholars, such as Margaret Mead,

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22. I elaborate this history of the idea of “culture” in chapter 3 of *IDENTITY BEFORE IDENTITY POLITICS*, *supra* note 5, at 65–91. Sources that were useful in my exposition include: GEORGE STOCKING, JR., *RACE, CULTURE, AND EVOLUTION: ESSAYS IN THE HISTORY OF ANTHROPOLOGY* (1968); WARREN I. SUSMAN, *CULTURE AS HISTORY: THE TRANSFORMATION OF AMERICAN SOCIETY IN THE TWENTIETH CENTURY* (1984); SUSAN HEGEMAN, *PATTERNS FOR AMERICA: MODERNISM AND THE CONCEPT OF CULTURE* (1999); and RAYMOND WILLIAMS, *KEYWORDS: A VOCABULARY OF CULTURE AND SOCIETY* (1976).

23. This is an argument I elaborate in chapter 3 of *IDENTITY BEFORE IDENTITY POLITICS*, *supra* note 5, at 65–91.

who wrote sympathetically about the diverse “ways of life” of unfamiliar societies. They also introduced to such a public certain fictional authors—such as Pearl S. Buck—who described previously disparaged social groups in sympathetic ways. New forms of popular entertainment were created—such as the documentary and weekly pictorial magazines such as *Life*—that also portrayed ordinary people from different “ways of life” in positive terms. Members of previously disparaged groups, such as Jewish Americans, African Americans, and Italian Americans, increasingly became participants in these new media during the middle part of the twentieth century. They introduced to the wider population new forms of music, new types of literature, and new types of food. In doing so, social group differences became understood more as what added to American social life rather than as what detracted from it.<sup>24</sup>

But though there was growing acceptance about “difference” among social group practices in the middle of the century, neither civil rights nor women’s rights groups initially relied upon such acceptance in their political activism. There were a variety of reasons for this reluctance. Most importantly, while white Americans could begin to think about the life practices of those living in foreign countries or in parts of the U.S. other than their own as interesting or “quaint,” and culturally caused, they had much greater difficulty in adopting a similar attitude toward the distinctive life practices of African Americans or women. In the case of African Americans, too long a history of racism had marked such practices as signs of natural inferiority. While many were coming to adopt an environmentalist position regarding differences between African Americans and European Americans, “race” was still also widely believed by many others to be not only a real way nature divided blacks and whites but also as what caused the former to be supposedly “naturally” inferior

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24. On changes in the nature of publishing houses in particular and on how that affected the types of literature available to a mass public, see GEORGE HUTCHINSON, *THE HARLEM RENAISSANCE IN BLACK AND WHITE* 342–50 (1995). Changes in other media and the social consequences of these changes are described in very useful ways by Hegeman, Susman as well as by MICHAEL DENNING, *THE CULTURAL FRONT: THE LABORING OF AMERICAN CULTURE IN THE TWENTIETH CENTURY* (1996); CARL DEGLER, *IN SEARCH OF HUMAN NATURE* (1991). I discuss these social implications in *IDENTITY BEFORE IDENTITY POLITICS*, *supra* note 5, at 82–91.

to the latter. Consequently, any emphasis upon such differences in the case of African Americans could too easily raise the spectre of biological determinism with all of its implications of natural inferiority. Less derisive, though still biologically based, ideas about male/female differences were also still widely prevalent. In this case also, activists found it politically more expedient to minimize such differences rather than to call attention to their existence.

From the political perspective then of civil rights and women's rights activists, a de-emphasis of group differences and an emphasis upon human similarity and human individuality made a lot of sense in the mid-twentieth century. Moreover, this type of stance fit in well with the political goals of the civil rights and women's rights movements of the period. If one's aims were to eliminate legalized forms of group discrimination, it made sense to de-emphasize any differences that might have provided justification for such discrimination. That many Americans were increasingly sympathetic to such arguments about the similarities and individualities of all only added to the sense of political leaders about the political wisdom of also arguing for such positions.

However, as the goal of ending legalized discrimination became less pressing after the passage of the 1964 and 1965 Civil Rights and Voting Rights Acts, and different kinds of political aims began to surface, so too did a growing number of younger activists begin to see limitations in the previous emphasis upon human similarity and individuality. To emphasize similarities or to claim "that we are all just individuals" certainly worked against legalized discrimination based upon the explicit issues of race or gender. But, as these younger activists understood American society, the ending of legalized discrimination eliminated only part of the obstacles women and African Americans faced.

For those who came to support Black Power, the ending of legalized discrimination did not adequately address the poverty that was pervasive in African American communities. Nor did it address the associations of blackness with inferiority that remained present in the psyches of both blacks and whites. For supporters of Black Power, mobilization around an emphasis upon what African Americans across classes shared—and on what differentiated them from European Americans—seemed the more effective means to

address both sets of issues. Many believed that an emphasis upon what African Americans shared could begin to establish the kind of power base necessary to attack such poverty. Moreover, this kind of emphasis could also begin to challenge the negative associations of the distinctive aspects of African American life. Through the proclamation of slogans such as “Black Is Beautiful,” through demands for community control of schools and of more public and private hiring of blacks, through the creation of the Black Arts Movement, through the rejection of beauty products and styles that aimed to make blacks look more like whites, as well as through a host of other means, advocates of Black Power sought to eliminate pervasive black poverty and undue the historical associations of inferiority with black speech, black appearance, black dialectic, black food, black aesthetics, and other distinctive aspects of black life.<sup>25</sup>

The women’s liberation movement was very different in many respects from the Black Power movement. But, particularly within the large and influential section of that movement, radical feminism, in part inspired by Black Power, there also emerged in the early 1970s an overlapping stress on differences, in this case between women and men. As with civil rights, so had “women’s rights” achieved a certain degree of legitimacy by the mid-nineteen sixties. But, as with civil rights, what was legitimate here were mostly claims

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25. The Black Power movement was a complex movement, bringing together a wide range of positions and ideologies only superficially represented in this brief summary. Among the many books and essays that have expressed and described some of the goals and positions of Black Power, a few that I have found to be particularly useful include: KWAME TURE (FORMERLY KNOWN AS STOKELY CARMICHAEL) and CHARLES HAMILTON, *BLACK POWER: THE POLITICS OF LIBERATION* (1992); Martin Kilson, *Black Politics: A New Power, DISSENT*, Aug. 1971, at 333; Robert C. Smith, *Black Power and the Transformation from Protest to Politics*, 96 *POL. SCI. Q.* 431 (1981). For other works that provide helpful discussion of some of the diverse positions represented in the Black Power movement, see WILLIAM L. VAN DEBURG, *NEW DAY IN BABYLON: THE BLACK POWER MOVEMENT AND AMERICAN CULTURE, 1965–1979* 112–91 (1992); JOHN T. MCCARTNEY, *BLACK POWER IDEOLOGIES: AN ESSAY IN AFRICAN-AMERICAN POLITICAL THOUGHT* (1992); ALPHONSO PINKNEY, *RED, BLACK, AND GREEN: BLACK NATIONALISM IN THE UNITED STATES* (1976). Many other commentators, including MANNING MARABLE, *RACE, REFORM AND REBELLION* 99 (2d ed. 1991); THEODORE DRAPER, *THE REDISCOVERY OF BLACK NATIONALISM* 125 (1970); ADAM FAIRCLOUGH, *BETTER DAY COMING* 313 (2008), also all point to the wide ranging meanings of black power. I provide a more lengthy discussion of this complex movement, including some claims about the reasons for its emergence in Chapter 4, “Before Black Power: Constructing An African American Identity,” of *IDENTITY BEFORE IDENTITY POLITICS*, *supra* note 5, at 94–138.

about the rights of women to function equally with men in public life. Radical feminists, like advocates for Black Power, believed, however, that the discussion of social justice had to be extended beyond the topic of legalized public discrimination. Similar to Black Power advocates, radical feminists believed that such topics included those of culture and knowledge. But, differing from Black Power advocates, radical feminists believed that such topics also included areas of private life. In all, radical feminists brought the discussion about the operation of sexism into arenas that had been only minimally or tangentially considered by the women's rights movement: the bedroom, the kitchen, the academy, the arts, and the national psyche. Radical feminists generated the famous slogan "The Personal is Political." This slogan recast whole areas of social life, such as the organization of domestic labor and standard practices of heterosexual activity, from trivial and private issues to important and political ones. And beginning particularly in the early 1970s, radical feminists began to turn away from androgyny as a political ideal, moving instead to a reevaluation of women's distinctive characteristics.<sup>26</sup>

In the case of both Black Power and radical feminism, advocates believed that as a consequence of the depth, complexity, and subtlety of the kinds of changes that needed to be made to truly eliminate racism and sexism, it was primarily black people and women respectively who were in the best position to formulate the goals of their movements. This stress on identity as a source for identifying political goals became important in the emergence of the label "identity politics." The following statement by the Combahee River Collective illustrates this point and provides one of the earliest definitions of identity politics: "This focusing upon our own oppression is embodied in the concept of identity politics. We believe

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26. The literature on radical feminism is too broad to try to summarize here. A few books that provide useful histories include, ALICE ECHOLS, *DARING TO BE BAD: RADICAL FEMINISM IN AMERICA 1967-1975* (1989); SARA EVANS, *PERSONAL POLITICS: THE ROOTS OF WOMEN'S LIBERATION IN THE CIVIL RIGHTS MOVEMENT AND THE NEW LEFT* (1979); RUTH ROSEN, *THE WORLD SPLIT OPEN: HOW THE MODERN WOMEN'S MOVEMENT CHANGED AMERICA* (2000). I provide my own analysis of some of the causes of the emergence of this movement in Chapter 5, "Women's Identity/Women's Politics," of *IDENTITY BEFORE IDENTITY POLITICS*, *supra* note 5, at 167-75.

that the most profound and potentially the most radical politics comes directly out of our own identity, as opposed to working to end somebody else's oppression."<sup>27</sup>

In sum, the proponents of identity politics focused on the specific experiences and needs of blacks and women. They did so because they believed that the obstacles facing women and African Americans went beyond those of legalized discrimination and that countering those obstacles required paying attention to rather than denying such distinct experiences and needs. If the sexism and racism that still existed—in the bedroom, the academy, the business world, the national media, the entertainment industry, and in many aspects of public consciousness generally—were to be eradicated, the nation needed to pay attention to the complex and less than obvious ways in which blacks and whites, and women and men were still understood and treated differently and also to reassess the values associated with those understandings.

As many of the arguments put forth by those pressing for the civil rights of blacks and women gained increased support among Americans by the middle of the century and continuing afterward, so also since the 1960s have many of the ideas initially put forth by the proponents of identity politics also attained increasing acceptance. Today many take for granted claims that environmentally caused social group differences about race and gender exist and that at least some of these differences contribute to rather than detract from public life. In the case of race, it is at least partly as a consequence of Black Power that white Americans more readily talk about the cultural differences associated with African American life in the kinds of ways that they had earlier talked about the cultural differences associated with European immigrant groups. Americans have grown more comfortable with the concept of “diversity” and in contemporary public discourse use it to include African Americans as well as Jewish Americans, Italian Americans, etc. Moreover, there is, since the first emergence of Black Power, a much greater ability and willingness on the part of white Americans to recognize and talk about the existence of racism operating outside of the legal system: in

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27. *The Combahee River Collective: A Black Feminist Statement*, in *THE SECOND WAVE: A READER IN FEMINIST THEORY* 63, 65 (Linda Nicholson ed., 1997).

cultural and psychological understandings of black and white, in the economy, in educational institutions, and in politics. In the past presidential election, there was much public discussion over the degree to which racism would manifest itself in the privacy of the voting booth while keeping itself hidden from public polling. Discussions about the continued presence of racial stereotyping in popular media and about the phenomena of differential expectations based on race in the public school system are all much more legitimate today than they were forty years ago.

The situation is different in some respects, though similar in others, regarding the public's way of thinking about gender differences. Unlike "race," since the nineteenth century, differences between women and men have been less intensely associated with ideas of superiority/inferiority and more with ideas of simple difference. Consequently, talk about "sex" differences historically has not been as politically charged as has talk about race differences. And since such differences can now, following the emergence of identity politics, more easily be understood as environmentally caused, i.e., as differences of "gender" rather than of "sex," talk of gender differences does not invoke the necessary implications about immutability that such talk did in the past. All of this has made possible a virtual flood of public discourse about gender differences in the past few decades. While the best-selling book *Men Are From Mars, Women Are From Venus*<sup>28</sup> is only a most obvious example of this ease in discussing gender difference, other examples are not hard to find. Both popular women's magazines and more cross-gender newspapers such as *The New York Times* frequently explore differences between women and men in terms of sexual desire, child rearing practices, and other behavioral phenomena.<sup>29</sup>

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28. JOHN GRAY, *MEN ARE FROM MARS, WOMEN ARE FROM VENUS: THE CLASSIC GUIDE TO UNDERSTANDING THE OPPOSITE SEX* (1992).

29. For example, The Sunday magazine section of *The New York Times* of January 25, 2008, had a full length story on women's sexual desire and on the ways it might differ from men's. The following week, the magazine section had another story on the proliferation of households where educated single women were raising female children alone. In this second article, questions were raised about whether the female children were missing out on some types of parenting that the article, quoting KYLE PRUETT, *FATHERNEED* (2001), alleged were more typically male. Emily Bazelon, *2 Kids + 0 Husbands = Family*, N.Y. TIMES MAGAZINE, Feb. 1, 2008, at MM30, MM35.

Also, similarly with race, there exists much more public ease today than forty years ago in identifying behavior in many realms of life as “sexist.” Radical feminism has been successful in gaining widespread public acceptance of the dictum that “the personal is political.” Concepts that were unheard of prior to the emergence of radical feminism, concepts such as “marital rape” and “date rape,” have now become accepted terms in national discourse. The influence of radical feminism in changing the nature of national discourse was illustrated in the past presidential election. One interesting phenomenon of this past election was how easily and often conservative Republicans—men as well as women—appealed to the term “sexism” when the media engaged in negative talk about Sarah Palin. Whereas just ten years ago charges invoking sexism would have been highly liable to counter charges of “political correctness,” that latter counter charge today is much more out of date.

On the other hand, there also continues to exist a great deal of fear and hesitancy in publicly appealing to race or gender as a means to explain any individual or social phenomenon. The long history of the use of such categories to demean and their continued association with ideas of biological determinism means that many still shy from their use. Moreover, operating in conjunction with the proud assertion of social group differences in American life, is also the continued power of American beliefs in individuality. Americans have a long history of regarding themselves as unfettered by social group designations and appeals to such designations are regarded as threatening to such self regard. Existing deep within the American psyche is the wish that past forms of designation have disappeared from present political and social spaces. Thus exists the strong appeal of the claim that we are presently in a “post racial” period and the tendency to invoke Obama’s presidency as evidence for the truth of that claim. Similarly, in the case of gender, while assumptions about gender difference abound in public discourse, and while there is widespread acceptance of the continued presence of sexism in social life, the public remains very dubious about supporting programs that might respond to such differences and remains wary of talk that explicitly focuses on such sexism. With gender, as with race, we seem to be committed to policy and discourse that is based on some very contradictory ways of thinking about these categories of identity.

## II. RETHINKING SOCIAL CATEGORIES OF IDENTITY

How do we reconcile these contradictions? How do we create a public discourse and establish reasonable public policy about race and gender that responds to what is valid in both of these positions, i.e., that both acknowledges what we believe to be true about the relevance of these categories and also responds to what is valid in claims about their irrelevance? I'd like to begin tackling this question by focusing on the strengths and weaknesses in each of the two political positions that have supported each of these two stances, i.e., the position of the early rights-based movements that stressed similarity and individuality and the position of the identity political movements that stressed differences. In seeing what is valid and invalid in both positions, we can gain some clues about a different kind of model that goes beyond each and might help us out of our current impasse about the relevance or irrelevance of these categories today.

As earlier noted, radical feminism and Black Power contributed to our national discourse about gender and race in part through their focus on the operation of gender and race in areas of social life that were not as obvious as public discrimination. Both caused us to look more closely at the role of these social categories in unconscious attitudes about merit, about beauty, about common practices of daily life, about norms of culture, and about how these attitudes sustained institutional differences in opportunities. While today the operation of these categories in these areas is certainly not the same as was the case forty years ago, in many of these less than obvious forms, these categories continue to matter. In many cities, de facto racial segregation is as high as it was in the 1960s.<sup>30</sup> Murders where the victim is white continue to receive more media attention than do the murders of victims of different racial backgrounds.<sup>31</sup> African American and European American children still largely segregate themselves socially even when attending integrated schools and this

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30. VALERIE MARTINEZ-EBERS & MANOCHEHR DORRAJ, PERSPECTIVES ON RACE, ETHNICITY AND RELIGION 2 (2010).

31. Bob Herbert, Op-Ed., *Murder and the Media*, N.Y. TIMES, Tues., May 12, 2009, at A23.

segregation is sometimes associated with educational aspirations.<sup>32</sup> And even though there exists a larger African American middle class today than there did forty years ago, America's poor remain disproportionately non-white.<sup>33</sup> Similar claims can be made about the continued relevance of gender in affecting American social life. A double standard regarding sexual activity can still be found among undergraduates in American universities.<sup>34</sup> Despite radical feminism's diatribes against the objectification of women, women today still constrain themselves in a multitude of ways to conform to highly rigid norms of beauty.<sup>35</sup> Anorexia, for example, while not exclusively found among young women, remains overwhelmingly a young women's disease.<sup>36</sup> And even though women are a much larger part of the paid labor force at all levels of employment than they were forty years ago, women still do the great majority of childcare and

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32. Julie Bettie, focusing on differences between girls of Mexican American and European American backgrounds in a central California school, shows how race often substitutes for class differences in the minds of students when students of mixed race and class backgrounds find themselves academically stratified in ways that highly correlate with class. Upwardly mobile Hispanic American students consequently have to work against accusations that they are "acting white." JULIE BETTIE, *WOMEN WITHOUT CLASS: GIRLS, RACE, AND IDENTITY* (2003) (see particularly, chapter 3, "How Working-Class Chicas Get Working-Class Lives," pp. 57–94).

33. In 2008, whites possessed on average more than nine times the household wealth of African Americans and Latinos according to Roediger, *supra* note 2, at B6–10. For a more elaborate treatment of the continuance of black/white economic inequality, see MELVIN L. OLIVER AND THOMAS M. SHAPIRO, *BLACK WEALTH/WHITE WEALTH: A NEW PERSPECTIVE ON RACIAL INEQUALITY* (2d ed. 2006).

34. My sources here are my undergraduate students at Washington University in St. Louis. When I talk about sexuality and contemporary undergraduate norms with them, I frequently ask them whether, according to their perceptions, a double sexual standard between women and men continues to exist. Always, the response to this question is an unqualified and very strong "yes." I have no reason to believe that the undergraduate population at Washington University in St. Louis is markedly different from that of other undergraduate populations in regards to this issue.

35. An essay that powerfully describe the mechanisms, both social and psychological, which keep these norms in place is by Sandra Bartky, *Foucault, Femininity, and the Modernization of Patriarchal Power*, in *FEMININITY AND DOMINATION*, 63 (1990); see also NAOMI WOLF, *THE BEAUTY MYTH: HOW IMAGES OF BEAUTY ARE USED AGAINST WOMEN* (1991).

36. According to the website of the National Eating Disorders Association, ninety to ninety-five percent of anorexics are female. National Eating Disorders Association, <http://www.nationaleatingdisorders.org>. This website cites this statistic from the American Psychiatric Association, 1994.

housework.<sup>37</sup> Moreover, while women are a greater part of the paid labor force than they were forty years ago, women still earn disproportionately less than do men.<sup>38</sup>

In short, race and gender still matter in many of the areas that Black Power and radical feminism had said that they mattered forty years ago: in terms of self and other identification and valuation, in terms of the continued operation of “sex roles,” and in terms of the differential access of non-whites and women to economic resources. Consequently, any talk that we are all “just individuals” and that race and gender are no longer relevant cannot be completely true. The qualification, however, is that in all of these areas, these categories matter less pervasively and less homogeneously than they did forty years ago. While African Americans remain disproportionately poor in relation to European Americans, there does exist a larger African American middle class than existed forty years ago.<sup>39</sup> Similarly, studies that show that employed women continue to do an unequal share of housework and childcare also indicate that their share has decreased from what it was during the 1960s.<sup>40</sup> Consequently, an emphasis upon human similarity and individuality does seem to underscore one of the central weaknesses in both Black Power and radical feminism’s theoretical and political analyses: both groups tended to speak of the social categories of race and sex respectively in too stark and homogeneous ways.

When anthropologists initially introduced the newer, more democratic concept of “culture” into public discourse in the early part of the twentieth century, they tended to speak of a “culture” as applicable to whole societies.<sup>41</sup> This understanding of culture as

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37. While men’s housework contribution almost doubled during the period from the mid-1960s to the mid-1990s, by the mid-1990s, men were still doing only about a third of the housework. Suzanne M. Bianci et al., *Is Anyone Doing the Housework—Trends in the Gender Division of Household Labor*, 79 *SOCIAL FORCES* 191 (2000).

38. *Why is Her Paycheck Smaller?*, N.Y. TIMES, Mar. 1, 2009, available at [http://www.nytimes.com/interactive/2009/03/01/business/20090301\\_WageGap.html](http://www.nytimes.com/interactive/2009/03/01/business/20090301_WageGap.html).

39. An excellent discussion on the increase in the size of a black middle class from the 1960s to today and on the causes of this increase and on the specific nature of this new black middle class can be found in BENJAMIN P. BOWSER, *THE BLACK MIDDLE CLASS: SOCIAL MOBILITY AND VULNERABILITY* (2007) (see particularly chapter 6, “From Affirmative Action to Diversity, pp. 101–26).

40. *Id.*

41. Clifford Geertz notes this way in which anthropology has understood “culture” in

applicable to whole societies or to whole subgroups within a society became part also of the public understanding of “culture.” Consequently, in the 1960s, when radical feminists and Black Power activists began talking about a black or a woman’s “culture,” they too understood this concept to refer to the distinctive perspectives and life practices of black people and women as a group. Moreover, this homogeneous understanding of culture fit in well with the political goals of both Black Power and radical feminism at this time. Since one of the important political goals of Black Power of the late 1960s was to unite African Americans across classes to form a unified political force, an emphasis upon what African Americans as a group shared became politically important. Moreover, in the positive reevaluation of African American practices and culture, activists also were drawn to an emphasis upon what African Americans shared. Radical feminists in the late 1960s and early 1970s also wanted to unite women as a political force and to positively reevaluate what was distinctive about women as a group. Thus, they too were drawn to encompassing understandings of the meanings of what it meant to be a woman and of women’s “culture.”

However, these homogeneous understandings of race and gender soon began to generate political problems within black and feminist political movements and to inspire scholars sympathetic to these movements to question important aspects of these encompassing understandings. Black women soon began to claim that the homogeneous understandings of women’s identity and women’s culture that radical feminists were creating reflected white and heterosexual biases. They argued that radical feminists were not paying sufficient attention to differences among women.<sup>42</sup> Similarly,

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Geertz, *The World in Pieces: Culture and Politics at the End of the Century*, in AVAILABLE LIGHT: ANTHROPOLOGICAL REFLECTIONS ON PHILOSOPHICAL TOPICS 218 (2000). Susan Hegeman more extensively elaborates this point as she describes how the concept of culture assumed a “spatial” aspect in early twentieth century anthropology. See Susan Hegeman, *Terrains of Culture: Ruth Benedict, Waldo Frank, and the Spatialization of the Culture Concept*, in PATTERNS FOR AMERICA: MODERNISM AND THE CONCEPT OF CULTURE 93 (1999).

42. Many of the important early writings by Black Feminists in the late 1970s and early 1980s address the lack of attention among white feminists to issues specific to African American women. Some of these important writings include: ANGELA Y. DAVIS, WOMEN, RACE AND CLASS (1981); *The Combahee River Collective*, *supra* note 27; THIS BRIDGE CALLED MY BACK: WRITINGS BY RADICAL WOMEN OF COLOR (Cherrie Moraga & Gloria

black women began to criticize many Black Power activists for their masculine and heterosexual biases, arguing that this movement needed to pay more attention to sexual differences within the black community.<sup>43</sup> Activists and scholars sympathetic to the plight of the black poor began to raise questions about Black Power's erasure of class differences among African Americans.<sup>44</sup>

These political and scholarly attacks on homogeneous understandings of gender and race soon became matched by intellectual challenges to homogeneous understandings of social identity in general. Scholars began to point out how social identity is complex in a variety of ways. For one, as is obvious, and as was somewhat recognized by early identity political activists, individuals occupy many social categories. However, secondly, and as was less recognized by such early activists, these categories do not operate independently of each other, but are interactive, each changing the meaning and significance of the operation of the others in the life stories of individuals.<sup>45</sup> Black feminist scholars began to use the concept of "intersectionality" to point out that black women do not experience race and sex as two independent organizing principles but as intersecting principles that cause the lives of black women to be different from both those of black men and white women.<sup>46</sup>

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Anzaldúa eds., 1981); GLORIA T. HULL, PATRICIA BELL SCOTT, AND BARBARA SMITH, *ALL THE WOMEN ARE WHITE, ALL THE BLACKS ARE MEN, BUT SOME OF US ARE BRAVE* (1982).

43. An important early voice on the issue of Black Power's lack of attention to male/female issues was that of MICHELLE WALLACE, *BLACK MACHO AND THE MYTH OF THE SUPERWOMAN* (1979). A feminist who early spoke against the homophobia in Black Power and its inattention to issues of sexual orientation was Cheryl Clarke, *The Failure to Transform: Homophobia in The Black Community*, in *Home Girls: A Black Feminist Anthology* (Barbara Smith ed., 1983).

44. Adolph Reed has elaborated on this point. See Adolph L. Reed, Jr., *Black Particularity Reconsidered*, in *IS IT NATION TIME?: CONTEMPORARY ESSAYS ON BLACK POWER AND BLACK NATIONALISM* 39 (Eddie S. Galude, Jr. ed., 2002). Cornell West makes a similar point in his essay *The Paradox of the African American Rebellion*, *IS IT NATION TIME?: CONTEMPORARY ESSAYS ON BLACK POWER AND BLACK NATIONALISM* 22 (Eddie S. Galude, Jr. ed., 2002).

45. Elizabeth Spelman elaborated on the ways in which feminists had tended to conceptualize these categories of identity as separable phenomena in *ELIZABETH SPELMAN, INESSENTIAL WOMAN* (1988).

46. Deborah King, *Multiple Jeopardy: The Context of a Black Feminist Ideology*, in *FEMINIST FRAMEWORKS* 220 (Alison Jaggar & Paula Rothenberg eds., 3d ed. 1993). Kimberle Crenshaw was also an important early theorist on the concept of "intersectionality" drawing out, in particular, its implications for the law. A few of her early essays on this concept include: Kimberle Crenshaw, *Intersectionality and Identity Politics: Learning from Violence against*

Such political and scholarly understandings of the complex ways in which identity works cohere well with some of the complicated ways in which race and gender have themselves come to manifest themselves forty years after the emergence of identity politics. While race and sex also operated in complex ways in the 1960s, some of their operations—such as the application of Jim Crow laws in the South—were so pervasive that it was relatively easy for proponents of identity politics to think of their effects in the kinds of homogeneous ways that they did. But as the 1964 Civil Rights Act made that kind of broad-based discrimination illegal, and as the feminist and Black Power movements of the 1960s themselves opened up new life opportunities for some groups of women and African Americans, some of the complexities of the operations of race and sex have themselves become more explicit. For example, as noted, one effect of the changing laws and political efforts of the 1960s has been the growth of a larger black middle class in the United States. But as a black middle class has grown, so has it become easier to see how racism manifests itself differently for members of different social classes. Similarly, as more African Americans are allowed into positions of economic and political leadership, it is easier to see how blackness operates differently for men and for women in public leadership roles. Thus, as the categories of race and gender manifest themselves in less homogeneous ways than they did forty years ago, so have many scholars and activists simultaneously come to understand the limitations of a politics that even forty years ago framed the operation of these categories too simplistically.

But this recognition of the complex operation of these categories has been mostly confined to activists and scholars and even here the

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*Women of Color*, in RECONSTRUCTING POLITICAL THEORY: FEMINIST PERSPECTIVES 178 (Mary Lyndon Shanley & Uma Narayan eds., 1997); Kimberle Crenshaw, *Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color*, in THE PUBLIC NATURE OF PRIVATE VIOLENCE: THE DISCOVERY OF DOMESTIC VIOLENCE 93 (Martha Albertson Fineman & Roxanne Mykitiuk eds., 1994); and Kimberle Crenshaw, *Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics*, in LIVING WITH CONTRADICTIONS: CONTROVERSIES IN FEMINIST SOCIAL ETHICS 39 (Alison M. Jaggar ed., 1994).

conceptual advances have not, for the most part, gone far enough in addressing some of the complexities in the ways in which race and sex operate. One of the important, though still relatively overlooked, factors complicating the operation of race and sex that even the concept of intersectionality does not necessarily address is the factor of social context. Racism affects an individual differently not only because of the intersecting influence of other social categories that an individual inhabits, but also because of social situation. The same can be said about the operation of sexism. And because so many of the ways in which we have advanced or failed to advance in terms of racism and sexism over the last forty years have been related to context—with some contexts, such as public accommodations, remarkably different today than they were forty years ago, and others, such as neighborhood segregation, much less so—we need ways of thinking about the operation of these categories that take into account this crucial factor.<sup>47</sup>

Such new ways of thinking about how race and gender operate must take us beyond twentieth century environmentalist accounts. Both those who used environmentalism to stress the superficiality of race and gender and those who used it to stress the depth of these categories, have tended to think of race and gender as social constants. Thus both those who accepted the idea that the traits associated with race and gender were individual and relatively superficial *and* those who accepted the idea that they could be found deeply among all members of a given social group, assumed that the traits associated with such categories, those of physiology as well as those of character, were given properties of human beings that had relatively given meaning and effects across social contexts, either minimal in the one case or maximal in the other. But a problem with

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47. Focusing on the importance of context helps us better understand the contribution of WILLIAM JULIUS WILSON, *THE DECLINING SIGNIFICANCE OF RACE: BLACKS AND CHANGING AMERICAN INSTITUTIONS* (1978). The publication of this book generated controversy with some claiming that Wilson was not sufficiently aware of the continuance of race in affecting the life possibilities of African Americans. But if we interpret the argument of this book as stating that many of the contexts in which African Americans operate have been increasingly affected by factors of class and less affected by factors of race since the middle of the twentieth century, then one need not interpret Wilson as denying the contexts where race still continues to matter. A focus on context enables us to get beyond an “either/or” position on the relevance of race.

this way of thinking about race and gender is that it does not allow us to see how the ways in which individuals “possess” race and gender, or are understood by others as “possessing” racial and gender attributes, can be different in different situations. It does not allow us to see, for example, that the fact that an individual has a certain skin tone is more relevant to the possessor of that skin tone and to external observers in different contexts. But if race is understood primarily as that which links given traits to given bodies in constant ways, with effects that transcend contexts, how can race appear or disappear in this kind of way?

One means of helping us move beyond the idea of race and gender as social constants is to focus more extensively on the categories of race and sex as social meanings, as ways in which we understand ourselves and others. As social meanings, they do identify and associate bodies and traits, *but they do so only through interpretation and projection*, processes that allow for degrees of variability within different contexts.

One theorist whose work, particularly in relation to gender, has been useful in pushing us away from thinking of gender less as a constant and more in terms of interpretive projections that change across contexts is Judith Butler. Butler’s idea of “performance” helps us grasp the “detachability” and “variability” of the ways in which gender works, a variability associated with its symbolic nature. Her analyses of the deep psychological processes involved in such enactments—processes involving factors such as anxiety, fantasy, and projection—help us see how such enactments can be variable in different contexts, yet also rooted in deep psychic needs. And her discussions of the harsh consequences that can accompany socially unacceptable “performances” of gender, for example, of those with masculine identified bodies who enact feminine associated behaviors, reminds us that the “play” of gender is a socially interactive process whose stakes can be matters of life and death.<sup>48</sup>

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48. These ideas are all explored in Butler’s major works, including among others, JUDITH BUTLER, *GENDER TROUBLE: FEMINISM AND THE SUBVERSION OF IDENTITY* (1990); JUDITH BUTLER, *BODIES THAT MATTER: ON THE DISCURSIVE LIMITS OF ‘SEX’* (1993); and JUDITH BUTLER, *THE PSYCHIC LIFE OF POWER: THEORIES IN SUBJECTION* (1997).

I want to elaborate on Butler's ideas, not only by noting their applicability to the social category of race, but also by exploring more explicitly how an emphasis on the symbolic/linguistic aspect of these categories helps us see gender and race as possessing situational meaning. Because bodies, behaviors, clothing, etc. and their relationships gain their import only through social interpretation, that import is capable of "slide" when these interact with other variables, such as those presented by differing contexts. "Masculinity," for example, does not represent a fixed set of attributes. Rather it represents a description of certain behaviors, styles of dress, etc. within particular contexts. A tuxedo may signify "masculinity" at a society ball while signifying an effeminate form of maleness at a working class bar. Similarly, a particular skin tone can change its meaning as it moves among different contexts—such as through association with different types of speech in different parts of the world.

Focusing on the symbolic/linguistic aspect of these categories as making possible their situational meanings should not, however, detract us from the important social facticity of these categories. Language, as we know, while capable of much variability, both in relation to context and time, is a deeply social phenomenon. Individuals can play with language, but if they wish to communicate and be understood, they must also constrain that play within socially given limits. Similarly, while race and gender interpret bodies, behaviors, and specific situations, they do so, not privately, but within the constraints of socially given understandings. While a dark skinned individual in the contemporary United States may affect some of the ways in which his or her racial identity is interpreted, through adaptations of dress, speech patterns, and bodily mannerisms, there are limits to that individual's power to affect how his or her skin tone is read, again varying within different contexts. As language is not a private affair, so also are the interpretations for bodily characteristics not up to any individual alone.

Moreover, to emphasize the symbolic/linguistic aspects of race and gender is not to suggest that symbolism and language encompass all we need to know about race and gender. Social meanings of any importance rarely exist "in the head only" but become embedded in laws and institutions that generate effects of their own, material as

well as symbolic, and these effects may be more or less variable across contexts. For example, while gays and lesbians today wish to extend the meaning of “family” to include their intimate commitments, and may, at this moment in time, have achieved that meaning within a certain sector of the U.S. population, until that extended meaning is embodied in the laws and institutions that govern family life in the U.S., those changes in accepted meanings will have relatively little effect on many aspects of gay and lesbian life. When we recognize that the laws and institutions governing race and gender extend back within the United States to the very days of its founding, have had major social effects on the distribution of economic resources, as well as on many other aspects of social life, and that much of the legacy of those effects are still with us, then we must think of gender and race in social structural as well as in symbolic/linguistic terms and assess the specificity/pervasiveness of such structures as well as the specificity/pervasiveness of our understandings of race and gender.

Consequently, to emphasize the symbolic/linguistic aspects of race and gender is not to challenge the social facticity and structural importance of either nor to deny that social meanings and social structures interact with each other in complex ways. But this emphasis does also allow us to open up spaces for understanding some of the complexities and unevenness in the ways in which both categories operate today, in particular to understand better the situational meanings associated with both. To think about race and gender in terms of social meanings allows us to more fully comprehend the potential variability of the meanings of race and gender across contexts. For example, it allows us to see how the meanings of both might have stretched and changed within certain contexts over the past forty years while retaining their past meanings within others. For example, today, after the election of Barack Obama to the presidency of the United States, it is now more readily possible to associate “African American” with “President of the United States,” providing for a new stretch in one aspect of the meaning of “African American.” But this new association does not in and of itself negate the continued reality of other associations, such

as, for example, in the minds of many, a continued association of poor, black, young, and male with danger.<sup>49</sup>

This way of thinking gives us a lot more flexibility in formulating certain aspects of public policy than did the older frameworks, frameworks that forced us to choose between claims that race and gender continue to matter, or alternatively, no longer matter, in global ways. It allows us to focus in on specific contexts where the bodily features historically associated with race or gender continue to have social import, to ask what that import is, and then to ask whether this import is one we wish to minimize or not. It allows us to address such questions as local questions, with local answers rather than as global questions, with global answers. Consequently, this kind of approach helps us approach policy issues more in empirical rather than philosophical ways, to treat, for example, as an empirical question whether a specific high school program that talks about race and educational accomplishment does more to eradicate associations made between these phenomena by a specific high school population than do programs that prohibit race talk altogether. And if the answer to this question is found to be yes, that answer need not entail the desirability of implementing such programs among other populations.

In sum, it is time we move beyond the last premise of nineteenth century understandings of race and gender—that these categories describe collections of attributes that attach to human beings and generate fixed reactions across social situations—and instead come to see these categories more in terms of social meanings that vary across social contexts. To the extent that we can understand these categories more in such terms, to that extent can we deal with the operation of such categories in some of the complex ways that social reality today demands. Today, against the claim that we are all “just individuals” is

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49. This focus on race and gender as social meanings ties in with new ways some philosophers are thinking about meaning. Some are moving away from thinking about meaning in terms of lists of phenomena associated with words and more in terms of mental processes that bring together or blend phenomena. Blending is seen as a process where a great deal—though not unlimited—flexibility can occur. This idea of blending as a process capable of some, though not unlimited, variability seems a very useful way of capturing what we mean by such social categories of race and gender. As I am arguing, these are categories whose meanings are not captured by any list of traits, but are ways of interpreting bodies, traits, and their associations in a variety of ways. For a useful discussion of meaning in terms of blending see MARK TURNER, *THE LITERARY MIND: THE ORIGINS OF THOUGHT AND LANGUAGE* (1996).

the reality that race and gender still matter in terms of self and other perception, community identification, and in terms of access to economic and cultural resources. On the other hand, these social categories also do not matter for all in the same kinds of ways that they mattered forty years ago. Our present discourse, composed of overly general claims either that race and gender no longer matter or that they matter in encompassing, homogeneous ways, commits us to needless contradiction and bad policy. A twenty-first century discourse on race and gender demands better than that.