Eszter Kováts | “Not A Thing?” Rogers Brubaker’s *Trans: Gender and Race in an Age of Unsettled Identities* and Its Relevance for Central and Eastern Europe


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“I, the undersigned, hereby state that African-American origin and identity are an inseparable part of my identity. Because of this I am especially glad to be able to perform in George Gershwin’s opera, *Porgy and Bess.*” This is the statement the crew of the Hungarian State Opera had to sign in April 2019 before their first performance, in order to bypass the author’s will that the opera be played by an all-black cast, that caused several days of media attention and outrage.¹ This can be interpreted as a legally creative solution to a condition that would make it otherwise impossible to perform the opera in a country where there are literally no Black opera singers. But it was - as noted by several Hungarian commentators on both the Left and Right - also a mocking glass towards the identity politics focus of social justice activism in Anglo-Saxon countries often criticized from liberals and leftists too, but in the Hungarian context, unfortunately it is mainly thematized by the right-wing government (and its media) within its framework of culture war, in which it presents every social justice claim as an evil and depicts itself as savior against the horrific developments in the declining West.

Several days prior to the yearly Pride March in 2019, posters were put up all around Budapest, falsely imitating the official Pride posters, with the presumable aim of discrediting the organizers and distorting LGBT claims. One of the posters stated for instance, that “Love has no race, no gender [depicting the Austrian crossdresser singer Conchita Wurst] and no age” (referring to transageism AND pedophilia at the same time),² implying that the acceptance of pedophilia is among the claims of LGBT groups. While Pride organizers decidedly distanced themselves from these posters, the media outlets close to the government presented them as veritable posters to cause outrage.³

These episodes are far from unique in either Hungary, or the broader region, and often involve much higher stakes than mere acts of mockery and discreditation. References to US and UK activism serve as reference points for political actors in Central and Eastern Europe who aim at stopping developments and preventing changes that are often deemed progressive. MA programs in Gender Studies have been de-accredited by government decree in Hungary which derided the field’s so-called unscientificity and emphasized its alleged responsibility for the proliferation of gender identities. Similarly, in a recent interview with the Financial Times, Vladimir Putin has stated, refuting the Russian state’s alleged homophobia, that they have nothing against the LGBT community as a whole, but certain aspects, like children choosing from five or six genders, seem excessive to them. The Bulgarian constitutional court ruled out the Istanbul Convention⁴ as unconstitutional for its use of the word gender, and linked its judgement of gender identity to an individual/

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³ The Council of Europe Convention on preventing and combating violence against women and domestic violence.
subjective choice, disconnected from biological sex.\(^5\) And the list could be continued.

There is already an abundance of literature on “anti-gender movements”\(^6\) which mainly concentrate on the Catholic Church’s role in mobilizing a politically charged discourse against the term gender in CEE. There are a select few scholars who acknowledge the importance of the trans question in the teachings of the Vatican.\(^7\) However, the explicit links of the partly religious, partly right-wing party discourses on the presumed threat of “gender ideology” to US (or more broadly, Anglo-Saxon/core countries) developments of academic and activist discourses and practices on gender are still under-researched.

The so-called Jenner-Dolezal controversy from 2015 is highly relevant in the post-socialist region and possesses an explanatory power which can help us understand the practices of right-wing, and growingly anti-democratic, forces.

Rogers Brubaker, a sociologist known for his decades-long scholarship on race, ethnicity and nationalism analyses this case in his book published in 2016.

Several days after the former Olympic champion Bruce Jenner came out as transgender and officially changed her name to Caitlyn Jenner, she was presented on the cover of *Vanity Fair*, marking a turning point in transgender visibility. At approximately the same time, Rachel Dolezal, the black-identifying and black-presenting president of one of the branches of the NAACP\(^8\) was “outed” as white by her parents. The simultaneity of the two cases prompted a controversy in the US as to whether or not the two cases were similar, and if either of them could identify as they like. The debate was thus about legitimacy and the relation of transgender and transracial claims: if Jenner can claim to be a woman and ought to be recognized as such, can Dolezal, in the same vein, state to transgender people that she is black? Is it a legitimate question or does it do a disservice transgender people?

Transracial “is not a case” was a common statement in the ensuing debates, and this is what Brubaker seeks to address in his volume: the most widespread position being that Caitlyn Jenner *is* a woman and should be accepted as such, whereas Rachel Dolezal committed something morally intolerable by identifying as black. Brubaker attempts to disentangle this debate and “provide new analytical resources for understanding the contingency and arbitrariness of racial categories, while remaining sensitive to the ways in which gender and race operate as different systems of embodied difference” (151).

The book is a good entry point for those acquainted with the main concepts rather used in social sciences, but without a working knowledge of either the US debates or gender and race studies. It provides a calm and systematic analysis of a phenomenon of which the Jenner-Dolezal controversy is only the surface. The text can be helpful both for those who pursue the developments of social justice activism with sympathy and those who are worried, overtly critical or just intellectually unsatisfied by calls for more empathy as arguments to accept certain intellectual and political position. The book allows the reader to take a step back from their own political positions and offers them a mirror - how these activism and political struggles look from the outside to a sociologist, who is himself sympathetic towards the justice claims and claimants, and knows and refers extensively to the transgender studies literature, but dares to point out several contradictions.

### The Trans Moment

The volume uses the Jenner-Dolezal affair as an intellectual opportunity to reflect on changes that have happened on how we think of race. Brubaker’s starting point is that the reflections and scholarship produced on transgenderism are potentially useful for producing new knowledges on race too. The book is divided into two


\(^{6}\) Roman Kuhar and David Paternotte (Eds.), *Anti-Gender Campaigns in Europe: Mobilizing against Equality* (Lanham, Maryland: Rowman and Littlefield, 2017).


\(^{8}\) National Association for the Advancement of Colored People.
parts. The first part (“The Trans Moment”) contains two chapters directly analyzing the Jenner-Dolezal affair and the positions taken in the debate. The second part (“Thinking with Trans”) contains three chapters, describing three transgender trajectories and attempting to apply them to race.

Chapter 1, “Transgender, Transracial?,” tries to make sense of the arguments for or against the claim: “If Jenner is accepted, then Dolezal should be, too.” Brubaker draws a matrix of positions along gender/race and essentialism/voluntarism (22) and discerns four positions of the debate. (1) Gender essentialism combined with race essentialism: that neither gender nor race are changeable or choosable. This position is attributed to the conservative right and radical feminists, however, he makes the distinction that feminists stick to their essentialism not on a biological basis as conservatives do, (who make a causal connection between sexed body and the necessary gender roles), but on the basis of what he calls “historical essentialism,” that is, that a woman is someone who has lived her entire life as woman (being socialized and treated as woman). (2) Gender voluntarism combined with racial essentialism: the majority position in the debate: that people can freely identify with any gender they wish, but transracialism is excluded. This claim was combined with the (likely not unfounded) fear that if the two were combined, it would undermine the growing acceptance of transgender claims in the eyes of the wider public; transracialism is still seen as absurd, while transgenderism is visibly growing acceptable. Brubaker aptly highlights that in recent years gender voluntarism has very rapidly become the hegemonic position on the cultural left. (3) Gender essentialism and racial voluntarism, the position that was literally not taken up by anyone in the debate, a fact Brubaker treats as puzzling (see below on contradictions). (4) Both gender and race are voluntary. Brubaker dedicates the book to seriously considering this possibility, to analyzing why this position was so fiercely attacked in the Dolezal debates, denying any similarity of the claims of gender and race.

Brubaker’s matrix seems like a useful tool to help disentangle the different positions in the debate of the Jenner-Dolezal affair and to discuss the difference between the categories of gender and race. However, with the categorization essentialism/voluntarism he unwittingly contributes to the false binary of open-minded progressives vs. backward conservatives, that is, the political interest of those aiming at presenting the debases in culturalist terms. But this does not help us situate the changes in a structural sense. I will come back to this later.

The second chapter, “Categories in Flux,” describes how categories around race and gender have changed over the years. His main argument is the following: the proliferation of gender identities do not just recognize hitherto unnamed realities and identities but also produces and contributes to them, in a self-reinforcing manner.

The second part of the book takes three transgender trajectories and compares them to developments in how the societal negotiations around race have changed over the past decades and whether knowledge about transgender individuals can give new insights about race issues too. Chapter 3, “The Trans of Migration,” analyses the one-way transition of transgenders (like Jenner) from one binary sex category to another, entailing surgical and hormonal treatment too. Brubaker uses the metaphor of migration to highlight the “unidirectional and irreversible” character of this change, claiming that “[t]he transgender migrant imagines the sex or gender category of destination as a permanent home” (75). As for race, he recalls former and current occurrences of passing, mainly of black people with lighter skin colors as white, with the aim to bypass racial discriminations and compares this to the transgender migration. In this sense, Dolezal was pursuing a “reverse passing” (a white person passing as a black). But in all of this, taking clear-cut racial categories, like black and white, for granted.

Chapter 4, “The Trans of Between,” discusses the experience and identity of those transgender people who travel between the two categories, borrowing expressions and practices coded from both camps, while simultaneously taking the two categories for granted. He recalls for instance the categories androgynous (Greek male + female) and ambigender (both genders) (p. 98). This treats gender as a spectrum, existing between the two poles male and female. A critical assessment of this from a feminist perspective: Rebecca Reilly-Cooper, “Gender Is Not A Spectrum,” Aeon (June 28, 2016). https://aeon.co/essays/the-idea-that-gender-is-a-spectrum-is-a-new-gender-prison.
multiracial identities, e.g., for people with mixed ancestries. This is exemplified by the popularity of autosomal DNA tests which indicate quantitatively, in terms of percentage, the mixture of certain phenotypes. Such tests “locate everyone in a conceptual state of betweenness” (103).

Chapter 5, “The Trans of Beyond,” deals with attempts to transcend binary categorizations for the good, either refusing to belong to any categories (being agender, etc.), or refusing categories themselves as useful and necessary tools for making sense of societal processes. This applies to race as well, for instance cases where people fight against racial categorizations (such changes are visible in conducting censuses). Importantly, he also draws attention to the fact that identity options are unequally distributed. Those who face multiple exclusions (racial, spatial, class-based and legal) do not have the same options, be it going beyond gender or beyond race.

**Paradoxes of Trans**

From the beginning Brubaker emphasizes the key tension between changing gender and challenging gender (p. 17). His take on essentialism seems to suggest that he puts conservatives and radical feminists in the same box (a rhetorical device routinely applied by proponents of gender identity). But at a later point, when discussing the paradox underlying the transgender-transracial polarity, his more nuanced view becomes clear:

Morphological, physiological and hormonal differences between the sexes [...] are biologically real and socially consequential. Nothing remotely analogous can be said about racial divisions. Genetically governed differences between socially defined racial categories are superficial and inconsequential; genetically programmed differences between the sexes are neither. Like race, sex is a system of social classification. Unlike race, however, sex is also a well-established biological category.\(^\text{10}\) But despite the evident biological basis of sex differences - a biological basis that is utterly lacking for racial differences - it is more socially legitimate to choose and change one’s sex (and gender) than to choose and change one’s race.” (135).

To account for this paradox, he draws on the sex-gender distinction, and claims that there is an additional paradox behind the subjectivity and objectivity of gender identity. The nature vs culture opposition behind the sex-gender distinction was linked to understandings of authenticity, i.e., that identity is something “deep, stable generative inner essence [...] of which each individual is the sole legitimate interpreter” (136).

While gender identity is understood as independent of the visible morphological features of the sexed body, it is at the same time widely understood as grounded in other - and yet unknown - properties of the body. Gender identity is [...] understood both as a subjective inner essence, accessible to and knowable by the individual, and as an objective constitutional fact over which the individual has no control. The subjectivity of gender identity is seen as grounded in the objectivity of the body. [...] The putative objectivity of the subjectivity allows choice to be defended in the name of the unchosen and change to be legitimized in the name of the unchanging. [...] Instead of imagining the sexed body as an unchosen and unchanging substrate and gender identity as its expression, one can now imagine gender identity as an unchosen, unchanging inner essence and the sexed body as its choosable and changeable expression. (136-7)

**The Societal Context of Choice**

The book dares to critically address issues that seem to have become orthodoxies on the so-called cultural left in the US, however, the author’s use of the concept gender is somewhat disturbing. While he draws attention to the fact that in the English speaking context gender is often used as a synonym for sex, so as to avoid as-

\(^{10}\) Here Brubaker makes a lengthy footnote on the acknowledgement of intersex people, while highlighting that “the fact that certain individuals can be assigned to the categories male or female only arbitrarily does not make the categories themselves arbitrary; and the fact that sex is culturally co-constructed does not mean it is biologically unfounded” (135).
associations on sexual intercourse\textsuperscript{12}, he remains incoherent in the use of the term: sometimes it refers to a gender role (as attributed by society to men and women, i.e., grown males and females), sometimes gender identity (when describing the difference between cis and trans, cis being “a person whose gender corresponds to his or her sex at birth,” quoting from the Oxford English Dictionary, at p. 16.), and the whole time he uses the term “sex and gender” and “sex or gender.”

This contradiction can be solved if we carry out the analysis that he opens on choice, but which he does not complete to its end.

Brubaker’s volume succinctly describes the changes of how we used to understand and how we currently understand race and gender. While occasionally recalling the growing significance of individualism, “the climate of subjectivism” (24), and the idea that “the enlargement of choice […] does not simply respond to this unsettling [of basic categories]; it also contributes to it” (50), he does not systematically analyze why these changes could take place in the first place. I think this must be accounted for in order to adequately assess the situation. I situate these changes in line with those authors highlighting the individualization of structural struggles.\textsuperscript{12}

What began as a collective effort towards the political articulation of structural injustices has become a set of calls to change individual behavior. As Marc Saxer puts it: “Fights about moral issues and identity are a typical feature of the neoliberal age: many citizens have lost confidence in the state’s ability and, indeed, will to shape society. Change is now only possible on a grand scale if enough individuals see a need to change their behavior.”\textsuperscript{13} This phenomenon is no longer endemic to the West but has also been gaining momentum in Central and Eastern Europe.

Thematzing the specific oppression that certain groups experience based on their sex, race and sexuality is crucial, and we cannot underestimate the significance of the Western activism of the 1970s-80s. But these developments also came hand in hand with the fragmentation of identities of postmodernism that were - as described by many authors - instrumental to the growing individualism inscribed in our economic system. This opened the door to various co-optations and changes of scale.

The best example of this is classism. Class analysis - to put it simply - is aimed at how a specific mode of production or market leads to a specific mode of division of labor with different and contradictory positions. Furthermore, it is aimed at analyzing the wide-ranging levels of power and the capacity to defend the interests of people in these positions. An intersectional analysis would be, for instance, an analysis of how capitalist exploitation intersects with patriarchal power structures to produce specific life conditions and exploitative positions for women. However, in the individualized approach of the critique of so-called classism, class has become but another identity category on the basis of which people are discriminated against. In this interpretation, poor women are simply added in. And what is looked at are the ways in which lower-class women are discriminated against or disadvantaged, in relation to better-off women or lower-class men. This empties out both class analysis and systemic intersectional analysis of its original, structural sense, turning it instead into an analysis of the discrimination of individuals by adding up “layers of oppression.”

I see the change in the meaning of the concept of gender and the proliferation of non-binary gender identities in the same context as the individualization of structural problems and the promotion of individual solutions to systemic oppressions.\textsuperscript{14} Gender used to denote “the fundamentally social quality of distinctions based on sex” (as Joan Scott puts it in her seminal essay\textsuperscript{15}), the power structures in a given society between men and women, and the societal roles, possibilities, and constraints accrued from being born either male or female. The shift in the meaning of gender, as exemplified in the Jenner-Dolezal affair and Brubaker’s book, is apparent in much of the current trans and gender-queer scholarship and activism, where

\textsuperscript{15} Reilly-Cooper, “Gender.”
gender has become conceptually synonymous with gender identity, with a personal feeling of identity. Gender in this sense means identifying or not with being born male or female, having the privilege or not to have one’s “sex assigned at birth” and “felt sense of gender identity” in line. This second approach, however, has very little in common with the original critique of the hierarchical social structures between men and women and the fact that the gendered oppression we observe today is not a response to our identities but to how society identifies us (and, say, gives lesser pay to a woman or exposes her to specific forms of violence - independently of her self-assigned “gender identity”).

Brubaker OK, Tuvel not?

As I have tried to show, Rogers Brubaker’s volume does not shy away from thematizing several difficult questions in the fear of disapproval from activists or scholars, and rightly so. His book did not cause a scandal, a somewhat surprising turn given the tone of the American debates on trans issues. Rebecca Tuvel, an associate professor in philosophy, did not have this chance. In her article “In Defense of Transracialism” published in Hypatia, the renowned feminist philosophical journal, several months after the publication of Brubaker’s book, she approached the same Jenner-Dolezal case and the same question on the possible legitimacy of transracial claims as Brubaker: not from a sociological but rather a philosophical point of view. And she comes to conclusions similar to his, in Brubaker’s terms, she defends a voluntarist position both in gender and race, meaning that if we accept (and we should accept!) transgender claims, then we should seriously consider accepting transracial claims too. Despite stating on several occasions her commitment to transgender rights in the text, she nevertheless faced a huge backlash. Over 800 scholars from universities in the US and beyond issued an open letter to call the journal’s editors to retract the published piece, expressing their concerns “beyond mere scholarly disagreement,” and claiming that “there has been a failure in the review process, one that painfully reflects a lack of engagement beyond white and cis-

gender privilege.” Other philosophers and activists pushed back, condemning academia’s “poisonous call-out culture,” the “modern day witch hunt” of those who do not “mindlessly parrot the prevailing orthodoxy” of the field. The editors were split over the issue, with some of them issuing a “profound apology,” and others leaving the board. The Hypatia transracialism controversy touched the public less than the Jenner-Dolezal affair, but it shook academia, beyond the Anglo-Saxon sphere of influence and beyond the domain of philosophy too.

Importantly, Rogers Brubaker himself issued a statement in defense of Tuvel. One of his most important points is his concerns over the regulation of speech in academia, and how this can lead to self-censorship (especially for untenured professors). He also expressed his criticism over what he calls “epistemological insiderism,” i.e., “the belief that identity qualifies or disqualifies one from writing with legitimacy and authority about a particular topic.”

Does the often-mentioned fact that Dr. Tuvel is white and cisgender (as am I) disqualify her from raising certain questions? Is her identity relevant to assessing her argument for according more weight to an individual’s racial self-identification and less weight to ancestry? Epistemological insiderism not only stakes out certain domains as belonging to persons with certain identities; it also risks boxing persons with those identities into specific domains. It risks conveying the patronizing and offensive expectation that members of racial and ethnic minorities will focus their scholarship on race and ethnicity.

One might ask why Brubaker’s book Trans was not met with such outrage. Is it because of the differing specificities and sensitivities of the two scientific fields: philosophy and sociology? Is it because

21 Brubaker, “The Uproar.”
his was a book, and hers a short research article more easily read and available online? Was it because he was a tenured professor with serious scientific credentials, and she was an untenured professor? Or because he is a man and she is a woman - with feminists suggesting that transgender activists and allies more often target women with their critiques and sometimes even attacks? I will not speculate on this; however, the Tuvel controversy now belongs to and must be read together both with the Jenner-Dolezal controversy and Brubaker’s book. It adds another layer to the same questions: What is the relation of material/biological reality to social constructs and social change? Who can speak, and how does the identity of a given scholar influence what he or she can study? What are the possible scientific subjects, and what should be excluded from potential (even theoretical) analysis? To what extent should review and publication policies take into consideration such political positions that claim authority over who can speak, and what can and cannot be put up for debate? And what should editors do if the published work offends personal sensitivities? I am afraid these debates, crafted in the Anglo-Saxon sphere of influence, will soon arrive in the Central and Eastern European academy too, presenting these claims as universal.22

Conclusion

Brubaker’s volume is a challenging, refreshing and daring lecture for people invested in the debates on social justice, and acts as a good entry point for those who are not but who still have plenty of questions. And in the Central and Eastern European context, where the West is still often seen, within the field of feminist and LGBT activism, as the right direction for progress, and where at the same time, US debates are used by right-wing forces to build up a catastrophe narrative and an exceptional state where even anti-democratic measures are allowed so as to protect the population, it becomes crucial to better understand and situate these debates, beyond culturalist progressives vs. conservatives divides. Brubaker’s book can, besides contributing to our understanding of race through the trans lens, complement the scholarship on “anti-gender movements” and give a deeper understanding concerning the antagonizing gender controversies found throughout the Jenner-Dolezal case.