

THE AFTER OF IDENTITY: RESPONSE TO ALCOFF, BARTHOLD, SHRAGE, AND ZACK

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In her thoughtful article, “Is there an “after” of identity” Linda Alcoff identifies one of the primary concerns that motivates my book, *After Identity: Rethinking Race, Sex and Gender*: “Racist extremists...overplay the importance of identity, misconstrue the political meaning of identity, collapse national and ethnic identities, and target specific identities as inevitable obstacles to harmony and national prosperity.” Given the ills to which identities have given rise, the aim of the book is to reconsider what they are and whether their influence exceeds their brief. Alcoff raises questions about *After Identity’s* approach, however, as do Lauren Barthold and Naomi Zack in their own thoughtful responses to the book. Barthold questions the way its equation of texts and people is meant to work; Zack is concerned about what she sees as a conflation of hermeneutic and ethical considerations; Alcoff thinks the book neglects the importance of embodied experiences; and, in a related criticism, Barthold thinks it neglects what she calls subjective identity essences. In what follows, I would like to try to respond to all these objections. In doing so, I hope also to provide a somewhat different perspective on identity than the one Laurie Shrage offers in her article. I begin with a review of the hermeneutic account that provides the background to the book.

Traditionally, hermeneutic theories are concerned with the understanding and interpretation of texts and conceive of this understanding and interpretation in terms of the hermeneutic circle of part and whole: we understand the meaning of a part of a text in terms of our understanding of the whole and we understand the whole of a text in terms of our understanding of its parts. If we can understand Shakespeare’s *King Lear* as a tragedy it is because of the way we understand the meanings of its

various parts and because of the way we link their meanings up to form a coherent whole. Likewise, if we can see the character of Cordelia in the play as a paragon of decency, it is because understanding the character in this way allows us to fit her character, as one of the parts of the play, into our understanding of the play as a unified whole.

A great deal of political and literary theory resists what it sees as the totalizing move here. Appealing to figures such as Derrida and Lacan, post-structuralist theorists contend that part-whole integration is misleading insofar as words and sentences contain an excess of meaning that slips out from any attempt to contain it within a unity. Rather than trying to integrate part and whole, close readings of texts highlight their fissures and illuminate the points at which excesses and slippages in meaning deconstruct the whole.¹ The parts need to be respected precisely in their difference and not in their coherence with one another in an integrated unity of meaning. Indeed, appealing to feminist insights in this regard, some theorists argue that wholes can be oppressive and must be approached with caution. The extent to which we attempt to integrate all the parts into a self-consistent unity of meaning can often be precisely the extent to which we fail to respect their unique characters and divergence from one another as well as the extent to which we may overlook refractory parts or deform them in order to fit them into that whole.²

Yet in their development of traditional hermeneutic approaches Martin Heidegger and Hans-Georg Gadamer already anticipate this sort of criticism. Their development focuses on three points. First, they broaden the scope of hermeneutics beyond texts to conceive of understanding and interpretation as practical attempts to cope with our world. We are always thrown into a world we did not create but within which we have no choice but to proceed. Understanding in this sense is the ability to cope, an ability that can be articulated as an explicit interpretation of what the things are with which we are dealing. Second, Heidegger and Gadamer situate understanding and interpretation in our on-going interests and concerns. Understanding is, first of all, projecting: we make assumptions about that which we are trying to understand without which we would have no framework or context for understanding it at all. We then revise these initial assumptions in line with what we learn of our subject matter. Third, Heidegger and Gadamer root these projections in the influence of historical experience or what Gadamer calls effective history. Understanding and interpretation are “prejudiced,” as he puts it; they are directed at that which they are trying to understand in particular, situated ways that are

based on our experience and on the experiences of the history and culture to which we belong.

The hermeneutic circle is thus a historical one. We understand our subject matter in ways influenced by the history to which we belong; revise these ways in terms of what we learn and hand these new ways down to those who come after us. That these ways are new also follows from our historical condition. The arc of the hermeneutic circle is one that reaches out from the texts, experiences and events that are part of our history to influence the way we understand new texts, experience and events. At the same time, the meaning for us of these new texts, experiences and events informs the understanding we have of the original texts, experiences and events. On the one hand, as Terence Hawkes points out, Shakespeare's *Hamlet* "helps to shape large categories of thought, particularly those which inform political and moral stances, modes and types of relationship, our ideas of how men and women, fathers and mothers, husbands and wives, uncles and nephews, sons and daughters ought respectively to behave and interact."³ On the other hand, our understanding of *Hamlet* itself includes a perspective built by texts that not yet been written when *Hamlet* first appeared, events that had not yet happened, ways of acting and relating to one another that had not yet been adopted and questions, interests and concerns that had not yet been formulated. As long as history continues, then, no particular understanding or interpretation can exhaust the meaning of a text and the same holds for the meanings of actions, experiences and events.

This analysis effectively undermines criticism of hermeneutics as a totalizing theory. To be sure, if we are to allow for the way slippages of meaning may subvert the unity of the whole, we must already posit a unified whole as that which we claim the parts are subverting. To this extent, we must already make a totalizing move; we must already take the whole as a coherent unity of meaning in order to see just what it is that we take the slippages of meaning to subvert or what the whole is meant to be that the refractory parts undermine. Nevertheless, our unities of meaning never are total but are always *in media res*, as it were. They are parts of an on-going history and are not only handed down to us but also possess open futures. Our integrations of part and whole are what we transmit to our descendants as meanings they must appropriate in changed historical circumstances. The Great War becomes World War I and changes both its meaning and the meaning of its constituent parts. *The Merchant of Venice* moves into a 21st century, post-Holocaust world. Connecting up with different events and texts not yet written when it was first performed, it

takes on a different sense. It is not just the significance of the Great War or the *Merchant of Venice* that changes but rather what they are: on one interpretation, the first of two world wars and a jab to profound sensitivities. For this reason, totalizing interpretations that squash potential differences and overlook slippages in meaning are possible only to the extent that history ends. As long as it continues, wholes will become parts of new and equally temporary historical wholes. Any unification of part and whole continually slips into an open future that reconfigures it and reveals any particular totalization to be only partial.

It follows that, as part of a history that continues, the circle of whole and part becomes a means of adjudicating between, on the one hand, those accounts of meaning that cannot be justified because they fail to unify a part or parts with a whole and, on the other hand, those multiple interpretations that can be accepted because they succeed in unifying parts and wholes, although they do so in different ways. Interpretations that fail to unify part and whole need to be reconsidered and revised. Interpretations that succeed in integrating part and whole are not exclusive. Hence, the hermeneutic conditions of understanding and interpretation may make it difficult to understand Cordelia as the sort of insincere vipers her sisters are. If we cannot understand her as Regan or Goneril, however, some of us might understand her as a Christ figure while others see her as merely the annoying counterpart to the Oscar winner who insists on making a political point in what is meant to be a ritualistic and ceremonial speech.⁴ Both interpretations make sense out of other elements of the play; both can be integrated with them to form a unity of meaning.

Persons and Texts

What are the consequences of this hermeneutic analysis for identity? In the 1970's and 80's theorists such as Michael Walzer and Charles Taylor offered a hermeneutic conception of social meanings.⁵ Like the parts of a text, objects, practices, events and actions can have the meaning they have within a particular intersubjective world constituted within a particular context of beliefs, language and behavior. It may be, Walzer explains, that a table cannot be an intercontinental missile but, depending upon its context, it can be a desk, an altar, a butcher's block and any number of other things. Similarly, raising one's hand may not be skiing but it can be voting, asking to speak, volunteering and any number of other actions. Social meanings then, like the parts of a text, are constituted by the system of conceptual and practical interconnections within which they are situated.

Moreover, like the parts of a text they partially themselves constitute these systems. Voting is voting in part because raising one's hand or some other means of signaling one's preference is one of its elements.

Walzer offers the example of a religious altar. If what makes Cordelia Cordelia is the part she plays in *King Lear*, what makes a table an altar is the part it plays in a religious context. This part includes its use during a set of occasions such as holy days, its placement within a specific space such as a church or temple and its role in a certain kind of performance, namely a religious service. For its part, what makes a performance a religious service is that it is carried out by certain people, namely priests and bishops, and that they use certain texts such as scriptures and prayers that express certain beliefs. As in the case of *King Lear*, the constructions of social meanings are circular. While what makes Cordelia Cordelia is the role she has in *King Lear*, what makes *King Lear King Lear* is, in part, the role Cordelia has in it. Likewise, religious services are religious services because they take place on holy days in churches, make use of altars and involve performances by priests and bishops who employ scriptures and prayers that express certain beliefs. Outside of this system of interrelations or, in other words, outside of this text, an altar may be a workbench or a desk; within it, it is as "objectively" an altar as it is ever going to be.

While Walzer and Taylor transfer the idea of textual meaning to social meaning, *After Identity* transfers it to identity or to the meaning of who we are. Just as we attempt to figure out who Cordelia is, we attempt to figure out who we are and who others are. To this extent the identities we give ourselves and others are interpretations. As such, they necessarily comply with the hermeneutic conditions of interpretation: they involve an integration of part and whole that is horizontal in the sense that the integration relates to a particular framework of interpretation and that is non-totalizing in the sense that different orientations will give rise to different integrations. When we understand Cordelia's identity we do so as an integration of the part she has in *King Lear* and the play as a whole as we understand it. Likewise, when we understand who or what someone is or who or what we are, do so as an integration of parts that person has or we have in a particular context and that context as we understand it. To understand someone as a Muslim, then, is to understand him or her in relation to a series of actions, practices, rituals and the like and to integrate all of these as parts of a religious whole. Equally, to understand the whole as a religious one is to conceive of it in relation to a series of parts, including religious identities. By the same token to understand someone as a Red Sox fan is to understand him or her in the context of professional

baseball just as to understand a context as one of professional baseball is to conceive of it in relation to parts such as the attendance of paying fans.

Nevertheless, Barthold argues that this transfer from texts to identities is ambiguous. If raising one's hand can be voting or asking a question, depending upon the context, identities can be parts that have the meaning they have within wholes, say, as fans within the context of professional sports. Yet can identities not also be themselves wholes that serve as the contexts that unify various aspects of who we are? Which then are identities, parts or wholes? Surely the answer is both, just as texts can supply the context for the meaning of their parts and serve themselves as parts integral to the understanding of historical eras, literary genres and the like. Suppose we can be understood or understand ourselves as Muslims. On the one hand, it must be possible to integrate our beliefs, actions, practices and sensibilities into a unified whole for which identity as a Muslim is a possible interpretation. On the other hand, this identity is only one interpretation of who we are, dependent itself on a particular context. Likewise, if we can be understood or understand ourselves as men and women or as Blacks and whites, then these identities must be wholes that can serve as coherent integrations of parts. At the same time, at best these identities will be coherent parts of only certain contexts.

After Identity argues that racial and gender identities are problematic in both respects. As contexts they are texts that we cannot understand because, no matter how we try, we cannot integrate part and whole. We can make sense out of what it is to be a Muslim. Nevertheless, what is it to be a Black or a white? Efforts to combine the various facets of either our folk idea of race or our pseudo-scientific one into a coherent unity meet with failure. If we take a Black identity to be an issue of color then we cannot also hold it to be an issue of ancestry, since children of the same ancestor may be very different colors. Yet, if we take Black identity to be an issue of ancestry, then we cannot also hold, as the one-drop rule does, that one is Black if one has one African ancestor but not white if one has one European ancestor. The same incoherence holds for gender identities. What is it to be a woman? Ever since Sojourner Truth reportedly asked, "Ain't I a woman?" feminists have been concerned with the way the identities of people as women differ with ethnicity, class, age, nationality and so on.⁶ If being a woman means being fragile and helpless then it cannot also comprise the plowing, planting and gathering required of Truth. If being a woman is an issue of bearing and raising children than it cannot comprise seeing "most all sold off to slavery."⁷

The incoherence of nineteenth and twentieth century courts was part of the price they paid for enforcing racial identities. Under various laws distinguishing burdens and benefits along racial lines they simply muddled determinations of which individuals were Black, which white, which “other” and why. In suits for freedom, for example, sometimes ancestry was enough to release a person from servitude if one could establish, say, an American Indian line of descent.⁸ Sometimes ancestry gave way to reputation.⁹ Sometimes thick lips made one Black;¹⁰ sometimes a brownish color made one white.¹¹ In two infamous citizenship cases, the reasons the 1922-1923 Supreme Court gave for declaring an Indian non-white contradicted the reasons it gave (three months earlier) for declaring a Japanese non-white. Takao Ozawa argued that the light color of his skin made him eligible to become a citizen under laws that restricted naturalization to whites and those of African ancestry. The court rejected his petition, however, insisting that the words “white person” could not refer to color “as that differs greatly among persons of the same race, even among Anglo-Saxons.”¹² Instead, white people were Caucasians. Yet, three months later when Bhagat Singh Thind used the Osawa case as a precedent, the same court threw out its own reasoning: “The Aryan theory as a racial basis seems to be discredited by most and the word Caucasian is in scarcely better repute.”¹³

Twentieth and twenty-first century courts as well as the medical establishment often pay a similar price for enforcing gender identities. Take David Reimer, born Bruce Reimer and subsequently brought up as Brenda Reimer after a botched circumcision all but eliminated his penis. David’s original doctors agreed that he should be brought up as a girl because he did not have the anatomy to perform certain “masculine” activities such as urinating from a standing position and having vaginal sexual intercourse. Yet other psychologists condemned this decision because “Brenda” retained what they viewed as “masculine” roles, interests, activities, and sexual orientations. Being a man or a woman is thus sometimes an issue of anatomy and sometimes one of proclivities, a matter of the right anatomy or the right set of attitudes, behaviors and sexual desires. And suppose that the twins had been born with clitorises instead of penises and suppose that one of these clitorises had been accidentally destroyed. Would this accident lead doctors to suppose that the infant should not be brought up as a girl? Surely some cultures require just this procedure in order for girls to attain the status of “real” women. Why, then, is a penis crucial to identity as a man, although a clitoris is not crucial to identity as a woman and in some cultures even precludes it?

Take two other cases. In *Littleton v. Prange*, the Fourth Circuit Court of Appeals in Texas ruled that Christie Littleton had no standing to sue the hospital for her husband's wrongful death. She had undergone surgery much like David Reimer's to eliminate a penis and had undergone other so-called sex change operations. She also apparently behaved as a good wife and retained none of the masculine behaviors that worried members of the psychological profession in Reimer's case. Nevertheless, in contrast to the reasoning of Reimer's original doctors, the court decided that Littleton's XY chromosomes made her a man.¹⁴ Her marriage to Jonathan Littleton was invalid under Texas law and she could not be his surviving spouse. An Illinois court likewise denied the validity of Sterling Simmons's marriage and hence his custody claim but the court did so, this time, on the basis of his genitalia.¹⁵ Simmons had been born Bessie Lewis but as an adult began taking hormones, presented himself as a man and married a woman. He subsequently underwent hysterectomy and oophorectomy and when he and his wife had a child through artificial insemination, the birth certificate named him as the father. In 2005, he filed for divorce and asked for sole custody. This request the court denied on the grounds that, because Simmons had not completed sex change operations as defined by the doctors who testified at the trial, he remained a woman. Other legal cases define female identity in yet other ways: in terms of conformity with what the court called psychological sex in a New Jersey case,¹⁶ with shoulder structure in the case of Maria Martinez Patiño, a Spanish hurdler initially stripped of her Olympic medals since she possessed XY chromosomes,¹⁷ and with testosterone levels in the case of another athlete, Castor Semenya.¹⁸

The approach *After Identity* takes to resolving inconsistencies between and among the medical and legal professions in trying to enforce gender identities is to point to the contextual conditions of interpretation. Racial and gender identities are incoherent because we expect too much of them. We do not expect identity as a Muslim to integrate all aspects of a person but only those aspects relevant to a particular religious context. The text in which one is a Muslim is a religious text that highlights and takes as relevant certain aspects of who one is. The same holds for racial and gender identities: the text in which one is a Black or woman or even both is only a particular, circumscribed text. The contradictions these identities acquire result from the way they spill out over the bindings of the "books" or contexts in which they have their sense. It may be that identity as a Black provides a way of integrating and highlighting solidarity with a history of social injustice. Nevertheless, as a way of deciding issues of

freedom, marriage rights or the like – in other words as a part of the contexts of freedom and marriage, it simply makes no sense. The attempt to understand individuals as particular races or genders fails when it takes these identities to be global or, in other words, when it assumes that we are always intelligible as men or women, blacks, whites, Latinos or Latinas and so on. Instead, we are only sometimes intelligible in these terms, within particular contexts of interpretation that do not include many if not most of the contexts in which we currently attempt to employ racial and gender identities.

In this regard, *After Identity* draws upon the move from textual meaning to social meaning to identity in a second way, this time to illuminate identities as parts of particular wholes: who we are depends upon the part we can be understood to hold in a unified whole. Just as we understand who Cordelia is by situating her in the events and relationships of the text of which she is a part, a text we also understand by understanding who she is, we understand who we and others are by situating ourselves or others in the contexts of which we and they are a part, contexts we and they also partially constitute. Identities cannot transcend their contexts any more than Cordelia can transcend *King Lear*. Rather, to the extent that understandings of who we are necessarily move in a circle, identities are integrated as parts with particular wholes, understood in particular ways, and who we are depends upon this interpretation. We are African Americans, Polish Americans, men and women as parts only of certain contexts or wholes that we also partially constitute. As part of one context I partially constitute I may be a left-handed person; as part of a different context I partially constitute, I may be a woman. As part of one context, I may be a criminal; as part of another, I may be a Polish American.

Such understandings of who I am or others are remain horizontal inasmuch as they stem from particular concerns, interests and projects, whether our own or those of others. These understandings are also impermanent insofar as we and others can understand and be understood from different horizons. Who individuals are they are as coherently integrated with particular contexts, understood from particular horizons that are rooted in particular projects and concerns. Alcoff writes that “the meaning of a text’s elements may receive alternative interpretations in different time periods, and by different groups of readers.” Equally, the meaning a person possesses may receive “alternative interpretations,” nor can we “rightfully crystallize one moment” in a person’s “interpretive history as privileged over all others, nor one group of readers.” No identity

I possess has constant priority; because the condition of each is a situated circle of whole and part, neither is one a different sort of identity or interpretation than any other.

This conclusion signals the problematic character of our understandings of one another and ourselves in racial and gender terms. For we assume that these identities are somehow more basic or foundational than identities as Muslims or baseball fans. Nevertheless, if what gives Cordelia her meaning is her part in our understanding of the play, *King Lear* and if what gives a table the social meaning of an altar for us is a set of relations within a context of social meanings that comprises holy days, religious services and churches, then we need to ask what sets of relations within which contexts of social meanings gives subjects the meanings for us of women and men, or Black, white and the like. *After Identity* argues that these contexts can be no more global than those for religious identities or identities as baseball fans. We are perhaps women in the context of bearing children. Yet in other contexts we will be professors and students, Christians and pagans, type A personalities and those who are relaxed.

Identities as intelligible parts

In her comments on *After Identity*, Zack takes issue with this account. She argues that the book tries unsuccessfully to combine hermeneutic with normative analysis so that it ends up simply insisting that interpreting people as races and genders is bad, while interpreting them as baseball fans or other less fraught identities is good. In Zack's view, this consequence issues from the book's failure to recognize the extent of the wholes for which racial and gender identities might serve as parts.

Take racial profiling, the practice in which police or members of neighborhood watch groups target African Americans or Latinos as suspicion simply because of their race. Here Zack would presumably argue that the horizon from which police and neighborhood watch groups understand the individuals is a racist one involving historically entrenched stereotypes about race and crime. Furthermore, given this horizon, part and whole integrate without difficulty. With complete hermeneutic legitimacy, the police or neighborhood watch groups can identify individuals as African Americans and Latinos because they understand their identities within a racist context or whole in which racial identity is already a form of suspicious behavior. Hence, if there is problem with racial profiling, on Zack's analysis, it is a moral one rather than a hermeneutic one. It may be morally problematic to understand people as

racism within the context of fighting crime but it is not, in her view, interpretively problematic.

Nevertheless, it seems to me that this conclusion follows only if we conflate fighting crime with racism. Racial and ethnic identifications might be part of a racist context or a racial profiling context. They might also be part of a context of slave holding and segregation. Yet the question here is whether they are part of the context of fighting crime. And here attempts to get African American or Latino identity to cohere as intelligible parts of the context of crime fighting repeatedly and tragically fail. Unarmed teenagers are killed; individuals are embarrassed and humiliated; respect for law enforcement is undermined. However we understand Cordelia, we cannot understand her as a character in *Measure for Measure*; nor can we understand the characters in *Measure for Measure* as Cordelia. Cordelia has the meaning she has as part of a different play. Likewise, the whole of *Measure for Measure* requires different parts. However we understand our identities as African Americans or Latinos, we cannot understand them as parts of crime-fighting contexts; nor can we understand the characters in crime-fighting contexts as African Americans or Latinos. African American and Latino identities are parts of different contexts and crime-fighting requires different parts.

A similar analysis holds for gender or ethnic identifications in hiring and admissions decisions. Given an understanding of professional positions and places in educational institutions as careers or opportunities open to talent, a person can be plausibly understood as a potentially qualified candidate but not as a woman or an African American. Why can we not take the context for understanding people in this instance as the correction for a history of sexist or racial oppression, as Zack suggests? In this case, understanding them as women or African Americans would surely be legitimate. The answer, however, follows from our understanding of the action at issue. If we can plausibly understand this action as that of selecting applicants for a place in a university class or for a professional position, then the action is already part of an educational or employment context. People are applicants in competing for places or positions; they put forward certain qualifications and display their talents and qualifications before certain selection committees who, for their part, use stated criteria for selection and formulate certain preferences. This construction of meaning is reciprocal. Just as applicants are applicants because of their part in an educational or professional context, an educational or professional context is an educational or professional context because of the parts applicants, qualifications and selection

committees and criteria play in them. There may be other ways of constructing an integrated whole and part; nonetheless, it remains difficult to see how within an educational or professional context an applicant can be female or African American anymore than Isabella of *Measure for Measure* can be Cordelia. Moreover, to take as the context, instead, that of racial oppression is to eliminate applicants altogether.

Of course, this argument does not affect the criteria selection committees might use to assess merit, including the diversity in the backgrounds and experiences of applicants that are arguably a business asset or that can enhance the education of all students. Nevertheless, diversity in backgrounds and experiences does not always track racial or gender diversity. Moreover, if our concern is racial or gender oppression, then this concern figures in a different constellation of whole and part, one that involves the legacies of injustice, the remedies for which arguably include fundamental legal, economic and political reforms rather than the awkward attempt to insert racial and gender identities into wholes of which they constitute no part.

Comparing identities

Behind much of the commentary on *After Identity* is the idea that even if the conditions of understanding who we are remain the same whether we understand ourselves as left-handers, baseball fans, African Americans or women, for example, the wholes of which racial and gender identities are parts are simply larger and more encompassing than that of baseball fans or similar identities. Hence, a racial or gender identity is itself more pervasive than the identity of a baseball fan. Indeed, given the significance of human reproduction, we might argue that our identities as men and women are not only more pervasive but also more fundamental than our identities as baseball fans. Similarly, we might argue that the history of racial oppression secures a different, far more pervasive and significant status for racial identities as well.

Pursuing this line of thought, Alcoff thinks *After Identity* errs in leveling racial and gender identities to other sorts of identity. In her view, doing so neglects not a distinction between normative and hermeneutic standards, but “the lived sense of self, of embodied experiences and embodied visibility.” With regard to women, these “ongoing experiences” include

...the experience of being breastfed, or menstruating, of female menopause, of just living in a body with a vagina. We bring this lived experience to every context we occupy...Moreover, males and females have a different relationship of possibility to reproduction, even if that possibility is never in fact actualized or actualizable. We grow up with different imagined identifications with pregnant women and with the possibility of childbirth. This is surely part of our subject formation ... human embodiment includes a component of sexuality and differential possibilities of experience that affects meaning making, interpretation and social relations in some significant ways.

Alcoff makes the same argument with regard to race. Here she focuses on what she sees as *After Identity's* equation of being white with passing as white and argues that this equation, again, minimizes lived experience. For those who are passing as white experience the world in the mode of "hiding" something, namely: a genealogical tie to an African-American ancestor. Again this lived experience of hiding affects "meaning making, interpretation and social relations in...significant ways."

I think Alcoff slightly miscasts the argument I make here, since I argue not that passing as white is the same as being white but rather that all that distinguishes them is certain theoretical commitments that are belied by the best evidence we currently have about the non-existence of races. Nevertheless, I do not mean to deny the pain that issues from the necessity of hiding what the world or oneself takes as crucial facts about one's identity. At the same time, I do not think this experience affects the conditions of identities as interpretations. Rather, lived embodiment and lived experience are pluralistic. Human embodiment includes "differential possibilities of experience that affect meaning making, interpretation and social relations in some significant ways." Different people have different ways of living their bodies and find that different features of their embodiment direct their meaning making, interpretation and social relations in different ways. For some their sexed or racialized embodiment may be most pervasive in directing their interactions with the world but for others it may be their severely ill embodiment, their religious feelings; their musicality or their disabled embodiment. For some "being breastfed, or menstruating... menopause...living in a body with a vagina" may be lived experiences. Yet I think this cannot hold for everyone or even all those who regard themselves as women, for other aspects of their lived embodiment may simply be more salient. Nor must we bring a female lived experience "to every context we occupy." In exercising, I may have the lived experience of advancing age as much or more than any other

lived experience. And while many girls may grow up with imagined identifications with pregnant women and with the possibility of childbirth, many do not.

Like Alcoff, Shrage is interested in a phenomenological account of first person horizons on the world or, in other words, the first person sense of who we are that orients us towards the world and is, Alcoff thinks, the source of the very interpretations that *After Identity* emphasizes. While Alcoff stresses our gendered identity, Shrage stresses the ways one's sexual identity as heterosexual, queer, lesbian and so on affects not simply one's sexual orientation but one's orientation toward the world in general. Here again I do not want to deny that being "marked" in various ways – as the second sex, non-heterosexual, disabled, non-Anglo or non-white, for instance – offers one the possibility of a different embodied orientation in a world geared to men, heterosexuals, the able bodied and whites. At the same time, I want to make two points. First, many different embodiments offer this possibility: being left-handed in a world made for right-handers; being non-American in a world dominated by the United States; a generer in a world still run by baby boomers and so on. To make this point is not to deny in any way that history and culture have made things far worse for non-whites than for non-right-handers. Yet, second, the very point of *After Identity* is to even out this difference in status, to get past the idea that some of our identities, and particularly our racial and gender identities, have a fundamental contextually unbound standing that the others do not.

Barthold raises a related challenge pertaining to first-person or lived experience. She claims that *After Identity* fails adequately to account for what she calls "subjective identity essentialism" by which she means, "what is felt by the subject as essential-like." To be sure, Barthold does not think, as Alcoff does, that such subjective essences need be related only to race or gender. Nevertheless, Barthold asks

Is there anything in Warnke's account that would entitle an individual to maintain a specific identity – one that is "subjectively essential" – even in the face of contextual evidence against it? What might it mean to challenge self-interpretations and/or third person interpretations? How can Warnke make sense of the fact that in some instances some identities are indeed subjectively essential from a first-person perspective even if the context would suggest otherwise.

As an example, Barthold suggests that although at work, a person can surely be understood as a worker, she might also find it impossible to

leave her identity as a woman, however she understands what it is to be a woman, at the factory door. Barthold recognizes that *After Identity* is less interested in the psychological aspects of identity than in the relation of identity to issues of social justice. This distinction provides some response to her questions since the book does not deny that individuals can and will find some of their identities more essential to their psychological sense of themselves than others. I may, for instance, be much more capable of suspending my identity as a Red Sox fan than I am of suspending my identity as a parent. Nevertheless, Barthold thinks the book goes too far. For in trying to understand who others are – that is, in trying to understand what their identities are - we must also always be identities ourselves. The same goes for our attempts to understand ourselves: we must already be some identity as we attempt to do so. The question that perplexes Barthold, then, is who this identity, on my account, can possibly be. As she asks, “If there is no context-transcendent person...then what are the implications of this conclusion for discussions of personal identity?”

In her view, the problem here stems from my account of the contextual conditions of understanding since defining identities as parts of different wholes makes persons indistinguishable from their contexts. It follows that “we can never ask what a “person” means – where “person” refers to an entity unified through time—but only what does this person mean in *this* situation.” We thus confront the potential for a fractured self, a self made up of a plurality of incommensurable identities and without any capacity to see itself as a whole or to prioritize any of its various identities over others. Barthold points out that *After Identity* says, “Our task as individuals is to develop and organize our identities in ways that give our lives the meaning we want for them.” But, she asks, “Just who is this overarching “we”... and what does it mean to speak of the meaning of our lives given our multiple identities?” On the one hand, then, *After Identity* restricts the domains within which any of our identities have meaning. On the other hand, it asks us to organize and prioritize our identities as if “we” were some overarching identity behind all of them.

Talk of identity moves in two directions, I think. Sometimes by identity we mean our “subjective identity essences” or our sense of who we most fundamentally are, that identity we possess without which we could not recognize ourselves. This conception gives identity a moral psychological sense, one that centers on the set of characteristics a person affirms negatively or positively to be most constitutive of who he or she is. Of course identities in this sense are constrained by the stock of identities that are available to us. Sometimes by identity, however, we mean

identification – how we identify who others and we are. In this sense identities are interpretations that, as such, comply with the hermeneutic conditions of understanding. The moral psychological sense does not affect this second sense of identity. But then who is the I, the overarching identity that prioritizes identities in the moral psychological sense?

I think this answer differs for different individuals and probably differs for the same individual at different parts of their lives. In the context of contemplating a career move that will put some pressure on my family and my relationship to it, I may have to consider which of my identities is more important to me, my identity as a parent or my identity as a professional, and I will have consider these identities from the perspective of each: as a professional, what is the significance to me of my identity as a parent and professional? As a parent what is the significance to me of my identity as a professional and a parent? The same holds for the question of whether I should be expected to leave my identity as a parent at the factory door. If my boss asks me to separate my identity as a parent from my identity as a worker by, for example, leaving my children at home, then once again I am faced with a question of priorities. Yet, the identity responding to that question of priorities is surely a limited one, one that is not that of an opera-lover or a tuba player.

Conclusion

In line with his account of social meanings, Walzer develops a theory of complex equality. Contexts of social meanings differ. If altars have their meaning in a religious context, professions, in contrast, have theirs in the context of careers open to talents. Moreover, the moral legislation each involves differs. We ought not suppose we can find one standard for using or valuing them that works for both. Rather, these standards will be sphere-specific: reverence, perhaps, in one case and equal opportunity in the other. Nor is either reverence or equal opportunity a standard appropriate to all spheres. Those looking for someone to preside over a church wedding, for example, need not advertise under EEOC guidelines. Commodities offer another example. For Walzer the social meaning of commodities involves objects “beyond what is communally provided that individual men and women find useful or pleasing, the common stock of bazaars, emporiums and trading posts.”¹⁹ As such the proper standard of their use and value is money, and commodities can be appropriately issued to those with the funds and inclination to buy them.

Walzer sees social injustice as the extent to which standards appropriate to one sphere are allowed to seep into another. Money buys goods, but if it also buys political power and education it unjustly usurps the standards of distribution proper to those spheres: persuasive political capacities and democratic citizenship, respectively. To the extent that as a society we allow those with money to buy access to power or to buy better educations for their children than those without money can receive for theirs, we violate the moral legislation of our own social meanings.

The same, I think, holds for identities. They are the identities they are only within distinct spheres; within one sphere we are worshippers, within another we are consumers and within a third we are fans. Similarly, to the extent that identities cross spheres they usurp the identities proper to those spheres. The phenomenon of driving while black is a clear example. In order to preserve the autonomy of spheres, we need to insist not only that criteria of use and value within them cohere with their logic but also that the identities who use and value social meaning within them cohere with their logic: careers to the talented, in other words, medical attention to the sick and so on.

Following Walzer's theory of complex equality, we might call the consequences of this line of thought a theory of complex identity. It returns us to an older tradition of struggles for civil and political rights, replacing the so-called politics of identity with the demand for equal treatment, where the specification of equal treatment follows Walzer's theory of complex equality and refers to treatment consonant with the relevant sphere. Whereas the politics of identity insists that women and ethnic, racial and sexual minorities demand a form of participation in social and political institutions that sufficiently respects their identities as women and ethnic, racial and sexual minorities,²⁰ a theory of complex identity asks that we respect those identities that are intelligible parts of the spheres in which they operate. With regard to careers open to talents, we are only individuals who are more or less talented according to the guidelines of the relevant search committees; with regard to driving we are only good or bad or insured or uninsured drivers, with regard to education, we are students and teachers.

Of course, a theory of complex identity may seem not only to return to the older tradition of struggles for political and civil rights but also to add nothing to it. The demand that the Civil Rights Movement made was that African Americans be treated according to their talents and potential rather than according to the color of their skin. A theory of complex identity is firmer. It insists not simply that color is irrelevant but that race, like

gender, is a social meaning intelligible, if at all, only within strict boundaries. Injustice occurs when either intrudes into a sphere into which it cannot fit. In sum, we ought to be strictly contextual in our assessment of who we are and we ought to emphasize the multiplicity of equally constrained identities we possess.

Notes

¹ For an old example, see Jacques Derrida, “Interpreting Signatures (Nietzsche/Heidegger): Two Questions” in *Dialogue and Deconstruction: The Gadamer-Derrida Encounter* (Albany NY: State University of New York Press, 1989).

² See for example, Lorraine Code “Introduction: Why Feminists do not Read Gadamer” and Veronica Vasterling, “Postmodern Hermeneutics? Towards a Critical Hermeneutics” in *Feminist Interpretations of Hans-Georg Gadamer* ed. Lorraine Code, (College Park: PA: Penn State Press, 2003), 5 and 161–3, respectively.

³ Terence Hawkes, *Meaning by Shakespeare* (New York, Routledge, 1992) p. 4.

⁴ See Ralph Berry, *Tragic Instance: The Sequence of Shakespeare's Tragedies* (Newark: University of Delaware Press) 1999, p. 146.

⁵ See Charles Taylor, “Interpretation and the Sciences of Man” in *The Review of Metaphysics*, Vol. 25, No. 1 (September, 1971) and Michael Walzer, *Spheres of Justice A Defense Of Pluralism And Equality* (New York: Basic Books, 1984) and “Objectivity and Social Meaning” in *Thinking Politically: Essays in Political Theory* ed. David Miller (New Haven: Yale University Press, 2007)

⁶ See, among other texts, bell hooks, *Ain't I a Woman: Black Women and Feminism* (Boston: South End Press, 1981); Cherríe Maraga and Gloria Anzaldúa, ed., *This Bridge Called My Back: Writings by Radical Women of Color* (New York: Kitchen Table: Women of Color Press, 1983); Elizabeth V. Spelman, *Inessential Woman: Problems of Exclusion in Feminist Thought* (Boston: Beacon Press, 1988); Aída Hurtado, “Relating to Privilege: Seduction and Rejection in the Subordination of White Women and Women of Color,” in *Signs: Journal of Women in Culture and Society*, Vol. 14, No. 4: *Common Grounds and Crossroads: Race, Ethnicity and Class in Women's Lives* (Summer, 1989), pp. 849–50; Kimberle Crenshaw, “Mapping the Margins: Intersectionality, Identity Politics and Violence Against Women of Color,” *Stanford Law Review* Vol. 43 (July 1993), p. 1252–1253; and Chandra Talpade Mohanty, “Women Workers and Capitalist Scripts: Ideologies of Domination, Common Interests and the Politics of Solidarity,” *The Feminist Philosophy Reader*, eds. Alison Bailey and Chris Cuomo (New York: McGraw-Hill, 2008)

⁷ See <http://www.fordham.edu/halsall/mod/sojtruth-woman.asp>

⁸ See *Hudgins v. Wrights*, 11 Va. 134 (1806)

⁹ See *Bennett v. Bennett*, 10 SC 2nd 23 (SC 1940)

¹⁰ See *Gary v. Stevenson*, 19 Ark. 580 (1858)

¹¹ See *McPherson v. The Commonwealth*, 69 Va. 939 (1877)

¹² *Takao Osawa v. United States*, 260 U.S. 178 (1922).

¹³ *United States v. Bhagat Singh Thind*, 261 U.S. 204 (1923).

¹⁴ See *Littleton v. Prange*, 9 SW 223 (Tex.1999)

¹⁵ See *In Re Marriage of Sterling Simmons*, 355 Ill. App. 3d 942; 825 N.E.2d 303; 2005 Ill.

¹⁶ *M.T. v. J.T.* 40 NJ Super 77 (1976).

¹⁷ See Susan K. Cahn, *Coming on Strong: Gender and Sexuality in Twentieth Century Women's Sport* (Cambridge, MA: Harvard University Press, 1994) p. 264.

¹⁸ See, for example,

www.nydailynews.com/news/world/.../2009-09-10_caster_semenya.html

¹⁹ *Spheres of Justice*, p. 103.

²⁰ See, for example, Will Kymlicka, *Liberalism, Community and Culture* (Oxford, Oxford University Press, 1989.)