

Passing/Out

Sexual Identity Veiled and Revealed



Edited by
Dennis R. Cooley and
Kelby Harrison

PASSING/OUT

Dedicated to Kelsey and Mr. Jack

Passing/Out

Sexual Identity Veiled and Revealed

Edited by

DENNIS R. COOLEY

North Dakota State University, USA

and

KELBY HARRISON

Union Theological Seminary, USA

First published 2012 by Ashgate Publishing

Published 2016 by Routledge

2 Park Square, Milton Park, Abingdon, Oxon OX14 4RN

711 Third Avenue, New York, NY 10017, USA

Routledge is an imprint of the Taylor & Francis Group, an informa business

Copyright © 2012 Dennis R. Cooley and Kelby Harrison.

Dennis R. Cooley and Kelby Harrison have asserted their right under the Copyright, Designs and Patents Act, 1988, to be identified as the editors of this work.

All rights reserved. No part of this book may be reprinted or reproduced or utilised in any form or by any electronic, mechanical, or other means, now known or hereafter invented, including photocopying and recording, or in any information storage or retrieval system, without permission in writing from the publishers.

Notice:

Product or corporate names may be trademarks or registered trademarks, and are used only for identification and explanation without intent to infringe.

British Library Cataloguing in Publication Data

Passing/out : sexual identity veiled and revealed.

1. Sexual orientation. 2. Passing (Identity) 3. Outing
(Sexual orientation) 4. Queer theory.

I. Cooley, Dennis R. II. Harrison, Kelby.

306.7'6-dc23

Library of Congress Cataloging-in-Publication Data

Cooley, Dennis R., 1965-

Passing/out : sexual identity veiled and revealed / by Dennis R. Cooley
and Kelby Harrison.

p. cm.

Includes bibliographical references and index.

ISBN 978-1-4094-3582-2 (hardback) -- ISBN 978-1-4094-3583-9 (ebook)

1. Outing (Sexual orientation) 2. Passing (Identity) 3.

Gays--Family relations. 4. Transsexuals--Family relations. I. Harrison,
Kelby. II. Title.

HQ76.25.C666 2012

306.76'8--dc23

2012002396

ISBN 978-1-409-43582-2 (hbk)

ISBN 978-1-315-59960-1 (ebk)

Contents

<i>List of Contributors</i>	<i>vii</i>
Introduction <i>Dennis R. Cooley and Kelby Harrison</i>	1
1 The Ontological Foundations of Passing <i>Mark Chekola and Nancy Arden McHugh</i>	13
2 Complicating Reason(s) and Praxis for Coming Out <i>Dennis R. Cooley, Alice MacLachlan, and Susanne Sreedhar</i>	43
3 Power, Oppression, and Passing <i>Daniel Hurewitz and Kelby Harrison</i>	75
4 Cross-Generational Risks of Ascribing and Employing “Queer,” “Gay and Lesbian” or even “Straight” <i>Janna Jackson Kellinger and Rob Cover</i>	105
5 At the Intersection of Racial and Sexual Passing and African-American Celebrity <i>Willie Tolliver and C. Riley Snorton</i>	137
6 Margins within the Marginal: Bi-invisibility and Intersexual Passing <i>Samantha Brennan and Maren Behrensén</i>	171
7 Transgender Identity and Passing Authentically <i>Christine Overall and Karin Sellberg</i>	203
<i>Index</i>	<i>233</i>

This page has been left blank intentionally

List of Contributors

Maren Behrensen is Ph.D. candidate in Philosophy at Boston University, U.S.A. Her areas of interest include contemporary issues in ethics, Kant, philosophy of law, metaphysics of personhood and free will.

Samantha Brennan is Professor of Philosophy at the University of Western Ontario, Canada. Her areas of interest include contemporary normative ethics, particularly at the intersection of deontological and consequentialist moral theories. She also has active research interests in feminist ethics.

Mark Chekola is Emeritus Professor of Philosophy at Minnesota State University Moorhead, U.S.A. His areas of interest include ethics and the philosophy of social sciences. His current research focuses on the concept of happiness.

Dennis R. Cooley is Associate Professor of Philosophy and Ethics at North Dakota State University, U.S.A. His areas of interest include theoretical and applied ethics, such as bioethics and death.

Rob Cover is Senior Lecturer of Media at The University of Western Australia, Australia. His areas of interest include minority identities, community and media cultures, as well as digital, participatory/interactive media and communication theory.

Kelby Harrison is Post-Doctoral Fellow in Social Ethics at Union Theological Seminary, U.S.A. Her areas of interest include constructive ethics for LGBTQ persons as well as the critical evaluation of cultural, theological, and secular sexual ethics. She has a strong interest in the past, present, and future of queer liberation theology.

Daniel Hurewitz is Professor of History at Hunter College, U.S.A. His areas of interest include the cultural roots of identity politics, the emergence of a gay rights movement, the politics of homophobia, and the history of Los Angeles and New York.

Janna Jackson Kellinger is Assistant Professor in the College of Education and Human Development at University of Massachusetts Boston, U.S.A. Her areas of interest include English education, secondary education, queer pedagogy, the intersection of education and queer identity.

Alice MacLachlan is Assistant Professor of Philosophy at York University, Canada. Her areas of interest include ethics, focusing especially on feminist ethics and virtue ethics, social and political philosophy, and the politics of sexuality. Her research topics include forgiveness, reconciliation, reparation and apology, as well as the philosophy of Hannah Arendt.

Nancy Arden McHugh is Associate Professor of Philosophy at Wittenberg University, U.S.A. Her areas of interest include the philosophy of women's lives, knowledge and social change, and knowing bodies, with a special focus on the connection between theory and practice, philosophy and lived experience, and epistemology and politics.

Christine Overall is Research Chair and Professor of Philosophy at Queen's University, Canada. Her areas of interest include feminist theory, applied ethics including bioethics, and philosophy of religion.

Karin Sellberg is Post-Doctoral Research Fellow at Edinburgh University, Scotland. Her areas of interest include contemporary literature, transgender and queer theory and discourses of embodiment.

C. Riley Snorton is Assistant Professor of Communication at Northwestern University, U.S.A. His areas of interest include transgender and queer theory, media anthropology, Africana studies, cultural studies, performance studies, and popular culture.

Susanne Sreedhar is Assistant Professor of Philosophy at Boston University, U.S.A. Her areas of interest include political philosophy, especially the history of political philosophy, early modern philosophy, and feminist philosophy.

Willie Tolliver is Director of Africana Studies, and Director of Film Studies and Associate Professor of English at Agnes Scott College, U.S.A. His areas of interest include African-American literature, nineteenth-century American literature, Henry James, and film.

Introduction

Dennis R. Cooley and Kelby Harrison

Richard Mohr argues that questions of passing and outing are not *a* set of ethical questions, but *the* set of ethical questions in the life of gay, lesbian, bisexual, and queer persons. In order to ask the ethical life organizing questions about how one should veil or reveal a sexual identity, one must also ask difficult questions about the nature of identity, the history of sexual identity, and how identity, sexual or otherwise, functions within our personal and social relationships.

Passing as heterosexual often seems better to closeted LGBTQ people than revealing one's actual sexual identity. Veiled people avoid being singled out as deviant and receive benefits from being "normal." However, do they have an ethical duty to be out?

Many people and all moral philosophers working in this area recognize that there is a moral dilemma. We want people to be authentic and live according to who they truly are. At the same time, obviously, there can be grave moral costs to passing, deeply problematic social implications to passing, and moral sympathies for some who choose to pass. In times of trouble, those who belong to persecuted classes can often be tempted to pass as a member of the oppressor group. Unfortunately, no matter when or where someone lives, it can be a time of trouble because there always seems a societal need to make one or more group the focus of social dislike if not hatred; so there is always an incentive to pass. How to resolve the dilemma is difficult. After all, we are rather reluctant about forcing people, to endanger themselves just to live as they should in an ideal world.

Outing oneself and outing others is a moral minefield at the best of times. Being unveiled or unveiling oneself comes with utilitarian considerations such as political advancement and community health, questions of autonomy, privacy, self-respect, and respect for others, and a plethora of other moral factors that have to be given their proper weight in any final decision we make. Passing/outing is inextricably bound with moral questions whose answers require complex, nuanced answers that take into account general moral principles and ideals as well as each individual situation's particular set of circumstances, including the metaphysical issue of who each person is as a person in general and who each person is as a person in particular. The former set of characteristics all persons share in common, while the latter is what makes each person the individual she is. Each has its own impact on each case of passing or being out.

Within the LGBTQ community/ies the understanding of sexual identity has been impacted radically by a group of researchers known as queer theorists: a set

of literary, cultural, and philosophical thinkers who sought to expose the socially constructed aspects of sexual identity. These thinkers and writers have been prolific since the early 1990s and have significantly altered the way intellectuals and even activists conceive of sexual identity. Without a doubt, queer theory has made the rhetorical and critical inquiry into sexuality a more sophisticated and nuanced endeavor. It has shirked off layers of assumptions and burdens about the truths of sexual identity. But, queer theory has also come with a moral cost. Taken at its most extreme, the deconstructive endeavors of queer theory have left the markers of sexual identity as nothing more than political and social markers of the privileged and the marginalized. That is, sexual identity markers signify only differences in power. Because queer theory denies any essential value to sexual identity, queer theory makes passing/outing ethical impossibilities; passing/outing are only instruments of social and political mobility empty of normative meaning.

The Methodology of this Book

In *On Liberty*, John Stuart Mill argued that a marketplace of ideas is necessary in the continuous search for truth. Because people cannot know whether their opinions are in error, they must constantly examine them, especially those that are fundamental to each person's decision making.

In the case of any person whose judgment is really deserving of confidence, how has it become so? Because he has kept his mind open to the criticism of his opinions and conduct. Because it has been his practice to listen to all that could be said against him; to profit by as much of it as was just, and expound to himself, and upon occasion to others, the fallacy of what was fallacious. Because he has felt, that the only way in which a human being can make some approach to knowing the whole of a subject, is by hearing what can be said about it by persons of every variety of opinion, and studying all modes in which it can be looked at by every character of mind. No wise man ever acquired his wisdom in any mode but this; nor is it in the nature of human intellect to become wise in any other manner. (Mill 1988: 88)

For any individual to assume, with absolute certainty, that his view is the right one is to fail in his duty as a person no matter how difficult it is to do (Mill 1988: 87). We know that it is the devil's own business to have to examine, and then to decide whether to discard or keep beliefs that receive some of their evidentiary justification from a false belief. How much do they rely upon the false data? Are the data really that unreliable? And other questions have to be answered before we begin the process of trimming our belief sets. The task becomes even more difficult if the belief is central to the core of who the person is. Those alterations would require significant changes in the person's identity, which are harder as the person ages and becomes more settled in who she is as an individual, or the belief is one

of the more fundamental ones bordering on ideological. The latter types of beliefs are so interwoven into each person's set of beliefs that it might be impossible to separate one of them, clean out all beliefs that were sufficiently dependent upon it, and then go on with the person's life as if nothing significant has happened. In fact, these alterations to our mental states are like large earthquakes in our reality. They disrupt, disjoint, and tear at who we are as individual people. But to be better people as people in general, and in most cases, in particular, we must do it.

Bettering ourselves is not the end of the story for why we have a duty always to be engaged in examining the veracity of the things we believe. We are obligated to recognize that many of our actions involve other people: some as contributors to the action; some as people affected by the consequences of what we do. How we affect others can be determined, in part, by a variety of moral factors. Perhaps most importantly, every person is a member of a concrete, interdependent, and interconnected web of relationships. Whenever one person in the relationship acts, then others connected to that person can be affected in good or evil ways mitigated or enhanced by the relationship they have with the actor. We thus have greater impact on certain others, which requires us to take greater care of them than we would of ourselves. Since those in relationships with us are more vulnerable to our actions than we are because the former cannot control those actions nor do they have a chance, at the very least, to acquiesce in what we are doing or what will happen to them, then we must ensure that our actions are based on legitimate evidence.

By improving ourselves by way of having opinions that are closer to the truth than not, we can make better decisions and act in ways more fitting for the impact we have on those in our webs of relationships or in society around us in general. We can limit unwarranted damage to others, while, hopefully, improving their lot in life so that they can flourish more efficiently than would be the case if we were acting out of false beliefs. Hence, our duty to be actively engaged in a marketplace of ideas is a duty to oneself and a duty to others. To do otherwise, would be to fail to take due care in our interactions.

Mill's approach is the centerpiece of how this anthology examines the question of out versus veiled people. We have brought together scholars with a variety of opinions to create dialogues on the subject that add to the diversity of the book's marketplace of ideas in three ways. First, in each of the seven chapters there are representatives from different disciplines within the social sciences and humanities. The discipline specific forms of thinking present fascinating new ways of understanding a central position, conflicting positions, or in some cases, clear differences on a particular issue. The interdisciplinary nature of the work provides more nuance to the complicated questions addressed in the text much the way that obtaining more and more oral and other histories of a significant event moves us away from what might be an idiosyncratic tale to a rich, depth narrative that captures the event as a whole through collective memory.

Second, contributors were encouraged to identify and develop what they individually thought most important in regard to the issues of revealing or veiling

sexual identity. We took this approach so that our contributors could freely identify areas of importance rather than having to fit their work with what we as editors believed to be of paramount concern. By acting in this manner, we did not allow what might be mistaken about our views to stifle the marketplace of ideas.

Moreover, the dialogue form employed in this work allowed for a natural, organic discussion to take place between the paired authors. Each produced a stand-alone essay, which allowed each contributor to state what he or she thought should be addressed. This essay was then addressed by the other author as he or she thought fit. At times, the other author strove to develop the ideas of the other author. In some instances, there were clarifications of positions in the scholar's own work that might be brought into question by the other author's original contribution. Authors sometimes chose to point out errors, and this was the start of a conversation. Regardless of the approach taken, the commenter did whatever he or she found most important to do in his or her second contribution. The last components of the dialogues—the responses—were also left open to the contributors to develop whatever they thought most useful to the discussion. The flowing nature of the exchange of ideas promotes a wider, deeper understanding of the subject matter.

Third, and most importantly, this anthology collects a series of chapters from two intellectual generations: scholars who began their writing and intellectual careers before queer theory hit the academy and those who began after it was likely to be wide-spread. Each contributor was asked to address questions of passing and outing in light of the theories of identity and thinking they thought most relevant to the issues at hand.

We chose 1995 as our dividing line because in 1990 Teresa de Lauretis coined the term “queer theory.” We expected to find that the generation whose graduate work came before the widespread dissemination of the new paradigm would tend toward pre-queer theory's characteristic traits, such as essentialism. We thought that five years would be enough time for Lauretis' ideas to spread in a significant way throughout relevant disciplines. After all, the mere fact that the term is coined in one year does not entail uniform penetration in that same year. Since five years is about the time a person would begin and end her doctoral student career, a lustrum for adequate dispersal seemed about right. Those scholars who graduated after 1995, our second intellectual generation, were hypothesized to be more closely aligned with post-queer theory.

Each pre-queer theory generation scholar was paired with a post-queer theory generation scholar and asked to comment and reply to the theoretical content of the other's work. By doing this, the anthology became a site for dialogue between two generations standing on either side of a pivotal shift in our trajectory towards justice and equality. The dialogue illustrates significant differences and similarities in some approaches to this vital issue. We do not claim that these dialogues capture every plausible approach to the subject, but they do provide valuable insights that advance the discussion in beneficial ways.

For those who are generally influenced by the pre-queer theory state of their discipline, one might expect to see a heavy reliance on the Enlightenment ideas exemplified by John Locke and others from that era. First, essentialism in regard to identity maintains that there is a certain set of characteristics a person has that are necessary to who the person is. Unlike accidental traits that can change over time without affecting the person's identity, an essential property can on its own alter the person's identity to make the person a different person. For example, what a person wears on a particular day is an accidental property of his. If he had worn something else, then he would still be the same person. Hair color, scent, and other secondary qualities are morally irrelevant to who the person is as an individual. Changing an essential characteristic, on the other hand, will not be as innocuous to the existence of the person. Sexual orientation is often thought to be an essential trait of who a person is. If that were altered to a different orientation, then that person would cease to exist the moment the change occurred to become a different entity with the new characteristic. In addition, for essentialism, the set of characteristics that make an entity a person qua a person in general was thought to be complete, absolute, and universal. All people have to have each of the essential traits within the set in order to be a person or a particular type of thing. If he failed to have any of them, then he should be classified as a different thing that fell under a different type or category.

Second, pre-queer theorists might tend to place a great deal of emphasis on rationality and minds as an essential and central fixture to identity. For example, who a person is will be determined by the mental states and other characteristics that she has. That is, the body can change radically, while the person remains the same entity because the mind retains its necessary properties. However, if the mind changes sufficiently, then the person essentially alters regardless of whether the body remains in the same state it was at the start of the mental alteration period.

In addition, since minds are somehow different from bodies, then features thought inherent to minds are often considered to be superior to characteristics of bodies extended in space and time. For example, acting primarily because of desire or emotion is essentially defective in comparison to acting out of pure reason alone, if Kant is right.¹ The idea is that when we act without sufficient rationality, then we basically degrade ourselves by using characteristics of the body that we share with lower life forms, such as dogs and cats. Therefore, when it came to identity, rationality took precedence over mere emotions in who a person really is at her central core, which she holds in common with all persons, as well as the particular essential core she has as an individual being. Rationality is also the central component of moral conduct and thinking because of this privilege it has been given for so long.

The role that identity politics played prior to 1995 should not be ignored when discussing the possible generational differences that can be found among scholars. Because there was such a stigma to being LGBTQ, it was often far safer for people

1 Of course, Hume would beg to differ.

to remain closeted than to unveil that they were not in the heterosexual norm. Employment, social acceptance, safety, and many other social benefits that people accept without question could be denied to those who were different in this way. The result was that by not being in the social mainstream that would allow those with irrational beliefs about non-heterosexuality to see that they were mistaken, and then change their beliefs accordingly, non-heterosexual remained hidden, which encouraged the view within the LGBTQ and heterosexual communities that there was something morally wrong with being non-heterosexual.

Identity politics has many facets, but the one most relevant to this work is the approach it advocated for coming out of the closet. In order to challenge the social conventions in regard to sexual orientation and being queer, it was vital to be out. The more heterosexuals saw those who were out acting according to their identity, then the less deviant and different non-heterosexuality would be to them, and therefore, the more acceptable it would become. In this case, familiarity did not breed contempt. It was intended to create—if not a welcoming society—at least one in which people could live authentically. With greater acceptance would come greater power in political and social circles in order to make LGBTQ lives as good as was offered to those who were heterosexual. In order to advance the interests of the group as a whole, then it is often argued that those who can be out have a duty to be out.

The tension that arises in identity politics is clear if we consider sexual orientation to be a morally irrelevant characteristic, as race should be. If sexual orientation is irrelevant, then being out would be a very odd duty for an individual to have. Heterosexuals had no obligation to state that they are heterosexual—because of heterosexism—but LGBTQs would be obligated in many cases to come out to those who made or might make assumptions about their sexual orientation. Therefore, an additional burden was placed on non-heterosexuals, whose position was already weaker than heterosexuals, to reveal what is supposed to be of no moral concern. This additional obligation reveals what appears to be two different moralities: one for heterosexuals and one for LGBTQ which gives this group a greater burden to bear even though they are already more vulnerable.

In post-queer theory there was a significant change in thinking about these issues. In the United States the activist watershed moment for sexual identity disclosure came with the 1969 Stonewall riots. As activists worked throughout the 1970s and 1980s towards visibility, the younger generations of LGBTQ folks became used to the narratives and expectations of “coming-out.” The political assumptions were clear—our collective future and freedom depended on visibility, and the dangers of outing oneself were lessened with each passing year and each new individual commitment to LGBTQ visibility. LGBT scholarship in these years mirrored these same political assumptions. But, the intellectual watershed moment in thinking about sexuality and visible sexual identity came in the early 1990s with the introduction of academic “queer theory.” Particularly notable is Judith Butler’s 1990 publication of *Gender Trouble* which began to unravel the supposed essentialism of gender identity, and by association sexual identity through exposing

the mechanism of reproduction of gender as normatively enforced repetitions of behavior, embodiment, and stylization such that something which is very much performed is experienced as natural. This process of denaturalization opened the intellectual door for sexuality to be explored as socially constructed and regulated through processes of power that are both productive and destructive of the docile bodies under its control.

Queer theory thinkers have a tendency to share at least three basic assumptions in the study of sexuality: it is socially constructed, it is all about power, and ethics are to be held as suspect.

There are multiple aspects to the first basic assumption, that sexual identity is socially constructed. First there is an historical sensitivity about how sexuality has been interpreted. The historical work of academics such as David Halperin (see e.g. 1989, 2004) and Jonathon Katz (2007) convincingly demonstrate that sexual practices throughout history have been understood in different ways. The notion of sexual practices as constitutive of an identity is a fairly recent phenomenon tracing back to the early 1860s. This background knowledge allows for greater flexibility in deconstructing our contemporary understandings of sexual practice as identity.

Secondly, through deconstructive exposure of moments in the history of non-normative sexuality it becomes evident that the processes of construction of aspects of LGBTQ identity are not always recognizable: The structures are quickly hidden by the process of history. This is evidenced by the work of both Michel Foucault (see e.g. *History of Sexuality V.1* (1990)) and George Chauncey (1995). The ubiquitous presence of the closet, for example, within LGBT identities was a construction of the early 20th century, as Chauncey demonstrates in his book *Gay New York*. The recognition that the elements of sexual identity that we take the most for granted in contemporary culture are a product of socio-historical forces allows for greater rethinking of possibility in sexual ideology.

Thirdly, the work of theorists such as Eve Sedgwick demonstrates that things are not always as they seem. In her work, *The Epistemology of the Closet*, Sedgwick argues that the closet is universalizing—that it impacts everyone's sexuality, not that it is minoritizing—as we often suppose it only impacts LGBT sexual minorities (2008). Rereading the impact of sexual identity on culture and human subjectivity becomes a central impetus of queer theory.

In regards to the second basic assumption— it is all about power—queer theorists are avid thinkers in regards to how power functions and influences behavior, ideologies, and even the most natural seeming elements of embodiment. Power is seen as a more nuanced and productive force than simply top down oppressive regimes (although this form of power is also recognized). Post-modern inquiries into the production and employment of power also figure centrally in understandings of sexuality in social and political contexts. Foucault's work (1990, 1995) has been formative in this assumption.

The third shared basic assumption is a general suspicion of the workings of ethics on sexual—namely queer—bodies. Epistemology takes front seat in most of queer theory while ethics does not come along for the ride. Questions tend to focus

on the production of sexual knowledge, and ways of knowing and understanding subjectivity. Recently, there has been a shift in this trend and the critical role of ethics is returning to the scholarly scene. This anthology is a part of that recent trend.

At the same time as these considerations are all firmly in place, post-queer theory scholars are also often the most likely to have had the opportunity to be out as lesbian, gay, bisexual, transgendered, or queer for a significant percentage of their careers and to take on LGBTQ or queer topics of research or even specializations. Queer theory may have influenced these scholars in breaking from the traditional methodologies of their academic disciplines and exploring new avenues in the quest for knowledge. It may have resulted in career trajectories that might not otherwise have been taken. Queer theory is certainly likely to have influenced the ways the scholar understands her/him/hir-self.

A final note of context for this anthology: There are pre- and post-queer tensions within LGBTQ communities, with various adherents not feeling seen, understood, or respected in their experiences and understandings of what it means to be a sexual minority. Although this text does not specifically explore those tensions, it does manage to recreate them—exposing them on the level of intellectual commitments, and moral assumptions about identity and social obligation. In this regard it is a microcosm of a broader social-ethical issue for LGBTQ people. Creating a platform for dialogue and exchange is the best way forward through these tensions. We must find spaces in which to face each other and explain our viewpoints and listen to one another, even make interventions into the worldview of one another. In this regard, we believe that this anthology is a step in the right moral direction of building communication in locations where communication is fraught. The book itself is a moral experiment.

The Chapters

As can be seen in the following chapters, the anthology shows that there is no hard and true line of demarcation between pre and post-queer theories, their respective theorists, and the two generations. Clearly, neither pre nor post-queer theory generations has monolithic positions that must be adopted. At times, concepts and arguments are shared between the pairings, and some contributors' approaches do not fit neatly with that of their generational cohort. But the diversity of approaches and thinking is useful in promoting a deeper understanding of passing's ethical issues and how the selected contributors think about them.

In Chapter 1, Mark Chekola and Nancy Arden McHugh conduct a pre- and post-queer theory discussion of what it is to be a person and the role that sexuality plays in that concept. Using the Billy Tipton case as a focal point, Chekola's contribution lays the classical foundations for why passing is inherently deceptive. He also provides an essentialist account of identity that would apply to all human persons and examines identity from an individualistic standpoint. McHugh

provides a different narrative about identity which influences her work on the morality of passing. As she writes, "My purpose is to make clear that the kind of management forced upon people so that they pass (as black, white, male, female) is done so under the misguided and dangerous belief that bodily stability, reflective of an inner self, can be achieved and is necessarily desirable." McHugh's approach reflects post-queer theory's notion that identity is more cultural and fluid than in the essentialist accounts. Finally, the case studies of Tipton, Max Beck, and Adrian Piper show similarities and differences of the different types of passing, including intersexuality and race.

In Chapter 2, post-queer theory co-authors Alice MacLachlan and Susanne Sreedhar engage with pre-queer theory author Dennis R. Cooley on questions of the ethical duty to be out, and the moral complications of being out that are raised in the case of queer femmes. Cooley argues the limits of the duty to be out, establishing the parameters. On the negative end: one must not be in a position to lose something of comparable worth, and it cannot pose significant danger to the person's flourishing. And on the positive end: one must consider the possible increases in flourishing, self-respect, and it must entail the reasonable chance of success in influence people in the right direction. For MacLachlan and Sreedhar, queer femmes face a dilemma in being visible in that it may cost them a sense of authenticity in terms of gender expression. This is both a burden and a privilege, and it is clear that the privilege comes along with power and responsibility to undo stereotypes. Throughout the dialogue, interesting questions arise about the role of utilitarianism, moral luck, flourishing, and duties in relationship to passing and outing oneself.

Chapter 3 pairs Daniel Hurewitz with Kelby Harrison in a discussion of different types of power and how it affects identity. Hurewitz talks about the difficulty of discovering what has been carefully hidden by those who are in the closet. By finding out the secrets, those who have them are given an enormous amount of power over those who are trying to keep their passing secret for whatever reasons they believe to be legitimate. Even the veiled person's death does not destroy the power the possessor of the secret has over those who cared for the closeted individual. By revealing the secret, the possessor can alter the survivors' perception of the deceased and those experiences the survivors had with the departed when he or she was alive. Harrison argues that aspects of power should be considered as it has been understood by feminists, followers of Foucault, and critical race theorists. Once again, the fluidity of identity and subjectivity are the central themes to understanding power and passing. Finally, in their dialog each author considers power in circumstances of oppression.

In Chapter 4, post-queer theory author Rob Cover and pre-queer theory author Janna Jackson Kellinger discusses the employment of the term "queer" and its affiliate methodologies vs. the identity markers of "gay and lesbian" in two different contexts. Kellinger revisits a book she published on gay and lesbian teachers, reifying her decision to use the identity markers of "gay" and "lesbian" which were the preferred identities of her participants. Rob Cover critiques the

literature on gay and lesbian youth suicide for not including a queer theory tool, despite the presence of queer methodologies and thinking about identity and its prevalence in academia for the last 20 years. In the discussion Kellinger and Cover discuss the inherent problems with the binary of coming out vs. passing, with Kellinger supporting and advocating for coming out, and Cover advocating an ethical responsibility to undo the dichotomy and pluralize the options of identity disclosure and performance.

In Chapter 5, Willie Tolliver and C. Riley Snorton examine the intersection of sexual and racial passing, with a special focus on African American celebrity. Tolliver weaves together a study of being out versus being veiled based on literature and history, including the Harlem Renaissance. By orienting his essay on characters from Monique Truong's *The Book of Salt*, Tolliver explores sexual and racial passing in a setting of "colonialism, displacement, [and] nostalgia," which puts into perspective cultural conditions and rules about passing and exploitation that have bearing on the subject in the 21st century. C. Riley Snorton's work focuses on the "down low" of black culture and how it is exploited by celebrities such as Oprah Winfrey. Snorton's "glass closet" serves as a metaphor for understanding "public black sexualities as already figured as deviant, while simultaneously read as mysterious and untenable in mediated space." The intersection of race and sexuality provides a broader and deeper development of the subject of passing that queer theory alone cannot provide. In the dialogue that follows the two essays, the authors consider the impact that sexual orientation, race, and celebrity have on the rules and conditions of passing.

Chapter 6 explores marginal identities by focusing on the communities of sexual minorities: bisexuals and intersexuals. Pre-queer theory author Samantha Brennan explores bi-invisibility, using political philosophy, critiquing the notion of sexual citizenship, and advocating an understanding of the communicative process of fashion, performance, and visibility. Post-queer theory author Maren Behrens asks whether intersexual is a queer identity—which she answers with a qualified yes; and asks whether intersex passing is similar to other kinds of LGBTQ passing—which she answers with a qualified no. In the discussion, ascribing of the term "queer" to those whom do not self-employ it is debated. The key features of sexual citizenship and its relationship to political recognition are teased out, and the importance of the role of medical trauma in intersex community building and queer activism is established.

Chapter 7 contains a dialogue between Christine Overall and Karin Sellberg. Overall focuses on transgender passing and deception. Unlike much of the argument on sexual orientation passing, when transgender people are veiled they are not being deceptive. Overall argues that "gender is an aspirational identity, a fundamental personal characteristic such that, if its possessor values it, s/he must maintain and reinforce it through ongoing action." By being successful in their attempts to pass as a different gender, then transgender people are merely maintaining a fundamental personal characteristic. To be revealed would make it impossible to be authentic. Sellberg adopts a position based upon the work of Judith

Butler and other notables from the post-queer theorists. As does Overall, Sellberg argues that gender is aspirational and something that needs constant renewal. Moreover, identity is formed through language as a form of self-formation through performance which is required at all moments in order to maintain the constant renewal. In this manner, Sellberg rejects the pre-queer theorists' essentialism and fundamental continuity to be replaced with deconstructionism.

References

- Butler, J. 1990. *Gender Trouble*. New York: Routledge.
- Chauncey, G. 1995. *Gay New York: Gender, Urban Culture, and the Making of the Gay Male World, 1890-1940*. New York: Basic Books.
- Foucault, M. 1990. *The History of Sexuality, Vol. 1: An Introduction*, translated by Robert Hurley. New York: Vintage.
- Foucault, M. 1995. *Discipline and Punish: The Birth of the Prison*. New York: Vintage.
- Halperin, D. 1989. *One Hundred Years of Homosexuality: And Other Essays on Greek Love*. London: Routledge.
- Halperin, D. 2004. *How to Do the History of Homosexuality*. Chicago, IL: University of Chicago Press.
- Katz, J. 2007. *The Invention of Heterosexuality*. Chicago, IL: University of Chicago Press.
- Sedgwick, E. 2008. *Epistemology of the Closet*. Berkeley, CA: University of California Press.
- Mill, J.S. 1988. *Utilitarianism, On Liberty, and Considerations on Representative Government*, edited by H.B. Acton. London: J.M. Dent & Sons Ltd.

This page has been left blank intentionally

Chapter 1

The Ontological Foundations of Passing

Mark Chekola and Nancy Arden McHugh

Introduction

Mark Chekola and Nancy Arden McHugh develop pre- and post-queer theories on identity and passing. Chekola considers certain traits to be essential to the identity of each person, which in turn can lead to a moral impact on whether passing is deception. McHugh rejects the essentialist account whilst she develops the concept of the imposed pass.

The Moral Dimensions of Passing

Mark Chekola

In a story, the prince pretends he is a low-ranking, ordinary person, in order to find out whether the woman he loves, loves him for his own sake, and not because he is a prince. When jazz musician Billy Tipton died in 1989, it was discovered that he was, unbeknownst to most (including his adopted sons) really a woman ('A Secret Song' 1989: 41, 'Musician's Death' 1989: A18). A black person, light in color, pretends to be white to gain privileges. A Polish Jew passes as a Christian during World War II. At work, a homosexual, when conversing with colleagues about the past weekend, changes the sex of the person she is dating. All of these are cases of "passing," pretending to be something one is not. Sometimes passing is regarded as amusing and even touching, as when it turns out the prince is really loved himself and not for his position. Sometimes passing is regarded with wonder and questioning, as in the Tipton case: how could she get away with it? Why were the adopted children deceived? Sometimes it is regarded as a plausible protective strategy, such as the homosexual concealing her sexual orientation from co-workers.

My contribution will examine passing, distinguishing different varieties or categories of passing and raising moral considerations, social and individual. I will argue that it raises some serious moral questions, making it a much less casual phenomenon than sometimes assumed. Whether it is wrong and what about it is wrong will vary, depending on the situation and reasons.

Passing is, basically, pretending or being taken to be what one is not. The *Oxford English Dictionary's* definition of "to pass for, as" is "To be accepted as equivalent to; to be taken for; to be accepted, received, or held in repute as.

Often with the implication of being something else.” Its first citation is from 1596 (*Oxford English Dictionary* 1989: 294). Erving Goffman in his classic work *Stigma* refers to it as “the management of undisclosed discrediting information about self” and notes “Because of the great rewards in being considered normal, almost all persons who are in a position to pass will do so on some occasion by intent” (1963: 42, 74). Sometimes it is done for other reasons, such as testing (the prince disguising his status, or the minority person from a human rights office pretending to want to rent an apartment).

Passing, then, as we shall be focusing on it, is a method of managing information about oneself which, if known, would, the passer believes, lead to being discredited. At this point, we need to consider the passer’s role with regard to the information being hidden, as well as the reasons. Some passing is done unintentionally, by virtue of others presuming the person is, in Goffman’s terms, “normal.” For example, a light-skinned African American might be presumed to be white. Much homosexual passing occurs passively: “Unless given evidence to the contrary, most people in most social situations assume others are heterosexual” (Berger 1992: 85). In this discussion of passing, I will use the term “passing” to refer to cases where some degree of intentionality or deliberateness is involved. At a minimum, passing individuals accept the fact that they are passing, approve of its occurring, and avoid doing anything to give out the information that the assumption (such as of one’s being white or heterosexual) is incorrect. The standard case will be one where the person is actively passing: avoiding others’ finding out the information, actively doing things to lead people to believe that this person lacks the stigmatized trait, etc. However, if others presume I am heterosexual when I am not, and I avoid discussing my relationship or change the sex when talking about a date I am, by these actions, beginning to change the unintentional passing into a form of intentional passing.

Turning to reasons, we find that they vary. In some cases passing may be done for sheer survival. For example, a Jew in Poland under Nazi rule might pass as a Christian to survive. It might be resorted to in order to avoid forms of discrimination lesser than being killed, but still fairly serious. For example, a black person of light skin color might pass as white in order to get a desired job, a better education or the opportunity to live in a better area, a practice reported to have been common in the United States as well as in South Africa under apartheid.¹ In reports about Billy Tipton, the reason given for her passing as a man was to be able to be a jazz musician: “There were certain rules and regulations in those days if you were going to be a musician” (*‘A Secret Song’* 1989: 41).² One might pass to avoid being thought ill of by others, particularly

1 Graham Wilson, in *Passing for White: A Study of Racial Assimilation in a South African School* writes about how common such passing was in South Africa during apartheid.

2 This statement was made by the woman, to whom Tipton claimed to be married for 19 years.

where one might be *reduced* to that category. This is a reason often avowed by gay and lesbian people, and sometimes by people who are Jewish. As a defense of passing, I call it the “master/multiple identity argument,” which I will discuss later. Yet another sort of reason is to avoid unwanted attention, a desire to be left alone. Celebrities pretending to be ordinary tourists would be one example. We could also here include cases of someone’s not disclosing information where it would likely lead difficult or complicated discussion, such as with a person on a plane flight. Finally, there is passing where it is used to test someone: the prince mentioned earlier, or the human rights worker.

Initial Moral Considerations

Passing involves a secret and, typically, deception, lying. Like keeping secrets and lying, it will sometimes be morally justified and sometimes not; and sometimes our moral evaluation of it will be complicated. At the outset I would like to stress that it will not work to treat passing in a casual way, suggesting, for example, that as long as there are some understandable reasons for it (wanting to control information believed to be discrediting) an individual’s decision to do it is then justified, and that is that. Even in the most obvious cases, I will argue, it is done at some moral cost.

There are some situations which do seem to be clear cases of justified passing, such as a Polish Jew passing as Christian during the Nazi era. Here the risks are clear and very serious. Our strongest moral judgments would be against the society and the government: no one should be treated in that way. Though the heaviest responsibility rests on the society in cases such as these, in what ways might we see passing individuals as having some moral responsibility?

Morality and the Passing Individual

Let us now focus more directly on passing from the individual’s perspective. For the Polish Jew under Nazi rule it is hard for us to feel anything but moral support. What about situations that are less extreme, such as that of Billy Tipton, a passing black person, or a gay man or lesbian passing as straight? My aim is to show that even though typically some degree of moral responsibility rests on the society there are issues of individual morality that arise. Passing is a kind of moral compromise, and as such, people passing often become tools of their own oppression. Our moral judgments will be complicated, and sometimes we may want to be critical of someone’s passing, as will be shown later, even though the society has created the context in which passing is chosen. I am not seeking to “blame the victim,” but to note the moral complexity of the phenomenon, a complexity which includes in some cases moral culpability on the part of the passing person.

Passing as Lying

As mentioned earlier, some passing is done unintentionally. Homosexual persons are often presumed to be heterosexual. A light-skinned black person lacking significant features typically associated with being black will probably be taken to be white.

Insofar as others make the assumptions, there is no lie. But when one does something to foster assumptions, it is a form of deception. Immanuel Kant in an essay on truthfulness writes of a Mississippi speculator who carried on as usual so people would not guess his intention to abscond. It cannot be said that the person in this situation has *lied* by those actions, but there is deception (Kant 1963: 226-7). In situations of passing, unless contact is very limited and casual, it will be hard to avoid some lying. When I change the sex while telling a coworker about a date last weekend, I am intentionally deceiving—in other words, lying. And if lying is *prima facie* wrong, then this act is, too.³ Sometimes there is fairly overt lying involved in passing. Billy Tipton, a woman living as a man, deceived members of the band, people in the audience, and even her adopted sons.⁴ Sometimes the lying may be covert. While changing one's last name and undergoing surgery to alter facial characteristics that may be regarded as Jewish do not seem to be direct lies, the underlying aim appears to be to claim "I am not Jewish."

For homosexuals, the closet, as a form of passing, will typically involve some lying. Often lovers are referred to as roommates, and living quarters are arranged so that it can be claimed (falsely) to some visitors (such as parents, colleagues) that each person has a separate bedroom.

As lies, all of these cases will be *prima facie* morally wrong. It may be that in certain situations they will turn out to be justified morally, overall, in terms of being the most satisfactory alternative in a difficult situation. However, they are not without moral consequence.

In addition, a common phenomenon with regard to lies is that it becomes more and more complicated to keep them up: the "tangled web" phenomenon. Goffman calls this "in-deeperism," the "pressure to elaborate a lie further and further to prevent a given disclosure" (1963: 83). There is also, of course, the risk that the lie will be found out, and in some cases (such as Tipton's) the virtual certainty. So lies tend to breed more lies, and as a strategy lying brings problems from a pragmatic point of view.

3 Sissela Bok argues that while lying and secrets intertwine and overlap, one important difference is "Whereas I take lying to be *prima facie* wrong, with a negative presumption against it from the outset, secrecy need not be" (1989: xv).

4 In 'Musician's Death', son Jon Clark says "I'm just lost. He'll always be Dad. But I think he should have left something behind for us, something that would have explained the truth" (1989: A 18).