

Sex is as Sex Does: Governing Transgender Identity by Paisley Currah

New York University Press, New York, NY, 2022

ISBN 978-0-8147-1710-3 (hardback), 256 pp.

\$28.00

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DOI [10.57814/mgke-3e07](https://doi.org/10.57814/mgke-3e07)

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I teach a senior seminar each spring semester called “The Political History of Sex and Sexuality.” The students who enroll in it are an equal mix of those who need to fulfill the seminar requirement for the political science major and those who are politically active and often also LGBTQI+. Both groups, however disparate they might seem on the surface, are united in their surprise to learn on the first day that the course will not focus exclusively on sexuality or gender identity. Instead, this course is a semester-long project of thinking about the study and practice of politics through the lens of transgender studies. To start things off, we take our cues from Susan Stryker’s (2006) introduction to *The Transgender Studies Reader*, which outlines the field as inviting sustained critique of the laws, norms, and institutions that render the coercive power of gender norms invisible. This perspective views everybody as harmed by the rigid understandings of gender and sex through strictly binary concepts. The more updated introduction to *The Transgender Studies Reader 2* by Stryker and Aren Aizura (2013) extends this analysis to include the ways that race, place, and nation create the conditions for shaping those norms. With these analytic tools in hand, students sharpen their trans studies sensibilities by critiquing both the obvious culprits of gender normativity (such as sex-segregated spaces and white supremacist beauty norms) and the more insidious ones, as when several of the non-trans men in the class were united in outrage over the pressure to consume “masculine” beverages (black coffee) and avoid “feminine” snacks (flavored yogurt). What emerges from these conversations is an awareness that states, economic systems, and social norms structure and maintain sexed, raced, and classed hierarchies of belonging that carry significant material and epistemic consequences

for all members of the polity.

Paisley Currah's *Sex is as Sex Does* intervenes in these conversations—in my classroom, and elsewhere—that are made possible by a transgender studies framework, and his work applies analytic pressure to the many, and often contradictory, ways the US state leverages sex for its own purposes. Focusing on the multi-focal nature of the state allows Currah to show that decisions to designate sex in certain ways hinge less on what sex *is*—as the title suggests—to reveal the work that sex classifications *do* for the state. Currah makes these arguments by drawing on language that will be familiar to empirical social scientists. In his formulation, sex is not an *independent* variable that does the work of explaining social, political, and economic outcomes. It is instead a *dependent* variable—one upon which the state acts to produce varying understandings of what we come to think of as simply “sex.” This logic sets the stage for Currah's argument that states recruit sex to achieve political goals: examples here include both asserting sovereignty and economic objectives, such as securing national identity by limiting marriages to non-trans men and non-trans women to ensure the tidy passage of property and, with it, a White, (re)productive citizenry.

In five expansive chapters that offer close readings of policies at various levels of the administrative state and court decisions pertaining to sex designation, Currah eloquently disabuses his readers of the presumed value of individual-level analysis, which he understands as political science's commitment to identity operationalized as an independent variable. Currah sets his sights on transgender identification and its uptake by political actors advancing a transgender rights agenda to make this argument. In brief, Currah examines the most visible arm of mobilizations advanced on behalf of/by transgender people that work to secure inclusion and safety for transgender and gender nonconforming members of the polity. Currah provocatively argues that what is taken to be somewhat irrelevant in these bids—sex—is underappreciated as an effect of the state's power to index and organize populations. In Currah's view, this version of transgender politics consequently fails to accomplish anything more than extending the state's capacity to enact and maintain oppressive sex norms through recognition and inclusion of ever-more versions of gender minorities under the mantle of gender identity. The costs are apparent: eliding sex distracts us from the state's power to use sex as a category in the first place. The very oppression these movements seek to upend is instead buttressed and amplified through innovations such as the X sex marker on state documents, which works hand-in-glove with state surveillance to keep tabs on the population and lock sex into place.

Currah's triumph is that he brings sex *and* the state back in, and there are obvious benefits of this approach. Most notably, Currah's argument to replace our understanding of sex as an identity with a critical understanding of sex as an effect of the state reaches across the imagery trans/cis divide promulgated so vehemently by trans-exclusive feminists. He accomplishes this by underscoring that all are harmed by the state's involvement in using sex as a rubric for recognition and distribution. Those same trans-exclusive feminists might want us to believe that the Supreme Court repealed *Roe v Wade* because what it means to be a woman has been eroded by the current attention devoted to transgender women. However, applying Currah's understanding of the state as engaged in a never-ending project of regulating sex to the *Dobbs* decision disrupts the divisiveness of this version of trans-exclusive feminist rhetoric: the

logic employed by the Court's majority is revealed to be nothing more than misogyny (coupled with social control) dressed up as different readings of the protections guaranteed by the Constitution. Sex is, indeed, as sex does.

Does this mean that there is no use for gender or identity? Although Currah gives a nod early on to the sex/gender split posited by some feminists to underscore the social roots of sexist oppression—patriarchy and misogyny—his arguments require setting gender aside to focus on the state and the power it gains from defining sex. In one passage, Currah riffs on Judith Butler's oft-cited observation that sex "will be shown to have been gender all along" to explain that, "Instead of organizing this discussion around the idea that what we know about sex is an effect of gender, I want to crop the picture radically and suggest that sex is nothing but a state effect" (94). The effect of cropping the picture to focus exclusively on the state's role in shaping how sex functions socially and politically is that gender and identities are left on the cutting room floor. This includes the work done by intersectional feminists who have demonstrated the many ways in which oppressive ideologies such as white supremacy, patriarchy, capitalist productivity, and heteronormativity (among many others) are routed through institutions, laws, and policies and projected onto people (and the identities they hold) in ways that are often impossible to tease apart. Instead of drawing on intersectionality, which attempts to hold many different identities shaped by these ideologies together in a cohesive understanding of social and political problems, Currah instead invokes Adolf Reed's assertion that politics organized around demands for identity recognition operate principally to advance the neoliberal project of inclusion and reform, rather than radical disruption of the status quo. Currah also makes use of Nancy Fraser's recognition/redistribution framework to make this point, which locates sexuality and gender identity on the recognition side of the equation. The implication of this line of reasoning is that to advance a political agenda grounded in identity is to grease the wheels of capitalism, a point that is underscored in the last chapter on incarceration. There, Currah argues that an undue focus on transphobia as the explanation for the disproportionate rates of incarcerated transgender people obscures the overarching conditions shaped by capitalism, which require the organization of unproductive people out of the workforce and into prisons. In drawing attention away from these more radical goals, Currah speculates that,

Trans, then, might occupy a different position *vis-à-vis* incarceration than what is suggested by its inclusion in a 'triple oppressed analytic.' It's possible that one of the identity categories held out as an axis of oppression may be complicit in the problem it has been charged with dismantling" (128). Later, Currah asserts, "If the purveyors of the transphobia explanation spent as much time denaturalizing the market as they do denaturalizing gender, the mechanisms that distribute vulnerabilities so unevenly would be more apparent. (141)

The implication here is that a more fruitful avenue for these activists would be to seek the abolition of prisons and the provision of universal healthcare. I am certainly in agreement with Currah on this point, but I was left wondering about the paradoxical role of identity in relation to incarceration. If it is the case that holding transgender alongside race and class draws attention away from the root causes of mass incarceration, then how can disentangling the classed and raced logics that give gender its

normative thrust also contribute to the endurance of mass incarceration? The message here seems to be that gender and race are particular, while class is universal.

It is here that the book's arguments come full circle: Currah suggests that centering transgender identity in political praxis is akin to being complicit in a project of reform that allows Bill DeBlasio to brag that incarceration will be more comfortable because transgender people in New York City will be allowed to choose which sex-segregated facility they occupy during their sentence. But is this assignment of culpability fair? While it might be the case that some advocates—who imagine that they are working in the best interest of transgender people—seek reforms such as the fallacy of making incarceration “more comfortable,” it is also true that many vocal transgender activists vehemently espouse anti-carceral (and anti-capitalist) political agendas. The latter includes the organizers of the Brooklyn Liberation March, who convened over 15,000 people in Brooklyn during the summer of 2020 in the name of Black trans liberation. Many of the people who attended carried posters with slogans underscoring the intersectional and deeply linked nature of the issues they protested that day, such one that explained “An attack on trans women is an attack on all of us” alongside another with only a picture of George Floyd's face. The massive and diffuse anti-racist uprisings of that summer indicate that the identities that individuals hold—transgender, gender nonconforming, anti-fascist, anti-capitalist, Black, Latinx, Native, poor, the list goes on and on—might serve as on-ramps to political action by replacing the costs of political activism with anger, joy, and comradeship (Bernstein and Olsen 2009; Gould 2009; Reger et al 2008). Identity in this view is not divisive, but instead a resource to be harnessed by movements as they work against all odds to upend oppressive institutions, laws, and policies. Cathy Cohen's 1997 “Punks, Bulldaggers, and Welfare Queens” posits that an undue focus on identity—even its vehement denial by those who view it as superfluous to political action—obscures shared positions in relation to power. These positions endure not despite identity-based differences, but because those differences make it impossible for excluded groups to conform to white supremacist sexual, sex/gender, and economic norms.

I want to end this review where I began. Last spring, I gave the students in my Political History of Sex and Sexuality the opportunity to design their own final project. After much deliberation, they decided they would work together to create a map of trans studies. The main nodes would be important quotes from the texts they read throughout the semester and branching off each would be a collection of applicable historical and contemporary events. They spotlighted policies and laws alongside marketing campaigns and young adult literature. The completed project underscored the main take away from the seminar: we are all imbricated in sex, gender, race, class, and nationalism, regardless of whether or not each individual in the room indexes those features using the language of identity. Our current moment of democratic backsliding has put those groups who are perceived as outside of dominant sexed, raced, and classed norms at the front and center of far-right discourse. Currah's book accurately predicts this by showing us how the more quotidian aspects of the state can be leveraged to create a more violent and conservative social landscape in the US. And yet, opposing those forces will require taking up all the tools of political activism that bring people together—including identity—to target the state so we can collectively push through the moment we are currently mired in.

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