Race and Method: The Tuvel Affair

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ABSTRACT: Methodological tools for doing philosophy that take into account the historical context of the phenomenon under consideration (such as are often used in the continental tradition) are arguably better suited for examining questions of race and gender than acontextual or ahistorical methodological tools (such as are often used often in the analytic tradition). Accordingly, Rebecca Tuvel's "defense" of so-called transracialism (based largely on an analogy to the transgender experience) arguably veers off track to the extent that it relies on acontextual and ahistorical tools. While Tuvel argues, largely relying on such tools, that so-called transracialism is both metaphysically possible and ethically permissible, from a perspective that factors in context and history, so-called transracialism is arguably neither. Nonetheless, Tuvel's ethical call to the effect that an individual right to racial self-definition should be acknowledged has its appeal. However, the lesson to be learned from the Tuvel affair arguably has less to do with the metaphysical or ethical status of so-called transracialism than with changes that arguably need to be made in the way mainstream/analytic professional philosophy goes about its business, particularly with regard to non-ideal topics like race and gender.

Key words: race, gender, transgender, transracial, philosophy of race, critical philosophy of race, transgender studies, philosophical method, metaphilosophy, Rebecca Tuvel

I. Introduction

In the spring of 2017, the journal *Hypatia* published an article by Rebecca Tuvel that argued in favor of both the existence of and the advisability of so-called transracialism as a socially accepted personal identity marker. The response to the article was astonishing. Many feminist philosophers of color, transgender philosophers, philosophers working in philosophy of race, critical philosophy of race, and philosophy of sex and gender, scholars of women of

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color feminisms (including scholars of Black feminism), scholars who work in transgender studies and disability studies, and other philosophers and scholars who either are members of marginalized populations, work in areas that address the problems faced by members of marginalized populations, or are sympathetic to such persons were outraged. On April 30, 2017, some of these scholars (approximately 800 of them, in fact) signed an open letter to the journal requesting that the article be retracted, claiming, among other things, that the article "[fell] short of scholarly standards," and caused harm in that it "[reflected] a lack of engagement beyond white and cisgender privilege" (Springer et al. 2017).

Now, I was originally asked to comment on this article at the Eastern APA the previous winter. I was scheduled to attend the relevant session and to provide commentary on the paper. Owing to certain family challenges, I was unable to physically attend the conference. I did, however, submit to Tuvel and to my fellow panel members a brief reply (a couple of paragraphs long) to what I saw as the heart of Tuvel's paper. Specifically, I indicated that according to the contemporary understanding of what race is in the twenty-first century in the United States (specifically, an identity marker based in ancestry, which is not changeable), race, unlike gender, is what I called more "externally derived," whereas gender is what I called more "internally derived." What I meant was that while it may be true that both race and gender are what is often called "socially constructed," that is, rooted in neither biology nor any other similarly scientific feature, each is socially constructed in different ways. While the social story of race carries with it the belief that race is determined by ancestry (or a factor external to self), the social story of gender carries no similarly external anchor. Owing to this failure to entail any similar type of external anchor, I argued, gender identity is more fluid, more freely defined (or even changed) than racial identity, even conceding the lack of classically "objective" content in both cases. In other words, I provided a reason why, in my view, and in the view of many contemporary philosophers of race and gender, racial identity and gender identity are importantly disanalogous. Accordingly, as will be discussed in more detail below, since Tuvel's argument in favor of so-called transracialism was based in large part on the analogy she saw between gender and race, in my view Tuvel had not made a successful case in favor of the existence of something called transracialism.

I never heard back from Tuvel or the other panel members regarding whether my reply was read or considered at the conference. About three months later, however, I provided my full reply to Tuvel's paper at a philosophy conference on the specific topic of race and gender sponsored by the journal *Res Philosophica* at St. Louis University. Just as I was about to present my reply (I believe it was the day before I was scheduled to present my reply), Tuvel's article came out in *Hypatia*. Many of the conference participants were aware that my talk was, at least in part, in reply to Tuvel's paper. All of the scholars in attendance were noted scholars in

the philosophy of race and/or African American philosophy. At the conference, we discussed the scholarly merits of both Tuvel's paper and my reply. There was much rich dialogue on the various considerations that the scholars in attendance found relevant. No conclusions were drawn at the conference. That is, many participants were sympathetic to some of my points, and many participants were also sympathetic to some of Tuvel's points. The view was articulated that many of Tuvel's ideas and arguments were out of step with established scholarship in the relevant areas (philosophy of race and transgender studies), but the point was also made that Tuvel might be on to something with her ethical call for a right to reject society's account of one's designated race in the name of freedom, autonomy, and something along the lines of each individual person's (natural?) right to self-definition.

But, most of the outrage of marginalized philosophers of various sorts over the publication of Tuvel's paper contained little of this nuance. Instead, it was, in large part, steadfastly and heatedly directed at both Hypatia's alleged mishandling of the review process, Tuvel's alleged immersion in white and cisgender privilege, and the resultant philosophical mishandling of the relevant issues. In the middle of this mess, Tuvel herself, a junior, untenured, female philosopher was inundated with both criticism and also public support. The philosophical community was divided (into multiple factions) over whether the article should have been published in the first place, whether the article should be retracted, if the article should not have been published who was to blame, and even whether the actions of the approximately 800 signatories to the "open letter" were appropriate or not. Since that time, *Hypatia*, which was for a long time the premiere journal in feminist philosophy owing to years and years of hard work by many feminist philosophers and their supporters against outrageous odds, has fallen into crisis. Its future is in the balance. And a young woman philosopher named Rebecca Tuvel has found herself at the center of a discipline-wide controversy over the entire affair.

So, how did Tuvel find herself in the middle of this mess? That is, how did she find herself arguing in favor of an analogy between race and gender that she concluded translated into an analogy between the transgender experience and so-called transracialism? And how did she then draw conclusions about the metaphysical possibility and ethical permissibility of so-called transracialism based largely on that analogy? My theory is that the answer lies, at least in part, in Tuvel's choice of methodological modus operandi. In her paper, Tuvel's modus operandi, her choice of philosophical method, relies heavily on traditional tools commonly used in the analytic tradition, tools that arguably work well for answering philosophical questions that do not necessitate consultation with the lived experiences of real people in the real world, but that fail miserably when applied to such questions. In the case of Tuvel's paper, the philosophical questions

at issue concern race, gender, racism, the transgender experience, and the possibility and advisability of so-called transracialism, all of which are topics that arguably necessitate a consultation with lived experience in order to be treated responsibly. By failing to adequately carry out that consultation, my theory goes, Tuvel dropped the philosophical ball.

In the following paper, I will explore this theory in more detail. Specifically, after first identifying the central philosophical question to be answered in this paper as whether the methodological tools of analytic philosophy or of continental philosophy, broadly construed, are better equipped to address questions about the nature of race, ¹ I will then outline something on the order of a (tentative) list of key features of analytic method, and then I will do the same for continental method. ² After that, I will examine Tuvel's argument in some detail, with attention to the places I think her argument veers off track. I will attribute most of these "mis-navigations," if you will, to an almost exclusive reliance on analytic methodological tools, to the detriment of a robust and responsible treatment of the topic of race. In the process I hope to have achieved two goals: (1) demonstration that continental methods are more friendly to solving race-based problems in philosophy, and (2) satisfaction of what I see as the central concerns of both Tuvel's detractors and her supporters.

In summary, by the end of the paper, I hope to have shown that (1) since continental methods place a much higher premium on the importance of contextual understanding, continental methods are better suited to addressing philosophical questions based in the lived realities of members of marginalized populations (in this case, African Americans and transgender persons), and that (2) Tuvel's scholarship in the paper at issue is both respectful of and true to widely accepted methodological tools often thought to be attendant to the analytic tradition (and, more importantly, just as often thought to be the *only* respectable tools of doing good philosophy), and are also disrespectful of and untrue to well-established methodological tools often thought to be attendant to the continental tradition (tools that are largely marginalized but more attendant to the lived experiences of members of marginalized populations). Where the broader philosophical community should go from here is a question I address in the concluding remarks to this paper.

II. THE CENTRAL QUESTION

The central philosophical question to be addressed in this paper is whether certain features of traditionally analytic methods of doing philosophy are suited, ill-suited, or something in between to answering philosophical questions about race. My thesis will be that these particular features of traditionally analytic methods are largely (but not entirely) ill-suited to answering philosophical questions about race, although certain features of traditionally analytic methods can be helpful

in these endeavors when supplemented by other methods more grounded in the lived realities of racialized persons. I will use Rebecca Tuvel's recent paper on so-called transracialism to exemplify my thesis (Tuvel 2017). Through an almost exclusive reliance on certain traditionally analytic methods to explore the questions of (1) whether so-called transracialism is analogous to the transgender experience, (2) whether so-called transracialism is metaphysically defensible, and (3) whether so-called transracialism is ethically permissible, Tuvel's paper simultaneously meets the standards of professional research from the analytic perspective (that is, as will be more carefully explained later in this paper, it operates in a scientific spirit, uses puzzle cases and thought experiments, operates in a step-by-step manner, and is clear), but at the same time the paper goes off the rails (veers substantially off of the substantive track) at several crucial points in her argument, owing to a failure to consult the lived experiences of both African Americans and transgender persons to inform and guide her inquiry.

This consultation could have been carried out through reading up more thoroughly on sociological, medical, anthropological, and/or historical studies of these populations, but it also could have been carried out by consulting existing first person testimonies of—and/or consulting more thoroughly the philosophical, or otherwise scholarly, work written by—members of these populations on the relevant topics. Since these sources were not consulted in a substantial way, the inevitable result, from a continental philosophy perspective, was not only an untenable and less than responsible conclusion, but also that harm (in the form of epistemic oppression and injustice) was done to two marginalized populations in the process: transgender persons and African Americans. My central subthesis will be that while the scientific spirit, clarity, and certain other features traditionally associated with good analytic method can do much good work on certain topics, these same features, without supplementation with methodological tools more embracing of lived experience, are not helpful, and can even wreak havoc on, necessarily embodied and decidedly non-ideal social or philosophical problems dealing with race and racism in America.

In the following paper, I will walk through key passages of Tuvel's paper, and in the process I hope to demonstrate an example of my thesis. Along the way, I hope to make a convincing case in favor of philosophical approaches to race that amount to either a weaving together of analytic and continental methodological tools, or an approach that operates somewhere in between the two traditions (e.g., utilizing careful reasoning while factoring in lived experiences). No matter the philosophical question, good structure and clarity (and the other analytic methods) are very helpful to identifying the specific philosophical question or questions to be addressed, but when it comes to addressing socially embedded philosophical problems responsibly, help is arguably needed from the continental tradition in order to make real progress toward getting the answers right.

An underlying assumption of my central subthesis in this paper is that different philosophical problems are best addressed by different philosophical methods, i.e., that there is no one true philosophical method that is suited to addressing all of the varied and complex questions with which the discipline of philosophy is concerned. This statement itself may seem "unphilosophical" to many philosophers for whom one of the goals of philosophy is to discover the "one true" way of doing philosophy, and then apply it across the board. I invite those philosophers to consider the spirit of Kant's view, paraphrasing, that scientific problems (which reside in the realm of appearances, or the phenomenal realm) are best solved through scientific methods and transcendental questions (which reside in the realm of things in themselves, or the noumenal realm) are best approached through transcendental methods, such as faith (Kant 1905). I am saying something similar (but not as lofty) here, namely that many abstract questions can be solved through methods focused on structure and clarity and the like, but grounded questions such as questions having to do with race or gender, necessitate the usage of methods that capture the context-dependent nature of such questions.

III. ANALYTIC METHOD

Analytic philosophy is approximately a hundred years old, and is currently the dominant force in Western philosophy (Glock 2008). Although it is a notoriously challenging task to characterize one, distinctive set of methodological tools that defines what we often refer to in the discipline as "the analytic tradition" in philosophy, it is nonetheless also safe to say, I think, that general trends in method of the analytic tradition can be roughly outlined, particularly as contrasted with certain general trends in method of what we in the discipline call the "continental tradition." In the most general terms, it seems plausible to start with identifying the pursuit of analysis as a key focus of analytic method. In just what analysis consists, then, becomes the next question to explore. Many are of the view that analytic philosophy itself entails a wide range of conceptions of analysis, represented in various distinctive sub-traditions, such that talk of any one analytic method is unproductive. At the same time, others are of the view that those sub-traditions are held together by both their shared history and their "methodological interconnections" (Beaney 2003). Hans-Johann Glock endeavors to identify those methodological interconnections in What is Analytic Philosophy? (Glock 2008: 151-78).

Glock begins by suggesting the "decomposition of complex phenomena into simpler constituents" as a good candidate for a key feature of the method(s) of analytic philosophy (Glock 2008: 154). He points out that although it is a contentious issue whether this was ever Frege's aspiration, decompositional analysis

was central to Moore's project (Glock 2008: 154). Glock correctly points out that Moore "tried to define complex concepts in terms of simpler ones, up to the point at which one has reached indefinable simple notions like goodness" (Glock 2008: 154). Glock also points out that what he calls "the decompositional project" was at the heart of the work of the logical atomists. Glock then raises a "scientific spirit" as a second candidate for a key feature of analytic method(s) (Glock 2008: 160). The third suggested feature of analytic method(s) raised by Glock is the use of puzzle cases and thought experiments (Glock 2008: 164). Next, Glock observes that analytic philosophy seems to entail operating in a "piecemeal and tentative" manner, also known as operating "step by step" (Glock 2008: 165). Next up, a well-established candidate for a distinctive feature of analytic method(s) is probably a focus on clarity (Glock 2008: 168). And finally, a preoccupation with reason and rationality is a hallmark feature of analytic method(s), according to Glock (Glock 2008: 174).

What all these features arguably have in common is an approach that is generally removed from context and from the lived experiences of actual persons. The breaking down of complex topics into simpler components carries with it the assumption that the simpler components can be adequately addressed in a vacuum, for example. The scientific spirit (with its detached repose and attempts at "objectivity") is self-consciously removed from context as well, i.e., almost rendering a consultation with lived experience as something unprofessional or even dirty (gunked up with content that is both irrelevant and even obfuscatory). The preoccupation with "reason" in the analytic tradition is a notorious target for continental derision on the grounds that it entails a hubris about the human capacity for objectivity that is responsible for much harm done in the world, including the effects of fascism, genocide, silencing, and (primarily epistemic) oppression of many other sorts and varieties.

The culture of philosophy in the analytic tradition has an informative relationship with its methods. I don't think I am providing a newsflash here if I say that, in general, the culture of analytic philosophy is hostile to women, persons of color, persons with disabilities, persons with non-binary gender identities, persons from underprivileged upbringings and backgrounds, those working on philosophical questions outside of a very narrow list of what are considered acceptable or philosophically reputable areas of specialization, and continental philosophy in general.³ This well-known hostility has created an environment in which those other than straight, white, able-bodied, cis-gender, economically secure males who work in a few narrow areas of philosophy are marginalized and excluded from the conversations, institutions, professional conferences and power structures that constitute the philosophical mainstream. Since it is philosophers from these marginalized and excluded populations who usually work on philosophical questions dealing with race, gender, disability, and sexuality (to name

just a sampling of areas grounded in the lived realities of persons), these sorts of philosophical questions are also, in the main, excluded from the philosophical mainstream (and simultaneously from mainstream respect).

The result is that philosophers working in the analytic tradition usually have no exposure at all to the work that has been done in these areas, usually by nonmainstream philosophers. Their training has not included an exposure to this scholarship, since their professors have usually not been exposed to this scholarship, and even if their professors have been exposed to this scholarship, their professors have ignored or dismissed this scholarship, usually on the basis that the work is lacking in philosophical rigor and too grounded in the corporeal world to have philosophical significance or import. "That's not philosophy," is the oftrepeated assessment of work in the philosophy of race, critical philosophy of race, the philosophy of sex and gender, and the philosophy of disability (among other areas). Historically, the term "applied philosophy" was attached to philosophical work similarly engaged with real world problems, and this label was considered derisive. Areas such as bioethics, aesthetics, legal philosophy, and the philosophy of technology all historically fell into the category of "applied philosophy." Philosophers wishing to explore these areas of inquiry, then, if they are not savvy enough to have chosen a doctoral program known for proactively including such "applied" areas of inquiry into their curricula, are largely left to their own devices in terms of identifying seminal, pivotal, or important work in these marginalized areas of inquiry. Mistakenly believing, out of ignorance, that questions they ask in these areas are novel or wholly without intellectual history or scholarly context, these philosophers can innocently endeavor to raise and explore a question in a given area of specialization while inadvertently ignoring a vast and complex literature that has raised, asked, and answered this question many times over. In the realm of ethics, for example, consider how similar analytic philosophy's ethics of hard choices is to Sartre's existential ethics (see Chang 2017 and Sartre 2016). This is, arguably, in my view, very likely what happened to Tuvel, and in the process she lost her philosophical way while pursing the (I believe) well-intentioned goal of arguing in favor of a right to personal autonomy in the area of racial (self-)identification.

IV. CONTINENTAL METHOD

It seems a good starting point, in the effort to identify something on the order of continental methods of doing philosophy, to say that the continental tradition of philosophy "can be understood as the outcome of a series of critical responses to the dominant currents of modern European philosophy, and, in particular, the Enlightenment's championing of science and scientific rationality" (West 2010: 1). Attendant to the rise in focus on science and scientific rationality that was central to the modern period was a skepticism about the claims of traditional

metaphysics, religion and morality, combined with attempts to either delegitimize these areas of inquiry entirely or place them on more rationally defensible, that is, more scientific and more "secure" foundations (West 2010: 2). From the perspective of many thinkers now deemed "continental," however, the various attempts to eliminate or scientize these areas of philosophical inquiry "were doomed from the start" (West 2010: 2). As these critics of the Enlightenment saw it, the scientific method, and related methodological philosophical devices found in Enlightenment thought, were simply not equipped to address these sorts of philosophical questions (West 2010: 2). A number of "novel intellectual approaches" sprung up as a result, and it is these approaches that are now known as "continental philosophy" (West 2010: 2).

The continental critique of Enlightenment scientism is arguably expressed "most systematically and ambitiously" in Hegel, with subsequent contributors to the continental tradition either developing or reacting against Hegel's ideas (West 2010: 2–3). Kant's work represents a "decisive point of transition or even rupture" (West 2010: 3). While Kant's response to Hume is still taken very seriously by analytic philosophers, on this view, the continental tradition can be said to begin with Hegel's critical response to Kant. However, continental philosophy was first identified as a distinct tradition in contrast to the rise of analytic philosophy, signified by the work of Frege, Russell, and G. E. Moore, who were in direct opposition to Hegel and his theoretical descendants. While analytic philosophy "revived the skeptical, scientific spirit of the Enlightenment with the help of technical developments in symbolic logic and the foundations of mathematics," continental philosophy, by contrast, developed as the "distant relatives of those metaphysicians, moralists, and religious believers so caustically dismissed by Hume" (West 2010: 5). Continental philosophers are, on the whole, "more concerned with existential, moral, ethical and aesthetic questions, questions about the nature of existence and the meaning of life, questions of right and wrong or the meaning of art and beauty," whereas analytic philosophers tend to dismiss the doings of continental philosophers and tend to focus more on the "precise, rigorous and scientific tools of conceptual analysis" (West 2010: 5).

According to Simon Critchley, revealing of the difference between the analytic and continental traditions in philosophy are certain dualisms that symbolically represent that difference (see Critchley 2001). The difference many continental philosophers see between knowledge and wisdom, for example (often expressed as the difference between theory and practice) is key to understanding the vantage point of many continental philosophers. From the continental point of view (generally speaking), while analytic philosophers seek knowledge, continental philosophers seek wisdom, a less definitive, but no less ambitious goal. According to Critchley, another dualism that is helpful to understanding the continental tradition is the difference many continental philosophers see between science, on

the one hand, and literature and the humanities on the other. Once again, from the continental point of view (generally speaking), while analytic philosophers tend to valorize the claims to epistemological certainty and progress that accompany methods thought to replicate, or at least approximate, more scientific approaches to doing philosophy, continental philosophers tend to appreciate the nuance, complexity and sensitivity to the human condition thought to be attendant to more literary approaches.

Particularly helpful in an attempt to articulate some of the methods of continental philosophy is a model Simon Critchley proposes for describing philosophical practice in the continental tradition. This model is organized around three terms: critique, praxis, and emancipation. First, critique. Much of continental philosophy is concerned with giving a philosophical critique of the social practices of the modern world (Critchley 2001: 59). This critique, for Critchley, "asks us to look at the world critically with the intention of identifying some sort of transformation" (Critchley 2001: 59). Texts squarely in the continental tradition "are characterized by a strong historical self-consciousness that will not allow them to be read without reference to their context or our own" (Critchley 2001: 61). This translates into the claim of many who work in the continental tradition that "systematic philosophical argument cannot be divorced from the textual and contextual conditions of its historical emergence" (Critchley 2001: 61; emphasis added). Arguably, this claim can be extrapolated to objects of philosophical contemplation in general. Perhaps, from a continental point of view (generally speaking), no object of philosophical contemplation can or should be divorced from the textual and contextual conditions of its historical emergence.

Critchley writes, "In other words, for the Continental tradition, philosophical problems do not fall from the sky ready-made and cannot be treated as elements in some ahistorical fantasy of philosophia perennis" (Critchley 2001: 62). Another way to put this is that, in general, for the continental philosopher, "philosophical problems are textually and contextually embedded and, simultaneously, distanced" (Critchley 2001: 63). There is nothing that is given, in other words. Philosophical knowledge is not "straightforwardly and self-evidently founded on objects with which we are directly acquainted or are 'immediately before the mind'" (Critchley 2001: 63). Instead, philosophical problems are deeply embedded in tradition and history. The implications of this insight are arguably twofold: First, the radical finitude of the human subject, which just means that there is no Archimedean point from which anything in our experience can be fairly examined or assessed. We, and our lives, and our interactions with others and the world, are embodied and situated. We are not brains in vats. There is no Nagelian view from nowhere, no universal "we." Second, the human experience is completely contingent (created): "it is made and remade by us, and the circumstances of this fabrication are by definition contingent" (Critchley 2001: 63).

Another key feature of continental philosophy is that it understands itself as inseparable from its tradition. However, the engagement with tradition within continental philosophy is not so much an appeal to the socially conservative as it is a commitment to recovering "something missing, forgotten, or repressed in contemporary life" (Critchley 2001: 70). Continental philosophy, then, is often a critical confrontation with the history of philosophy and history as such. Heidegger called the critique of history *Destruktion* (de-structuring) or *Abbau* (dismantling), "words the young Derrida translated into French as *déconstruction*" (Critchley 2001: 70). There is a level of understanding, in other words, that is beneath the surface, and it is with this deeper understanding that continental philosophy is concerned.

Flowing from this unique account of tradition as a critical confrontation with history is the concept of praxis, or our historically and culturally embedded life as finite selves in a world of our own making, often cited as the touchstone of philosophy in the continental tradition (Critchley 2001: 72). Translated into more mundane language, what this means is that the centrality of praxis (i.e., practice, application, or custom) in the continental tradition leads philosophy toward a critique of present conditions, and towards the demand that things be otherwise. This demand is understood as *emancipatory*, or motivated by a need for transformation in the face of the crisis of contemporary public, private, or political life. In other words, "[f] or much of the continental tradition, philosophy is a means to *criticize* the present, to promote a reflective awareness of the present as being in crisis" (Critchley 2001: 73). And so the continental claim that the concept of race cannot be understood (that is, it has no meaning) outside of its historical context is simultaneously an acknowledgment of the concept's flawed and racist origins and history, as well as a call to confront that history head on, including the extent to which that history continues to affect our present and future understanding of what race is (or is not).

V. "TRANSRACIALISM" AND CENTAURISM

Now that I have described the key features of what are often understood as some of the differences between philosophical method in the analytic and continental traditions, I would like to examine Rebecca Tuvel's argument in favor of so-called transracialism in terms of the extent to which the methods she deploys operate within the analytic tradition (as I have loosely defined it) and at the same time examine her argument in terms of whether the methods she uses actually do any philosophical work.

Rebecca Tuvel's argument, in "A Defense of Transracialism," succinctly put, is that "transracialism" should be taken seriously as an identity because there are no theoretical or ethical barriers to accepting it as such, and because "[g]ener-

ally, we treat people wrongly when we block them from assuming the personal identity they wish to assume" (Tuvel 2017: 264). There are no theoretical barriers to "transracialism," according to Tuvel, because "transracialism" is analogous to the transgender experience ("transgenderism"), and there are no ethical barriers because Tuvel takes herself to have identified and then refuted the four primary candidates. Tuvel then concludes, on the basis of this line of reasoning, "[I]f some individuals *genuinely feel* like or identify as a member of a race other than the one assigned to them at birth—so strongly to the point of seeking a transition to the other race—we should accept their decision to change races" (Tuvel 2017: 264; emphasis added).

A Theoretical Barrier to "Transracialism"

Now, let's stop and take a close look at this argument. To see how the argument works, and to highlight the key problem I see with it, let's remove "tranracialism" as the topic for philosophical reflection and replace it with another identity that is not currently accepted as real in Western society in the twenty-first century, but that some lone person might claim applies to them,4 like, say, being a centaur. Recall that a centaur is a creature that has the head and torso of a human and the body of a horse.⁵ Let's also call the phenomenon of believing one is, or deeply wishing one were, a centaur "centaurism." Then, Tuvel's argument looks like this: Centaurism should be taken seriously as an identity because there are no theoretical or ethical barriers to accepting it as such, and because "[g]enerally, we treat people wrongly when we block them from assuming the personal identity they wish to assume." The thing to notice about both Tuvel's argument (and the argument in favor of centaurism) is how abstract it is. What might be a "theoretical barrier" to being a race (or being a centaur, or being anything, for that matter), a reader may ask at this point. What might be an "ethical barrier"? Also, is it the case that "[g]enerally, we treat people wrongly when we block them from assuming the personal identity they wish to assume"? The answer is not as (theoretically) obvious as Tuvel seems to think it is.6

Before fleshing out (so to speak) the analogy to centaurism more fully, and for the sake of clarity, it seems important to lay out Tuvel's argument in a bit more detail. That detail is as follows: For Tuvel, "transracialism" is analogous to "transgenderism" because both race and gender are socially constructed (which, to Tuvel, means neither has any basis in biology and neither is therefore objective in any sense). Let's examine what this means for our would-be centaur. The argument would continue as follows: Centaurism is analogous to "transgenderism" because both being a centaur and being a gender are socially constructed (which, to Tuvel, means neither has any basis in biology and neither is therefore objective in any sense). Therefore, there are no theoretical barriers to centaurism.

Obviously, however, as the replacement of "tranracialism" with centaurism is meant to highlight, there is a clear theoretical barrier to accepting both "transracialism" and centaurism and that is that the fact that both are socially constructed is not sufficient for establishing anything at all. More specifically, the fact that "transracialism" and centaurism are both socially constructed is not sufficient to establish that these phenomena are socially constructed in the same way, such that any additional information about either of these two phenomena can be said to follow from this fact. Moreover, it is arguably the case that in order to establish the analogy between the transgender experience and either "transracialism" or centaurism on firmer grounds, it would be necessary to consult some of the actual aspects of each phenomenon being compared, and in order to do that, consultation with how the phenomena work (or do not work) in the world would seem to be required.

Ethical Barriers to "Transracialism"

Getting back to Tuvel's argument, having established the analogy between the transgender experience and "transracialism" (at least in her own mind, and on the basis, at bottom, that neither identity has any objective substance, or, if you prefer, on the basis that both are socially constructed), Tuvel then argues that there are no ethical barriers to accepting "transracialism" for four reasons. Her first two reasons rely on accepting the analogy between the transgender experience and "transracialism," and her second two reasons ignore arguments and testimony from members of the black community, including many black scholars of race. For these reasons, all four of Tuvel's rebuttals to the four potential ethical barriers to "transracialism" she cites fail.

Tuvel's First Two Ethical Barriers:

The Analogy Between "Transgenderism" and "Transracialism"

The first (potential) ethical barrier to "transracialism" Tuvel cites is the argument that one cannot be black unless one has had the black experience. For Tuvel, however, not having had the black experience is not an ethical barrier to being black, for the reason that having had the experience of being a woman is not a necessary condition for being a trans woman. Once again, let's flesh this argument out in terms of what it means for our would-be centaur. The argument would go something like this: Since centaurism is analogous to "transgenderism" (for the reason that neither is objective in any sense), we can analogize from the transgender experience to draw conclusions about centaurism, even as regards ethical concerns. More specifically, since not having had the female experience does not undermine the reality of one's status as a trans woman, not having had the experience of being a centaur does not undermine the reality of one's being a centaur.

The second (potential) ethical barrier to "transracialism" Tuvel cites is that white to black racial transition is unethical "because of the way society currently

understands racial membership" (Tuvel 2017: 268). For Tuvel, however, "the problem with this argument is that it dangerously appears to limit to the status quo the possibilities for changing one's membership in an identity category" (Tuvel 2017: 269). Tuvel continues, "Indeed, if we hold the legitimacy of a particular act [here, racial transition from white to black] hostage to the status quo ... it is difficult to see how we can make any social progress at all" (Tuvel 2017: 269). The substance of Tuvel's rebuttal here is that since social progress requires acceptance of the transgender experience as legitimate, social progress also requires acceptance of "transracialism." Continuing with the centaur comparison, Tuvel seems to be committed to saying that since social progress requires acceptance of the transgender experience as legitimate, social progress also requires acceptance of centaurism as legitimate, since "[g]enerally, we treat people wrongly when we block them from assuming the personal identity they wish to assume" (Tuvel 2017: 264).

The tenuousness of these two arguments is arguably crystal clear, for the reason that both rely on an analogy between the transgender experience and "transracialism" that, as I stated earlier, has not been established, and the spuriousness of which is highlighted by simply substituting another non-objective (or socially constructed, if you prefer) social identity (centaurism) for "transracialism." We do not "generally treat people wrongly when we block them from assuming the personal identity they wish to assume," particularly when the personal identity they wish to assume is clearly beyond the bounds of historically-situated reality. Proclaiming that one is black does not make one black any more than proclaiming one is Jesus Christ (or a centaur) makes one Jesus Christ (or a centaur). Reality is not conferred by personal choice alone, such that it is not obviously unethical to fail to accept someone's statement of personal choice on a topic on which personal choice is fairly irrelevant. 8

Tuvel's Third and Fourth Ethical Barriers: Testimony of Black People Irrelevant

While the third and fourth reasons Tuvel provides for her proposition that there are no ethical barriers to accepting "transracialism" leave the analogy to the transgender experience behind, both of these reasons ignore the testimony of members of the black community. Tuvel's reason number three is that the claim by some people in the black community that white-to-black racial transition is akin to the nineteenth-century phenomenon of blackface (in the sense that it makes a mockery of being black) is misguided because the white-to-black transracial person "genuinely" identifies as black, unlike the person who wears blackface. At least this philosopher of color became offended at this point in Tuvel's argument. What gave Tuvel the right to dismiss the concerns of some black people on this topic so summarily, I thought to myself? Was Tuvel even aware that her phrase "genuinely identifies as black" was question-begging? Even if she was not so aware, why did such a train of thought pass the blind review process?

Tuvel's reason number four is that it is not an exercise of white privilege to try to change one's race from white to black, as some in the black community contend, but, even if it were, there is nothing wrong with that (i.e., there is nothing wrong with exercising white privilege). Obviously (or maybe not so obviously to some), this line of reasoning is deeply, deeply flawed from the perspective of the lived experiences of black people, and people of color in general. Obviously, a white person's choice to masquerade as black (for fun? for social advantage? for personal advantage? to deceive black people into taking her into their confidence? some other reason?) is an exercise in white privilege for the obvious reason that they can turn around and be white again at will, at a moment's notice. Even more obviously, there is definitely something wrong with exercising white privilege, and that is that whenever it occurs, it is an instantiation, a reification, of the system of social hierarchy on the basis of race that exists in the United States. Arguably, only someone wholly out of touch with the lived experience of being racialized as black would not be able to see these points.

Importantly, Tuvel's reasons three and four (offered in support of her claim that there are no ethical barriers to "transracialism") reject outright the testimony and concerns of many actual black people on the topic of who they think counts as black and why. Tuvel may be able to dismiss the relevance of having had the black experience and define social progress in terms that ethically permit white-to-black "transracialism," but many black people aren't so sure about these moves. That Tuvel seems to feel so comfortable dismissing these challenges to (white-to-black) transracialism that come from the minds and hearts of actual black people is somewhat disturbing. And I think it is this kind of move that so outraged many philosophers of color and scholars in philosophy of race and critical philosophy of race.

Getting back to the centaurs, for my metaphor to be complete, reasons three and four for rejecting the (potential) "ethical" barriers to the acceptance of centaurism would have to be grounded on the experiences of centaurs. Now, since I myself am not a centaur (nor do I know any centaurs well enough to be qualified by proxy to speak on the topic of their experiences), it will be difficult for me to do justice to any ethical objections to centaurism that may arise from members of the centaur community, but I will give it a try. So, as I understand it, centaurs are the children of Ixion, king of Lapiths, and Nephele, a cloud made in the image of Hera. So, I am going to hypothesize that a group of centaurs takes issue with someone not born of this particular parentage claiming to be a centaur trapped in the body of a human. My Tuvelian response to this objection might be that although that's the way centaurs are *currently defined*, centaurs need not be defined in this way in the future. In fact, social progress *requires* that "we" (the universal "we" that, of course, does not exist, and usually just means the majority/ mainstream view) look past these sorts of arbitrary constraints in order to allow

centaur status to anyone who "genuinely feels" they are a centaur. Notice that my conclusion about how "we" need not be constrained by what *actual centaurs* think (on the topic of what is required to make one a centaur) dismisses the testimony of the centaur community outright.

Observations

So, after examining Tuvel's argument in favor of "transracialism" in a bit of detail, several observations can be made. First, the analogy between the transgender experience and "transracialism" is tenuous owing to the fact that it is based on an analogy between gender and race, and the analogy between gender and race fails owing to the fact that having been socially constructed is not a sufficient condition upon which to make the claim that two things are analogous in other ways. More to the point, the claim that two things are analogous because both are socially constructed misses the reality that different phenomena can be socially constructed in different ways. In the case of race, its social construction entails the idea that race is tied to ancestry, whereas the social construction of gender does not entail this idea. Ancestry, of course, is external to the self and beyond one's power to alter by internal feelings or preferences, however "genuine" the feelings may feel or be understood to be, whereas the same is not true of gender.

What follows, then, about race and/or gender from the fact that both race and gender are socially constructed is, arguably, nothing, and certainly not that these two phenomena are analogous enough to then draw conclusions about one phenomenon on the basis of what is the case for the other (and certainly not that these two phenomena are analogous enough to then draw conclusions about "transracialism" from the what is known of the transgender experience). What I mean is there are any number of things that are socially constructed, but that does not make any of these things meaningfully analogous. Moreover, even if any of the things that are socially constructed are analogous in one way (e.g., they are not based on biology), this is no proof that they are analogous in any other way.

The larger point, it seems to me, is that analogies between phenomena heavily influenced by context and the lived realities of human beings arguably cannot be respectfully treated without consultation with the testimony and lived experiences of those human beings. In the case of socially constructed identity markers like race and gender, such analogies necessarily cannot be made in the abstract, and instead have to be made based on a careful consideration of how each phenomenon is taken up or operates in the world, that is, with how each phenomenon regularly interacts (or historically has interacted) both with objects in the world and with persons, animals, plants, and human artifacts (or not). If I am right about this, then it follows that the analogy Tuvel draws between the transgender experience and "transracialism" fails, and it fails because the only basis for the analogy is an abstract concept about a lack of biological/objective grounding of both race and

gender. If Tuvel were to have considered in her paper any *actual facts* about the transgender experience as it is lived by transgender persons—what it is, what it means, how it is experienced, the testimony of those who have it—and if Tuvel had then taken the arguably necessary, added step of considering the *actual facts* about the one alleged case of "transracialism" (i.e., that of Rachel Dolezal), the analogy between the transgender experience and "transracialism" may not have been as obvious to her as she apparently thought it was at the time she wrote the paper.¹⁰ And once the analogy between race and gender is eliminated, the bulk of Tuvel's arguments in favor of "transracialism" fail.¹¹

VI. CONCLUDING REFLECTIONS

Tuvel's Argument

It seems to me that Tuvel is making two different claims in her paper. The first claim is that "transracialism" "is a thing," as it were. It exists. The second claim is that if people claim they are transracial, we should take their word for it. The first is a metaphysical claim and the second is a normative claim about what the relationship should be between testimony about self-identification and the advisability of public or social acceptance of that identity. At the same time, reading through the paper from start to finish leaves the reader (at least this one) with the impression that it is the second argument with which Tuvel is primarily concerned. Without realizing it fully, I think, Tuvel's central claim is that both personal testimony and personal choice should be sufficient to generate authentic personal identity markers like race and gender, and that this is true without regard to the form or type of personal identity marker in question. Her claim, then, is a kind of existentialist battle cry: one is not born a race or a gender, rather one becomes a race or gender according to personal choice.

This is an interesting claim, and one that is not without support, but unfortunately, Tuvel uses the transgender experience to make this claim about those who claim to be transracial, and in the process both insults transgender persons (reducing their experience of *actually being* a gender other than the one assigned to them at birth to a matter of personal choice) and persons of color as well (mischaracterizing their experience of being racialized within a racist culture as something anyone can just put on or take off at will).

Tuvel's analogy between the transgender experience and "transracialism" is flawed, and the ethical barriers she takes herself to have removed are not removed by her rebuttals. It is my theory, as I stated at the top of this paper, that the root of these failures is a mismatch between method and topic. In other words, Tuvel's argument fails because she attempts to use philosophical methods removed from lived experience to examine a philosophical topic mired in lived experience, a topic that, arguably, cannot be examined from the view from nowhere, as it were. I am

talking about the topic of race, of course, but I am also talking about gender. It is my contention and belief that race and gender are the kinds of topics, in other words, that are best explored philosophically through means tailored to examining topics that cannot be understood without taking lived experience into account, and as I tried to outline in the sections on analytic and continental method, it so happens that continental methods (broadly construed) fit the bill better than analytic methods (also broadly construed).

If Tuvel had used a philosophical method, or methods, more closely grounded in lived experience, to examine the questions she raises, arguably she would have reached a different conclusion, i.e., that "transracialism" as a phenomenon is unintelligible, fantastical. It is important to my claim in this regard that the conclusion that "transracialism" is unintelligible more closely aligns with received wisdom in contemporary transgender studies and race theory. The result is that all Tuvel is left with, after her arguments in favor of the theoretical (metaphysical) possibility and ethical (normative) permissibility of "transracialism" are revealed as flawed, is her claim that personal testimony should be sufficient to confer identity. And I do think this is the heart and soul of her paper. In other words, reading between the lines of Tuvel's paper, for me, reveals a call on Tuvel's part to respect the testimony of minority voices, a call to reject the temptation to regard what Locke called the "tyranny of the majority" as truth or reality-conferring, a desire to treat the claims of societal outliers as legitimate claims, particularly regarding who and what they are. And I am going to go ahead and concede Tuvel's point in this area. If it is the case that someone "genuinely believes" that he or she is black, instead of white, or male, instead of female, or Jewish and not Christian, or anything else outside of the collective understanding of what he or she is, then, I agree that that "genuine belief" should be respected, but not for the reasons Tuvel articulates. 13

To my mind, the best argument in favor of the proposition that a person's "genuine beliefs" (regardless of what anything on the order of the general public has to say about them) should be respected on the topic of personal identity has to do with an ethical requirement I believe exists to honor the autonomous choices of others (as long as no one else is being hurt in the process, of course) and *not* because a person "actually is" what they claim they are, when what they claim they are conflicts with conventional wisdom on the topic.¹⁴

East vs. West?

So, where does the philosophical community go from here and why? In many ways the ideological divide between the analytic and continental traditions on the degree of importance of lived experiences in addressing *any* philosophical question is an instantiation of the age old divide between East and West, between art and the humanities on the one hand and science on the other. And maybe when it comes to answering important philosophical questions (that is questions of

significant import to the daily lives of human beings), philosophy should begin to get over itself and accept that answering philosophical questions is a complicated business that entails (or should entail) an openness to whatever paths (whatever methodology, whatever tools) lead to answers that make sense to people, instead of digging in one's methodological heels and clinging to the methods and tools to which one has been exposed up to that point. It may be time for the West to take a page from the East, that is, for analytic philosophers in particular to set aside their intellectual hubris and acknowledge that there may be other ways of knowing and being than science-based methods can adequately countenance and address. It may be time to seek wisdom and understanding instead of knowledge, in other words, particularly when the traditional pursuit of justified true belief leads down roads to nowhere, or even to dead ends.

Marginalized Philosophers

But the vitriolic public battle between Tuvel supporters and detractors is arguably not fully explained by the old divide between East and West. After all, analytic and continental philosophy have been existing side by side, for the most part (excluding the battle between Heidegger and Carnap or between Heidegger and A. J. Ayer!) for approximately one hundred years without the sort of drama and spiteful divisiveness that the Tuvel affair entailed. The missing piece of the puzzle, it seems to me, is the long-standing divide between so-called mainstream philosophers on the one hand, and marginalized philosophers on the other, and the extent to which this divide is informed by race (and gender). It is an open secret that the discipline of philosophy is deeply divided along racial lines (and along lines between cisgender and transgender philosophers, between able-bodied and disabled philosophers, between many—but not all—male philosophers and feminist philosophers, and between the economic elite and the economically disadvantaged). It is also an open secret that mainstream philosophy is, for the most part, in denial about this fact. Since philosophy considers itself uniquely gifted with skills of rational argumentation, skills of rising above the emotionally-charged fray, and skills in taking a bird's eye view of problems of all sorts (the "view from nowhere"), its head is arguably way too big (or perhaps way too small) to accommodate and acknowledge the very large and very ugly divisions along personal, identity-based lines that are deeply embedded in the discipline's methods, practices, and institutional structures. Many of us who have been working for years to dismantle these divisions, and to replace them with inclusion, tolerance and a welcoming spirit for all are both shocked and not so shocked by the Tuvel affair. We are shocked by the fact that the *Hypatia* editors who approved the Tuvel article for publication, well, approved the article for publication, for example, and see the fact that the article was published as an example of how even marginalized philosophers (in this case white feminist philosophers)

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can (inadvertently and with good intentions?) often fall into the trap of being agents in the marginalization of voices other than their own. But, we are also not so shocked that this occurred. We are shocked by the fact that Tuvel herself was burned at the stake in public. But, we are also not so shocked that this occurred. We see it as an example of the way women philosophers (and women in general, really) are currently routinely bullied and abused in online spaces.

If the Tuvel affair has taught the discipline nothing else, I hope it is the importance of including marginalized viewpoints and marginalized voices in the collection of materials available as resources for mainstream philosophers' consultation and utilization, including mandatory usage by editorial review boards. The days have now gone when this important scholarship could be ignored without consequence, particularly when philosophical topics mired in the lived experiences of human beings are being philosophically considered and addressed. There are legitimate philosophical tools other than those that mirror science, and it should be a point of pride for any philosopher to be familiar with all relevant scholarship on a particular philosophical topic, including being familiar with the various methods and ways of approaching the important questions we face in these troubled times.

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Notes

- 1. Of course, identifying this as the central philosophical question driving this paper entails two presumptions. First, that different philosophical questions are best treated by different philosophical methods, and second, that distinctive tools of the analytic and continental traditions can be identified and fully listed. I admit to the first presumption, but not to the second. Nonetheless, I think the kind of broad distinctions between the traditions that I attempt to list in this paper are fairly drawn and shed light on the thesis I am trying to develop. The reader may disagree.
- 2. My limiting the consideration of method in this paper to the philosophical approaches (and attendant methodological tools) of the analytic and continental traditions is not meant to imply that these traditions (and/or their methodological tools) are the only two traditions in philosophy, or the only ways to address philosophical questions about race. Often thought to lie between these two traditions are a host of approaches that somehow blend or fuse the traditions, or at a minimum use methodological tools from both traditions. A good example is American pragmatism. Nor is my discussion of the general outlines of the methodological tools of the analytic and continental traditions meant to imply that either tradition is monolithic or homogeneous, or even that there is universal agreement as to in what these traditions and/or their distinctive methodological tools consist. These traditions are notoriously complex and no

- clear boundaries can be drawn. Nonetheless, it is my contention that for purposes of this paper the differences, broadly construed, can be understood as meaningful and helpful for untangling just what went awry in what I am calling "the Tuvel affair."
- 3. There are exceptions to this very broad statement, of course. And it seems that every year, the culture of analytic philosophy becomes more expansive and more accepting to persons and areas of concentration outside of this narrow list.
- 4. In this paper, I will use the gender neutral pronoun "their" instead of "his" or "her" and the gender neutral pronoun "them" instead of "him" and "her." Normally, I simply phrase sentences in such a way that I am not required to use these sorts of pronouns, but in this paper—where gender identification is central—I am using "their" and "them" to avoid inadvertently assigning a gender to someone whose gender is unknown to me.
- 5. I realize, of course, that centaurs are mythical creatures and are not obvious candidates for testing the bounds of the legitimacy of analogizing between the transgender experience and so-called transracialism, but, in my view, centaurs are sufficiently existent for the purposes of shining light on the problem I am trying to highlight with Tuvel's analogy between these two phenomena. Specifically, centaurs, like so-called transracial persons, owe their existence to factors beyond science and "objectivity."
- 6. Moreover, Tuvel's example of someone who wishes to become Jewish is not convincing on this last point because it seems fairly obvious that choosing to believe in a religion is something quite different from choosing to be a race. Choosing to believe in a religion is obviously a matter of conscience whereas, at least on the surface, choosing to be a race is more of an embodied kind of thing.
- 7. More substantively, in these passages, Tuvel mistakenly identifies the (continental) claim that in the United States as we know it in the twenty-first century, race is a function of ancestry, which cannot be changed, as an *ethical* objection to "transracialism." However, this is not an *ethical* objection, but a metaphysical one. The "intersubjectivity" Tuvel repeatedly cites in these passages, is not social agreement of a Humean variety, according to which what is good or right is simply that to which we all agree based on attraction or aversion, but an intersubjectively (and inadvertently) created *reality* that is not changeable by the voluntary choices of individuals.
- 8. Pointedly, even the transgender experience is not currently legitimized on the basis of personal testimony alone, and it certainly is not experienced as a choice by those who have it. Rather, the transgender experience is experienced as everpresent and unchosen, unchangeable, just the way things are (at least as it has been described to me by those who have it).
- 9. I have not as yet specifically articulated that this particular aspect of all continental methods (a tendency to examine phenomena in context instead of in the abstract) is the heart of hermeneutics, the continental body of thought within which most of my work is situated, either explicitly or implicitly. Heidegger named this approach to understanding phenomena as, among other things, "Being-in-the world" (Heidegger 1978).
- 10. I have elsewhere written in more detail on the topic of why I think Tuvel's analogy between the transgender experience and transracialism fails. See Botts forthcoming.
- 11. Notably, Tuvel begins her paper by stating that she is not specifically grappling with the case of Rachel Dolezal, but with the broader question of the status of so-called transracialism at large. In terms of the credibility of her paper, this proviso, from

the analytic point of view (generally speaking), arguably lets Tuvel off the credibility hook. However, one message of this paper is that this kind of proviso (asking a general questions rather than a question about a particular set of facts) is inappropriate, and perhaps even irresponsible, when grappling with questions of race and gender.

- 12. The paper itself does not evidence an awareness on Tuvel's part, however, that she is making two claims, supported by two different arguments, as the two arguments are used interchangeably and run throughout the paper as if they were the same argument. For example, Tuvel repeatedly refers to the so-called transracial person's "genuine feeling" that their racial identity is different from the race that was assigned to them at birth as evidence in favor of the normative claim that we should accept transracial identity as a thing, without an apparent awareness that by calling the feeling "genuine" she is begging the metaphysical question.
- 13. "Genuine belief" here would not mean belief grounded in reality, however, but sincere or heartfelt belief (no matter how out of step with reality).
- 14. Obviously, my remarks here entail the view that the ethical thing to do may be to treat the white person who wishes to be understood as black as a black person, while retaining the understanding that this person is not actually black, but white.

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