Introduction: The Crisis of Identification

Nations provoke fantasy.
—LAUREN BERLANT, The Anatomy of National Fantasy: Hawthorne, Utopia, and Everyday Life

In the mid-nineteenth century a crisis began to emerge within modern nations regarding the identifiability and governability of the individual bodies making up their bodies politic. This crisis of identification was driven by a multiplicity of factors, including greater geographic and class mobility; urbanization, colonialism, and expansion; the beginnings of the welfare state; and challenges to racial and gendered hierarchies. Intersecting with these material developments, and no less essential to the making of the crisis, were ontological concerns about the naming and classifying of persons as they moved within and across categories of meaning. The shift in European countries from social worlds based upon local and personal affiliations to those that Michael Ignatieff has called “societies of strangers” (87) was even more dramatic and problematic in the United States, with its tremendous geographical breadth, racial and class diversity, federalist political structure, and uneasy allegiance to ideals of equality and democracy predicated upon the exclusion of certain kinds of persons. Cultural texts from the United States during this period reveal a landscape of intensifying anxieties regarding embodied social identities, particularly those that differed from the recognizable subject of democracy: women, disabled people, and racial others.

A number of events at the century’s midpoint signal both the accelerating crisis and its attendant cultural responses. The American Medical Association was founded in 1845, the same year as the publication of the phenomenally popular Narrative of Frederick Douglass and the intensification of abolitionist movements. Three years later feminist
activists met at Seneca Falls to issue a declaration of hypocrisy against American democracy, setting the stage for six decades of agitation to achieve the vote for women. Meanwhile the word *normal* in its modern sense of “constituting or conforming to a type or standard; regular, usual, typical” entered the English language around 1840, signaling a new social investment in regularizing objects and people.¹ The particular race and disability inflections of this regularization can be read through the evolution of the national census, which began to count deaf and blind persons in 1830, people labeled “idiotic” and “insane” in 1840, and “mulattoes” and physically disabled people in 1850.² In 1842 a defining legal decision addressed the increasing rates of physical disability due to industrial accidents by making it more difficult for injured workers to sue for compensation, thus consigning increasing numbers of disabled men and women to poverty and street begging (Braddock and Parish 35), a shift that not only heightened anxieties regarding real and fake disabilities but also challenged ideologies of self-reliance emerging from the American renaissance: “That a man might be a virtuous worker one day and an indolent pauper the next doubtless raised uneasy questions about an individual’s capacity for unlimited self-determinism” (Garland Thomson, *Extraordinary Bodies* 48). These ideological and material shifts resulted in a proliferation of charities and institutions established between 1840 and 1900, as well as the rise of eugenic practices and immigration restrictions, both responding and contributing to “the idea that a tide of disability from without and within threatened to swamp the nation” (Welke 119).³ Finally, rapid expansion and urbanization taking place in the country during this period produced unprecedented anxieties regarding the knowability of identity, while the increasing numbers of light-skinned African Americans and racially mixed American Indians meant that “the nineteenth century was a period of exhaustive and—as it turned out—futile search for criteria to define and describe race differences” (Gossett 69).⁴

In this book I argue that, in response to this modern crisis of identification, a range of fantastical solutions began to circulate in midcentury, eventually becoming solidified into our twenty-first-century discourses about bodies and identities. These *fantasies of identification* seek to definitively identify bodies, to place them in categories delineated by race, gender, or ability status, and then to validate that placement through a verifiable, biological mark of identity. Fantasies of identification share certain signifying features: they claim a scientific, often medical framework and function to consolidate the authority of medicine yet in practice
often exceed or contradict any actual scientific basis. Nor do they confine themselves to the scientific realm but invariably penetrate into the wider culture, influencing law, policy, and representation. Once embedded in the cultural realm, fantasies of identification stubbornly persist, despite being disproved, undermined, or contradicted, and this persistence provokes resistance and disidentifications from subjects attempting to escape the fantasy’s totalizing imposition of identity. Fantasies of identification operate on the level of the “obvious,” the “commonsense,” yet simultaneously claim that only the expert can fully discern their meanings. And because they are fantasies, they merge imagination and the real through desire, a desire that manifests in material effects on actual people’s bodies and lives. Finally, fantasies of identification are haunted by disability even when disabled bodies are not their immediate focus, for disability functions as the trope and embodiment of true physical difference.

In Benedict Anderson’s conception of imagined communities, a narrative of national coherence emerges through the “forgetting” of historical disruption and violence (205). However, the fantastic narratives discussed in this book not only serve to cover over the incoherence of the past but must be continuously circulated to reassemble a coherent present, without which the nation ceases to function. Such continuous forgettings are then best described in the language of fantasy, distinguished from mere imagination by the element of persistent and willed desire, what Lauren Berlant calls the linking of “regulation and desire” (5). Yet while Berlant is concerned with how texts doing the work of national fantasy realize or “stage” the nation through forms, I trace a dialectic between text, body, and nation that is at once mutually constitutive and highly unstable. Fantasy forms the bridge between the social and the textual, the material body and the discourses that constrain and enable that body’s intelligibility. These fantasies jarringly combine a certain wistful desire to know and understand certain identities with a persistent and often violent imposition of identity upon people whose subjectivity is overruled by a homogenizing, bureaucratic imperative. Indeed fantasies of identification are driven by a desire for incontrovertible physical identification so intense that it produces its own realization at the same time that it reinterprets that realization as natural and inevitable. And while certain discrete fantasies may be discarded, the master fantasy circulates flexibly, attaching to different types of embodied social identities according to historical, economic, and political circumstance.
Fantasizing Fingerprints

Like all good fantasies, this one begins with a story. In 1903 an African American man named Will West was convicted and sent to the U.S. penitentiary at Leavenworth, Kansas, where he was photographed and measured according to the Bertillon anthropometric method in wide use at the time. The clerk, thinking West looked familiar, checked his records and found that a William West was already on record with the same picture and measurements. Yet West denied having been in Leavenworth before, and as it turned out, the other William West was already in custody. The two men were brought together and observed to be identical in all respects, until their fingerprints were taken and compared, proving both their unique identities and the superiority of fingerprinting to all other methods of identification known at the time.

This founding story of modern fingerprinting, famously recorded in Charles Edward Chapel’s 1941 forensic guide *Fingerprinting: A Manual of Identification* and told in dramatic detail in the Federal Bureau of Investigation’s 1991 official pamphlet, *Fingerprint Identification*, is indeed a dramatic example of the power of modern identification (Fig. I.1). As the FBI pamphlet declares, “It would be hard to conceive a more nearly perfect case for refuting the claims of rival systems of identification” (7). For many years visitors to FBI headquarters could even view a wall-sized version of the story, which is retold in many histories and forensic textbooks.

There is just one problem with the story of Will West: It isn’t true. Kansas fingerprint examiner and historian Robert D. Olsen has conclusively demonstrated that, while the two Wests did exist, the scene described above simply did not take place. The Wests were never incarcerated at the same time and place, and there is no record of their fingerprints being taken and compared. In fact Leavenworth did not even begin recording prisoners’ fingerprints until 1904. Olsen concludes that it “makes a nice case to tell over port and cigars, but there is evidence it never happened” (3). Yet “over the years, popular true crime authors and professional scholars alike have repeated the Will West story as if it really happened” (S. Cole 146). The FBI pamphlet was published in 1991, four years after Olsen publicly appealed to forensic professionals to abandon the West story, declaring that “it is not necessary to use a fable to illustrate the value of the fingerprint system” (3). A decade later one could still find intellectually rigorous
The West Case

When he was received at Leavenworth, Will West denied previous imprisonment there, but the record clerk applied the Bertillon instruments to him anyway. He knew the reluctance of criminals to admit past crimes. Sure enough, when the clerk referred to the formula derived from West’s Bertillon measurements, he located the file of one William West whose measurements were practically identical and whose photograph appeared to be that of the new prisoner.

But Will West was not being untruthful about a previous imprisonment at Leavenworth. When the clerk turned over William West’s record card, he found it was that of a man already in the Penitentiary, serving a life sentence for murder. Subsequently, the fingerprints of Will West and William West were taken and compared. The patterns bore no resemblance.

It would be hard to conceive a more nearly perfect case for refuting the claims of rival systems of identification. Although the two Wests denied being related, there was a facial resemblance like that of twin brothers. The formulas derived from their Bertillon measurements were nearly identical, allowing for slight discrepancies which might have been due to human variations in the measuring process. And, finally, there was the crowning coincidence of the similarity of names.

The fallibility of three systems of personal identification—names, photographs, and Bertillon measurements—were demonstrated by this one case. On the other hand, the value of fingerprints as a positive means of identifying people was dramatically shown.

Figure 1.1. The story of Will West, as told in Fingerprinting Identification (1991). (Federal Bureau of Investigation, U.S. Department of Justice)

scholars citing the official version of the Will West incident (Joseph 170; Rowe 163). And still a decade after that, at the time of this writing, a simple Internet search yields numerous sites by popular and professional devotees of fingerprinting, including law enforcement officials and forensic science instructors, which repeat the legend as fact.7
This adherence to the Will West story in defiance of historical contradiction establishes it as not simply myth or fable but fantasy: a thing we not only imagine but desire to be true. The fantasy of the two Will Wests is also an inextricably racialized fantasy; it is no coincidence that the two Wests were African American. Nineteenth-century interest in fingerprinting was originally driven by colonialist imperatives and figured as a means to distinguish between racially homogeneous “others”—in the British context, Indian natives, and in the United States, Chinese immigrants. Sir Francis Galton, the figure most notably associated with introducing fingerprinting to a wide audience, was also the acknowledged “father” of modern eugenics and was deeply invested in his ultimately unrealized goal of using fingerprints in the service of racialist science.

In the West story, and in many other examples discussed in this book, the fantasy of identification merges notions of individual and group identity: West is at once himself, a criminal, and a black man, and the supposed power of fingerprinting is to fix and merge these identities into a single knowable subject. Indeed the remarkable success of fingerprinting over the past century stems from its real and imagined ability to encompass and link different realms of identity. As Max Horkheimer and Theodor W. Adorno observe, the paradoxical individuality of modern culture is represented by “fingerprints on identity cards which are otherwise exactly the same, and into which the lives and faces of every single person are transformed by the power of the generality” (154). The power of fingerprints to stabilize personal identity is accomplished only through the existence of a state apparatus to organize and frame that identity, and, as historian Simon Cole convincingly argues, the primary challenge for nineteenth-century fingerprinting researchers was to develop a working system for the organization and retrieval of fingerprint data, “a link between an individual body and a paper record held by the state” (4). The centrality of this link between body, text, and state underscores the crucial difference of modern identificatory practice, what Foucault describes as “cellular power,” in which individuality is legible only in relation to a homogeneous, regularized grouping (Discipline and Punish 149). The fantasy of identification, then, is always far less concerned with individual identity than with placing that individual within a legible group.

Among the “elementary signs of modern identity . . . the name, the portrait, and the fingerprint,” only fingerprints provide a sign of identity rooted firmly in the physical body (Caplan 52). While portraits (and photographs) provide a textually mimetic reflection of personal identity,
and names formalize identity into language, for many years only fingerprints—what Mark Twain famously called our “natal autographs”—combined the textual, linguistic, and physical into a master signifier, “a kind of serial number written on the body” (L. Davis, *Enforcing Normalcy* 32). While Simon Cole claims that “fingerprinting . . . embedded firmly within our culture the notion that personhood is biological” (5), I suggest the reverse is true, that prior notions of biological personhood influenced the selection of fingerprinting as the preferred means of identification in the modern era (since the existence of fingerprints was known cross-culturally for many centuries before its modern European and American implementation in the late 1800s). Lennard J. Davis connects this development to the emergence of normative bodily models, as “the notion of fingerprinting pushes forward the idea that the human body is standardized” (*Enforcing Normalcy* 32). The normalizing power of the fingerprint provides an apparent resolution to the dilemma of identification outlined at the start of this introduction—the paradox of reconciling unique individuality with democratic social equality—as every individual’s fingerprints are “qualitatively unique, yet capable of being enrolled in a numerical series for the purposes of classification, retrieval, and communication” (Caplan 53). To this extent, fingerprints function as a perfectly Foucauldian mechanism that disciplines individuals into objects of state control while maintaining the illusion of individual autonomy.

However, the fissures in this totalizing view of fingerprints provide glimpses of the ambiguity, tension, and subversion that lurk within. In nineteenth-century America, with its intense “desire for coherent and legible identities” (Chinn 47), the discovery of the fingerprint signified less an advance in material technology than the power of a fantasy of identification to produce and naturalize its own systematic realization. This dynamic becomes dramatically clear when we discover that fingerprinting was deployed fictionally before it was ever used in legal or forensic settings; in fact this fantastical power of fiction may even have enabled the eventual implementation of this form of identification. Twain’s 1898 novella, *Pudd’nhead Wilson*, discussed at length in chapter 5, famously introduced fingerprinting to the wider cultural discourse, touting its unparalleled ability not only to distinguish between unique individuals but also to delineate the different identities of racially ambiguous subjects. This solution to the crisis of identification so deeply satisfied the nation’s fantastic desires that, startlingly, Twain’s fictional statements on the accuracy of fingerprints were repeatedly cited in actual criminal
trials of the early twentieth century to produce convictions—both literally and in the sense of a powerful state of belief. Indeed Twain’s protagonist’s famous speech on the power of this “physiological autograph” is still cited and repeated in forensic textbooks, granting the power of the expert to a character who exists as pure invention. Thus we see that the blurring of truth, imagination, and desire in the West story is not an aberration in the story of modern identification but rather its defining feature.

Time Travels: Staging, Penetrance, Institutionalization

In Raymond Williams’s description of dominant and residual cultures, the residual comprises those “experiences, meanings and values, which cannot be verified or cannot be expressed in terms of the dominant culture, [but] are nevertheless lived and practiced on the basis of the residue—cultural as well as social—of some previous social formation” (159). In the case of fantasies of identification, representation is both residual and prescient, both preceding and emerging from social formations. The narrated fingerprinting of the two Will Wests takes place a full year before fingerprinting technology is introduced at Leavenworth. Twain employs fingerprinting in a fictional trial, and only decades later is it used in actual courtrooms. This paradoxical dynamic becomes even more complicated when we move to the current day, as modern science is increasingly evoked to support fantastic claims of identification, most notably in the area of DNA testing. As I demonstrate in chapter 9, both representations and implementations of genetic forms of identification tend to precede—and yet also skip past—the necessary scientific knowledge regarding the meaning and reliability of these identifications, and the material effects of this process are considerable.

For this reason I argue that to fully understand the persistence of fantasies of identification it is necessary always to consider not only their visible material effects but also their circulation within multiple cultural spheres. In this book the literary, filmic, and artistic texts I discuss reveal a much more complex, ambivalent, and subversive view of identification than do the corresponding legal, historical, and medical documents against which they are read. The tensions revealed by these texts are crucial because of the deeply imbricated and mutually entangled relation of this literature to the material reality represented by the legal, medical, and historical texts, demonstrating “a powerful and effective oscillation between the establishment of distinct discursive domains and the
collapse of those domains into one another,” one element of which is the attempt to isolate “fantasies in a private, apolitical realm” (Greenblatt 7–8).

I foreground the public nature of fantasy in shaping racial, gendered, and dis/abled identification, as fantasy functions both to forecast and to reinforce the supposedly concrete and fixed matter of identification that takes place daily in courtrooms, medical offices, border checkpoints, and countless other realms of the “real.”

In the nearly two centuries covered in this study, we will see how the fantasy evolves from its nineteenth-century incarnation as an imagined or staged relation conveyed most tellingly in the representative sphere to its current, twenty-first-century realization as a highly institutionalized regulatory structure most visible in the workings of state bureaucracy and the law. The argument and structure of this book follow this development. In the first part I examine how versions of the fantasy emerged in literature and film in relation to social anxieties about bodily identification, with these representational fantasies often exceeding or even compensating for their relatively incomplete penetration into other spheres. In part II I bring works of literature into conversation with medicolegal discourses to demonstrate the growing penetrance of fantasies in these realms, often through an illogical reversal of the usual relationship between social “realities” and their representations. Part III brings us firmly into the present, in which the fantasy of identification has been fully institutionalized through the process I call biocertification. This neologism describes the massive proliferation of state-issued documents purporting to authenticate a person’s biological membership in a regulated group. I demonstrate how biocertification began to take hold at the turn of the century and has become ever more powerfully instituted into the present.

My focus in part III on the millennial period between 1980 and 2012 is shaped by a notable clustering of texts and events during this period, much like that of the mid-nineteenth century, and similarly provoked by a rapidly changing social world. A century after the events described in the opening of this introduction, we find a markedly similar acceleration of anxieties about identity, also spurred by rapidly increasing social and geographic mobility, now in the form of globalization; a tremendous expansion of and corresponding backlash against the welfare state; and technological innovations, such as DNA and the Internet, that render bodily identities more anonymous and unknowable while paradoxically promising to confirm bodily truths with more certainty than ever before. The parallel between the mid- to late nineteenth-century crisis
of identification and that of the mid- to late twentieth century is also forecast in part I through analysis of films about disability fakery that notably proliferated during these two periods.

The civil rights movements that took place between these two clusters of events and texts, overturning long-entrenched racial, gendered, disabled, and sexualized hierarchies of power, are a powerful background to this study, and indeed created the conditions of its very existence. Yet, ironically, such movements have not functioned, either historically or in their current incarnations, to significantly disrupt or dilute the influence of fantasies of identification in American or global power structures. These fantasies have not only persisted largely unchanged despite the radical cultural shifts produced by social justice movements but have often integrated the language and goals of those movements into their discursive structures and power regimes. So, for example, a new cultural valuation of American Indian identity, which grew out of the American Indian Movement of the late 1960s and 1970s in resistance to assimilation and relocation, provided a broader stage and greater perceived stakes for the updated fantasy of blood quantum as a measure of “Indianness,” as discussed in chapters 7 and 8. Similarly the civil and material gains of the disability rights movement, most notably the passing of the Americans with Disabilities Act in 1990, produced a resurgence of cultural suspicions of disabled people and a proliferation of required “proofs” of disabled status.

Yet it is also crucial to note that the social movements of the late twentieth century enabled greater and more diverse forms of resistance to the institutionalized fantasy of identification. This resistant turn is signaled not only historically but also generically in this study. In the nineteenth- and early twentieth-century texts discussed in parts I and II, we find emergent fantasies of identification staged primarily through imaginative works that only gradually and incompletely affect social power structures. In contrast, in the recent period covered by part III, such fantasies have become firmly institutionalized and can be read through legal and bureaucratic documents, with works of literature, film, and visual art now functioning primarily as sites of resistant counterdiscourses to the fantasy. Thus while part I primarily focuses on traditional representational works, the part II brings such works into conversation with texts from legal and bureaucratic spheres, and part III then reads legal and bureaucratic texts as works of representation whose language is similarly revealing of deeply invested cultural assumptions.
Fantasy Bodies: Disability, Gender, Race

At the core of the fantasy of identification lies the assumption that embodied social identities such as race, gender, and disability are fixed, legible, and categorizable. This assumption, by now deeply naturalized in our social and ontological structures, in fact required elaborate construction and ongoing policing throughout the nineteenth century and early twentieth. In their twenty-first-century institutional forms, these governing assumptions continually fracture under the weight of their own unverifiability and thus must ever more insistently invoke the supposed empiricism of science as their bedrock truth. This process is starkly visible in the practice of genetic sex testing, which, as discussed in chapter 9, spent over four decades invoking reductive “science” to regulate identity despite the concerted opposition of the scientists themselves. This example drives home the fact that, as in the example of fingerprinting addressed earlier, our modern practices of identification are not simply mapped onto given bodily characteristics. Rather medical, legal, and political authorities have anxiously scanned our bodies in search of such characteristics—without which the increasingly unwieldy social apparatus of normalization and difference would collapse—and then made strident retrospective claims as to their obvious and natural existence: “This signification produces as an effect of its own procedure the very body that it nevertheless and simultaneously claims to discover as that which precedes its own action” (Butler, Bodies That Matter, 30). This process can be observed to accelerate in the mid-nineteenth century with regard to many subjugated groups of people, most notably those marked as racial others or as mentally or physically disabled, and to achieve full institutional power by the middle of the twentieth century with the advent of modern genetics.

Medicine has played a central role in shaping this process. While today we are more likely to associate medical identification with disabled bodies, medicine in mid-nineteenth-century America was centrally focused on questions of race, and racialist medicine served both to buttress the institution of slavery and to consolidate medical authority during its period of professionalization. Prominent physicians such as Samuel A. Cartwright, Josiah C. Nott, and John Van Evrie argued for the biological inferiority of African Americans and American Indians and explicitly supported slavery and settler colonialism as the natural system resulting from the superiority of the white race. In 1851 Cartwright famously outlined “the anatomical and physiological differences between the
negro and the white man,” which he claimed were “more deep, durable, and indelible . . . than that of mere color” (qtd. in Martin 54), and Nott contended three years later that “to one who has lived among American Indians, it is in vain to talk of civilizing them. You might as well attempt to change the nature of the buffalo” (Nott and Gliddon 69). These doctors and their associates peeled back layers of black skin, dissected the bodies of dead slaves, and measured hundreds of Indian skulls in their fruitless search for those “deep, durable, and indelible” differences between the races (Martin 54; D. Thomas 40). This search became ever more determined as the “visible, progressive ‘whitening’ of the slave body throughout the century,” accelerated by the banning of the slave trade in 1807, undermined the reliability of skin color as racial marker (Wiegman 47). Legal developments mirrored these medical trends, for “even though American slave codes had always articulated racial difference, in the 1830s legal formulations of slave status became increasingly dependent on the identification of ‘black’ bodies” (Keetley 4). By the antebellum period law and medicine intersected, as “doctors presented themselves to courts as experts on racial identity, claiming a monopoly on scientific racial knowledge” (Gross 10).

Many scholars pinpoint the beginning of “classifying according to somatic/morphological criteria” in the eighteenth century, arguing that during this period “skin color [became] visible as a basis for determining the order of identities and differences and subsequently penetrate[d] the body to become the truth of the self” (Guillaumin 32; Kawash 130). By the mid-nineteenth century, however, the “truth of the self” was not so clearly apparent in skin color, and so, as discussed in chapter 4, questions of racial identity were increasingly determined based upon hair, nose, feet, and other anatomical features that supposedly signaled race. In courtroom settings such features were mentioned arbitrarily and inconsistently, and no clear policy of racial identification could be formed from the competing claims regarding the true “Negro foot” or “Indian hair” (Gross 9). Thus I suggest that these claims testify not to the presence of a true fantasy of identification but rather to the dominant power structure’s deep and abiding desire for such a fantastical solution.

The modern conundrum of individual identity that is legible only in its regularized group context took on a new valence when combined with the paradox of a system that must at once recognize and deny the individuality—the very humanity—of the people it enslaves. The answer offered by racialist medicine was to naturalize racial difference, thus placing it outside the realm of human control and therefore of human
culpability: “Only a theory rooted in nature could systematically explain the anomaly of slavery existing in a republic founded on a radical commitment to liberty, equality, and natural rights” (Roberts 186). This solution became a crucial ingredient in the emergence of fantasies of identification that also naturalize identity and root it firmly in the physical body. The association of racial difference with physical immutability is a complex and deeply historicized cultural dynamic, which one contemporary African American writer describes as “the experience of black people of being reduced to their bodies . . . [with] one’s claim to individuality . . . constantly vulnerable to being erased” (Espinoza and Harris 442). Lindon Barrett similarly observes “the manner in which African American bodies are taken as signs of nothing beyond themselves—signs of the very failure of meaning—for these bodies are able to signify, in their obdurate physicality, only a state of obdurate physicality” (322).

Thus when we turn to disability, the social identity most closely associated with the immutability of the physical body, we find that it plays a dual role in these fantasies, as both the object of identification and the symbolic anchor that enables its function. As object, the disabled body presents a unique challenge to an identificatory system based upon classification, since its nonnormativity manifests itself through a vast diversity of form and function: “The concept of disability unites a highly marked, heterogeneous group whose only commonality is being considered abnormal. . . . Disability confounds any notion of a generalizable, stable physical subject” (Garland Thomson, Extraordinary Bodies 24). On the one hand, then, disability resists identification through classification because of its instability and particularity. We can see this tension at work in histories of disability policy, such as Deborah Stone’s The Disabled State, which investigate the process by which “originally distinct classes” of “the aged and infirm . . . lunatics and defectives, invalids and the lying-in, able-bodied and impotent beggars, and orphans” came with modernity to be “lumped together in one unified category . . . with enough shared cultural meaning to serve as a defining characteristic for public welfare programs” (26). Stone shows the extent to which this process of categorization was not only arbitrary and incomplete, but also profoundly influenced by cultural differences. As a result we now find ourselves living within another identificatory paradox, in which “the category ‘disability’ begins to break down when one scrutinizes who make up the disabled” (L. Davis, Enforcing Normalcy xv), yet individuals with disabilities must nevertheless navigate social
and governmental classifications of disability to obtain resources necessary for daily existence.

This paradox, with its concomitant rituals of identity testing and perpetual suspicion, can be traced in Stone’s analysis back to the inherent uncertainty of the disability category. She argues that “because no single condition of ‘disability’ is universally recognized, and because physical and mental incapacity are conditions that can be feigned . . . the concept of disability has always been based on the perceived need to detect deception” and thus “the very category of disability was developed to incorporate a mechanism for distinguishing the genuine from the artificial” (24, 32). Stone’s argument certainly holds true with regard to the examples of disability identity testing discussed in this book, such as cultural depictions of fake disabled beggars and rituals of surveillance of disabled parking permit holders. However, one may also extend her argument into the representational realm to investigate the other side of disability’s confounding of classificatory systems. The extraordinary and unique quality of the disabled body, I argue, can be seen not only as resisting identification but also, and conversely, as providing a symbolic and actual basis on which to structure a system of identification that seeks to fix individual bodily identity. As the imperative to define a coherent category of disability increasingly relied upon its supposedly solid physicality, its location in “the immutability of the flesh” (Garland Thomson, Extraordinary Bodies 25), contemporaneous efforts at identification evoked disability in their emphasis upon fixed and legible bodily truths. Even mental or intellectual disability, subsumed at this time under the category of “feeblemindedness,” was characterized as both physical and unchanging (Marks 82; Trent 88).

This dynamic returns us to the relationship of race, gender, and modern identification, a relation I contend is mediated by the symbolic function of disability as the trope of physicality, the body that is “somehow too much a body, too real, too corporeal” (J. Porter xiii). The increasing drive throughout the nineteenth century to define “race as an unchanging, biological feature” and “an inherent and incontrovertible difference” in order to give “white supremacy . . . a logic lodged fully in the body” (Wiegman 31), drew both explicitly and implicitly on disability’s symbolic power. Douglas Baynton has demonstrated the proliferation of disability imagery in debates over slavery and the postbellum status of African Americans as well as women’s education and suffrage (37–39). I argue that the significance of disability extends beyond these explicit references to pervade racial and gendered debates centering upon the
concepts of the “natural” and the “normal,” two ontological categories historically defined in opposition to disability.  

In fact it was virtually impossible to separate race from disability in nineteenth-century discourses of normalcy: “Just as medical textbook illustrations compared the normal body with the abnormal, so social science textbooks illustrated the normal race and the abnormal ones” (Baynton 39). Van Evrie’s 1854 racist treatise *Negroes and Negro “Slavery”: The First an Inferior Race: The Latter its Normal Condition* insists upon the biological “fact” of racial difference as “original, invariable, and everlasting” and “fixed by the Creator himself” (132–133). Van Evrie soon afterward articulated the disability subtext of his book, claiming in the 1860s that the education of African Americans resulted in bodies “dwarfed or destroyed”: “an ‘educated negro,’ like a ‘free negro,’ is a social monstrosity, even more unnatural and repulsive than the latter” (qtd. in Baynton 38). This explicit evocation of disability in relation to arguments about natural or normal racial difference contextualizes the frequent deployment of those terms in nineteenth- and twentieth-century racial discourse. Colette Guillaumin describes modern conceptions of race as “a natural closed category . . . that is first of all fixed and secondly hereditary” (27). Teresa Zackodnik has documented the persistence of this concept in nineteenth-century legal cases related to racial identity, which “appealed to a notion of race as naturalized by invoking bodily differences like complexion and fractional quantities of black ‘blood’ and thereby reading the biological as ‘fact’” (425). The natural and normal often merged in these discourses, signaling a paradoxical embrace of modernity’s normative classifications coupled with a reluctance to abandon the moral certainty granted by notions of race determined by God and nature.

Henry Louis Gates Jr. has suggested that “the biological criteria used to determine ‘difference’ in sex simply do not hold when applied to ‘race.’ Yet we carelessly use language in such a way as to *will* this sense of *natural* difference into our formulations” (5). What Gates describes as a *willing* of racial difference, Guillaumin identifies as the “fantastic and legalized affirmations” of racial boundaries as “immutable,” “obvious,” and “commonsense” (27). In this book I adopt Guillaumin’s language of fantasy over Gates’s “will” to emphasize the crucial role of the cultural imaginary in displacing a sense of bodily difference from the body into language.

In contrast to Gates, I also investigate how increasingly unstable the idea of biological criteria for sex has become, such that, while female
bodies were repeatedly deployed in the nineteenth and early twentieth centuries as the representational grounds on which to contest racial and disability identities, by the late twentieth century “femaleness” itself became a contested category to be stabilized through biologizing fantasies. Indeed while my discussion thus far has focused primarily on the crisis of identification in relation to race and disability, sex has been hauntingly present as a “natural” bodily difference historically invoked to provide, through contrast, a sense of the comparatively artificial nature of race as social construction. Such invocations are similar to the strategy Mitchell and Snyder describe as “methodological distancing,” in which, as areas of study based on certain embodied social identities have “sought to unmoor their identities from debilitating physical and cognitive associations, they inevitably positioned disability as the ‘real’ limitation from which they must escape” (Narrative Prosthesis 2). Throughout this book I note instances of methodological distancing—from sex, from race, and, as Mitchell and Snyder attest, most often from disability, which I argue frequently functions in a supplementary fashion to enable fantasies of racial and sexual identification, as well as their resistance. Indeed historically “both abolitionist and feminist discourses countered the inscription of the black and the female body as an incontrovertible signifier of otherness and inferiority by attempting to define selfhood as a product of something other than physical being” (Klages 5), and in so doing often explicitly defined their movements in opposition to disability (Baynton 34). In recent years much scholarship has addressed the intersection of gender and disability, producing crucial works on disability’s relationship to women, feminism, and queer identity, while a smaller but significant body of work has appeared addressing the intersections of disability with race. In the context just outlined, however, we can see the urgent need for a new kind of intersectional analysis to address how these categories have often formed mutually constitutive frameworks in support of—or in resistance to—dominant social, political, and economic structures of power.

The mutually entangled and constitutive dynamic of disability, gender, and race in modern fantasies of identification determines the shape and trajectory of this book. If, at times, one of these embodied social identities comes to the foreground, such that parts of the book address disability or race or gender more centrally, the overarching argument remains structured around the inseparability of their meanings. In particular I highlight the supplementary role of disability in precisely those cases that may seem to be “just” about race or gender. In each case,
identity is structured by intersecting vectors of power: not only disability, race, and gender, but also economic status, geopolitical location, sexuality, medicalization, and enslavement. Thus at no point do I centralize a single identification to the exclusion of others. Rather I seek to expose the mutual constitution that allows fantasies of identification to persist as powerful and flexible mechanisms of social discipline in relation to a wide variety of bodies and categories.

Visualizing the Body of Fantasy

The fantasy of identification, like many features of modernity, is predicated on an epistemology of visibility, in which identity can be easily read upon the body. Yet as the nineteenth century increasingly produced ambiguous and illegible bodies, the fantasy also began to look inside those bodies, invoking the “simultaneous strengthening of the corporeal as the bearer of . . . meaning and a deepening of that meaning as ultimately lodged beyond the assessing gaze of the unaided eye” (Wiegman 23). Modern systems of identification rely upon the authority of the expert whose authoritative gaze trumps not only an individual’s appearance but, more disturbingly, her own narrative of bodily and social identity. Yet, paradoxically, these systems also depend upon the easy recognizability of bodies, the “commonsense” ability to discern identity visually through markers as historically charged as skin color and as deeply naturalized as biological sex and physical disability. Language becomes the means by which fantasy attempts to close this gap even as language also functions to signify the multiplicity of cultural responses to its existence: this is the paradox at the heart of biocertification.

The fantasies I discuss exist in a state of perpetual tension between physical and linguistic means of identification—a tension figured by race, mediated through disability, and often inscribed onto contested female bodies. This tension is crucially shaped by the simultaneous reliance upon and undermining of the visual knowability of bodily identity, the haunting “possibility that the body, which is meant to reflect transparently its inner truth, may in fact be a misrepresentation” (Kawash 132). Such mis/representations then evoke fantasies of bodily identification authorized in the medico-administrative sphere by the “assumption that . . . the body is a surface that is written on and read out of and that the information one can read on a body can provide essential and reliable information” (Chinn 25). This assumption links body and text in a scheme of biocertificative legibility in which identity is at once marked
upon the body and buried within it, requiring expert scrutiny to be revealed.

Fantasies of identification are then predicated upon the rejection of individual identity claims, as Garland Thomson argues in the case of disability: “Medical validation of physical incapacity solved the problem of malingering by circumventing the testimony of the individual. Under this confirmation scheme, the doctor sought direct communication with the body regarding its condition, eliminating the patient’s ability for self-disclosure and, ultimately, for self-determination” (<i>Extraordinary Bodies</i> 50). The same dynamic operates with regard to race from the nineteenth century onward and with regard to sex and gender in the late twentieth and twenty-first centuries. The physician-detective scrutinizes the body for clues that will support or disprove the individual’s claims about that body’s status, and then issues or denies biocertification according to his (or occasionally her) findings. This privileging of medical authority in validating identity reflects the modern turn toward visualizing bodies such that “the ‘glance’ has simply to exercise its right of origin over truth” (<i>The Birth of the Clinic</i> 4).

In part I, “Fantasies of Fakery,” I explore early negotiations of the crisis of identification during the late nineteenth century and the resonances of these negotiations through the present day. In these chapters the fantasies at work are not yet fully realized structures of identification but circulate as anxious dreams, occupied with the looming possibility that unknowable bodies in a newly mobile world provide unprecedented possibilities for deception. These fantasies of fakery demonstrate the reversal of cause and effect, proceeding from the possibility of imposture to the assumption that imposters are everywhere. The dramatic emergence of cultural fantasies about fake disabled bodies in this period intersects with and sustains concerns about other forms of identity imposture based on gender, race, and class. This enmeshed anxiety emerges vividly in my analysis of representations of Ellen Craft, a light-skinned African American woman whose escape from slavery was enabled by her disguise as a white, wealthy, disabled man. Craft’s successful manipulation of ideas about race, gender, class, and disability demonstrates that the instability of these identifications could be a source of resistant mobility. Yet later retellings of her story in the twentieth century are marked by the consolidation and immobilization of her identity, in particular through the erasure of the disability component of her disguise. This dynamic, I argue, must be understood in the context of a profound anxiety regarding disability imposture—what I call the disability con— which
emerged powerfully in late nineteenth-century American culture and again in the late twentieth century through the present, in both cases in response to new extensions of social benefits to disabled people and others understood as the “worthy” poor. In chapter 2, then, I turn to an early representation of the disability con in Herman Melville’s 1857 novel *The Confidence Man: His Masquerade*, exploring its complex negotiations between body and text, appearance and essence, to show the unfixability of identity. In chapter 3 I extend this discussion to examine how the new medium of cinema adopted the disability con as a central trope, finally realizing it as a fantasy of identification in which false disability could be identified and unmasked—and yet how the instability of categories of “real” and “fake” bodies continues to haunt these filmic representations.

In part II, “Fantasies of Marking,” the penetrance of the fantasy into areas of policy and law can be read in its dramatic courtroom appearances, both real and representational. Birthmarks and fingerprints appeared in mid- to late nineteenth-century legal and cultural realms as possible solutions to problems of identification, often merging questions of individual and racial identification through the figure of a suspect on trial. In chapter 4 I examine the 1845 suit for freedom by Salomé Müller, an enslaved woman in New Orleans who claimed to be a white German immigrant kidnapped in childhood. Müller won her freedom largely due to the evidence of her birthmarks, yet this apparently physical and incontrovertible evidence, I argue, is ultimately verified discursively through verbal testimony. This dynamic is even more apparent in the case of fingerprinting, which I explore in chapter 5 through further discussion of Twain’s 1894 novel and story, *Pudd’nhead Wilson* and “Those Extraordinary Twins.” Twain’s literary representation of racial misidentification resolved through fingerprints has been extensively discussed; I draw upon and also complicate these critical conversations by pointing out how the novel represents a negotiation of a fantasy of identification, as the haunting remains of its excised disability components underpin a powerful semantic link between fingerprinting, identification, race, and disability.

I then explore the practical deployment of the fantasy’s conflation of body and text in part III, “Fantasies of Measurement,” through historical and current institutions of biocertification. I first demonstrate that, even in the area of physical disability, the identity category most presumptively defined by the authority of biomedical science, biocertification functions through highly contingent, contested, and paradoxical constructions of bodily meaning. In chapter 6, through close readings of the bureaucratic and cultural discourses
shaping the system of disabled parking in the United States, we see that the link between body, text, and social power structures must be endlessly and proliferatively policed even in the most local and limited of examples. I then move in chapter 7 to a less obviously “physical” arena of biocertification, exploring the history and current controversies surrounding the use of blood quantum requirements for American Indian and other Native peoples of North America and Hawai‘i. Here I also consider Native writers’ and artists’ reimaginations of identity that both reject and refigure tropes of blood in an ongoing process of negotiation and resistance. In chapter 8 I bring together these two local examples through the shared and mutually constitutive history of biocertification for Native and disabled people in the United States, through historicolegal connections drawn between blood quantum, mental disability, competence, and rehabilitation in the nineteenth and early twentieth centuries. In all of these cases I demonstrate the power of the fantasy of biocertification to both evoke and exceed science through claims that identity is fixed, measurable, and intrinsically connected to social worth and citizenship.

This sets the stage for chapter 9, in which I explore how the comparatively solid scientific basis of modern genetics does not signal either an end or an answer to fantasies of identification but instead has been quickly subsumed into potent new versions of the fantasy previously attached to pseudo- or nonscience. I first look at the burgeoning industry of home DNA tests, particularly those that claim to be able to measure Native identity. I then turn to the example of sex testing in sports, focusing on the 2009 controversy surrounding the South African runner Caster Semenya. I show that when a fantasy of sex/gender identification finally does become realized, beginning in the late twentieth century, it closely resembles the historical and ongoing fantasies about race and disability identification discussed throughout this book, demonstrating the flexibility and persistence of these fantasies from modernity into postmodernity.

Notes on Terms and Methods

I define disability quite broadly to include a range of physical and mental differences that in the 1800s were beginning to coalesce under the modern signifier of disability: differences including not only paralysis, missing limbs, blindness, and deafness but also more vaguely delineated figures such as “the invalid,” “the idiot,” and “the Siamese twins.” Here I follow the work of disability historians who recognize that “disability has never been a monolithic grouping” but has described “people with a variety of
conditions, despite considerable differences in etiology, [who] confront a common set of stigmatizing social values and debilitating socially constructed hazards” (Longmore and Umansky 4, 12). The social model of disability, in which disability is understood as located not primarily in the individual but in “the set of social, historical, economic, and cultural processes that regulate and control the way we think about and think through the body” (L. Davis, Enforcing Normalcy 2–3), allows us to consider how physical and mental variation serves to reveal cultural anxieties about and investments in bodies understood as “ordinary” or “normal.” A profoundly influential concept since its inception in the 1980s, the social model of disability separates impairment, as physical or mental difference, from disability, the social effects of that difference. While the social model has been critiqued and expanded on many levels, it remains a useful construct with which to examine many historical and current practices of disability categorization and regulation. In this study I keep the social construction of disability firmly in mind while remaining critically aware of its inescapable connection to actual bodies and minds whose differences often result in social and material disempowerment.

Similarly I follow the work of critical race theorists in examining race as a social construction that nevertheless has material consequences. As Ian Haney López explains, “The absence of any physical basis to race does not entail the conclusion that race is wholly hallucination. Race has its genesis and maintains its vigorous strength in the realm of social beliefs. Nevertheless, race is not an inescapable physical fact. Rather, it is a social construction that, however perilously, remains subject to contestation at the hands of individuals and communities alike” (“Social Construction” 172). Thus analysis of racial fantasies of identification must at once recognize the lack of a biological basis for race and contend with the persistence of social, linguistic, and representational associations of race with biological difference. As I discuss in chapter 9, this is a particularly vexed and persistent issue in the current genetic age, when new scientific discoveries continue to be used to reinscribe old ways of understanding and classifying human difference. The persistence of claims for a physiological basis for racial divisions illustrates the fantasy’s compulsion to invoke the authority of science while ignoring its complexity; thus the ongoing “discovery” of new genetic markers for race, despite the widely accepted finding that there is more genetic variation within a given racial group than between them: “We may know that race is a fiction. . . . This knowledge, however, does not launch us into a new orbit of experience. Rather, this knowledge names and marks the historical, epistemological, and philosophical limit of modernity, a limit at which we
continually find ourselves” (Kawash 21). One of these limits, it seems, is the refusal to give up on the fantasy of identification’s promise to locate identity firmly and measurably in the body.

Indeed rather than scientific developments undermining the power of the fantasy, they have served to offer it new realms of deployment. Thus in the nineteenth and early twentieth centuries, while ambiguously sexed bodies posed a challenge to emerging systems of classification, physicians were unable to locate sex definitively in the body, beyond the commonsense solution of genital inspection (which failed in the case of ambiguous or changing genitalia). However, the discovery of sex-linked chromosomes in 1955, much like the development of fingerprint technology in the 1890s, provided the scientific underpinning for a fantasy of identification that had been increasingly searching for a home.

How to name that fantasy has been a challenge throughout this book: while the general scholarly tendency would be to speak of “gender” rather than “sex,” the fantasy’s insistent location of this identity in the body places it in the biological realm traditionally ascribed to sex in contrast to the socially constructed category of gender. Yet in the examples of sex testing discussed in chapter 9, referred to by authorities as “gender verification” tests, we find the division between the biological and the social deeply muddled, in ways that are both frustrating and potentially productive. While many have understandably criticized the inaccuracy of the term gender verification for biological sex tests, this apparent slippage coincides with a recent trend in feminist and queer theories of gender toward a denaturalization of the category of sex and a blurring of the traditional opposition between sex/biology and gender/culture. Judith Butler, the most influential proponent of this view, has rejected the idea that “sex” is “a simple fact or static condition of the body,” instead describing it as “an ideal construct which is forcibly materialized through time” (Bodies That Matter 1–2). Critical work by intersex activists and scholars has concretized this claim, responding to the prevalence of medical interventions on ambiguously sexed infants that tend to prioritize normative appearance over sexual function and bodily integrity. As Morgan Holmes observes, “Physicians produce gender because society demands that they do so, and in the process of production, through assurances that every individual has but one true sex, the demand is hidden” (Intersex 69). Here we decidedly see the presence of a fantasy of identification, which retroactively naturalizes its determinative effects. We also see a refusal to separate gender from sex, as the act of producing gender as a legible social category is impossible without the literal construction of the body’s sex, and thus
gender is here biologically constructed while sex is determined according to social demands. This interrogation of the social management of intersexuality nuances Butler’s claim that “if gender is the social construction of sex, and if there is not access to this ‘sex’ except through gender, then it appears not only that sex is absorbed by gender, but that ‘sex’ becomes something like a fiction, perhaps a fantasy” (Bodies That Matter 5). Butler raises this notion in part to reject it, or at least to confirm that “if ‘sex’ is a fiction, is it one within whose necessities we live, without which life itself would be unthinkable” (6). However, I find the notion of biological “sex” as fantasy deeply relevant to the project at hand, as acknowledging the fictionality of determinable sex may allow us to find new grounds for contesting oppressive practices proceeding from the fantasy of its reality. Therefore, throughout this book I speak of gender and sex as both socially and biologically constructed categories and sometimes merge them as sex/gender to emphasize their inseparability as targets and modes of fantastical identifications.

As this discussion indicates, the history of identification explored in this book is not merely a matter of the state imposing control over docile subjects nor of historical evolution producing a totalizing and inevitable system, but also crucially involves the threads of resistance, subversion, and uncertainty that accompany all cultural transformations. As fantasies of identification were beginning to take nascent shape during the second half of the nineteenth century, we can see not only their deep-rooted power investments but also their vulnerability to manipulation by wily historical subjects such as Ellen Craft and Salomé Müller and slippery characters like Melville’s Thomas Fry and Twain’s Roxy. In the twentieth and twenty-first centuries we find new versions of the fantasy transformed through counter- and disidentifications in the works of writers, performers, and visual artists drawing upon indigenous and crip cultural traditions. We also see the potential of organized resistance to change policies based on the fantasy’s distorted understanding of identity, such as the abandonment of genetic sex testing in international sports just as the writing of this book was coming to a close. Thus even as this book demonstrates the power of the fantasy of identification, it also insists we remember that this power is not, and never has been, irresistible.