



Identity and Difference: Understanding Subjectivity through Wittgenstein's Family Resemblances

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This paper examines how the traditional subject of identity politics might be reimagined to enable less regulated subjects capable of politically mobilizing on their own behalf. It reads the oral arguments in the 2013 Supreme Court case *Hollingsworth v. Perry* as a text that relies on and produces the modern liberal subject, challenging an amendment to the California state constitution that defined marriage as being only between one man and one woman. This text shows how a key feature of the modern liberal subject is the unitary identity it possesses. A unitary identity is one that constitutes all members of a given identity through a shared characteristic or set of characteristics, regardless of their other identities, social positions, or contexts.¹ The problems created by a subject in possession of unitary identities (e.g. Black, queer, woman) are well documented by critical race, queer, and feminist theorists among others. Central to this paper's analysis thus are the injurious exclusions that occur when membership is determined in advance as in the last instance. This paper offers a new way of constituting the subject capable of reducing or ameliorating these injuries. It develops Wittgenstein's "family resemblances" into an account of heterogeneous subjectivity capable of resisting the impulse to fix a particular definition of membership as definitive. This account not only pluralizes the subject but also produces subjects capable of sustaining the difficult work required to keep membership flexible during political mobilization.

To begin, *Hollingsworth v. Perry* is an exemplar to study how the subject is understood in contemporary American identity politics. This case concerned Proposition 8 which was a proposed amendment to the California state constitution and was ratified by statewide referendum in 2008. This amendment defined marriage as a union between one man and one woman. In March 2013, the Supreme Court heard

¹In *Hollingsworth*, for example, it was argued that homosexuals were injuriously excluded from marriage *because* of their homosexual identity. This argument assumes that we are able to identify homosexual identity as it appears across a variety of races, genders, and sexual practices. Otherwise, it would be impossible to tell if their exclusion was based on their shared sexual identity or on something else.

oral arguments on the amendment's constitutionality in the case *Hollingsworth v. Perry* (570 U.S. [2013], 1–2). Arguing before the Supreme Court, Theodore Olson claims that “[Proposition 8] walls-off gays and lesbians from ‘marriage,’ the most important relation in life...thus stigmatizing a class of Californians based upon their status and labeling their most cherished relationships as second-rate, different, unequal, and not okay” (*Hollingsworth v. Perry* 28). Although civil unions may grant gays and lesbians access to the civil-political benefits of marriage, denying them access to the institution itself, not just its benefits, continues to treat gays and lesbians unequally based on their status, their identity. Separate but equal civil unions mark homosexuals as equal citizens and give them access to equal rights. But civil unions continue to deny homosexuals what Olson calls the “very, very critical” label of “marriage” (*Hollingsworth v. Perry* 45). As the label of ‘marriage’ confers a value and privilege of its own, Olson argues, same-sex couples are injured even when they have access to the legal benefits of marriage without the label. Denying gays and lesbians access to ‘marriage’ relegates them as inferior to their heterosexual counterparts, and stigmatizes their existence as a homosexual (*Hollingsworth v. Perry* 45). Proposition 8 institutionalizes some individuals as less valuable, worthy, or dignified than others, as well as some citizens as second-class.

By examining this argument, one can see that the homosexual subject is conceived of as a unitary phenomenon in marriage equality discourse. The subject is unitary because the injured parties petitioning in the court are constituted by their homosexual identity. Olson points out that in American jurisprudence homosexuals are “defined by their status” (*Hollingsworth v. Perry* 40). They constitute a class based on this status (*Hollingsworth v. Perry* 47). But, what does “status” mean in this legal argument? What does invoking “status” as a basis for injury reveal about the subject with unitary identities? Framing the legal question Olson asks, “whether or not California can take a class of individuals based upon their characteristics, their distinguishing characteristics, [and] remove from them the right of privacy, liberty, association, spirituality, and identity that--that marriage gives them” (*Hollingsworth v. Perry* 42). If homosexuals form a “class based on status” and California wants to remove rights from a “...class of individuals based upon their characteristics, their distinguishing characteristics,” then the syntax of Olson’s argument suggests “status” as a set of distinguishing characteristics that determines membership in a group. In *Hollingsworth*, homosexuals form a group that is defined by their unique characteristics. Being a part of this group means to have certain distinguishing characteristics—what Olson means when he says homosexuals are “defined by their status.”

Janet Halley explains that only a “...personal [characteristic] that inheres so deeply within a person that it constitutes a pervasive personal essence” qualifies as a relevant characteristic for defining status (*Don’t* 30). Individuals with characteristics so central to their personhood that they cannot exist as persons without them are said to be defined by status. In other words, “...status is constituted in and as a secret inner core of personhood” (Halley, *Don’t* 30). Roughly, status connotes identity in the American legal system.² These arguments collectively show that homosexuals are constituted as a group (a class) based on a shared identity (a status). Belonging to the group means being defined by the status “homosexual,” that is, having homosexual identity. To discuss the nature of the subject with (homosexual) identity, this paper focuses on one feature that emerges from Olson’s argument: the unitary nature of homosexual identity and the subject constituted by this identity (Butler, *Gender Trouble* 1–23; Nicholson; Reagon; Spelman).

In the case of marriage equality, the relevant subject has a homosexual identity. But every “man,” “woman,” or “heterosexual” are other subjects too with their own plural identities. What distinguishes a subject with a particular identity (homosexual, woman, etc.) is some group of possible characteristics including, potentially, particular body parts, actions, desires, knowledge(s), compartments, behaviors, beliefs, evaluations, aptitudes, and attitudes (Appiah 65–66, 69–70; Fuss 2–3, 13–14; Hacking). One is a homosexual subject with particular identity because of the particular elements that distinguish “homosexual” as a kind of person within a specific historical and social context.

Considering the different identities of a subject, Olson identifies a characteristic that distinguishes a gay or lesbian person regardless of their other identities, social positions, or life styles. Without this characteristic he and the Court will not know who is a member of the class based on status that is injured by exclusion from marriage. That is, they will not know who is and is not a homosexual. Such ambiguity would leave the law unable to know who is excluded from marriage *because* they are homosexual and who is excluded for other reasons, such as having more than one partner. Consequently, they would not know who is *injured* because of this identity-based exclusion and who is rightly excluded for violating the terms of the marriage contract. Olson and the Court settle on “same-sex desire” as the homosexual’s distinguishing characteristic.

²For a line of jurisprudential reasoning that deploy the legal term “status” in a way that lay persons would understand as synonymous with “identity” see *Bowers v. Hardwick*, 478 U.S. 186 (1986); *Lawrence v. Texas*, U.S. 558 (2003); *Obergefell v. Hodges*, 576 U.S. 576 (2015).

In *Hollingsworth*, the subject is understood to be unitary because of their common homosexual identity. Within a unitary model of subjectivity, Elizabeth Spelman explains that "...each part of [one's] identity is separable from every other part, and the significance of each part is unaffected by the other parts...my being a woman means the same whether I am White or Black, rich or poor" (136). In Spelman's example, unitary subjectivity is the sum a particular race (White or Black), gender (man or woman), and class (rich or poor). "Unitary" in this case means "made up of discrete units." But since each part of the self is distinct from every other part, one can identify what makes a person "a woman," regardless of race and class. Following "a more general principle of investigation in the social (and natural) sciences: If you want to see what difference any particular difference makes to a situation, be sure to cancel out the effects of other possible differences in such a situation." The distinguishing characteristics of "woman" is what's left over when you remove other factors, such as race and class, from consideration (Spelman 103). "Unitary" in this case means "singularly defined" or "homogenous."

It is this second sense of unitary subjectivity that this paper analyzes in *Hollingsworth*. It is on the basis of this common status that homosexuals are discriminated against. All people who have same-sex desire, all people who share Kristen Perry's status (homosexual), are prohibited from exercising the fundamental right to marriage because of their status (*Hollingsworth v. Perry* 47). To put it differently, it is because one has same-sex desire that one is prohibited from marrying, regardless of whether one is Black or White, female or male, rich or poor (Crenshaw, "Demarginalizing" 150–51).

Olson posits, and all present at the oral arguments accepted, "same-sex desire" as the constitutive characteristic of the homosexual subject regardless of their other identities or life styles. But, the obvious question presents itself: Why is "same-sex desire" posited as *the* constitutive characteristic of these subjects in the absence of any definitive or conclusive evidence to support this claim? After all, any of the following are also posited as constituting the homosexual as a kind of person (in addition to or instead of same-sex desire): a biological or physiological characteristic; gender (non)conformity (by any boy who fears being deemed a faggot); same-sex sodomy (in some of the Supreme Court's imaginings, such as *Bowers v. Hardwick*, and the fears of straight men); a propensity for same-sex acts not limited to sodomy (in the military's relentless game of hide-and-seek that was "Don't Ask, Don't Tell"); cultural knowledge(s), such as camp or diva worship to name two classics; or, even an avowal or identification, based

on affect or feeling not any conscious, self-reflexively specifiable reason.

Even if “same-sex desire” is the distinguishing characteristic, which is the true or right way to define “same-sex desire”? To consider a few questions with this formulation: What defines the “sex” of one’s desire? Is sex established by genitals? Genes? Both? Something else? (Sedgwick 27–28). And which form of “same-sex desire” constitutes the homosexual? Is it erotic attraction? Romantic sentiment? Some other kind(s) or formation(s) of desire? (Butler, “Imitation” 310). The seemingly singular characteristic “same-sex desire” is plural. And it cannot be kept abstract to settle the question of which particular formulations of “same-sex desire” constitute the homosexual subject. Same-sex desire’s different meanings, formations, instantiations, or expressions cannot be reduced to a unified abstract by estimating that, “Something called ‘same-sex desire’ distinguishes the homosexual, but we need not define what is or counts as ‘same-sex desire.’” Even if we hold that subjects share “something” in common, this abstract definition ultimately requires specific content. While deciding whether or not this particular person is a homosexual one needs to know whether or not they have same-sex desire and in order to know that one must beforehand know the nature of same-sex desire which constitutes the homosexual. For example, if a man is only erotically attracted to other men this erotic attraction counts as same-sex desire, and because of this same-sex desire he is identified as a homosexual. When he asks to join the Gay Men’s Chorus, for example, whether or not others accept him as an authentic gay man will depend on whether or not “only erotic attraction” sufficiently defines “same-sex desire” for those in the group as well. If they do not recognize only same-sex erotic attraction as same-sex desire, say, because they believe desire must also come with (the possibility for) romantic-emotional investment in the other (i.e. intimacy), then he will not be recognized as a member, at least by this group (Sedgwick 22–27). The abstract formulation “something called “same-sex desire”“ defers the question of which particular characteristics constitute the homosexual without resolving it.

The problems with a unitary subject in possession of particular identities are well documented by feminist, critical-race, and queer theorists, among many others. This paper examines only one set of problems raised by this subject; specifically, the problem of defining group membership. The problem is a familiar one: if members are defined by a characteristic common to all members, how is that characteristic chosen and by whom? There are many potential ways of defining homosexual identity. What makes “same-sex desire” the right

characteristic that truly defines this status? Different members will belong in different ways and according to different norms based on their other identities, social positions, and cultural contexts. Because the world exceeds any single description we give of it, the very act of naming excludes some who belong to a given identity (Haraway 296).

Olson's claim on behalf of homosexuals is "...stipulative rather than descriptive, as much based on what [we want homosexuals] to be as on any collective survey as to how those who call themselves [homosexuals] perceive themselves" (Nicholson 63). Consequently, a unitary identity excludes some who are or could be members given a different distinguishing characteristic. This exclusion produces injuries related to misrecognition, identity erasure, and cultural hegemony (Collins; Crenshaw, "Mapping"; Hooks). It also creates state-based political consequences because it confuses a definition of membership that includes only some for one that includes all.

White, second wave, American feminism provides a useful example of the dangers that occur when a unitary subject governs a state-based political project. Consider Betty Freidan's claim that women were unjustly excluded from the workforce, from property ownership, and rights (1963). To be a woman, then, was to be excluded from the workforce. The subject "woman" was distinguished, in part, by the characteristic "excluded from the workforce." In this case, the definitive characteristic was an injury instead of an attribute or property such as biology or physiology. But this White, second wave, American feminist definition of woman overlooked the women of color and their long subsisting predicament to work. These women were never excluded from the workforce. Indeed, they often worked for other women whether as slaves in the ante-bellum South or as paid child care, maids, laundresses, or seamstresses. The characteristic that supposedly defined women regardless of their other identities really defined women in relation to their other identities. As formulated by the political project for equal employment, "woman" really meant "White, middle-class women" since it was these women who were excluded from the workforce. Distinguishing women by their exclusion from the workforce excluded women of color from this political movement by and for women.

Because feminists fighting for equal employment opportunities offered their formulation of "woman" as universal, the political project rooted in this formulation of "woman" could claim to be for the advancement of women as a group, that is, claim to secure equality for all women. But because "woman" really meant "white, middle-class woman," only these women were protected from discrimination. Al-

though businesses might have to hire women, for example, they were under no obligation to hire *Black* women as Crenshaw demonstrates (“Demarginalizing” 142). Black women did not benefit from laws prohibiting discrimination against women *because* they did not “count” as women based on the project’s definition of this identity. The definition of “woman” that allowed White women to advance their cause relied on excluding Black women (Crenshaw, “Demarginalizing” 143).

The problem of multiple membership criteria cannot be solved by resorting to a list of possible criteria. A list would be either conjunctive (this and that), disjunctive (this or that), or serialized (any of the following). A conjunctive list only increases the pressure of unification by stipulating ever more precise membership requirements. A disjunctive list suggests those with more than one attribute are, somehow, not members. If homosexuals are defined by either “same-sex desire” or “same-sex acts,” then having both renders the person something other than a homosexual. Perhaps the list is serial, then any number of the following criteria define a homosexual but this solution only defers the problem. Who decides which characteristics make the list? What if in certain circumstances one has a characteristic on the list but in others one does not? Would one stop being a member according to the circumstances? What happens when the list begins to overlap with other identities’ distinguishing characteristics? Can one be both a homosexual and a heterosexual at once? (Butler, “Imitation” 310).

It seems that easing the injuries of the unified subject requires re-thinking the discourse of subjectivity itself instead of simply changing the requirements for membership in a particular identity. If women of color are excluded from the group because “woman” is defined as “denied employment,” then the simple solution seems to be changing the definition of “woman” to something else, like, “able to give birth.” But this change only sets off a new round of exclusions since many women are not able to give birth. It is necessary to introduce into the discursive field competing ways of being constituted as subjects with identities. Perhaps, resistance can be achieved by reconstitution of identities. Instead of only fighting over what does or does not make one a homosexual, perhaps the response needs to be saying “yes,” to other discourses of being homosexual subjects, to being constituted as a “homosexual” in other registers, according to other measures, in the name of other principles, and by means of other procedures (Foucault, “What is Critique?” 44). Resistance to injury can be enacted by setting into play alternative constitutions, measures, values, and subject formations with the aim of having them circulate, connect, attract, and propagate their own deployment to produce a counter-discourse capa-

ble of displacing, challenging, deflating, unraveling, or loosening the hold of the current injurious one (Foucault, *History* 96). If the discourse of subjectivity is not changed, if alternative models are not introduced, then the same injurious effects will continue to inflict different subjects.

In order to theorize a heterogeneous subject, this paper develops Wittgenstein's conception of "family resemblances" into a model of signification that can be used for re-thinking identity (Nicholson; Heyes). According to this model, meaning is produced "...not through the determination of some specific characteristic, or set of such, but through the elaboration of a complex network of characteristics, with different elements of this network being present in different cases" (Nicholson 60). Wittgenstein develops the idea of family resemblances by examining the many objects we call "games." He notes that when we look at various things that we call "games" we "...will not find something that is common to *all*, but similarities, relationships and a whole series of them at that" (Wittgenstein §66). Wittgenstein demonstrates that "game" takes on meaning *without* a distinguishing characteristic. A common characteristic does not constitute the activity or object "game" across all of its forms or in all of its permutations, yet we know what games are. What property or characteristic distinguishes Chutes and Ladders, chess, poker, solitaire, baseball, Angry Birds, and a little girl imagining she is fighting a dragon, collectively, as games? Chutes and Ladders and chess have some things in common, such as a board for play. They also have quite a few differences. Picture the size, shape, and format of their boards. If we assume what they have in common (a board of some kind) defines "game," then how are poker and solitaire games? But board games and card games are not only different from each other; there are also certain similarities between particular board and card games that define their "game-ness" (Pitkin 64). Chutes and Ladders and poker must have multiple players; solitaire and chess have no such requirement (and are similar to each other in this particular difference from Chutes and Ladders). Chess and poker are games of strategy; there is no strategy to Chutes and Ladders. Yet "strategy," as a characteristic of games, also varies. Poker in Las Vegas is constituted by strategy in a different way and of a different kind than poker among friends. And the strategy of poker is not the same as that of chess—not least of all because they each involve different pieces and moves.

Wittgenstein, hence, points out that the meaning of "game" is not determinate; it is not established by singling out a specific characteristic that distinguishes "games," regardless of their particulars, from

other activities. Even the abstract characteristics like “having players” fails to differentiate games from other activities, such as the orchestra, dating, or world politics. Wittgenstein asks: is there always winning and losing, or competition between players? Think of patience. In ball games there is winning and losing; but when a child throws his ball at the wall and catches it again, this feature has disappeared (§66). Thus, the meaning of “game” emerges as and through “...a complicated network of similarities overlapping and criss-crossing [*sic*]: sometimes overall similarities, sometimes similarities of detail” (Wittgenstein §66). Wittgenstein wants us to see that games are not defined by some common and “essential characteristic of game-ness,” but by their resemblances to and differences from each other in their particularity (Pitkin 64). He asks, “Isn’t my knowledge, my concept of a game, completely expressed in the explanations I could give? That is, in my describing examples of various kinds of game; shewing [*sic*] how all sorts of other games can be constructed on the analogy of these; saying that I should scarcely include this or this among game; and so on” (Wittgenstein §75). Wittgenstein characterizes these networks of partially overlapping similarities and differences that produce meaning as “family resemblances” (§67).

Wittgenstein’s notion of family resemblances suggests that complex network of characteristics give meaning to a concept by generating equally complex network of overlapping and crisscrossing similarities. This paper suggests some overlapping and crisscrossing similarities between family resemblances and how the (homosexual) subject is produced, not always “coherently or consistently,” but by its intersections with gendered, “racial, class, ethnic, sexual and regional modalities of discursively constituted identities” within various historical contexts (Butler, *Gender Trouble* 3). Put another way, this paper offers family resemblances between Wittgenstein’s analysis of linguistic meaning and the (homosexual) subject’s production to argue for a less unified subject.

Wittgenstein points out that we cannot identify a boundary that determines the meaning of “game” because this boundary changes as we examine various instances: For how is the concept of a game bounded? Can you give the boundary? No. You can *draw* one; for none has so far been drawn. But this is not ignorance. We do not know the boundaries because none have been drawn (§68–69). What makes poker a game might not make chess a game, yet both are games. Likewise, we cannot identify some specific characteristic of homosexual subjects because what constitutes this category depends on the various examples or instances of it that we examine. And these cases of homosexual identity will depend on the particular identities,

social positions, and contexts within and by which they are produced. A White, middle class, cis-gendered, male homosexual might define his “gay-ness” through his same-sex desire. But a White or Black, middle or working class, cis-gendered *lesbian*, or a White or Black, *working class*, cis-gendered male homosexual, or a White or Black, working or middle class, *trans lesbian* might have a different characteristic that is more definitive of their “gay-ness” than their same-sex desire (if they have same-sex desire at all). These other homosexuals may define their sexuality through, say, pleasures, sex acts, relations, knowledge(s), behaviors, comportment, or something else altogether. Or, if these homosexuals *do* primarily root their sexual identities in their same-sex desire, it is neither obvious nor necessary for them to experience same-sex desire in the same way as a White, middle class, cis-gendered male homosexual. That is, while all of these homosexuals might abstractly share the same characteristic, each could still have or experience this characteristic in different ways depending on their other identities and social positions. For some, their same-sex desire might be constituted by their erotic attraction to members of the same sex. Others might identify themselves as homosexual based on a same-sex desire that is more a capacity for intimate emotional attraction to persons of the same sex than an erotic longing. And yet still others might find same-sex desire in fantasies of being (with) a certain kind of man or woman or of dominating or surrendering to another, to name two other possible modalities of desire.

One could “...draw a boundary [that delineates games from other activities] for a special purpose” (Wittgenstein §69). People ask for board games for their birthdays. They draw a boundary around the concept “game” to include “has a board” for the special, specific purpose of telling others what they would like for their birthday. Likewise, we could distinguish “homosexual” by some characteristic for a specific purpose or at a particular intersection of race, class, and gender. Homosexuals could be distinguished by same-sex desire for the purpose of securing marriage rights. Or at the intersection of White, middle-class, and male they could be distinguished by being a sissy (as in the stereotype). But drawing the boundary “for a special purpose” is necessary only “to make the concept useable...for that special purpose” (Wittgenstein §69). This boundary constitutes games *only* for that purpose. What defines games for a specific purpose does not define games *per se* or for all other purposes, which might require having to draw a new boundary. And, indeed, even when a boundary is drawn for a particular purpose others might *still* say, “That is not the boundary I would draw, even for this purposes” (Wittgenstein §76).

Likewise, when Olson defines “homosexual” by “same-sex desire” for the purpose of securing marriage rights, this definition is specific to that purpose. This definition might not *and need not* define being homosexual for “...the queers who have sex in public toilets, who don’t “come out” as happily gay, the sex workers, the lesbians who are too vocal about a taste for dildos or S/M, the boys who flaunt it as pansies or as leather men, the androgynes, the trannies or transgendered...” (Warner, *Trouble* 66). Indeed, these other subjects might identify a different characteristic as more definitive of “homosexual” for the very purpose of marriage rights. And when one distinguishes “homosexual” by a particular characteristic at a conjunction of race, class, and gender, one might (and will) find people at these intersections for whom this characteristic does not define homosexual identity; who will define the stipulated characteristic differently; and even cases where this characteristic is defined differently for the same homosexual as he or she moves through different contexts.

It is clear that neither “game” nor “homosexual” collapses into incoherency without a determinate meaning. Yet, at the same time, not everything qualifies as a game, and not everyone can qualify as homosexual. The concepts have elasticity and indeterminacy, but they are not infinitely pliable. Wittgenstein discusses meaning’s continuity and flexibility by responding to an imaginary objector concerned over the indefinite nature of the concept “game.” Having demonstrated that one cannot “give the boundary” for the word “game” but can “draw one; for none has so far been drawn,” Wittgenstein continues on to say, “[the absence of a predetermined boundary that defines what a game is] never troubled you before when you used the word ‘game’” (§68). Wittgenstein’s interlocutor is troubled by the fact that meaning is not fixed. Their concern seems to be that without a predetermined boundary to circumscribe a concept, a word can mean anything at all since without these guardrails, “the use of the word is unregulated, the ‘game’ we play with it is unregulated” (Wittgenstein §68). Wittgenstein responds by agreeing that “[the meaning of the word] is not everywhere circumscribed by rules” (§68). But he rejects the implicit corollary that without “rules” (i.e. conceptual boundaries, pre-given definitions, predetermined constitutive characteristic) words can mean anything at all. As an instance, he points out that there are not “...any rules for how high one throws the ball in tennis, or how hard; yet tennis is a game for all that and has rules too” (Wittgenstein §68). Tennis is not “everywhere circumscribed by rules”: how high you throw the ball is up to you; how hard you hit the ball depends on circumstance not prescription; how the racket is held and manipulated is a matter of art not science. In spite of its unregulated aspects, people who play tennis know when they’re playing tennis or when they’re playing bas-

ketball, and recognize tennis as a game and not a democratic process. One does not need to tightly fix the meaning of a word for it to signify; one does not need at tightly fixed meaning to prevent a word from becoming meaningless.

Hannah Pitkin explains Wittgenstein's point through a different metaphor. Although one does "...not confine words to the precise context in which they originate, or in which we first encounter them," one also does not use a "...new and different word each time we encounter a new context...for how could one "learn" the "meanings" of "words" which were used once and then discarded, like paper tissues" ? (Pitkin 62). People can relate new and unexpected instances to old and familiar ones because "concepts are projectable, but projectable in regularized ways, ways that really do make relevant connections" (Pitkin 62). This is not to say that new instances must be intelligible only in terms of the old. What shared framework of meaning allows students today to understand "woke" as a shorthand for "attuned to systemic injustice"? Because English "...is not a closed, finished system, 'everywhere circumscribed by rules'" what will count as or be a "relevant connection" cannot be presupposed or circumscribed by past cases; rather, relevant connections must be found and generated within specific historical contexts and cases (Pitkin 62).

Family resemblances highlight the complex relationship between identity and the differences in relation to which it is established. At first glance, family resemblances preserve the relation between identity and difference. Some things are games and some things are not. Some are homosexuals and some are not. Wittgenstein neither does away with the identities "game" or "homosexual" nor does he expand them to include all things and people. His point is that these identities do not have determinate meaning, that is, we cannot define them by singling out the characteristics of games *qua* game or the characteristics all homosexuals have regardless of their other identities, historical contexts, and social positions. But family resemblances emphasize the importance of difference within identity even as they confirm the distinction between identity and difference. There are three important dimensions of difference within identity: plurality, partiality, and contingency.

Family resemblances mark identity itself as internally plural, consisting of "...multifarious relationships...a complicated network of similarities overlapping and criss-crossing" (Wittgenstein §66). "Same-sex desire" both does and does not constitute "homosexual" as in the case of the marrying kind and S/M practitioners. "Same-sex desire" can be essential to homosexual identity (say, in the marriage

equality cases before the Supreme Court) and yet, at other times, it can be irrelevant (whether someone *actually* has same-sex desire is largely irrelevant to fag-bashers). They also highlight identity's internal difference by drawing attention to identity's partial nature since membership criteria always exceed any particular member or the identity category's specified content. Each homosexual is a member based on only a few of the many characteristics that constitute this identity. Some homosexuals may have same-sex erotic and emotional desire, but they might lack any of the many other characteristics that constitute homosexual identity. No one homosexual can lay claim to having this identity in its fullness, totality, or completeness. Thus, family resemblances mark the importance of difference within identity by calling attention to identity's contingency. Who counts as a homosexual will depend on what gets included as constituting homosexual identity and for which purposes the line is drawn around these characteristics and not others

Although family resemblances change how one is a member and what it means to have an identity, this model preserves the boundary between member and non-member. The boundaries expand and shift, are partial and temporary, but boundaries continue to exist. Every homosexual might not always be homosexual because of the same characteristics throughout their life, but this plurality does not make them heterosexual. Resemblances can be projected in many ways, but not infinitely. To emphasize Wittgenstein's metaphor, not everyone is part of a specific family.

On the other hand, family resemblance establish identity through the overlapping similarities and differences between members, which blur the lines between identity/difference, same/other, included/excluded, and member and non-member. For instance, we might find webs of similarities between those characteristics bounded by a particular version of the category "homosexual" and those making up the category "heterosexual." For example, same-sex bodies are present in gay S/M sex and in straight prison sex and in sex on "the down low"—men who have sex with men but do not identify as "homosexual." Lesbians desire Ruby Rose. And so do straight women as indicated, in a demeaning and disrespectful way, by the phrase "I'd go gay for her." Indeed, the whole reason straight men frequently invoke "no homo" is that homosexual and heterosexual identity look alike sometimes. On the one hand, heterosexual and homosexual are not the same identity simply because some members resemble each other in particular ways. On the other hand, these identities are not so clearly distinct, cannot be so easily distinguished from each other, precisely

because overlapping similarities and differences can emerge between members of different identities.

The line between identity and difference is further blurred by the fact that the characteristics constituting the homosexual subject in a particular case do so because we have discursively drawn a line around them *as constitutive* and excluded all others. Any homosexual is a homosexual because the boundary has been drawn in a way that includes them. Consequently, any non-homosexual is potentially a member if the boundary is drawn differently. Family resemblances seem to generate constitutive outsides which, however, are always in flux. A family resemblances model cannot fix one set of characteristics as true for members *qua* member. It cannot cease the play or process of description, counter description, and counter counter-descriptions that occur as subjects vie for membership (Connolly 65). Its membership lines are always able to be redrawn. New resemblances are always potentially possible. Identity as family resemblances must exclude some in order for others to belong. But this formulation of identity is always open "...to the tendency of entities it would [exclude, or define as different, as other, as non-member] to counter, resist, overturn, or subvert definitions applied to them" (Connolly 64). Because membership criteria emerge from the similarities and differences among multiple, equally viable and valuable, members, no one formulation of the identity can be fixed as true and thereby disqualify all others by definition. Any instance that is fixed as the truth can be denounced for a different reality. Some might modify a response by Wittgenstein to this problem and say,

No, *this* constitutes members as well. Your definition is incomplete and partial. In fact, your definition is also contextual and contingent. At best, it only defines members for your particular purpose. Other purposes can define them otherwise. And even then, that is not how everyone must define members for purpose you specify. (§73)

Part of family resemblances' fluidity comes from being unable to specify what members are in advance or in the last instance. Membership is not restricted to or determined by a single formulation of an identity. One cannot determine eligible members through the presence, absence, or intelligibility of any particular constitutive characteristic. No particular characteristic can be required as proof of either having the identity or having the right, true, or normal version of it. The challenge is to think of identity without an overarching formulation that constitutes all members in the same way or by the same characteristic with family resemblances.

Family resemblances' emphasis on identity's internal difference and the potential for identity to include what was other marks this vision of identity as not unitary. It is not completely unitary because it is enough that members' characteristics resemble each other, look alike, or appear similar in specific or general ways, for members to share an identity. Membership is based on *similarities* among members without needing them to share some concrete, particular, explicitly or implicitly identifiable thing in common. For instance, say, one-person A's same-sex desire might look like that of another person B's, who practices same-sex S/M, in that both find same-sexed bodies erotic. But do both of them share the *same* characteristic? Does "same-sex desire" mean the same thing for both of them? Their desire might be similar in the eroticization of same-sexed bodies. But how or what they desire (of) those bodies might be different. A may eroticize the body because he desires the kind of person it signifies, expresses, or contains. It may also be for the subjectivity in the body and the body being a conduit to that internality. B may eroticize the body because he desires the body itself for the physical, psychological, or aesthetic pleasures it generates. He may desire the body without needing or understanding it to signify, contain, or lead to anything else. In the above example their same-sex desire look alike, but they are also noticeably different. And because their same-sex desire is different they cannot be said to be constituted as homosexuals by the *same* characteristic. It turns out A and B only resemble each other.

Indeed, B might not even identify his eroticization of same-sexed bodies *as* "desire" but as pleasure seeking, aesthetic taste, identification, or catharsis (to offer a few alternatives to "desire"). A might have generated a resemblance between himself and B that B might not even see. But just because A recognizes a similarity between them (same-sex desire as the eroticization of same-sexed bodies) does not mean B is or must be constituted as a homosexual by same-sex desire. B might look like A in some sense, and still be constituted as a homosexual by something else (say, the pleasure he gains from same-sex S/M, or the acts themselves when performed with same-sexed bodies (cis or trans), or the intimate emotional attachments he forms to members of the same sex—after all, practicing S/M need not be what constitutes him as a homosexual).

Family resemblance allows some members to share similarities with others while not sharing these similarities with all others since one characteristic is not common to all *qua* member. What a member can share with one, may not be shared with another member, and vice versa. Wittgenstein makes this point by describing how "in spinning a thread we twist fibre on fibre. And the strength of the thread does not

reside in the fact that one fibre runs through its whole length, but in the overlapping of many fibres” (§67). The fiber at the start of the thread shares no overlap with the fiber at the end but both indubitably belong to the thread. Pitkin explains that “the relationship among the cases is nontransitive: case A resembles case B this way, case B resembles case C a different way, case C resembles case D in yet a third way, case E is like cases A and D, but not like B and C, and so on” (Pitkin 64).

Wittgenstein’s image of a thread pushes against the need to create an abstract or master term that will make all members intelligible *qua* member. There is no need to synthesize into or subsume under a general characteristic every particular characteristic that constitutes various members. Nor is there a need to keep an ever expanding list of constitutive characteristics. Such a list would be meaningless. If it is disjunctive, members will both belong and be excluded. If it is conjunctive, no one would ever be a member. If it is serial, it would be useless for specifying membership. Instead of looking for a characteristic that distinguishes members *qua* member, one needs to be attuned to the many potential ones. “Homosexual” might be constituted through same-sex desire, gender (non)conformity, S/M acts with same-sexed bodies, penetrative homo-sex, a preference for homo-sex, a penchant for it, or fantasies about it, depending on particular intersections of identities and social contexts (Sedgwick 24–26). Indeed, the same characteristic might be constituted differently depending on race, class, gender, and circumstance. Michael Warner illustrates this point by asking us to consider “...the intrication of genetic and erotic logics in both race and gender. Is race, is gender, a mode of desire or of reproduction? Reproduction usually implies eros; but when identity is apprehended as desire, as in same-sex or cross-race relations, its reproductive telos disappears” (“Introduction” xviii). But also think about how differently “same-sex desire” might be constituted based on whether one is at the bar, on the street, in one’s home, or at a marriage equality rally. A family resemblances model of identity is not unitary because it does not stipulate or require all members to share or be constituted by a distinguishing characteristic, conduct, or desire in order to be a member.

A model of identity akin to family resemblances disrupts, displaces, loosens, or opens up discourses that establish subjects who are secure in their identities, subjects who *are* their identities. Family resemblances point to a vision of identity that is not unitary. It produces subjects that are plural, contingent, and partial. Sometimes a homosexual is defined as a homosexual because of their same-sex desire, as in the case of the arguments for marriage equality. Other times, that

same homosexual might find themselves defined as a member by their knowledge of camp, such as when they're at a gay bar or a drag show. There are times when it is both of these characteristics (say, at the bar trying to pick someone up) and times when it is neither (say, in the classroom). A family resemblances model also produces a contingent subject. One "is" a homosexual in relation to their contexts, which include external circumstances but also their other identities. A plural and contingent subject is also always a partial one. One never "is" fully, completely, or totally *the* homosexual identity they have since this identity precedes and exceeds any given homosexual.

A theory of family resemblances also might produce subjects who are able and willing to suspend the belief that they are the truest, most authentic members of an identity. Current discourses of identity create subjects who can and do suspend their assurance since where there is power there is resistance (Foucault, *History* 95). But such resistance is constrained, made difficult, rendered counter-intuitive or seemingly impossible through discourses that constitute identity's "true nature" as unitary, that is, as defined by a distinguishing characteristic common to all members *qua* member. Discourses of unitary identity constitute subjects who might want to participate in less exclusionary and regulatory political action, but who face unconscious, affective, or other non-rational limits to their ability to inhabit other people's life-worlds, and so, create inclusive family resemblances capable of resisting identity's unifying force. These limits come from the political subject's own lifeworld, that is, from the background knowledge they have about "how the world really is." In this case, discourses of unitary identity always generate knowledge about the world that makes it difficult for individuals to suspend the belief that they are the truest representative of an identity because such self-assurance is natural and normal given what they know about identity's "true nature" (e.g. identity is defined by a common characteristic shared among all members *qua* member; we can identify this common trait if just "factor out" others; an identity's true or proper constitutive characteristic will and should transcend differences).

Wittgenstein with the linguistic theory of meaning provides the groundwork for developing a discourse of identity that constitutes subjects differently and that might be able to disrupt, de-center, unravel, deflate, or loosen the hold of current discourses of identity. Family resemblances produce identities that are contextual, contingent, partial, and incomplete. Consequent questions which can be raised are: what kinds of subjects might bear such identities? How might subjects relate to identity as family resemblances? Identity is not a stable, fixed, universal, and unifying phenomenon for these sub-

jects. Perhaps they are “used to” membership being slippery, flexible, and imprecise. They might be “comfortable” with not fully inhabiting or completely belonging to an identity category. The subjects of family resemblances, then, might be better “prepared” to engage in collective political action that does not rely so heavily on predetermined definitions of membership. For one thing, they might be less likely to rigidly believe in their particular constitution of an identity as the only or the truest version of it. If identity is not or should not be rigidly bounded or deterministic, then it is probably easier to suspend one’s assurance in the correctness of one’s perception of identity. Family resemblances in a certain way seem to discourage defensiveness about one’s particular constitution of identity; they seem to encourage an openness to the possibility of other constitutions being as valuable or valid as one’s own.

Another way in which the subjects of family resemblances might be better suited to political action that does not rely so heavily on a predetermined definition of membership is their “comfort” with the unknown as potentially related to them. Family resemblances produce meaning through the overlapping of similarities and differences between examples. But a strict correspondence or logical equation is not always going to exist. How instances of a concept, or constitution of an identity, resemble each other is not always clear through deductive, analytic, rationalistic reasoning. Family resemblances need imagination, analogy, metaphor, narrative, affect, creativity, metonymy, and a host of other non-rational approaches to grasp (potential) connections, areas of overlap, similarity, and the importance of difference. What is the logical connection between usage of “feed” in the phrases “Feed the meter” and “Feed your child”? There isn’t one. We understand “feed” in each case because of the “body as machine” metaphor. Meaning is established through similarity which is created through metaphor not logic (assuming for the moment the rhetoric/logic binary which has long since been deconstructed but still haunts us) (Pitkin 63). Subjects of family resemblances, then, might be “more practiced” in this kind of reasoning. Indeed, they might be “more inclined” to understand and accommodate abstract intersubjective practices *as forms of reasoning* in the first place.

This paper engages Wittgenstein’s contributions to collective political action through agent centered language. Subjects are “comfortable,” “prepared,” “familiar,” and so on. They (know how to) consciously, willingly, autonomously do things. This language is meant to convey how the subjects of family resemblances are constituted through a discourse of identity that produces different truths about identity than do discourses of unitary identity; a discourse of identity

that creates different background, unthematized, un-conscious knowledge about how the world “is” when compared to the world produced by discourses of unitary identity. This knowledge, in turn, helps shape, inform, structure, excite, make (im)possible, (dis)incentive, prioritize, occlude, obscure, and render good, (un)valuable, (in)effective, obvious, self-evident, or counter-intuitive (intersubjective) practices.

As an instance, the subjects of family resemblances might be “better able” to understand another member’s claim to membership on their own terms (and so avoid inadvertently subordinating them—say, by recognizing that member as a member because they are “like me” in some way). And the subjects of family resemblances might be better able to resist creating such a normative hierarchy because this is a practice that they are “familiar” with, since, for them, identities are produced through the overlapping of similarities and differences, which requires them to see the world from others’ perspectives “more frequently” than is required of subjects for whom identity is established by way of a predetermined characteristic common to all members. To belong to the model of family resemblances means undertaking the work of elaborating overlaps. Identity is not “like this” in the world constituted through unitary identity discourse. Members have the characteristics and non-members do not. Thus, the subjects of unitary identity discourse never feel the need to see the world from the perspectives of those excluded from membership in order to ponder why they are members and others are not. These subjects are ignorant of Others, and the possibility of ever finding themselves as outsiders. In comparison then, the subjects of family resemblances would be “better suited” or “more prepared,” in general, to resist identity’s normative force than the subjects of unitary identity discourse. Family resemblances might help individual subjects be constituted “not like *that*” but by other principles, measures, and practices (Foucault, “What is Critique?” 44).

To conclude, consider that family resemblances provide the ground for thinking about and assembling identity-based groups. With heterogeneous subjects, an identity-based group can be treated as a coalition among variously constituted members instead of as a gathering together of those who always already share an identity by way of a predetermined distinguishing characteristic common to members *qua* member (Crenshaw, “Demarginalizing” 166–167; Crenshaw, “Mapping” 1298–1299). As coalition, members can belong in many ways and for many reasons. Critically, membership is fluid not fixed. A member can belong through different characteristics at once. A member can belong based on different characteristics over time and in dif-

ferent contexts. A member can differ from other members as well as from oneself and might still belong. Coalitional identity-based groups preserve differences among members. Coalitional groups also preserve identity's internal differences. These groups do not fix one vision of membership as that which is shared by all members; rather, coalitional groups allow identities' meanings to change and shift as members come and go. Coalitions allow identity to signify in different ways at once by gathering variously constituted members and allowing identity's meaning to emerge through the overlapping similarities and differences among these embodied individuals. As the subjects of family resemblances, one can politically mobilize for greater freedom and equality without excluding or marginalizing other subjects through the very practices being used. The cruel irony of pursuing freedom and equality in ways that treat, entrench, and extend the subordination of some so that others can benefit can be avoided.



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