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Realness as Resistance: Queer Feminism, Neoliberalism, and Early Trans Critiques of Butler

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Abstract

In this article, I argue that scholarship on the cultural impact of neoliberalism provides a vital framework with which to revisit early trans critiques of Butlerian queer feminism. Drawing on this scholarship, I reread the appeals to the real and realness in these critiques through the neoliberal transformation of social difference. I link the early argument that some trans figures were problematically used in queer feminism to represent the fluidity of identity with the more recent argument that the flexibility of identity has become a core part of neoliberal cultures. This context challenges the current dominant view of early trans critiques of Butler as misreadings and instead casts them as resistant to a superficial encouragement of individual flexibility. As a result, revisiting this debate demonstrates the need to rework theoretical frameworks that may continue to inadvertently lead to selective trans inclusion in queer feminism and points the way to trans-queer-feminist theory that is more attuned to shifting models of power.

In recent years, neoliberal rationalities have proven adept at using discourses around difference and diversity in ways that attempt to mask ongoing structural and historical violence. As a result, longstanding feminist and queer frameworks have had to contend with this shifting valuation of difference. It has become increasingly necessary, for example, to articulate how the opposition to norms central to queer feminism is distinct from the opposition to norms central to neoliberal rationalities. In what follows, I argue that recent scholarship on the cultural impact of neoliberalism provides an important lens with which to revisit an early source of tension between trans, queer, and feminist theory. In particular, I focus on how the neoliberal use of social difference—often cast through a view of identity as flexible, self-determined, and unbound by external constraints—alters the implications of a debate about the language of the real in theories of gender.

In the 1990s and early 2000s, disagreements about the reality of gender appeared as one of many lightning rods in the alternatingly productive and fraught relationship between trans, queer, and feminist theory. Across these debates, there is a persistent

sense that some trans narratives appeal to the idea of a "real gender" (for example, stating that one really is a man or a woman, or describing the felt realness of gender) in ways that contradict queer feminist philosophical frameworks focused on denaturalizing gender or revealing its constructedness. A repetitive tension emerges in these debates between the conceptual disruption of gender categories and the appeal to such categories on intimate and interpersonal levels.

This discord arises in a number of popular, activist, and scholarly texts, but one particularly powerful node emerges in early trans critiques of Judith Butler's gender theory (Namaste 1996; Prosser 1998; Namaste 2000; Rubin 2003; Whittle 2006).[1] Of these critiques, arguably the most influential has been Jay Prosser's reading of Butlerian queer feminism, and in particular Butler's early writing on gender performativity, for its selective use of trans identities and larger implications for theories of gender (Prosser 1998). As I will explore at greater length below, Prosser's critique centers on how Butler's early work exhibits a preference for trans phenomena that affirm the fluidity of gender, or its mutability, while simultaneously devaluing trans narratives that testify to the realness of gender, in which realness is used (in contrast with fluidity) to express something unchangeable. At present, the dominant scholarly narrative about these early trans critiques of Butler (including Prosser's) is that they come from an understandable position but are nevertheless rooted in fundamental misreadings of Butler's work (for example, Halberstam 2005; 2017; 2018; Stryker 2008; Salamon 2010).

In this article, however, I take a different approach. I do this by pairing these early trans critiques of Butler with a more recent, seemingly unrelated, analysis of Butler's early work. This second line of analysis concerns the relationship between the neoliberal use of social difference and the popularity of particular readings of Butler's *Gender Trouble*—especially the theory of gender performativity (Butler 1990). By connecting these early readings of *Gender Trouble* to the larger question of how the cultural valuation of flexibility is intensified and reinforced by neoliberal economic discourse (Martin 1994; McRuer 2006; Freeman 2007; Winnubst 2015; Rakes 2016), I link the concern about how some trans figures were used in early queer feminism to represent the fluidity of identity with the argument that the flexibility of identity has become an important backdrop for neoliberal cultural formations and understandings of social difference. This connection relies on the semantic links among terms often used in this early debate (for example, fluidity, mutability, elasticity, instability) and the neoliberal valuation of flexibility, which refers here to the relationship between an economic demand for increased flexibility (for example, in terms of shifting wages, hours, job security, and so on) and the cultural discourses of individual flexibility that reflect and justify that demand, such as the valuation of self-creation and adaptability.[2] I show that pairing these two lines of critique enables trans claims to the real to become legible as resistance to the neoliberal use of social difference. As part of this analysis, I also briefly draw on a psychoanalytic understanding of the real as that which resists dominant discourse; I use this theory of the real to develop an understanding of how and why appeals to realness may serve as resistance to neoliberal discourse in particular. Ultimately, I argue that early trans critiques of Butler contest dominant narratives that align flexibility with nonnormativity and realness—which, as I will show, is often associated with inflexibility—with normativity. This contestation, in turn, requires a reworking of theoretical frameworks that may continue to inadvertently lead to selective trans inclusion in queer feminism.

Importantly, this rereading does not require attributing intent or claiming to have the "true Butler" or the "true queer feminist theory." Rather than weighing in on the

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accuracy of early trans critiques of Butler, my focus is on how these disagreements illuminate larger transformations around social difference occurring during this time period. I offer an account of some of the nascent and unacknowledged forces of neoliberalism that may have been at work in this early debate in order to think differently about the lessons this debate holds for the present. I therefore conclude by reflecting on some of the implications of this analysis for the intersection of queer, feminist, and trans theoretical frameworks. First, revisiting this early debate through the lens of neoliberalism contributes to present analyses of the relationship between political economy and trans identity—in which trans identity is all too often read either as symptomatic of neoliberalism or as symptomatically duped by neoliberal logics—by highlighting an underexplored dimension of trans resistance to neoliberal rationalities. Furthermore, though far more attention has been paid to the common tropes of trans *exclusionary* feminism, it is also important to look critically at theoretical frameworks that are positioned as trans-affirming, as is the case with Butlerian queer feminism. Early trans critiques of Butler can serve as an archive of caution about ostensibly trans-inclusive feminism, especially as routed through queer feminist theory. Returning to this debate therefore shifts a common story about the historical relationship between trans, queer, and feminist theory and points the way to trans-queer-feminist theory that is more responsive to shifting models of power.

I. Claiming the Real: Early Trans Critiques of Butler

Whether expressed as a concern about realness, reality, or feeling real, the language of the real emerges repeatedly in early trans critiques of Butlerian queer feminism. In this section, I first turn to Prosser's challenge to the role of transgender and transsexual examples (Prosser 1998)[3] in Butler's *Gender Trouble*, focusing in particular on how Prosser and Butler each theorize gender realness. I then show that Prosser was not alone in his concerns about the impact of Butler's work before raising questions about the dominant scholarly account of this early debate, which reads a claim to the real or realness as a claim to a normative gender, and therefore as a problem.

In *Second Skins*, Prosser argues that transgender phenomena, or phenomena broadly linked with a movement away from the sex/gender assigned at birth, are celebrated within Butlerian queer feminism[4] insofar as they can be used to demonstrate the contingent nature of the sex/gender system (Prosser 1998). It follows that only particular examples will be seen as useful in this regard: namely, those that reject the very idea of a real sex and/or gender, wherein "real" is understood as ontologically necessary. Examples here range from camp gender aesthetics and drag performances (both featured in *Gender Trouble*) to identifications that emphasize the fluidity of gender more generally. In this framework, gender fluidity may be signified by moving between gender categories, refusing to fully settle in, or identify with, one category or another, as well as expressions of gender that demonstrate one does not need to have a particular sexed embodiment in order to convey any particular gender. Less celebrated in early Butlerian queer feminism, according to Prosser, are trans narratives that articulate "gender identity's profound ontological claim" (Prosser 1998, 149) or appeals to a real gender. Prosser calls attention to a tension between transsexual and transgender identity more broadly, wherein the former, historically associated more with medical transition, is often positioned within queer feminist frameworks as more reliant on the idea of a real gender and therefore read as expressing an "essentialist" (and subsequently suspect) view of gender, and the latter was seen as a more capacious, fluid, flexible umbrella for

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the many ways of moving away from the gender associated with the sex assigned at birth.[5] In this framework, a desire for transition through surgery or hormones may be viewed as falling prey to the belief that there is "one way" to be a man or a woman (that is, as requiring a particular sexed embodiment). In response to this orientation, Prosser argues that the Butlerian framework is designed to treat strong identity claims with suspicion, especially when they are associated with narratives about the "bodily matter" (4) of gender transition, thereby overemphasizing the importance of destabilizing sex/gender systems at the expense of listening to trans narratives that reflect the desire for gendered stability and the embodied and material nature of gendered experience.

Throughout Prosser's critique of the selective incorporation of some trans narratives in queer feminism is a disruption of the assumption that trans claims to "really be" a man or a woman (especially when accompanied by a desire for a changed sexed embodiment) operate in accordance with, rather than in resistance to, normativity. Indeed, realness, in the early Butlerian framework, is read *as* normativity; to appeal to one is seen as appealing to the other, and it is this association that leads claims to gender realness—as I will expand upon below—to be viewed with suspicion in some queer feminist theoretical frameworks. But first, what explains this association? Within philosophy, the term *normative* is understood as a neutral way to refer to claims about how the world is or ought to be. In queer and feminist theory, however, to describe something as normative is to identify it as a problem; consider, for example, the well-established critique of heteronormativity (Warner 2000) or the more recent analysis of cisnormativity (Aultman 2014). Normativity, within this framework, refers to an oppressive, constraining, or restricting force; normativity limits possibilities, pressing people into socially and historically produced norms such as whiteness, ableness, and heterosexuality. As Marilyn Frye writes in her well-known definition of oppression, "something pressed is something caught between or among forces or barriers which are so related to each other that jointly they restrain, restrict, or prevent the thing's motion or mobility. Mold. Immobilize" (Frye 1983, 11). In response to these restrictive, immobilizing forces, the work to identify these oppressive norms and the forces or barriers (such as societal rewards and punishments) that maintain them has been an important part of queer and feminist theory, to say the least.[6] To anticipate a term that will become central in my turn to neoliberalism, this queer feminist association between realness and normativity therefore arises in part because both are seen as *inflexible*. They refuse to be destabilized. As a descriptive term, *inflexibility*—though not a term Prosser uses directly—does capture the strong sense of "gender identity's ontological claim" communicated throughout his writing. Prosser uses the language of the real to convey an obstinate, intractable feeling, impervious to change: although the world tells me I should become one thing, I feel so strongly that I am instead this other thing; moreover, this feeling I have does not easily bend or sway, even in the face of a world that demands change.

The tension between these two understandings of realness (realness as normativity, and therefore as a problem, and realness as an inflexible and resistant sense of self) is crystallized in Prosser's critique of Butler's theory of gender performativity. This well-known theory famously disrupts constative claims (for example, "it's a girl") by reading such claims as enacting that which they may be otherwise (mistakenly) understood to simply be describing. On a performative reading, it is instead understood that it is the repetition of acts over time that produces a belated effect of naturalness.[7] A performative reading of gender therefore asks us to consider how we are constituting, through our gestures, words, bodily movements, institutional sanctions and rewards, and so

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on, that which we may otherwise take to simply exist. To make this argument, Butler famously relied on drag performances to demonstrate a performative view of gender. For Butler, drag performances—in which gender is portrayed as something that one can do, or practice, rather than simply something that one "is"—offered an opportunity to conceptualize all gender as an imitation that has no original, but is rather imitating other imitations; "in fact, it is a kind of imitation that *produces* the very notion of the original as an effect and consequence of the imitation itself" (Butler 1993, 313, emphasis added). Put differently, instead of thinking that there must be a "real" gender behind, or causing, the expressed gender, we come to see that gender actually only exists in and through its expressions. Again, the real, here, is positioned as an effect of normalization that is only mistakenly taken to be ontologically necessary or essential: in the words of Butler, "gender is a kind of persistent impersonation that passes as the real" (x).

Given how often trans people are delegitimized through ideas of what it means to be a "real" woman or "real" man, performativity has been an important theoretical approach in trans studies. In broad strokes, the emphasis on gender as a doing, rather than a being, has understandably been influential for those who have sought to undo exclusive gender ontologies that are structured in such a way that membership is taken to simply be a matter of being. And yet, as Prosser's intervention repeatedly notes, the framework can also be limiting insofar as it casts a pall of suspicion on claims of gender realness.

Prosser writes: "there are transgendered trajectories, in particular transsexual trajectories, that aspire to that which this scheme [performativity] devalues. Namely, there are transsexuals who seek very pointedly to be nonperformative, to be constative, quite simply, to be" (Prosser 1998, 32). There is an important implication of this statement: when viewed through the performative model, one of the reasons that realness is associated with normativity is through the connection of each concept to "being." The performative model, however, seeks to undermine claims to "be" (as in, "It's a girl!") by showing all of the work that goes into a statement of "being" (such as the social norm of assigning gender at birth, the documentation that both expects and records the "fact" of gender, and so on). The performative model emphasizes the ways we are not just describing the world as it already exists but also actively creating it through our very descriptions. In response, however, Prosser questions the limits of the framework for understanding both the felt realness of gender and the importance of claims "to really be" in some trans narratives.

Prosser is not alone in his critique of Butler's early work. In the late 1990s and early 2000s, other trans writers critiqued Butlerian theories of gender along related lines (Namaste 1996; 2000; Cromwell 1999; Rubin 2003; Whittle 2006). Like Prosser, Henry Rubin contends that Butler's argument that the concept of biological sex is an effect of discourses around gender can be limiting for explaining individual experiences of an "existential rift" between gender and sex, or identity and body (Rubin 2003, 18–19). Rubin also addresses the way that Butler's critique of the expressionist model in favor of the performative model has led some Butlerian queer feminists to criticize some trans people (Rubin, like Prosser, uses the term *transsexual*) for remaining within an expressionist model rather than embracing the performative model.[8] Similarly, in direct response to the performative view of gender, Jason Cromwell writes: "Transpeople do not take off their gender as though it were clothing. Contrary to Butler's statement about there being 'no gender identity behind the expressions of gender,' gender and gendered identity are, and feel, basic to beingness" (Cromwell 1999, 25).

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In "Tragic Misreadings: Queer Theory's Erasure of Transgender Subjectivity," Viviane Namaste issues a critique of early queer theory's reliance on trans figures along related but distinct lines (Namaste 1996). Namaste is concerned with a version of what she calls a "selectively post-structuralist theory" that resists claims to identity. It is selective, she argues, because it maintains the poststructural focus on disrupting subjectivity without also carrying forward a focus on the institutional structures that enable particular forms of subjectivity at the expense of others. Writing against what she perceives to be an overly individualistic way of theorizing trans issues ("transgendered lives, bodies, and experiences" [Namaste 2000, 9]), Namaste emphasizes the structural and material contexts in which those issues, lives, bodies, and experiences unfold. She argues that it is this context that is often obscured by the use of particular trans narratives to prove theoretical points, a point that we also see in Prosser's claim that some versions of trans narratives are celebrated but others are portrayed as too essentialist. In her later *Invisible Lives*, Namaste expands this critique by examining the everyday regulation of gender through institutional (legal and medical) arrangements (Namaste 2000). I will turn to an example of this regulation in the next section. For now, however, I briefly note that an argument about reality reappears here, albeit in a different context than in Prosser's intervention: according to Namaste, it is the institutional and structural reality of sex and gender that is not always properly appreciated in early queer-feminist approaches to trans issues.

Finally, a more mainstream trans critique of Butler can be found in Julia Serano's "Performance Piece" (in Serano 2007). Serano takes issue with two common phrases associated with Butler's work ("gender is drag" and "gender is performance"). Butler is not directly named in the piece, but Serano has acknowledged that she is referring to Butler's work. Opening with the claim, "if one more person tells me that 'all gender is performance' I think I am going to strangle them," the piece takes particular aim at common uses of Butlerian queer feminism as it has filtered down through popular culture. Like Prosser and Namaste, Serano views this theoretical framework as limited in terms of explaining her own experience as a trans woman. "Instead of trying to 'fictionalize' gender," Serano writes, "let's talk about all of the moments in life when gender feels all too *real*" (Serano 2013, 88, emphasis added).

The language of the real, across these texts, is used to counter exclusion—whether that exclusion is from an identity category or from an account of what gender is and how it works. At the same time, the terms used to express the idea that gender is unreal—such as fiction, performance, drag, individual choice, and so on—create, through opposition, an understanding of the real as that which points to the limits of these understandings of gender and, instead, operates as a term that tracks the material, produced, and deeply felt dimensions of gender, both individually and institutionally.

Before elaborating my own view of the significance of these early trans critiques of Butlerian queer feminism, I turn now to sketch the current view of this debate. The most common view, by far, is that these accounts arise from an understandable position but are nevertheless fundamental misreadings of Butler's work. Numerous scholars across queer, trans, and feminist theory support this view. In her landmark study of transgender history, Susan Stryker states directly that Butler's influential theory of performativity was sometimes misunderstood as saying that gender isn't real. To the contrary, Stryker writes, "Butler's point is that the reality of gender for everybody is the doing it" (Stryker 2008, 131). Serano, following up on her "Performance Piece," has also clarified that she takes issue primarily with the popular "memes" she sees as

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emerging from Butler's work, not with Butler's "actual arguments." In a defense of constructivism (and by extension, the theory of performativity with which it is often tightly bound) from a phenomenological and psychoanalytic view, Gayle Salamon situates Prosser's concerns as understandable while also arguing extensively that his reading of Butler rests on unsound philosophical grounds (Salamon 2010). Salamon sets out to analyze the strong felt sense of gender that Prosser and other trans writers convey without relying on "the real," a phrase that she doubts can "shed its normativizing and disciplinary dimensions." (Salamon 2010, 3) The real here is, again, tightly bound with normativity. Salamon argues that Prosser misunderstands fantasy in Butler's work as synonymous with delusion and fundamentally opposed to materiality and reality (35), taking issue in particular with the psychoanalytic readings he uses to support his claims about Butler's work. According to Salamon, the use of the real and realness in trans writing tends to evince a "fundamental misreading of social construction's meaning" (76).[9] Finally and more recently, Jack Halberstam reflects, speaking about Prosser's critiques in particular, that "these rejections of poststructuralism concerned a misreading of 'performativity' as 'theatricality'"; Halberstam goes on to say that these (mis)readings of Butler also make the mistake of understanding "performativity as *flexibility*" (Halberstam 2018, emphasis added), a point that both builds on earlier critiques of Prosser by Halberstam (Halberstam 1998; 2005) and indicates the idea, which I will turn to more directly in the next section, that a tension around the flexibility and inflexibility of gender lies at the heart of this debate.

As suggested by these responses, early trans critiques of Butler have in many ways been resolved within trans studies itself. In "Undoing Trans Studies," Trish Salah writes that in the wave of trans publishing in the 90s, Butler's work "seemed to stand as a touchstone for the thinking of transgender as exemplary of gender writ large, both in queer theory and in an emerging, overlapping body of work that by the end of nineties would come to comprise 'Trans Studies'" (Salah 2018, 150). Salah and others note in this regard that Sandy Stone's "The Empire Strikes Back," often heralded as a founding text of trans studies, explicitly distanced the new trans studies from earlier "transsexual narratives" (hence Stone's subtitle: "A Post Transsexual Narrative") and, therefore, from the perceived essentialism of these earlier narratives and their concomitant concern about gendered realness (Stone 1991). In sum, it seems fair to say that quite a few nails have been hammered in the coffin of early trans critiques of Butler.

Yet these critiques have never quite stopped haunting queer, feminist, and trans theory. In a dialogue in *Transgender Studies Quarterly*, Andrea Long Chu and Emmet Harsin Dreger write that Stone's foundational essay "urges us to tell our stories differently from the medicalized transsexual, establishing at the very foundation of trans studies the disavowal of the transsexual" (Chu and Dreger 2019, 106). They suggest that "the most powerful intervention scholars working in trans studies can make, at this juncture within the academy, is to defend the claim that transness requires that we understand, as we never have before, what it means to be attached to a norm—by desire, by habit, by survival" (108). This is a concern that resonates both with Prosser's worry that some versions of queer feminism seek to show that gender is "unreal," when in fact it is experienced as deeply real for so many (maintaining the sense of the real developed above as both inflexible and registering a material impact), and with Namaste's questions about how particular theoretical frameworks do not take into account the specificity of how gender is "made real" by a host of institutional forces that are not easily undone by focusing on norms at the level of the individual. Taking inspiration from the suggestion that we reexamine

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these foundational stories, I argue that we should recast the claim that early trans critics of Butler understand "performativity as flexibility" from a *misreading* to a *resistant* reading. I do this by looking at this debate through scholarship on the cultural impact of neoliberalism.

II. Neoliberal Gender Trouble

As Butler's *Gender Trouble* is gaining ascendancy in queer and feminist theory, neoliberal practices are also intensifying across the globe. What does theorizing these phenomena together enable us to see differently about some of the foundational concepts in queer feminism and how they have been used over the last several decades? How might this context shift the significance of these early trans critiques of Butler? To answer this question, I turn now to a second line of analysis of Butlerian queer feminism: namely, the relationship between neoliberalism and the popularity of particular versions of Butler's *Gender Trouble*. Although these two critiques of Butler (trans and neoliberal) have not yet been put into conversation, I argue that they should be read together. The point is not to make a causal claim between the two. Rather, it is to ask how the dominance of particular readings of *Gender Trouble* (even if we do grant, alongside many commentators and Butler herself, that there are resources within Butler's texts to complicate those readings) might be understood differently by focusing on the cultural impact of neoliberalism, especially the impact of the valuation of flexibility (Martin 1994; McRuer 2006) on dominant conceptions of social difference. For this argument, I rely on Shannon Winnubst's analysis of Butler's *Gender Trouble* in the context of neoliberalism. Winnubst reads *Gender Trouble* as "exemplifying several conceptual and categorical transformations that are underway in neoliberal social rationalities and practices, especially as we find them enacted in the United States and the United Kingdom in the late 1990s and early 2000s" (Winnubst 2015, 125). First, however, Winnubst's provocative claim about the neoliberal appeal of *Gender Trouble* requires some context.

Many scholars have argued that neoliberalism is a useful shorthand with which to refer to a worldview that emerged with force in the US in the 1960s and gained ascendancy through the 1980s, including through its violent export across the globe (Harvey 2007; Duggan 2012; MacLean 2017; Slobodian 2018). A popular story about neoliberalism is that it returns to (and intensifies aspects of) the nineteenth-century liberalism of thinkers such as Adam Smith (hence, "*neo*liberal") through its focus on turning the market into the measure of all decision-making. Neoliberalism usually concentrates attention on shrinking the state and turning the government into a front for decisions to benefit the market. As numerous critics have contended, however, this front-facing version of neoliberalism masks the concomitant attempt by its proponents to benefit a global, oligarchic corporate elite and to dramatically retreat from structural, public responses to inequality along lines of gender, race, and class, among other vectors of power; along these lines, transnational feminist thinkers have also emphasized the roots of neoliberalism in colonial and imperial practices of labor exploitation in the Global South (Alexander 2006; Duggan 2012; 2019).

The growing consolidation of neoliberalism as a cultural system is crucial for my rereading of early trans critiques of Butler. In recent years, scholars across a number of disciplines have turned their attention increasingly to how the economic and political policies often associated with neoliberalism (free trade, deregulation, privatization, and so on) have also infiltrated the conduct of everyday life. Neoliberalism, this work argues,

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has effected broad transformations in how we—those who live amid these economic and political changes—think and feel. As a result, for example, scholars have developed the concept of the "entrepreneurial self" to describe the emergence of a kind of subjectivity that serves as the backbone of the neoliberal dismantling of organized, structural, public responses to structural injustice (Foucault 2010; McWhorter 2012). The entrepreneurial self describes a growing cultural sense that it is each and every person's responsibility to compete in the marketplace; rather than becoming an entrepreneur of a business outside the self, the self becomes the business.[10] Personal responsibility, not structural justice, is the driving slogan of neoliberal cultures (Duggan 2012, 12). Individuals become calculating, enterprising, self-interested actors, constantly looking for a way to invest through actions and choices. Consider, for instance, that according to key neoliberal figures like Gary Becker, children are potential commodities, and relationships are ways of maximizing revenue sources (for the resonance of this view in everyday life, think: networking, the idea of having a personal "brand," the language of having to "invest" in relationships, and so on). Or we could consider the idea of practicing self-care primarily in order to become more productive and to emphasize individual, rather than collective, responsibility for care and survival (Ward 2015). In sum, though the favorite cultural code word of neoliberalism is undoubtedly "freedom," freedom is thoroughly constructed as choice in the marketplace and as a consumer. It is a deeply individualistic freedom, focused on values of self-determination long rooted in colonialist and capitalist ideologies of the individual, and intensified through specific economic and political policies that amplify the significance of the individual while undercutting the context in which the freedom of individuals is allowed or disallowed.

Importantly for the connection between trans and neoliberal critiques of Butlerian queer feminism, there is also a growing body of work on how the cultural impact of neoliberalism has altered dominant views of social difference, including gender. As background for this claim, consider that neoliberal policy advocates (such as Milton Friedman) have emphasized that conformity, understood as widely shared norms, constitutes death for the free market (Winnubst 2015, 95–99). If norms are seen as keeping the market from innovating and evolving, breaking norms becomes a source of potential profit. Difference, rather than being a threat, becomes (at least potentially) a way to stimulate the market. To accomplish this, neoliberal practices attempt to transform social differences from a "historical repository of xenophobia" to potentially interchangeable units that facilitate increased modes of stimulation for the neoliberal subject (105).

Turning to the neoliberal valuation of flexibility helps to explain this shifting relationship to norms and social difference. The trope of flexibility is everywhere in neoliberal governance (Bourdieu 1998), and it provides a prime example of how the economic requirements of neoliberal policies become reflected culturally. From an economic standpoint, neoliberalism requires flexible labor: shifting wages, uncertain hours, lack of benefits, and so on (Harvey 2007). For instance, Emily Martin explores how socially and politically produced vulnerability (such as unstable employment and housing) is covered up by a cultural discourse of flexibility: staying loose, leaving options open, continually bending to new demands, hustling, working multiple jobs, and so on (Martin 1994). In other words, the lack of a structural response to this precarity is concealed by an emphasis on the importance of maintaining flexibility in one's personal values. In a similar vein, Robert McRuer looks at the valuation of flexibility within neoliberalism through the lens of crisis management; the neoliberal subject must embrace a flexible ethos in order to respond to various crises and difficult socioeconomic conditions

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(McRuer 2006). And with regard to the impact on understandings of social difference, H. Rakes coined the term *flexible accommodation* to describe the superficial performance of "being down" with difference as opposed to a more genuine practice of "being with" difference, wherein racial, sexual, abled, and gender power imbalances would actually be disrupted (Rakes 2016). The appearance of an investment in flexibly embracing difference or resisting norms has the benefit of providing enough of an appearance of change so as to undermine, or at least distract from, the need to implement structural responses to inequality that might put limits on the market.[11] In other words, neoliberal rationality dictates that carefully managed diversity is good for business.[12]

It should be apparent, even in this brief overview of neoliberalism, its cultural impact, and its relation to social difference, that these shifts have significant implications for queer and feminist theory and therefore (or so is my claim) for the early trans critiques of Butler. With this broader context in mind, we are now better positioned to return to Winnubst's specific claim about *Gender Trouble*. As a case study of sorts for some of the curious and (importantly) unintentional resonance between queer feminist theory and neoliberalism, Winnubst argues that this text often exemplifies, albeit against Butler's "screams of protest," the changes underway in neoliberalism (Winnubst 2015, 127). Important for my overall argument, and like so many early trans critiques of Butler, Winnubst's rereading of *Gender Trouble* also hinges on the theory of performativity for which the text has become so well known.

As described in the previous section, a performative account of gender works to shift an account of gender from something one "is" to something one "does"; rather than our actions stemming from an essence or identity, Butler draws on existential, psychoanalytic, poststructural, and phenomenological traditions to theorize acts as preceding identity. Within a Butlerian queer feminist framework, unsettling the stable ontological foundation of gender has been a core tenet. In this framework, taking something that often seems intractable—that is, what gender is, how real it feels—and demonstrating how that appearance is actually built up over time has been a powerful way to disrupt forms of power that depend precisely on such normalization. Over the last several decades, this theory has become one of the most well-known approaches in queer and feminist theory, a staple in classrooms, and a mainstay in gender scholarship. From the perspective of the neoliberal conception of freedom, however, Winnubst points out that it may be no mistake that particular readings of this framework (such as gender as a choice and performativity as performance) became so widespread.

To make the claim that *Gender Trouble* "may be a quintessentially neoliberal text" (Winnubst 2015, 125), Winnubst focuses on how a reading of gender as a mediated, performative repetition, as creating the thing that it is then purported to be, enables gender—again, even if this is not Butler's intention, and even if there are resources in her texts to resist this move—not only to become unhinged from its ontological overdetermination as essence, but also—at least potentially—from its connection to historical and political structures: "Liberated from the heavy baggage of interiority and symbolically scripted roles, with their fixed sexual expressions, gender can float freely as the most playful of signifiers." (126) It is this move, Winnubst argues, that is appealing to neoliberal rationalities. Through its focus on disrupting norms, or refusing to repeat norms in the same way, "[t]he text easily reads as a quintessentially postmodern liberation of gender from all forms of constriction and domination" (126). (I note again that this is not to say that the disruption of norms is the same in each case; it is the resonance, not sameness, that is the focus here.) In short, as long as established

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structures of power are in no real danger of being undone, what Winnubst refers to as "neoliberal gender play" is not threatening—and, in fact, actually serves as a useful distraction from ongoing structural inequality and historical violence. The play can be captured under the sign of individual choice and dealt with or used in the marketplace.[13] As an example of this general dynamic, consider how the nominal and emphatic embrace of diversity by an institution can make it more difficult to understand the roadblocks one encounters while doing "diversity work," or why inequality persists although proclaimed commitments to diversity are everywhere (Ahmed 2012). Winnubst argues, "the neoliberal intensification of liberal categories of social difference substantially confuses our abilities to *read* those histories" (Winnubst 2015, 130, emphasis added). As explored above, this "intensification" happens, at least in part, by simultaneously appealing to those differences and emptying them of their historical and political significance, thereby rendering us less able to respond to their ongoing use in structuring the world.

I return now to the question of the real. Although Winnubst's reading of *Gender Trouble* reflects the argument that gender is a particularly effective vehicle for the cultural logics of neoliberalism, she also contends that not all differences can be so easily scrubbed clean of history:

> The historical ontologies of bodies are not so easily erased. The *soma* resists, demarcating our various social differences according to scales of malleability. Some differences, written into bodies and psyches by long patterns of sustained, systematic xenophobia, remain intractable to the allure of superficiality and fungibility enacted in neoliberal social rationalities. These more obstinate differences, these recurrent instances of somatic xenophobia, carry a historical ontology that cannot be so easily expunged. (130)

Winnubst articulates this intractability of some forms of difference through a specific theoretical concept: the psychoanalytic "real."

Rooted in the work of Jacques Lacan, the real departs significantly from traditional philosophical accounts of "reality." Lacan would consider the latter to be linguistically and socially mediated, and therefore closer to what he would call (in the analysis of orders of psychic reality) the "imaginary" (images, representations, doubles) and the "symbolic" (language and authority).[14] Lacan uses the real to instead express a resistance to or negation of that mediated reality; the real is that which the imaginary and the symbolic cannot accommodate. As Lacan puts it, "whatever is refused in the symbolic order, in the sense of *Verwerfung* [foreclosure], reappears in the real" (Lacan 1997, 13) Or, in Tim Dean's words: "As with the maxim that life is what happens when you're making other plans, the real is what interrupts every symbolic trajectory, spoiling our imaginary view of things." (Dean 2000, 18) Although the real cannot be fully expressed within language, Lacan argues that its effects can still be witnessed retroactively, as a "recurring impossibility or blockage, a deep impact that calls out for, yet resists, symbolization" (51). For this reason, Dean notes that its temporality is what Freud called *Nachtraglichkeit*, or belatedness; it can be witnessed retroactively.

To make the link between the psychoanalytic real and the reading of *Gender Trouble*, Winnubst pairs Tim Dean's argument that gender, in early Butler, is largely treated as an imaginary phenomenon or as a matter of ego identifications and therefore problematically overlooks the role of the real (Dean 2000) with Jodi Dean's argument that neoliberalism increasingly functions through imaginary rather than symbolic identities

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because of the declining hold of symbolic authority (for example, the state, school, the nuclear family) (Dean 2009). In other words, it is the loosening of gender from traditional models of authority that may be precisely what motivates the popularity of particular readings of *Gender Trouble*, readings that—as explored in the first section of this article—emphasize an understanding of gender as a choice, a performance, a fiction, and so on.

For my own purposes, the most important element of the psychoanalytic real pertains to its resistance to the imaginary and symbolic orders. The psychoanalytic understanding of the real offers a way to conceptualize that which cannot be easily expressed in the dominant system of meaning. If neoliberalism has affected the terms through which those caught up in its grasp think and feel about the world, then the psychoanalytic real marks that which resists incorporation into that mediated reality. I am not arguing that the two uses of the real (in the trans and neoliberal critiques of Butler) are the same, but that the resonance between them helps to recast the early trans critiques of Butler through the lens of resistance.[15]

The dominant view of early trans critiques of Butler is that they "misread" performativity for flexibility, but present concerns about the neoliberal use of difference alter the significance of the critiques. Under neoliberalism, the intractability of some forms of difference can be understood as a kind of inflexibility: the real is that which does not "bend" (Winnubst 2015, 181) to the neoliberal use of social difference. Recall, however, that it is precisely the association of inflexibility and realness that has so often caused appeals to realness to be read as normative; the normative is regularly positioned in early queer and feminist theoretical frameworks as that which does not admit of movement and change. This queer feminist account of normativity as inflexibility, however, stands in sharp contrast with this neoliberal use of social differences, wherein differences are moveable, interchangeable, ahistorical units capable of masking ongoing structural inequality through the appearance of change: in other words, flexible. The political stakes of appealing to the real and realness therefore shifts as well. Whereas Winnubst's primary argument is that race operates as the Lacanian real, or as what I am marking as inflexible, in neoliberal times, I am arguing that the archive of early trans critiques of Butler contains an important account of the limits of the "neoliberal embrace of gender."[16] This supposed embrace conceals ongoing imbalances in the construction of gender realness, or—to follow the association of realness and inflexibility I have mapped here—the inflexibility of gender.

Where, then, do we see this produced inflexibility of gender today? Early trans critics of Butler again provide a clue. Recall that Namaste emphasized the institutional production of the felt realness of gender. We could explore many possible examples here; one prominent example is the administration of sex/gender categories by state institutions, which has historically spurred wide-ranging debates around what it means to "really" be a man or a woman and the role of practices like identity-documentation in preserving those ideas. In recent years, more scholars and activists have examined the state use of sex/gender categories as an example of the disconnect between the increased visibility of trans issues and the ongoing violence against trans and gender-nonconforming people. This example also provides an instructive overlap between how state practices make race real (Winnubst's focus) and sex/gender real (my focus). Generally speaking, produced problems for trans and gender-nonconforming people related to identity-documentation include the repercussions of a mismatch between an individual and an identity marker, as well as having conflicting gender markers across institutions, such as when the Department of Motor Vehicles and the Social Security office report

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different gender markers (Spade 2003; 2011) or the use of gender-identity data in private sectors such as credit-reporting (Mackenzie 2017). However, these effects are not distributed evenly: as Dean Spade and others have explored at length (Spade 2011), the problems with the state administration of gender are compounded by race and class; for example, one may be unable to pay the required fee for a name or gender marker or more likely to be a target of particular forms of surveillance (such as being pulled over, or interrogated at the airport) and asked to show identity documents, especially considering the roots of contemporary forms of surveillance in the US in anti-Blackness (Browne 2015; Adair 2019). Importantly, given the argument of early trans critics that Butlerian queer feminism too easily collapses sex and gender, this institutional administration has also historically taken place through the specific category of sex assigned at birth—a category that remains preserved at the level of identity documents (among other places) regardless of whether that assignment bears any resemblance to one's lived gender.[17] In this way, the state administration of identity markers continues to make sex/gender real (or continues to exert a material impact on people's lives) in ways that cannot be accounted for by a neoliberal discourse of the flexibility of identity. The resulting effects reveal the lie of self-determination by showing the interconnected systems (legal, medical, administrative, race, class) that allocate sex/gender realness.

In closing, it is important to ask what collective resistance to the neoliberal use of flexibility—a use that can obscure the actual ongoing inflexibility of sex/gender systems—looks like. Groups like the Sylvia Rivera Law Project (SRLP) generatively point the way here: the SRLP's mission statement emphasizes that it is an organization that views "gender self-determination as inextricably intertwined with racial, social and economic justice" and stresses the importance of centering the experiences of low-income people and people of color who are transgender, intersex, and gender-nonconforming in navigating systems designed for their exclusion (SRLP 2020). The statement uses the language of self-determination, and the organization constantly emphasizes the multiple contexts that shape the very possibility of that gender self-determination, as expressed in specific organizing efforts, such as making it easier to change sex/gender markers on identity documents, transforming the sex-segregated shelter system in New York City, and creating more and better access to healthcare for trans and gender-nonconforming people. I mention the SRLP's work here because it serves as an example of how it is possible to affirm a focus on self-determination, a term that has been linked to the cultural impact of neoliberalism as explored in this section, and simultaneously maintain a broader focus on the institutional and state contexts in which the politics of that self-determination is waged. I will return to the importance of this for trans, queer, and feminist theory in the next, and final, section.

III. Toward a Politics of Realness in Trans, Queer, Feminist Theory

Butler has responded to what have become known as the "popular misconceptions" of *Gender Trouble*. In *Bodies that Matter* and *Undoing Gender*, Butler emphasizes that performativity, or social construction more broadly, does not mean that gender is "unreal" (Butler 1993; 2004).[18] More recently, in an interview in *The Advocate*, Butler reflects on the reception of *Gender Trouble*:

> *Gender Trouble* was written about 24 years ago, and at that time I did not think well enough about trans issues. Some trans people thought that in claiming that

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> gender is performative that I was saying that it is all a fiction, and that a person's felt sense of gender was therefore "unreal." That was never my intention. I sought to expand our sense of what gender realities could be. But I think I needed to pay more attention to what people feel, how the primary experience of the body is registered, and the quite urgent and legitimate demand to have those aspects of sex recognized and supported. (Williams 2014)

In this interview, Butler clearly voices support for diverse forms of trans identity, including the importance of affirming medical access for transition, and acknowledges the experience some have of gender as an "essential and firmly fixed sense of self." Butler, in other words, has taken steps to respond to this reading of her work while also largely agreeing with the dominant scholarly view of the early trans critiques I traced in the first section of this article: that the concept of gender performativity has been, in the words of the interviewer, "used—and some would assert abused—to support a number of criticisms that misconstrue [Butler's] work." The emphasis, again, is on misreading.

Rather than weighing in on the accuracy of these readings of Butler, I have sought in this article to situate the readings through a different lens—namely, as resistance to the neoliberal use of social difference. The point is not to have access to the "true Butler"; much within Butler's work complicates the reading of gender as performance, play, and fiction. The point is that scholarship on the cultural impact of neoliberalism offers a different explanation for why particular versions of Butler's work, such as the emphasis on gender as choice and performativity as performance, became so widespread. In turn, this context alters the significance of early trans critiques of Butler. When these two critiques (trans and neoliberal) are paired, the suspicion about the selective valuation of trans subjectivity in queer feminism (that trans identity is valued insofar as it affirms a performative view of gender) highlights the limits of the neoliberal portrayal of difference as flexible, fluid, and a matter of individual choice. As a result, the need for queer feminist theory to more directly wrestle with the cultural changes around social difference wrought by neoliberalism also becomes more apparent. It is the neoliberal context that explains the common semantic slide between performativity and flexibility, a slide that is present in the above-mentioned interview in the interchangeable use of terms such as *unreal*, *fluid*, *changeable*, and *fiction*.

Early Butlerian queer feminism was focused understandably on disrupting an ontology of gender that was positioned as inflexible and unchangeable. In response, an emphasis on the mutability of sex/gender systems developed; the point was that ontologies of gender could be, and in many ways already were, otherwise. As I have argued, however, although the association of a "real gender" with inflexibility aligned both concepts with normativity in early Butlerian queer feminism, it is this same association with inflexibility that enables realness to function as resistance in a neoliberal context. The concept of gender as unreal and flexible is not experienced as liberating to many of the early trans critics of Butler precisely because of the felt and produced inflexible realness of sex/gender, on both individual and institutional levels. Examples of this inflexibility that I have given in this article include the material impact of structures and institutions (medical, legal, administrative) that grant access to some forms of sex/gender while denying it to others, as well as the social and self-recognition that intertwines with this access in complex ways. I have argued that appeals to the real and realness, rather than being read as synonymous with normativity, should be seen as a rejoinder to the neoliberal appeal of particular readings of performativity as

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flexibility. As a result, these early trans critiques should be seen as resistant, rather than failed, readings of this version of Butlerian queer feminism.[19]

There are several implications for the present of revisiting this debate through the lens of neoliberalism. First, the rereading of this early debate contributes to an analysis of political economy rooted in trans identity. In recent years, scholars have increasingly located trans politics and social movements within an analysis of broader socioeconomic transformations (Irving 2008a; 2008b; Spade 2011; Aizura 2018; Beauchamp 2019). Although trans theorists have critically noted the association of trans and flexibility in neoliberalism (Halberstam 2005; Stryker 2008) (an association, it is worth noting, that has been uncritically endorsed by Slavoj Žižek in his account of trans identity as an example of the neoliberal "fluidification" of sexual identities [Žižek 2016]), the connection has not always been made to the significance of these early trans critiques as resistance to the association of trans identity and neoliberal flexibility. Instead, a primary concern in this work has been how trans subjects have internalized and/or strategically deployed neoliberal logics such as self-determination and individual choice as a means to legitimate nonnormative identities. For example, self-determination, as mentioned previously in this article, is one of these concepts that has been enormously important for gender justice and yet also participates in neoliberal logics (Irving 2008b; 2012). Although self-determination is undoubtedly a powerful rejoinder to cisnormative logics that assign sex/gender at birth, it can prioritize the importance of the individual in ways that undercut or hide inequalities of access to medical care, gender-marker changes on documents, social recognition, and so on. In the second section, I pointed toward the current work of the Sylvia Rivera Law Project as an example of collective resistance that simultaneously holds onto the ideal of self-determination while acknowledging the multiple systems that shape the very possibility of such determination. Returning to this early debate sharpens the need for collective queer, trans, and feminist analyses of the politics of realness along these lines. Early trans critiques of Butler offer an important kernel of resistance to this superficial encouragement of individual flexibility that leaves the ongoing production of inflexibility, or realness, untouched. The SRLP offers one example of how to hold onto the transformative and valuable concepts that have been co-opted by neoliberalism—such as self-determination, or the fluidity of identity—without losing sight of their amenability to neoliberal rationalities.

Second, these early trans critiques of Butler serve as a reminder of the importance of critically engaging with ostensibly trans-inclusive feminism, especially as routed through feminist theory. Across these early trans critiques of Butler is a central idea that still has critical purchase today: questioning the realness of gender has different impacts depending on the subject position of the questioner and the questioned. Talia Bettcher clarifies the general problem here by arguing that when one is already "socially constructed as a construction," or understood to never have a legitimate claim to a real gender (to "really be") in the first place, theories that undermine such claims (which are prevalent in the historical formation of queer and feminist theory) do not always feel liberating (Bettcher 2014b, 398). Along these lines, Serano writes: "As a transsexual woman, I am often confronted by people who insist that I am not, nor can I ever be, a 'real woman'" (Serano 2007, 35). Whereas historically there is one strand of feminist approaches to trans issues that problematically appeals to this latter, trans-exclusive notion of a "real woman," the strand I have focused on in this article rightfully avoids the latter move (that is, the use of the real to exclude) and yet also exhibits a general unease with the use of the real or realness, due in part to the association of a commitment to a real gender with normativity.

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It is this association of realness and normativity I have sought to disrupt in this article, and it is an association that is very much still present today within the overlapping theoretical frameworks of trans, queer, and feminist theory. For example, in the inaugural issue of *Transgender Studies Quarterly*, "gender self-determination" is explained through the importance of "moving away from building a trans politics on the fulcrum of *realness*," wherein realness is parenthetically defined as "gender normative, trans, or otherwise" (Stanley 2014, 90–91). I acknowledge that the frustration with the "fulcrum of realness" is more than warranted given the long history of institutional (medical, legal, and administrative) gatekeeping that has demanded precisely such narratives in order to gain access to healthcare, gender markers, surgery, and so on. I am not disputing the many ways that the concept of realness has historically been wielded as an exclusionary mechanism, not only in institutional settings but also in trans-exclusive feminism. My point in this article, however, has been that this association of realness with normativity fails to account for shifts in the cultural valuations of realness across the past several decades. My hope is that revising this view of gender realness as normativity may serve both to undo some of the selective trans inclusion that has marked queer feminist theory over the last several decades and provide another way to think about the political efficacy of appeals to the real and realness in the context of neoliberalism. To conceptualize the real as resistance, rather than as capitulation, to a dominant sense of meaning is part of what is at stake in the return to this early debate through the lens of the neoliberal use of difference. A politics of realness attuned to changing models of power is necessary to build a genuinely transformative trans-queer-feminist theory today.

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Notes

1 I follow Talia Bettcher in using the phrase "trans critiques of Butler" (Bettcher 2014a). I add the modifier "early" because I am referring largely to critiques in the 1990s and early 2000s. Marking these critiques as "early" is important for my argument because these critiques are now largely perceived as being resolved (a narrative I seek to challenge in this article). For more on the larger relationship between feminism and trans issues represented by "trans critiques of Butler," see Bettcher 2014a. For an account of the relationship between feminist, queer, and trans theory as it stood in the early 2000s, see Heyes 2003. With its roots in the debates around gender essentialism in the 1980s and 1990s, the possible synonyms at work in this early debate (for example, essentialist versus constructivist) are voluminous; I note some of these connections throughout the article.

2 My focus, especially beginning in section II, is on the valuation of flexibility in neoliberal discourses. I am not, however, making the claim that the lived experience of people who are gender fluid, genderqueer, nonbinary, and so on is somehow easier or more acceptable under neoliberalism. To the contrary, the disconnect between a neoliberal discourse of flexibility and the lived experience of gender (which includes the ongoing discrimination against people who are nonbinary, genderqueer, gender fluid, and so on) is an issue that I hope my analysis opens for further discussion.

3 It is important for Prosser's argument to maintain a distinction between "transgender," a term that encompasses a wide variety of ways people move away from the sex/gender assigned at birth, from "transsexual," a term that historically has referred more directly to medical transition. Although these and related terms (*trans*, *transgender*, *transsexual*) can universalize white, Western concepts of gender in ways that have increasingly and importantly come under critique (for example, Valentine 2007; Aizura et al. 2014), I use the terms either to reflect an author's decision about language (as with Prosser) or to speak to a specific context in which transgender studies has developed in conversation with queer and feminist theory.

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4 I use *queer feminism* as a shorthand in this article for a theoretical framework that has developed out of the work of both Michel Foucault and Judith Butler, among others. *Queer theory* is most often associated with sexuality, but it also of course involves a thorough critique of gender, one that both develops out of and carries implications for feminist theory. Likewise, *queer feminism* (as arguably articulated in the early work of Butler) carries forward feminist analyses of asymmetrical power along lines of gender alongside queer-theoretical critiques of normative gender and sexual categories.

5 Although it is not my focus in this article, many connections can be traced between this early tension around transsexuality in queer feminism and contemporary questions around the relationship between binary and nonbinary trans identification. See, for example, Bettcher 2014b, 385.

6 The legacy of Michel Foucault and his mentor Georges Canguilhem are a critical part of the larger approach to normativity in these fields (Canguilhem 1991; Foucault 1975)

7 Speech acts are originally the primary focus here, given that Butler is using both J. L. Austin's work on speech act theory and Jacques Derrida's work on repetition. Considering, however, that this is a very well-known framework in feminist theory, I do not belabor its explanation here.

8 It is worth noting that Rubin, as is the case with many of the early trans critics of Butler cited here, finds much of use in Butler's work and regularly indicates that the problem is primarily in Butler's "interpreters." I have attempted to respond to this issue by making clear my focus is not on the accuracy of the interpretations of Butler in a strict sense, but on casting the significance of these interpretations in a different light.

9 Salamon offers one of the most thorough responses to the use of the real in Prosser's work by arguing that Prosser misreads Butler and developing an account of social construction that complicates the fantasy versus reality dichotomy that can so often appear in these debates (Salamon 2010). Given my focus in this article, however, the primary significance of Salamon's account lies in its positioning of these critiques as misreadings of Butler.

10 Although I am focused here on the impact on subjectivity, David Harvey also takes up the connection between entrepreneurship and neoliberalism more broadly (Harvey 2007).

11 bell hooks makes an early and related argument about the commodification of difference in capitalism in her chapter, "Eating the Other" (in hooks 1992).

12 The 2016 presidential election and the white nationalism publicly sweeping both the US and the globe may make it difficult to accept this claim. A full elaboration of this point is beyond the limited scope of this article, but it may be useful to think about how neoliberalism has structured both the emergence of and the dominant alternatives to the current political situation. For examples of this line of thinking in relation to the Obama administration and the neoliberal use of difference, see Winnubst 2015; Duggan 2019.

13 For an example of how queerness is made palatable by the marketplace, see the television show *Queer Eye* (formerly *Queer Eye for the Straight Guy*) on Netflix. Laurie Penny's "The Queer Art of Failing Better" offers an analysis of this show that takes up many of the issues discussed in this section (Penny 2018). I emphasize again that I am discussing mainly the influence of neoliberalism on the popularity of particular discourses around gender as a choice or a performance. In terms of more explicitly trans representation, consider the strong emphasis on individual strength and self-revelation in television shows like *I am Cait* and *I am Jazz*; see Lovelock 2017.

14 The psychoanalytic real is a notoriously complex concept. I am engaging only with the broad strokes of the concept here, but a more in-depth analysis from a feminist perspective (which I have relied on in this article) can be found in Grosz 1990.

15 This is not to say that one could not make this argument, but rather that it (and the psychoanalytic framework more generally) is not at the forefront of what I am doing here. Instead, I am using this aspect of Winnubst's analysis of *Gender Trouble* (the psychoanalytic real) to deepen my rereading of early trans critiques of Butler as resistant, rather than failed, readings. Overall, however, I am more interested in the neoliberalism connection than the psychoanalysis connection in this article. For an overview of the historically fraught relationship between psychoanalysis and trans studies more generally, see Elliot 2014.

16 Although not my primary focus here, my argument does implicitly critique Winnubst's account of a "neoliberal embrace of gender" in the 1990s by pointing out the limits of that embrace as registered by trans writers. More recently, Winnubst has argued that it is Blackness, not race in general, that operates as a limit to the fungibility of difference (Winnubst 2020). More work needs to be done to trace the connections between trans and Black scholarship on the limits of the fungible exchange of difference; I hope my analysis here of early trans critiques of Butler in the context of neoliberalism is a step in that direction.

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17 Paying attention to the state administration of sex/gender reveals the state's steadfast interest in maintaining these categories as sorting mechanisms for those within its borders. Although there have been significant changes in recent years, such as the introduction of a third, nonbinary category by some states and/or the easing of requirements to change a sex/gender marker, the overall practice remains largely intact, and many of the changes (which can vary widely between cities and states) require facility with legal practices and/or fees and/or specific medical clearances. Theorizing the reasons behind this ongoing investment is beyond the scope of this article, but a clue can be found in tracking the racial and colonial history of the category of biological sex, including the relationship between anti-Black and anti-trans violence (Snorton 2017; Gossett 2016). For more on the implementation of modern sex/gender systems in colonialism, including the specific impact on two-spirit people, see Lugones 2007; Miranda 2010.

18 In *Bodies that Matter*, Butler also engages significantly with the psychoanalytic real, arguing that it may have been a failure to fully bring forward the material on psychoanalysis in *Gender Trouble* into the discussion of performativity that led to the reading of performativity as performance (Butler 1993). Although I have focused more in this article on neoliberalism as the context that explains the reading of performativity as performance, these later texts offer an intriguing bridge between Winnubst's and Butler's accounts of the misreading; Winnubst, along with Tim Dean, agrees that the lack of the psychoanalytic real in Butler's early work is a problem.

19 I borrow this phrasing (the tendency to see resistant readings as failed readings) from Sara Ahmed (Ahmed 1999). Thanks to H. Rakes for this reference.

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