Hybrid

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Preface

Bisexuals are blamed for spreading AIDS to the heterosexual community, transsexuals for destroying America’s moral fabric, interracial couples for having children who will not fit into American society, and the somewhat disabled for diverting resources away from the “truly disabled.” These hybrids are castigated and despised yet, in the eyes of the law, do not really exist. The 1990 U.S. Census rendered them invisible with marital categories that recognized only heterosexual unions, sexual categories that included only males and females, racial categories that were monoracial, and a disability category that counted only those unable to work. This book brings hybrids to the forefront.

The term “hybrid” usually refers to the offspring of two plants or animals of different races, breeds, varieties, species, or genera. We do not usually mention “human hybrids” because we consider the differences between humans to be less significant than the differences in the plant and animal kingdom. The term “hybrid,” however, is an apt description of people who lie between bipolar legal categories—bisexuals, transsexuals, multiracials, and the somewhat disabled. Their lives often constitute a unique set of traits and experiences not found at either
end of the bipolar spectrum. Sometimes, they are considered exotic; other times, they are considered abhorrent; and yet other times, they are virtually invisible.

Human hybrids, however, are not produced by artificial technology or genetic mixing, but by law and society. When the law creates such bipolar categories as homosexual and heterosexual, white and black, able-bodied and disabled, it leaves a gap between categories. These hybrids befuddle courts, because the existing categories do not fit them. The time has come to incorporate human hybrids into the legal world.

Hybrids are beginning to come to the forefront in popular culture. Marjorie Garber writes six hundred pages on bisexuals, Gregory Howard Williams shares a compelling story about his life on the "color line," Newsweek displays bisexuals and multiracials on their covers, the New Yorker features female-to-male transsexuals, and talk shows overflow with personal accounts of transsexuality, bisexuality, and multiracial existence. But even Garber's comprehensive treatment of bisexuals pays little or no attention to the role of law in perpetuating the castigation and invisibility of hybrids. This book fills in that gap.

Although this study is an academic investigation, it also reflects my personal experiences with questions of identity. As I write these words, I can still hear my mother's voice saying to me as a four-year-old: "Ruth, you must wear a shirt if you are going to play outside!" And, much later, I remember being asked by my friends when I was going to decide whether I was "straight or gay." These questions haunted me until I learned that I could live between the gaps—that I could be neither male nor female, gay nor straight. People who are multiracial or somewhat disabled also have often confronted these questions of identity. Multiracial organizations are insisting that the
United States Census add a category to reflect their existence. Some people with disabilities speak of the "temporarily able-bodied" to emphasize the transient nature of our disability status.

The invisibility of hybrids reflects the false belief that we can visually identify who is female, gay or lesbian, African-American, or disabled. But the National Women's Music Festival, for example, has discovered how difficult it is to exclude men from its annual music festival through visual identification alone, because people seek admission who have had sex-change operations or have very androgynous physiques. The U.S. military has struggled for decades to figure out how to identify and exclude the "true homosexual." Judy Scales-Trent's self-description as a "white black woman" reveals that visual clues about race can be misleading. And the large numbers of people with "hidden disabilities" make unidimensional definitions of disability impossible.

Categorization under the law, however, is inevitable. Despite Garber's postmodern critique of sexual orientation categories, we can be sure that categories will always be the basis of our legal system. We don't live in the world of high theory; we live in the world of practical problems, day-to-day conflicts, pragmatism, and logistical concerns. My legal perspective therefore causes me to make an additional inquiry that is foreign to the perspective of Garber and others who have examined hybrids. Recognizing that categories are indispensable, we should consider how categories can be improved so as not to play a role in the destruction of human identity.

I therefore embark upon this project with both excitement and trepidation. It is particularly exciting to write this book now, with a four-year-old girl by my keyboard, who rejoices in taking off all her clothes when she plays outside. I write with
trepidation because of the enormous scope of this study. This book could easily have been eight volumes instead of eight chapters, but I hope its general survey will inspire others who like myself want to learn better how to live between categories, and tolerate others who choose to do so.