

BOOK REVIEW

Born this Way: Science, Citizenship, and Inequality in the American LGBTQ+ Movement. By Joanna Wuest. Chicago: University of Chicago Press, 2023. Paperback, ISBN 9780226827537

Stefan Vogler (D)

Department of Sociology, University of Illinois Urbana-Champaign, Urbana, IL, USA Email: stefany@illinois.edu

In Born this Way: Science, Citizenship, and Inequality in the American LGBTQ+ Movement, Joanna Wuest takes the reader on a journey from the 1950s to the present to trace the ways that science has been central to the LGBTQ+ movement in the United States. Marshalling an impressive array of evidence - from scientific studies to legal decisions to movement documents - Wuest puts forward a deceptively simple argument: that "the natural sciences and mental health professions have been foundational to American LGBTQ+ advocacy" (2). While this proposition is likely not surprising for those attuned to LGBTQ+ politics, Wuest's broader contentions that the LGBTQ+ movement's deployment of science has shifted American politics and epistemologies of identity are more novel and intriguing. However, the real strength of Born this Way is how it paints a detailed portrait of precisely how "born this way" politics ascended to its dominant place in LGBTQ+ advocacy. One reason, Wuest shows, is that liberal identity-based movements (and indeed, liberal notions of civil rights protections premised on immutable identities) need essentialist narratives to unite their disparate constituents. Wuest also intriguingly points to the role of political economy in shaping the political and scientific landscape around LGBTQ+ rights, especially during the "genomania" of the 1990s when the Human Genome Project generated millions in public and private funding for bioessentialist research. But the contours of American law also pushed LGBTQ+ advocates toward bioessentialist arguments in their pursuit of the strict scrutiny standard of judicial review, a brass ring that has yet to be achieved.

In telling the above story, Wuest divides her narrative into two sections. In the first, "Origins," Wuest reveals how a "born this way" logic had its roots in the homophile movement well before anything like a "gay gene" or "gay brain" were espoused. Chapter 1 tells the story of the homophile organizations of the 1950s and 1960s who allied with sympathetic scientists to both generate research that could contest the pathologization of queerness and to recruit expert witnesses to testify in courts. While this period did not witness strong assertions about the etiology of homosexuality, it did evince strong arguments against the notion that gay men and women were sick and deviant.

 $\hbox{@ The Author(s), 2024. Published by Cambridge University Press on behalf of Law and Society Association.}$

Chapter 2 traverses the somewhat well-trodden path exploring the skirmishes between gay liberationists and the American Psychiatric Association (APA) as activists pushed for the removal of homosexuality from the *Diagnostic and Statistical Manual*. Unlike the homophiles, gay liberationists were wary of researchers and desired to engage with science on their own terms. Ultimately, Wuest shows, this was a successful strategy that – combined with the APA's own internal disputes – eventually led to the depathologization of homosexuality and generated strong ties between scientists and LGBTQ+ movement actors.

Chapter 3 turns to the transition to the interest group model of LGBTQ+ advocacy, which became dominated by large organizations such as PFLAG and HRC. Wuest deftly shows how this shift was part of a larger movement in American culture toward stronger family values (something an organization like PFLAG readily capitalized on) and a change in political economy that favored research in the life sciences. New technologies and funding streams meant that research into potential biological causes of queerness could be more easily done. These moves set the stage for the LGBTQ+ movement to take these stronger bioessentialist arguments to court, which is where Chapter 4 picks up to show that biological arguments became ubiquitous in the post-Hardwick era. During this time, LGBTQ+ advocates and their scientific allies increasingly argued for the immutability of gayness in hopes of achieving heightened scrutiny from adjudicators and getting discriminatory laws struck down.

The second section, "Evolutions and Adaptations," begins with Chapter 5, which traces the emergence of the mature "born this way" argument engendered by the well-known "gay gene" and "gay brain" studies of the early 1990s. Despite this new evidence, LGBTQ+ advocates remained unable to attain strict scrutiny from courts. However, they were successful in shifting the cultural discourse from one revolving around "sexual preference" to "sexual orientation," suggesting sexuality's fixity.

The notion of fixity is central in Chapter 6, which traces the battles over same-sex marriage and "conversion" therapy that were waged in the 1990s and 2000s and resulted in a series of legal victories for the LGBTQ+ movement. As Wuest demonstrates, even as courts (including the Supreme Court) increasingly embraced immutability and biological arguments about queerness, they steadfastly refused to grant strict scrutiny to LGBTQ+ people. This era also witnessed a right-wing backlash, particularly against conversion therapy bans, that harnessed its own notions of science to poke holes in newly won LGBTQ+ protections.

In Chapter 7, Wuest shows how immutability has been extended to include transgender and bisexual people despite their apparent "mutability." Yet, as with the previous chapter, Wuest reveals how science may not save hard-won LGBTQ+ rights in the face of the right's new tactics aimed at destabilizing scientific consensus and pursuing free speech arguments that eschew questions of immutability altogether. Finally, in the conclusion, Wuest takes up issues of sexual and gender fluidity, showing once again how they have been absorbed into bioessentialist understandings. She concludes that shifting our political economy to one that "permits sexual and gender exploration, equivocation, and fulfillment" (203) – namely, through providing things like health care, housing and livable wages – is the most fruitful avenue for protecting LGBTQ+ people. Such changes, Wuest argues, would reduce the tendency to scapegoat vulnerable groups in the face of social inequality while offering the agency to live as one wishes.

While Wuest marshals impressive empirical evidence and tells a detailed story of the relationship between the LGBTQ+ movement, law and science, those seeking a strong theoretical story may be left wanting. As a scholarly reader, I also wanted to know more about Wuest's methodological approach, which is not discussed at all. Indeed, one of the distinct strengths of the book is that it uses data that is often not considered in studies of LGBTQ+ rights, such as lower court decisions, legal briefs, etc., so it would have been particularly interesting to hear more about those methodological efforts and decisions. Despite these minor limitations, *Born this Way* will appeal to those with interests in LGBTQ+ politics, the law-science-nexus and social movements. Several of her chapters also lend themselves well to both undergraduate and graduate teaching. On the whole, *Born this Way* is an impressive achievement that sheds new light on a vital and timely topic.

Cite this article: Vogler, Stefan. 2024. "Born this Way: Science, Citizenship, and Inequality in the American LGBTQ+ Movement." Law & Society Review 58(2): 331–333. https://doi.org/10.1017/lsr.2024.17