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Doing Justice to Someone Sex Reassignment and Allegories of Transsexuality

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JUDITH BUTLER'S CENTRAL TENET is that the hegemonic power of heteronormativity produces all forms of the body, sex, and gender. In "Doing Justice to Someone," her rereading of the David Reimer case (the so-called John/Joan case brought to popular attention by journalist John Colapinto in the book *As Nature Made Him*), Butler builds upon the view put forth in her earlier *Gender Trouble* and *Bodies that Matter* that all gender is an imitation for which there is no original.

David, one of twins, had his penis irreparably damaged in a circumcision accident. His parents, following the advice of psycho-endocrinologist John Money, were persuaded to raise the child as a girl. Over the next fifteen years, Money was to write up the case as support for his theory that gender was socially constructed rather than biologically innate. Another scientist of sexuality, Milton Diamond, eventually showed that Money's claim of success was not true; although raised to be a woman, David eventually started living as a man, and ultimately underwent female-to-male sex reassignment surgery.

Butler's analysis illustrates the plurality of the self, its underpinnings, and the multiple facets of identity. She questions the different perspectives of Money and Diamond, and illustrates the paradoxes of each argument. She does not, however, illustrate how the multiplicity of oppressive processes and practices become focused on the bending and breaking of the gendered self. For many transgender readers, Butler's insistence that gender is always ultimately about something else devalues their experience of gender identity's profound ontological claim—that it is precisely about the realness and inalienability of that identity, rather than about anything else. This article contributes to an understanding of the limitations of identity, but it begs another question; if gender is not real, how real can its oppression be?

I would like to take my point of departure from a question of power, the power of regulation, a power that determines, more or less, what we are, what we can be. I am not speaking of power only in a juridical or positive sense, but I am referring to the workings of a certain regulatory regime, one that informs the law, and one that also exceeds the law. When we ask what the conditions of intelligibility are by which the human emerges, by which the human is recognized, by which some subject becomes the subject of human love, we are asking about conditions of intelligibility composed of norms, of practices, that have become presuppositional, without which we cannot think the human at all. So I propose to broach the relationship between variable orders of intelligibility and the genesis and knowability of the human. And it is not just that there are laws that govern our intelligibility, but ways of knowing, modes of truth, that forcibly define intelligibility.

This is what Foucault describes as the politics of truth, a politics that pertains to those relations of power that circumscribe in advance what will and will not count as truth, that order the world in certain regular and regulatable ways, and that we come to accept as the given field of knowledge. We

can understand the salience of this point when we begin to ask: What counts as a person? What counts as a coherent gender? What qualifies as a citizen? Whose world is legitimated as real? Subjectively, we ask: Who can I become in such a world where the meanings and limits of the subject are set out in advance for me? By what norms am I constrained as I begin to ask what I may become? What happens when I begin to become that for which there is no place in the given regime of truth? This is what Foucault describes as “the desubjugation of the subject in the play of... the politics of truth.”¹

Another way of putting this is the following: What, given the contemporary order of being, can I be? And this way of putting the question, which is Foucault’s, does not quite broach the question of what it is *not* to be, or what it is to occupy the place of not-being within the field of being, living, breathing, attempting to love, as that which is neither fully negated nor acknowledged as being, acknowledged, we might say, into being. This relationship, between intelligibility and the human, is an urgent one; it carries a certain theoretical urgency, precisely at those points where the human is encountered at the limits of intelligibility itself. I would like to suggest that this interrogation has something important to do with justice. Since justice not only or exclusively is a matter of how persons are treated, how societies are constituted, but also emerges in quite consequential decisions about what a person is, what social norms must be honored and expressed for personhood to become allocated, how we do or do not recognize animate others as persons depending on whether or not we recognize a certain norm manifested in and by the body of that other. The very criterion by which we judge a person to be a gendered being, a criterion that posits coherent gender as a presupposition of humanness, is not only one that, justly or unjustly, governs the recognizability of the human but one that informs the ways we do or do not recognize ourselves, at the level of feeling, desire, and the body, in the moments before the mirror, in the moments before the window, in the times that one turns to psychologists, to psychiatrists, to medical and legal professionals to negotiate what may well feel like the unrecognizability of one’s gender and, hence, of one’s personhood.

I want to consider a legal and psychiatric case of a person who was determined without difficulty to be a boy at the time of birth, then was determined again within a few months to be a girl, and then decided to become a man in his teenage years. This is the John/Joan case, brought to public attention by the British Broadcasting Corporation in the early 1990s and recently again in various popular, psychological, and medical journals.² I base my analysis on an article cowritten by Milton Diamond, an endocrinologist, and the popular book *As Nature Made Him*, by John Colapinto, a journalist for *Rolling Stone*, as well as on work by John Money, critical commentaries by Anne Fausto-Sterling and Suzanne J. Kessler in their important recent books, and a newspaper account by Natalie Angier.³ John, a pseudonym for a man who lives in Winnipeg, was born with XY chromosomes. When he was eight months old, his penis was accidentally burned and severed during a surgical operation to rectify phimosis, a condition in which the foreskin thwarts urination. This procedure is relatively risk-free, but the doctor who performed it on John was using a new machine, apparently one that he had not used before, one that his colleagues declared was unnecessary for the job, and he was having trouble making it work, so he increased the power to the machine to the point that it burned away a major portion of the penis. The parents were, of course, appalled, and they were, according to their own description, unclear how to proceed.

Then one evening, about a year later, they were watching television, and there they encountered Money talking about transsexual and intersexual surgery and offering the view that if a child underwent surgery and started socialization as a gender different from the one originally assigned at birth, he or she could develop normally, adapt perfectly well to the new gender, and live a happy life. The parents wrote to Money, who invited them to Baltimore, and so John was seen at Johns Hopkins University, at which point Money strongly recommended that he be raised as a girl. The parents

agreed, and the doctors removed the testicles, made some preliminary preparations for surgery to create a vagina, but decided to wait until Joan, the newly named child, was older to complete the task. So Joan grew up as a girl, was monitored often, and was periodically given over to Money's Gender Identity Institute for the purposes of fostering her adaptation to girlhood. And then, it is reported, between the ages of eight and nine Joan found herself developing the desire to buy a toy machine gun. And then, it is said, between the ages of nine and eleven she started to realize that she was not a girl. This realization seems to have coincided with her desire to buy certain kinds of toys: more guns, apparently, and some trucks. Even without a penis, Joan liked to stand to urinate. And she was caught in this position once, at school, where the other girls threatened to "kill" her if she continued.

At this point the psychiatric teams that intermittently monitored Joan's adaptation offered her estrogen, which she refused. Money tried to talk to her about getting a real vagina, and she refused; in fact, she went screaming from the room. Money had her view sexually graphic pictures of vaginas. He even went so far as to show her pictures of women giving birth, holding out the possibility that Joan could give birth if she acquired a vagina. In a scene that could have inspired the recent film *But I'm a Cheerleader*, he also required that she and her brother perform mock-coital exercises with one another, on command. They both later reported being frightened and disoriented by this demand and did not tell their parents about it at the time. Joan is said to have preferred male activities and not to have liked developing breasts. All of these claims were attributed to Joan by another set of doctors, a team of psychiatrists at her local hospital. These psychiatrists and other local medical professionals intervened, believing that a mistake in sex reassignment had been made. Eventually the case was reviewed by Diamond, a sex researcher who believes in the hormonal basis of gender identity and who has been battling Money for years. This new set of psychiatrists and other doctors offered Joan the choice of changing paths, which she accepted. She started living as a boy, named John, at the age of fourteen. John requested and received male hormone shots; he also had his breasts removed. A phallus, so called by Diamond, was constructed for him between the ages of fifteen and sixteen. John does not ejaculate; he feels some sexual pleasure in the phallus; he urinates from its base. Thus it only approximates some of its expected functions, and, as we shall see, it enters John only ambivalently into the norm.

During the time that John was Joan, Money published papers extolling the success of this sex reassignment. The case was enormously consequential because Joan was an identical twin, and so Money could track the development of both siblings while controlling for genetic makeup. He insisted that both were developing normally and happily into their respective genders. But his own recorded interviews, mainly unpublished, and subsequent research have called his honesty into question. Joan was hardly happy, refused to adapt to many so-called girl behaviors, and was angered by Money's invasive, continual interrogations. Yet the published records from Johns Hopkins claim that Joan's adaptation to girlhood was successful, and certain ideological conclusions immediately followed. Money's Gender Identity Institute, which monitored Joan often, asserted that her successful development as a girl "offers convincing evidence that the gender identity gate is open at birth for a normal child no less than for one born with unfinished sex organs or one who was prenatally over or underexposed to androgen, and that it stays open at least for something over a year at birth."⁴ Indeed, the case was used by the public media to prove that what is feminine and what is masculine can be altered, that these cultural terms have no fixed meaning or internal destiny. Even Kate Millett cited the case in arguing that biology is not destiny. Kessler also allied with Money in her essays in favor of the social constructionist thesis.⁵ Later Kessler would disavow their alliance and write one of the most important books on the ethical and medical dimensions of sex reassignment, *Lessons from the Intersexed*, which includes a trenchant critique of Money.

Money's approach was to recruit male-to-female transsexuals to talk to Joan about the advantages of being a girl. She was subjected to myriad interviews and was asked again and again whether she felt like a girl, what her desires were, what her image of the future was, whether it included marriage to a man. She was also asked to strip and show her genitals to medical practitioners who were either interested in the case or monitoring it for her adaptational success.

When this case has been discussed in the press recently, and when psychiatrists and other medical practitioners have turned to it, they have done so to criticize the role that Money's institute played and, in particular, its readiness to use Joan's example to substantiate its own theoretical beliefs about the gender neutrality of early childhood, about the malleability of gender, about the primary role of socialization in the production of gender identity. In fact, this is not exactly everything that Money believes, but let us not probe that question here. The individuals who are critical of this case believe that it shows us something very different. When we consider, they argue, that John found himself deeply moved to become a boy and found it unbearable to continue to live as a girl, we have to consider as well that John experienced some deep-seated sense of gender, one linked to his original set of genitals, one seemingly there as an internal truth and necessity that no amount of socialization could reverse. This is the view of Colapinto and of Diamond as well.

So now the case of Joan/John is being used to make a revision and a reversal in developmental gender theory, providing evidence this time that counters Money's thesis, supporting the notion of an essential gender core tied in some irreversible way to anatomy and to a deterministic sense of biology. Indeed, Colapinto clearly links Money's cruelty to Joan to the "cruelty" of social construction as a theory, remarking that Money's refusal to identify a biological or anatomical basis for gender difference in the early 1970s "was not lost on the then-burgeoning women's movement, which had been arguing against a biological basis for sex differences for decades." Colapinto claims that Money's published essays "had already been used as one of the main foundations of modern feminism." He asserts that *Time* engaged in a similarly misguided appropriation of Money's views when it argued that this case, in the magazine's own words, "provides strong support for a major contention of women's liberationists: that conventional patterns of masculine and feminine behavior can be altered."⁶ Indeed, Colapinto talks about the failure of surgically reassigned individuals to live as "normal" and "typical" women and men, arguing that normality is never achieved and hence assuming the inarguable value of normalcy itself.

Reporting on the refutation of Money's theory, Natalie Angier claims that the story of John has "the force of allegory."⁷ But which force is that? And is this an allegory with closure? Angier reports that Diamond used the case to make an argument about intersexual surgery and, by implication, the relative success of transsexual surgery. Diamond argued, for instance, that intersexed infants, that is, those born with mixed or indeterminate genital attributes, generally have a Y chromosome, and that possession of the Y is an adequate basis for concluding that they ought to be raised as boys. As it is, the vast majority of intersexed infants are subjected to surgery that seeks to assign them to the female sex, since, as Cheryl Chase points out in Angier's article, it is simply considered easier to produce a provisional vaginal tract than to construct a phallus. Diamond argued that these children should be assigned to the male sex, since the presence of the Y is sufficient grounds for the presumption of social masculinity.

In fact, Chase, founder and director of the Intersex Society of North America, voiced skepticism about Diamond's recommendations. Her view, recently defended by Fausto-Sterling as well, is that there is no reason to make a sex assignment at all; society should make room for the intersexed as they are and cease the coercive surgical "correction" of infants.⁸ Indeed, recent research has shown that such operations have been performed without the parents knowing about it, without the children

themselves ever being truthfully told, and without their having attained the age of consent. Most astonishing, in a way, is the state that their bodies have been left in, with mutilations performed and then paradoxically rationalized in the name of “looking normal.” Medical practitioners often say to the parents that the child will not look normal if not operated on; that the child will be ashamed in the locker room, *the locker room*, that site of prepubescent anxiety about impending gender developments; and that it would be better for the child to look normal, even when such surgery may deprive him or her of sexual function and sexual pleasure for life.

So, while some experts, such as Money, claim that the absence of the full phallus makes the social case for rearing the child as a girl, others, such as Diamond, argue that the presence of the Y chromosome is the most compelling fact or, that it is what is indexed in persistent feelings of masculinity, and that it cannot be constructed away. So, on the one hand, how my anatomy looks, how it comes to appear, to others and to myself as I see others looking at me, is the basis of my social identity as woman or man. On the other hand, how the presence of the Y tacitly structures my feeling and self-understanding as a sexed person is decisive. Money argues for the ease with which a female body can be surgically constructed, as if femininity were always little more than a surgical construction, an elimination, a cutting away. Diamond argues for the invisible and necessary persistence of maleness, which does not need to “appear” in order to operate as the key feature of gender identity. When Angier asks Chase whether she agrees with Diamond’s recommendations on intersexual surgery, Chase replies, “They can’t conceive of leaving someone alone.” Indeed, is the surgery performed to create a “normal”—looking body, after all? The mutilations and scars that remain hardly offer compelling evidence that this is accomplished. Or are these bodies subjected to medical machinery that marks them for life precisely because they are “inconceivable”?

Another paradox that emerges here is the place of sharp machines, of the technology of the knife, in debates on intersexuality and transsexuality. If the John/Joan case is an allegory, or has the force of allegory, it seems to be the site where debates on intersexuality (John is not a intersexual) and transsexuality (John is not an transsexual) converge. This body becomes a point of reference for a narrative that is not about this body but that seizes on the body, as it were, to inaugurate a narrative that interrogates the limits of the conceivably human. What is inconceivable is conceived again and again, through narrative means, but something remains outside the narrative, a resistant moment that signals a persisting inconceivability.

Despite Diamond’s recommendations, the intersexed movement has been galvanized by the Joan/John case; it is able now to bring to public attention the brutality and coerciveness and lasting harm of the unwanted surgeries performed on intersexed infants. The point is to try to imagine a world in which individuals with mixed or indeterminate genital attributes might be accepted and loved without having to undergo transformation into a more socially coherent or normative version of gender. In this sense, the intersexed movement has sought to ask why society maintains the ideal of gender dimorphism when a significant percentage of children are chromosomally various, and a continuum exists between male and female that suggests the arbitrariness and falsity of gender dimorphism as a prerequisite of human development. There are humans, in other words, who live and breathe in the interstices of this binary relation, showing that it is not exhaustive; it is not necessary. Although the transsexual movement, which is internally various, has called for rights to surgical means by which sex might be transformed, it is clear—and Chase underscores—that there is also a serious and increasingly popular critique of idealized gender dimorphism in the transsexual movement itself. One can see it in the work of Riki Anne Wilchins, whose gender theory makes room for transsexuality as a transformative exercise, but one can see it perhaps most dramatically in the work of Kate Bornstein, who argues that to go from female to male, or from male to female, is not necessarily to stay within the

binary frame of gender but to engage transformation itself as the meaning of gender.⁹ In some ways, Bornstein now carries the legacy of Simone de Beauvoir: if one is not born a woman, but becomes one, then becoming is the vehicle for gender itself.

But why, we might ask, has John become the occasion for a reflection on transsexuality? Although John comes to claim that he would prefer to be a man, it is not clear whether he himself believes in the primary causal force of the Y chromosome. Diamond finds support for his theory in John, but it is not clear, on the basis of my reading, that John agrees with Diamond. John clearly knows about hormones, has asked for them, and takes them. He has learned about phallic construction from transsexual contexts, wants a phallus, has it made, and so allegorizes a certain transsexual transformation without precisely exemplifying it. He is, in his own view, a man born a man, castrated by the medical establishment, feminized by the psychiatric world, and then enabled to return to who he was to begin with. But to return to who he is, he requires—and wants, and gets—a subjection to hormones and surgery. He allegorizes transsexuality to achieve a sense of naturalness. And this transformation is applauded by the endocrinologists on the case, since they understand his appearance now to be in accord with an inner truth. Whereas Money's institute enlists transsexuals to instruct Joan in the ways of women, and *in the name of normalization*, the endocrinologists prescribe the sex change protocol of transsexuality to John for him to reassume his genetic destiny, *in the name of nature*.

And though Money's institute enlists transsexuals to allegorize Joan's full transformation into a woman, the endocrinologists propose to appropriate transsexual surgery in order to build the phallus that will make John a more legible man. Importantly, it seems, the norms that govern intelligible gender for Money are those that can be forcibly imposed and behaviorally appropriated, so the malleability of gender construction, which is part of his thesis, turns out to require a forceful application. And the "nature" that the endocrinologists defend also needs assistance and augmentation through surgical and hormonal means, at which point a certain nonnatural intervention in anatomy and biology is precisely what is mandated by nature. So in each case the primary premise is in some ways refuted by the means by which it is implemented. Malleability is, as it were, violently imposed, and naturalness is artificially induced. There are ways of arguing social construction that have nothing to do with Money's project, but that is not my aim here. And there are, no doubt, ways of seeking recourse to genetic determinants that do not lead to the same kind of interventionist conclusions arrived at by Diamond and Sigmundson. But that is also not precisely my point. For the record, though, let us consider that the prescriptions arrived at by these purveyors of natural and normative gender in no way follow necessarily from the premises from which they begin, and that the premises with which they begin have no necessity in themselves. (One might well disjoin the theory of gender construction, for instance, from the hypothesis of gender normativity and have a very different account of social construction from that offered by Money; one might allow for genetic factors without assuming that they are the *only* aspect of nature that one might consult to understand the sexed characteristics of a human: why is the Y chromosome considered the primary determinant of maleness, exercising preemptive rights over any and all other factors?)

But my point in recounting this story and its appropriation for the purposes of gender theory is to suggest that the story as we have it does not supply evidence for either thesis, and to suggest that there may be another way to read this story, one that neither confirms nor denies the theory of social construction, one that neither affirms nor denies gender essentialism. Indeed, what I hope to underscore here is the disciplinary framework in which Joan/John develops a discourse of self-reporting and self-understanding, since it constitutes the grid of intelligibility by which his own humanness is both questioned and asserted.

It seems crucial to remember, as one considers what might count as the evidence of the truth of gender, that Joan/John was intensely monitored by psychological teams through childhood and

adolescence, that teams of doctors observed Joan's behavior, that teams of doctors asked her and her brother to disrobe in front of them so that genital development could be gauged, that there was a doctor who asked her to engage in mock-coital exercises with her brother, to view the pictures, to know and want the so-called normalcy of unambiguous genitalia. There was an apparatus of knowledge applied to the person and body of Joan/John that is rarely, if ever, taken into account as part of what John responds to when he reports on his feelings of true gender. The act of self-reporting and the act of self-observation take place in relation to a certain audience, with a certain audience as the imagined recipient, before a certain audience for whom a verbal and visual picture of selfhood is produced. These are speech acts, we might say, that are very often delivered to those who have been scrutinizing, brutally, the truth of Joan's gender for years. Even though Diamond and Sigmundson and indeed Colapinto are in the position of defending John against Money's intrusions, they still ask John how he feels, who he is, trying to ascertain the truth of his sex through the discourse he provides. Of Joan, who was subjected to such scrutiny and, most important, repeatedly subjected to a norm, a normalizing ideal conveyed through a plurality of gazes, a norm applied to the body, a question was continually posed: Is this person feminine enough? Has this person made it to femininity? Is femininity properly embodied here? Is the embodiment working? Is it? Is it? How do we know? What evidence can we marshal in order to know? And surely we must have knowledge here. We must be able to say that we know, and communicate that in the professional journals, and justify our decision, our act. In effect, the question posed through these interrogatory exercises has to do with whether the gender norm that establishes coherent personhood has been successfully accomplished, and the inquiries and inspections can be understood, along these lines, not only as the violent attempt to implement the norm but as the institutionalization of that power of implementation.

The pediatricians and psychiatrists who have revisited the case in recent years cite John's self-description to support their point. John's narrative about his own sense of being male supports the theory that John is really male and that he was, even when he was Joan, always male.

John tells his interviewers the following about himself:

There were little things from early on. I began to see how different I felt and was, from what I was supposed to be. But I didn't know what it meant. I thought I was a freak or something. . . . I looked at myself and said I don't like this type of clothing, I don't like the types of toys I was always being given, I like hanging around with the guys and climbing trees and stuff like that and girls don't like any of that stuff. I looked in the mirror and [saw] my shoulders [were] so wide, I mean there [was] nothing feminine about me. [I was] skinny, but other than that, nothing. But that [was] how I figured it out. [I figured I was a guy] but I didn't want to admit it, I figured I didn't want to wind up opening a can of worms.¹⁰

So now you hear how John describes himself. And so, if part of my task here is to do justice not only to my topic but to the person I am sketching for you, the person about whom so much has been said, the person whose self-description and whose decisions have become the basis for so much gender theorizing in the last four years, then it seems to me that I must be careful in presenting these words. For these words can give you only something of the person I am trying to understand, some part of that person's verbal instance, and since I cannot truly understand this person, since I do not know this person and have no access to this person, I am left to be a reader of a selected number of words, words that I did not fully select, ones that were selected for me, recorded from interviews and then chosen by those who decided to write their articles on this person for journals such as the *Archives of Pediatrics and Adolescent Medicine*. So we might say that I have been given fragments of the person, linguistic fragments of something called a person, and what might it mean to do justice to someone under these circumstances? Can we?

On the one hand, we have a self-description, and that is to be honored. These are the words by which this individual gives himself to be understood. On the other hand, we have a description of a self that takes place in a language that is already going on, that is already saturated with norms, that predisposes us as we seek to speak of ourselves. And we have words that are delivered in the context of an interview, an interview that is part of the long and intrusive observational process that has accompanied John's formation from the start. To do justice to John is, certainly, to take him at his word, and to call him by his chosen name, but how are we to understand his word and his name? Is this the word that he creates? Is this the word that he receives? Are these the words that circulate prior to his emergence as an "I" that might gain a certain authorization to begin a self-description only within the norms of this language? So when one speaks, one speaks a language that is already speaking, even if one speaks it in a way that is not precisely how it has been spoken before. So what and who is speaking here, when John reports, "There were little things from early on. I began to see how different I felt and was, from what I was supposed to be"? This claim tells us minimally that John understands that there is a norm, a norm of how he was supposed to be, and that he has fallen short of it. The implicit claim is that the norm is femininity, and he has failed to live up to it. And there is the norm, and it is externally imposed, communicated through a set of expectations that others have, and then there is the world of feeling and being, and these realms are, for him, distinct. What he feels is not in any way produced by the norm, and the norm is other, elsewhere, not part of who he is, who he has become, what he feels.

But given what we know about how John has been addressed, we might, in an effort to do justice to John, ask what Joan saw as Joan looked at himself, felt as he felt himself, and please excuse my mixing of pronouns here, but matters are becoming changeable. When Joan looked in the mirror and saw something nameless, freakish, something between the norms, was she not at that moment in question as a human, was she not the specter of the freak against which and through which the norm installed itself? What was the problem with Joan, that people were always asking to see her naked, asking her questions about what she was, how she felt, whether this was or was not the same as what was normatively true? Is that self-seeing distinct from the way s/he is seen? John seems to understand clearly that the norms are external to him, but what if the norms have become the means by which he sees, the frame for his own seeing, his way of seeing himself? What if the action of the norm is to be found not merely in the ideal that it posits but in the sense of aberration and freakishness that it conveys? Consider precisely where the norm operates when John claims, "I looked at myself and said I don't like this type of clothing." To whom is John speaking? And in what world, under what conditions, does not liking that type of clothing provide evidence for being the wrong gender? For whom would that be true? And under what conditions?

John reports, "I don't like the types of toys I was always being given," and John is speaking here as someone who understands that such a dislike can function as evidence. And it seems reasonable to assume that Joan understood this dislike as evidence of gender dystopia, to use the technical term, because s/he has been addressed time and again by those who have made use of her every utterance about her experience as evidence for or against a true gender. That he happens not to have liked certain toys, certain dolls, certain games, may be significant in relation to the question of how and with what he liked to play. But in what world, precisely, do such dislikes count as clear or unequivocal evidence for or against being a given gender? Do parents regularly rush off to gender identity clinics when their boys play with yarn, or their girls play with trucks? Or must there already be an enormous anxiety at play, an anxiety about the truth of gender that seizes on this or that toy, this or that proclivity of dress, the size of the shoulder, the leanness of the body, to conclude that something like a clear gender identity can or cannot be built from these scattered desires, these variable and invariable features of the... structure of proclivity of attire?

So what does my analysis imply? Does it tell us whether the gender here is true or false? No. And does this have implications for whether John should have been surgically transformed into Joan, or Joan surgically transformed into John? No, it does not. I do not know how to judge that question here, and I am not sure it can be mine to judge. Does justice demand that I decide? Or does justice demand that I wait to decide, that I practice a certain deferral in the face of a situation in which too many have rushed to judgment? And it might be useful, important, even just, to consider a few matters before we decide, before we ascertain whether it is, in fact, ours to decide.

Consider in this spirit, then, that it is for the most part the gender essentialist position that must be voiced for transsexual surgery to take place, and that someone who comes in with a sense of gender as changeable will have a more difficult time convincing psychiatrists and doctors to perform the surgery. In San Francisco female-to-male candidates actually practice the narrative of gender essentialism that they are required to perform before they go in to see the doctors, and there are now coaches to help them, dramaturges of transsexuality who will help you make the case for no fee. Indeed, we might say that Joan/John together went through two transsexual surgeries: the first based on a hypothetical argument about what gender should be, given the ablated nature of the penis; the second based on what the gender should be, based on the behavioral and verbal indications of the person in question. In both cases, certain inferences were made, one that suggested that a body must appear a certain way for a gender to work, another that said that a body must feel a certain way for a gender to work. John clearly came to disrespect and abhor the views of the first set of doctors; he developed, we might say, a lay critique of the phallus to support his resistance:

Doctor . . . said, it's gonna be tough, you're going to be picked on, you're gonna be very alone, you're not gonna find anybody unless you have vaginal surgery and live as a female. And I thought to myself, you know I wasn't very old at the time but it dawned on me that these people gotta be pretty shallow if that's the only thing they think I've got going for me; that the only reason why people get married and have children and have a productive life is because of what they have between their legs. . . . If that's all they think of me, that they justify my worth by what I have between my legs, then I gotta be a complete loser.¹¹

Here John makes a distinction between the “I” that he is, the person that he is, and the value that is conferred on his personhood by virtue of what is or is not between his legs. He was wagering that he would be loved for something other than this or, at least, that his penis would not be the reason he was loved. He was holding out, implicitly, for something called “depth” over and against the “shallowness” of the doctors. And so we might say that, though John asked for and received his new status as male, asked for and received his new phallus, he is also something other than what he now has, and, though he has undergone this transformation, he refuses to be reduced to the body part that he has acquired. “If that's all they think of me,” he says, offering a knowing and critical rejoinder to the work of the norm. “There is something here of me that exceeds this part, though I want this part, though it is part of me.” He does not want his “worth” “justif[ied]” by what he has between his legs, and what this means is that he has another sense of how the worth of a person might be justified. So we might say that he is living his desire, acquiring the anatomy that he wants in order to live his desire, but that his desire is complex, and his worth is complex.

And this is why, no doubt, in response to many of the questions Money posed—Do you want to have a penis? Do you want to marry a girl?—John often refused to answer, refused the question, refused to stay in the room with Money, refused to visit Baltimore after a while. John did not trade in one gender norm for another, not exactly. It would be as wrong to say that he simply internalized a gendered norm (from a critical position) as it would be to say that he failed to live up to a gendered norm (from a normalizing, medical position), since he has already established that what will justify his worth will be the invocation of an “I” that is not reducible to the compatibility of his anatomy with

the norm. He thinks something more of himself than what others think, he does not fully justify his worth through recourse to what he has between his legs, and he does not think of himself as a complete loser. Something exceeds the norm, and he recognizes its unrecognizability; it is, in a sense, his distance from the knowably human that operates as a condition of critical speech, the source of his worth, as the justification for his worth. He says that if what those doctors believe were true, he would be a complete loser, and he implies that he is not a complete loser, that something in him is winning. But he is also saying something more: he is cautioning us against the absolutism of distinction itself, for his phallus does not constitute the entirety of his worth, and so there is an incommensurability between who he is and what he has, between the phallus he has and what it is expected to be (and in this way he is no different from anyone with a phallus), which means that he has not become one with the norm, and yet he is still someone, speaking, insisting, even referring to himself.

And it is from this gap, this incommensurability, between the norm that is supposed to inaugurate his humanness and the spoken insistence on himself that he performs that he derives his worth, that he speaks his worth. We cannot precisely give content to this person at the very moment that he speaks his worth, which means that it is precisely the ways in which he is not fully recognizable, fully disposable, fully categorizable, that his humanness emerges. And this is important, because we might ask that he enter into intelligibility in order to speak and be known, but what he does instead, through his speech, is to offer a critical perspective on the norms that confer intelligibility itself. And he shows, we might say, that there is an understanding to be had that exceeds the norms of intelligibility itself. And he achieves this “outside,” we might speculate, by refusing the interrogations that besiege him, by reversing their terms, learning the ways in which he might escape. And if he renders himself unintelligible to those who seek to know and capture his identity, this means that something about him is intelligible outside the framework of accepted intelligibility. We might be tempted to say that there is some core of a person, and so some presumption of humanism, that emerges here, that supervenes the discourses on sexed and gendered intelligibility that constrain him. But that would mean that he is denounced by one discourse, only to be carried by another discourse, the discourse of humanism. Or we might say that there is some core of the subject who speaks, who speaks beyond what is sayable, and that it is this ineffability that marks John’s speech, the ineffability of the other who is not disclosed through speech but leaves a portentous shard of itself in its saying, a self that is beyond discourse itself.

But what I would prefer is that we consider carefully that when John invokes the “I” in this quite hopeful and unexpected way, he is speaking about a certain conviction he has about his own lovability; he says that “they” must think he is a real loser if the only reason anyone is going to love him is what he has between his legs. “They” are telling him that he will not be loved, or that he will not be loved unless he takes what they have for him, and that they have what he needs in order to get love that he will be loveless without what they have. But he refuses to accept that what they are offering in their discourse is love. He refuses their offering of love, understanding it as a bribe, as a seduction to subjection. He will be and he is, he tells us, loved for some other reason, a reason they do not understand, and it is not a reason we are given. It is clearly a reason beyond the regime of reason established by the norms of sexology itself. We know only that he holds out for another reason, and that in this sense we no longer know what kind of reason this is, what reason can be; he establishes the limits of what they know, disrupting the politics of truth, making use of his desubjugation within that order of being to establish the possibility of love beyond the grasp of that norm. He positions himself, knowingly, in relation to the norm, but he does not comply with its requirements. He risks a certain “desubjugation”: Is he a subject? How will we know? And in this sense John’s discourse puts into play the operation of critique itself, critique that, defined by Foucault, is precisely the desubjugation of the

subject within the politics of truth. This does not mean that John becomes unintelligible and, therefore, without value to politics; rather, he emerges at the limits of intelligibility, offering a perspective on the variable ways in which norms circumscribe the human. It is precisely because we understand, without quite grasping, that he has another reason, that he *is*, as it were, another reason, that we see the limits to the discourse of intelligibility that would decide his fate. John does not precisely occupy a new world, since he is, even within the syntax that brings about his “I,” still positioned somewhere between the norm and its failure. And he is, finally, neither one; he is the human in its anonymity, as that which we do not yet know how to name or that which sets a limit on all naming. And in that sense, he is the anonymous—and critical—condition of the human as it speaks itself at the limits of what we think we know.

NOTES

1. Michel Foucault, “What Is Critique?” trans. Lysa Hochroth, in *The Politics of Truth*, ed. Sylvère Lotringer and Lysa Hochroth (New York: Semiotext[e], 1997), 32. This essay was originally a lecture given at the French Society of Philosophy on 27 May 1978; it was subsequently published in *Bulletin de la Société française de la philosophie* 84, no. 2 (1990): 35–63.
2. For an excellent overview of this controversy see Anne Fausto-Sterling, *Sexing the Body: Gender Politics and the Construction of Sexuality* (New York: Basic, 2000), 45–77. John/Joan no longer operates with a pseudonym, but I keep the pseudonymous reference because it is the predominant way in which this person is referred to in the medical and psychological treatments of the issue here.
3. Milton Diamond and H. Keith Sigmundson, “Sex Reassignment at Birth: A Long Term Review and Clinical Implications,” *Archives of Pediatrics and Adolescent Medicine* 151 (1997): 298–304; John Colapinto, *As Nature Made Him: The Boy Who Was Raised as a Girl* (New York: HarperCollins, 2000); Colapinto, “The True Story of John Joan,” *Rolling Stone*, 11 December 1997, 54ff.; John Money and Richard Green, *Transsexualism and Sex Reassignment* (Baltimore: Johns Hopkins University Press, 1969); Fausto-Sterling, *Sexing the Body*; Suzanne J. Kessler, *Lessons from the Intersexed* (New Brunswick, N.J.: Rutgers University Press, 1998); Natalie Angier, “Sexual Identity Not Pliable after All, Report Says,” *New York Times*, 14 March 1997, C1, C13. See also the videotape *Redefining Sex*, published by the Intersex Society of North America.
4. Money and Green, *Transsexualism and Sex Reassignment*, 299.
5. Kate Millett, *Sexual Politics* (Garden City, N.Y.: Doubleday, 1970), 41–42; Kessler, *Lessons from the Intersexed*, 6–7, 14–21; Kessler, “Meanings of Gender Variability,” *Chrysalis* 2, no. 4 (1997–98): 33–38; and Kessler, “The Medical Construction of Gender: Case Management of Intersexed Infants,” *Signs* 16 (1990): 3–26.
6. Colapinto, *As Nature Made Him*, 69.
7. Angier, “Sexual Identity Not Pliable,” C1, C13.
8. See Fausto-Sterling, *Sexing the Body*, 79–114.
9. Riki Anne Wilchins, *Read My Lips: Sexual Subversion and the End of Gender* (Ithaca, N.Y.: Firebrand, 1997); Kate Bornstein, *Gender Outlaw: On Men, Women, and the Rest of Us* (New York: Vintage, 1995).
10. Quoted in Diamond and Sigmundson, “Sex Reassignment at Birth,” 299–300. Ellipsis and last pair of brackets in original.
11. *Ibid.*, 301. Ellipses in original.

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Where Did We Go Wrong?

Feminism and Trans Theory— Two Teams on the Same Side?

STEPHEN WHITTLE

STEPHEN WHITTLE, LECTURER IN LAW at Manchester Metropolitan University, has been recognized widely as a leading advocate for the rights of transgender and transsexual people in the United Kingdom and European Union. Much of his work is concentrated on legal analysis and the lack of a place in law for anyone outside the binary gender system. This brief article chronicles his quarter-century involvement in feminist debate, and offers a thoughtful commentary on what the transgender movement has learned from feminism, as well as what feminism can learn from the transgender movement.

Whittle traces his evolution from a lesbian separatist in the mid-1970s to his work as a transgender theorist in the twenty-first century, detailing in particular the “dark decade” of the 1980s when transgender people were pathologized by the medical and psychotherapeutic professions, and castigated by feminists for their supposed “false consciousness.” He argues that both transgender and feminist theory have their roots in attempts to theorize beyond the nature/nurture debate, and to move social and legal practice into a different sphere. By highlighting the problems associated with the discussion that might have arisen when he was asked to edit a feminist journal, he problematizes the transgender self, placing it outside of conventional gender, and firmly into the realm of the “queer.” He asks the reader to acknowledge that, as gender theorists, we have not yet started to work out what questions to ask as we interrogate gender—never mind come up with the answers. As such he opens the debate on whether those questions can ever be discovered, bearing in mind the limitations of language and, if so, what those questions might be.

Whittle makes telling use of an anecdote drawn from his experience playing lacrosse at an all-girl school, in which he and his teammates played on an unmarked playing field (a distinctive feature of women’s lacrosse as opposed to men’s lacrosse, where the pitch has clearly marked boundaries). He argues that women’s socialization, those specific values that feminism endorses, facilitated the teams reaching agreement as to when a ball was out of play. He suggests that these same skills also belong to transgender theorists—an ability to work out whether the boundaries exist, and if they do, where they are. Accordingly, Whittle suggests that the relationship between transgender studies and feminism could proceed in much the same manner—that rather than bickering about who’s on which team, and what the rules are, all concerned should get on with the game and work out an evolving consensus about where the boundaries are located, if they exist at all.

A SHORT PIECE OF HISTORY

Existing feminist oppositions to transsexual and transgender people, the medical processes they undertake and the knowledge and understanding they have of gender and sex, like all oppositions have

a history. I want to start by framing this presentation in a small piece of my personal history. Like all trans people speaking on almost anything related to what trans is, the subjective experience always becomes the primary reference point.

In 1974, as a member of Manchester's 'Radical Lesbian Collective' I attended the 'Women's Liberation Conference' which was held in Edinburgh. The conference was an incredibly stormy affair. Loud and heated arguments took place around issues such as 'why were men providing child care in the conference crèche?' and 'how could women claim they were women-identified women if their sexual or homemaking partner was a man?' All of these discussions took place around a backdrop of the fundamental ideological differences between Liberal feminism, Marxist feminism and Radical Separatist (lesbian) feminism. At that time, and through my membership of the Lesbian Collective, I was firmly placed in the camp of radical separatism.

I believed—and still do believe—that there are values inherent in the complex understandings that arise out of women's collective and individual histories which are better values in terms of informing people about ways of living and being. Those better values, if only articulated [through the process of women's consciousness raising] would lead to the deconstruction of the power inherent in the patriarchal structures that dictate gender and sex roles. That deconstruction project could only take place if women had a separate space, a place from which to speak and to formulate a new understanding both of patriarchal and heterosexist oppression and the oppositional tactics needed to combat that oppression. As such, I had no problem with my positioning as a radical separatist. Liberal feminism merely sought equality but on men's terms—it would not introduce a new set of values to the world. Marxist feminism simply viewed patriarchal oppression as being the revolutionary overturning of the economic structures that had made women members of the caste of 'slave', but even with the revolution and the discovery of women's power—it would however retain women as the partners of men, not as people with a separate and distinct voice.

When we returned to Manchester after the Women's Liberation Conference, I announced to the other collective members that the conference had confirmed for me that I was in fact a man (this was 1974 remember). I expected to be ousted from the collective and to be ostracised—not least because I was 'betraying women, by copping out, escaping my oppression and becoming an apparent oppressor'. Ironically the values that arose out of belonging to the slave caste of woman, and the untouchable sub-group of lesbian woman at that, were to be my saving grace. I was listened to, I was given gifts of shirts and ties out of the back of 'formerly identified as butch' women's wardrobes. I was taken to clubs where I would be able to meet other people who identified as I did—as trans—as a person whose self was not dictated by the labels attached at birth to genital morphology. My separate and distinct voice was not only heard but it was listened to, and a new set of values was followed. My belief in radical separatism was confirmed—for the time being.

RAYMOND AND THE TRANSSEXUAL PERSON

However, with the publication in 1979 of Janice Raymond's 'The Transsexual Empire', feminist theory and praxis was suddenly given a framework in which to,

See(n) transsexuals as possessing something less than agency [in the words of Sandy Stone, a lesbian feminist transsexual woman vilified by Raymond]...transsexuals are infantilized, considered too illogical or irresponsible to achieve true subjectivity, or clinically erased by diagnostic criteria; or else, as constructed by some radical feminist theorists, as robots of an insidious and menacing patriarchy, an alien army designed and constructed to infiltrate, pervert and destroy "true" women (Stone, in Epstein and Straub, 1991, p 294).

Raymond made 3 arguments for use by feminists to condemn the transsexual woman (n.b. transsexual men didn't really exist in 1979, and probably still don't) that are undoubtedly very powerful,

Firstly: "Transsexuals are living out two patriarchal myths: single parenthood by the father (male mothering) and the making of woman according to man's image." (Raymond, 1979: xx)

In other words the process of transsexual "medical rebirth" is a process of mythic deception, which was one response, by a male power base, to the second wave of feminism in America in the 1960s.

Secondly: Transsexuals are one result of a "socio-political programme", controlled and implemented by the medico-legal hierarchies of, and on behalf of, a patriarchal hegemony which has used them:

"to colonise feminist identification, culture, politics and sexuality" (Raymond, 1979: xx).

Not only do they construct women out of men, but just as the androgynous man assumes the trappings of femininity when he identifies as, and is reconstructed as a transsexual, so:

"the transsexually constructed lesbian-feminist assumes for himself the role and behaviour of the feminist" (Raymond, 1979: 100).

Thus the transsexual is created as an alternative to biological women who are becoming obsolete. In this way the medical aspect of the patriarchal empire does not just attack women; it goes further so that their sense of self is being penetrated in every way. Women's identities, spirits and sexuality are all invaded. The physical loss of a penis does not mean the loss of an ability to penetrate.

Thirdly: In this context, Raymond made her most damning statement:

"All transsexuals rape women's bodies by reducing the real female form to an artifact, appropriating this body for themselves. ... Transsexuals merely cut off the most obvious means of invading women, so that they seem non-invasive." (Raymond, 1979: 104)

The discourse of rape is a subtle one of possession, in particular of the flesh of women. When a man penetrates woman, he is often referred to as "possessing" that woman. Raymond's constructed transsexual woman who identifies as a lesbian feminist exhibits:

"the attempt to possess women in a bodily sense while acting out the images into which men have moulded women" (Raymond, 1979: 99).

Women were in 1979, therefore justified in thinking transsexual people were not innocent victims of oppression arising out of patriarchy's controlled gender and sex roles (which would have been one alternative reading), but rather were co-conspirators in an attempt by men to possess them and to remake them in a mould that suits them.

The historical location of Raymond's book places it in the history of sex-role, early feminist theory and from it emerged a construction of the transsexual person in which they are no longer merely a medico-legal construction, but they become part of the story, and mechanism, of patriarchal oppression. This discourse, documented by Raymond (she did not invent it single handedly) reproduces the power relations that are themselves inherent in radical feminist separatist theory. That some values and some knowledge are better ... and others are inherently flawed.

THE EFFECTS OF RAYMOND

Raymond's discourse, I would argue, has had far-reaching ideological effects:

it promotes radical separatism as the only viable alternative to the patriarchal hegemony, because the patriarchy is always involved in the treacherous act of building the Trojan Horse [containing the transsexual woman] (and liberal feminism and Marxist feminism will always open the gate to the horse);

it supports the notion of separatism in that it sanctions an “invisible” oppression of transsexual people by women. It allows women to become dominant in telling their narrative about their past in order to justify and promote the use of sex-role theory, and, in assuming a homogeneity in voices, it subsumes any other discourse about gender and sex. In this way the transsexual person’s story of gender oppression and a search for identity is silenced.

It assumes that biology is destiny, despite all that feminism seems to say in opposition to this in terms of the pre-determination of sex and gender roles. What is anatomically observable – the possession of a penis or a vagina at the birth of a child—what is viewed as ‘natural’ becomes the dictator of the socially constructed gender role.

THE RELATIONSHIP OF TRANS PEOPLE WITH FEMINISM

The reason that I wanted to talk about this is that being like all trans people I was obligated to explore the complex pedagogies that informed myself.

Initially, I was compelled to do so with practising clinical psychologists. It was part of my ‘treatment’—a way in which others could actually justify allowing me to do to myself things they felt very uncomfortable about—a point I’ll come back to presently. 15 years later, I undertook this exploration by default, when I embarked on reading the work of academic psychologists, psychotherapists and psychiatrists for my doctorate.

In both circumstances I felt washed out, mangled and hung out to dry. What did I discover about myself—well:

Between the faults of my over bearing father and weak mother—or depending upon whom you read, my overbearing mother and weak father, I should have certainly known that I:

was escaping my disgust at my lesbianism, or

my fear of economic dependency, or

just simply my inherent failure to conform to my gender role, or

I was seeking a cure to the obsessive compulsive disorder which manifested itself as a psychological desire to cleanse myself of the disgusting bodily attributes that came with a female morphology, or

I was so overwhelmingly bound up in my incestuous desire for my father that I had to inscribe himself upon me, or for that matter

my oedipal desire for my mother which meant I had to re-present myself as her possible sexual partner.

And so on and so forth—a diarrhea of theories, none of which fit my, not fantastic but also not awful, experience of childhood and life. However what I did know, on both occasions, was that trans people had to ‘pass’ the ‘examinations’ of the psycho-‘experts’, who acted as the gate keepers to the medical professionals who would provide the hormones and surgery that I knew were essential to not only enhance my life, but in order to keep me alive. As such the psycho-experts became the enemy I had to either persuade to believe me or to defeat (regardless of whether they believed me or not) in order to enter through the gateway. Yet—I also discovered that the psycho-experts were contained and

controlled by both the overarching assumptions of their own disciplines, and the schools of theory they belonged to within those disciplines: that it is possible to find scientific evidence to ‘truths’ which have some sort of universality, but that that universality depends upon the paradigms of the theoretical understanding of the nature of ‘human-ness’ and its interaction with society, and culture. Where was feminism in all of this? In reality it has been moving forward from Raymond’s objectivist view of what feminism is.

As Margot Liombart outlines in her chapter in the 1997 collection; “Deconstructing Feminist Psychology”:

“Feminist critical contributions to psychology have played a crucial role in the process of unmasking the objectivist fallacy of psychology. They have ensured that the second part of that equation is now included—that it that there is a social dimension, which had in the past been driven into oblivion by the positivist project, present in the production of psychological knowledge. Feminist psychologists have been instrumental, just as feminist have also been in other fields, in unmasking the effects of power, domination and exclusion. In psychology feminists have been instrumental in criticising the classical model of the production of knowledge, and the masculine ideology in most scientific practices. Further they have shown that most ‘general’ theories about human beings are nothing more than fictions.”

SO WHERE DO WE GO FROM HERE?

Feminists when faced with trans people find themselves between the devil and deep blue sea. They now see that general theories are nothing more than fictions. But how does this pan out in real life?

Those who claim the right to a feminist theoretical position are apparently, when faced with trans people, faced with individuals who simply are not whom they claim to be. How can a person born with a penis claim to be a woman, when to be a woman requires that you are not born with a penis (or vice versa).

It begs the whole question of the existence of a feminist understanding. It is this challenge that we have to address in both theory and practice. Can feminists learn anything from the experience of the trans community. The transsexual person faces the problem of interpretation, and feminists have to address that interpretation through their understanding of the objectivist fallacy they have underlined, yet by doing so they challenge the very basis of feminist thought—that there are 2 sexes and there are 2 genders.

The transsexual/transgender community through its own writings and theorising has attempted to offer an “insider’s” exploration of the ways in which trans people view gender issues and the use of transsexual and transvestite iconography in particular. However the trans community acknowledges that it is not, however, a clear cut issue. Trans theory has amongst its predecessors the work of neo-Marxists and feminist theorists. These schools of thought have had some difficulty in reconciling transgender behaviour with their political stances, as can be seen by the work of Janice Raymond or for example Sheila Jeffries whose radical feminist viewpoint cites trans men as being ‘poor oppressed women pushed into self-mutilation by patriarchal oppression’.

Transgendered people as writers and speakers used to have to be **primarily** apologists. However the time has come when we are seeing a new form of transgendered performativity and text giving: now we have become theorizers about the idea/the word/ the signifier ‘gender’. It is only been in the 1990s that transgendered people have felt able to participate in the theoretical discussions that surround sex and gender. The fight to be included in those discussions has involved the facing of several serious problems.

Firstly, any discussion of gender by the transgendered community has been hampered by the medical discourse surrounding transgendered behaviour which makes transgendered people out to be simultaneously self-interested and decidedly barmy.

Secondly, they have been hampered by social and legal restrictions which have made it very difficult publicly to come out as transgendered, and which further add another aspect of self interest to any work they might do on gender issues.

Thirdly, Janice Raymond's thesis in "The Transsexual Empire, the Making of the She-male" (1979) discredited for a long time any academic voice they might have, in particular with feminist theorists.

Fourthly, transgendered people have not been allowed either objectivity or sexuality. Objectivity was lost because of the combination of the other three factors; also, if they questioned gender and sex-roles, they were put in the invidious position of having to justify any sex-role change they might undertake to accommodate their gender. Sexuality was lost as it was constructed for them in the form of repressed homosexuality being appeased through reassignment surgery, or heterosexuality (in their new sex-role) was imposed on them by the medical profession in order to justify what was seen as a "medical collusion with an unattainable fantasy" (The Lancet, 1991, as cited in the 1994 preface to the reprinting of Raymond's "Transsexual Empire").

The transgendered community have not attempted to avoid these difficulties; rather they have tackled them head on.

Firstly, the postmodernist acknowledgement of a multiplicity of voices has been adapted to theoretical stances and there is an ongoing discussion as to whether the medical profession should take a diagnostic or merely enabling role for those people who actively seek reassignment treatment.

Secondly, the trans community has consistently fought through the courts and the legislature not for the right to marry or the right to disappear, but for the right to be trans and yet to be afforded what others are afforded; relationship protection, personal safety, anti-discrimination legislation, access to appropriate health care and treatment.

Thirdly, transgenderists have tackled the problems raised by radical feminism by continuously asking for answers to the very awkward question. If there is an insistence upon the existence of and resultant oppression of binary sex and gender roles then you cannot exclude all trans people from experience any of that. For example trans men and trans women challenged the "Womyn born Womyn" policy of the 1994 Michigan Womyn's Music Festival by asking for their right for either group to enter the festival.

Fourthly, transgendered people have questioned the whole notion of objectivity—they do not try to claim it and instead they have built upon the tradition the community has of autobiographical writing to give a voice to their self-acknowledged subjectivity. As to sexuality, they have begun to reclaim it. Through the work begun by gay, lesbian or bi activists they have started to come out. The argument is simple: if you can acknowledge in yourself that what makes a person is what takes place between the ears and not between the legs, then a trans person is in a privileged position to know that sexuality is a movable and mutable force within us all.

Default assumptions are (as they always have been [see Jason Cromwell's recent book on this]) one of the biggest problems facing the acceptance of the trans community's contribution to any academic work or, for that matter, any acceptance at all. There is the first assumption that females do not become men or males become women: they become pastiches, surgical constructions of imaginary masculinities or femininities. The default assumption that underlies any notion of a transgendered existence is that gender is immutable and it is fixed through biological constraints, and social construction

merely affects any representation that the biological may take. This is also the default assumption of feminism—biology is destiny, no matter that in the same breath we say it is not.

Transgendered activists and academics are attempting to deal with the volatile concept of identification, but it is against all the odds: the rigidity of a set of default assumptions concerning sex-roles that pervades all discussion of gender—that the two have an incorruptible sameness that makes them all pervasive. Yet gender and sex are fundamentally different for the transgendered community. They face the everyday reality of that difference in their lives, and attempts to reconcile it have led to it being challenged in unanticipated ways. Many have had to move on from seeking any biological basis for their state of being; all searching for aetiology has been unsuccessful. Any aetiology that has been proposed, whether social or biological, has been torn down by the mass of exceptions. It has been accepted that seeking aetiology is a fruitless occupation as the multiplicity of possible factors increases. And even if it were found and there were possible points of interception, would the “cure” be wanted?

Expressing the move to a theory in which gender and sex roles are clearly separated (at least for a large number of people) and what that means to the modernist view of gender theory is a challenge the transgendered community is not ignoring, nor is it prepared to come up with trite self-serving answers. Challenging their own sense of self, looking inwards to find who they are, using the process of autobiography that they know so well, is producing some very interesting answers which challenge the very binary structure of the complacent world in which gender was invented, and by which it has become obsessed. After all trans people did not invent gender. Gender is merely a word to signify a concept of the human imagination that belongs within and supports the foundations of a patriarchal heterosexist hegemony. Feminists can take heart from the fact that within the trans community there is no hidden answer as to what gender is. However there are answers to how it is experienced and what those experiences mean.

As a ‘born female bodied’ person I was, in 1997, the first ‘man’ to be asked to edit the *Journal of Gender Studies*. The *Journal* is the voice of British academic socialist feminism with its roots entrenched in both Marxist and radical separatist feminism. I wrote in my editorial to the ‘Transgendering Edition’ (*Journal of Gender Studies*, Nov. 1998).

“Trans has problematised all the categories and all the words of sex, gender and sexualities. No amount of trying is ever going to clearly pin them down again, they have become linguistic signposts which we now know are often pointing down the wrong road. The audible gasp when I asked ‘am I the first man to edit the journal?’ was what I expected, because the acknowledgement of the questions has to arise before we can even start to formulate the answers. I have no idea whether I have been asked to edit because—and here I give as many choices as I can think of, and my responses to those choices:

I am a woman really but deluded in thinking I am a man, therefore as a woman I can edit the journal

(This is still the predominate medical model of the transsexual condition. It is a mental health problem which as yet psychotherapy or other forms of mental health treatment mechanisms have been unable to cure, so medicine colludes with the person’s delusions by performing ‘sex change’ surgery, which has, at least, been shown to enhance the individuals social functioning. Do the journal editor’s follow this school of thought? —I hope not.)

or I am a woman really and an acceptable performance of masculinity by a woman, because I acknowledge it as performance, by being out about my trans status

(As Riki Anne Wilchins would put it “Trans-identity is not a natural fact. Rather it is a political category we are forced to occupy when we do certain things with our bodies” Performance is a theory which dictates people and who they are as much as biological essentialism does. It removes any sense of personal choice and freedom. I would agree with Wilchins, it is a category placed by others because I choose my freedoms.)

or I am a woman really and my oppression as a woman lies in my childhood experiences as a girl and my experience as a woman who lives as a transsexual man

(Undoubtedly my childhood was seen by others as being a girl’s childhood, but would the second part of this statement be different if I was not ‘out’ as being a transsexual man. Does it rely upon it position of open oppression? However it was this viewpoint that was to enable the radical separatist women’s group of Sussex University to invite me to their 1978 Christmas party, even though I had heard that at that party a woman left after being criticised for wearing a skirt and living with a man.)

or I am a woman really and it is just that my body morphology simply is no longer 100% female

(I have no idea whether it ever was—I have never had my chromosomes tested, though I do know I had a uterus and ovaries because they were apparently, according to the surgeon, removed. How do we define people through bodies when, to date, medicine acknowledges over 60 intersex conditions and one in every two hundred babies is born with a question mark over their ‘sex’. I really have grave doubts as to whether anyone knows my body morphology, apart from a few clone friends.)

or I am a man really but the acceptable face of manhood because of my childhood experiences—herein others thought I was female and therefore oppressed me as such

(This presumes that manhood can be defined through body morphology at any given time, though of course in my case it is not ‘penis’ dependent. In that case, would a trans woman have been asked to edit the journal because, of course, in childhood they would have been given the privileges afforded to boys (although probably a sissy boy, I presume it would still be better than my existence as a tomboy).)

or I am a man really but my position as male is undoubtedly contested

(The contestation comes as part of this process of being asked to edit this journal. If my maleness (manhood) was not contested I expect I would not have been asked, but in turn by asking me it becomes contested.)

or I am a man really but my feminist credentials are pretty good

(They are: I attended the 1974 and 1975 Women’s Movement Conferences here in the UK and I was part of the Lesbian Collective who worked towards creating the women’s refuge and centre in Manchester in 1975. But I don’t expect anyone ever knew that about me when I was asked to edit)

I actually do not care which of the above possibilities were the justification for my invitation to edit, and though I have contested them they all have some potential validity to me. I hope they were subconscious rather than conscious, if conscious we should have, at the very least, started a dialogue around the issues. However I do not care just as I do not care whether I was ‘born this way’ or ‘became this way’.

The question of the 'gay gene' or the 'tranny brain' is a potentially frightening route to another eugenics programme to destroy the brilliance of difference in the world, and the sooner we reject these projects the better. Whatever made me, I am, and I can no longer say who the 'I' is, except through a descriptive process in which the words man/woman, male/female, straight/gay become absorbed into Queer (I have a friend who says 'what I like about you is that you are just SO QUEER for a straight person' and straight does not refer to my sexual behaviour).

To get back to this special Transgender edition: It is a first because it is queer/feminist writings, not one nor the other, it transes that border, by which I mean something specific. Trans'ing is not just 'crossing over', not just 'blurring boundaries', not just 'blending categories', but it fully queers the pitch by highlighting, clarifying, deconstructing and then blowing apart the border between queer and feminist theory, just as in 'real' life it highlights, clarifies, deconstructs and then blows apart all the things we know about sex, genders and sexualities.

This collection prioritises, for the first time ever I suspect, the experiences of the 'born female bodied' trans person and through that it highlights the experiences and issues of it whole new ball game going on in a different ball park with a different set of boundaries. When I played lacrosse (originally devised by Native Americans whose cultures had spaces for two spirit people) at my all girls school, playing the 'women's' game meant that our pitch had no boundaries (unlike the 'men's' game which has clearly-marked white lines.) This was possible because unlike 'born male bodied' people playing as men with all the social constraints and values that entailed, as 'born female bodied' people playing as women, with it different set of social constraints and values, we were in a position to reach a consensus as to when the ball was out of play."

Perhaps this is the position we—both feminism and trans—can now reach: knowing when the ball is out of play through consensus rather than rules.

I wrote a few years back that 'gender' was an excuse for oppression—nothing more and nothing less. As Kate Bornstein has put it so succinctly: It is like a caste structure—it includes many facets and many aspects of a person's life. The perfect gender is not just male, it is white, it is tall and of slim build, it has money and political power, sexual choice, it is fertile but has control of that fertility, and it is probably American and called Bill Clinton. For the rest of us, it will never be perfect and for some, it will be less perfect than for others. Feminism is about a better set of values in which gender loses some of its power of oppression, in which separate and distinct voices are not only heard but also listened to, and in which a better set of values is followed. That is what we who are trans can gain from them—but perhaps much more importantly now, it is also something we can give back to them.

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III

QUEERING GENDER

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Transgender Liberation A Movement Whose Time Has Come

LESLIE FEINBERG

LESLIE FEINBERG, WHOSE PARTICULAR STYLE OF BEING TRANSGENDER helped non-gender-specific pronouns like “s/he” and “hir” achieve a limited popularity over the past decade, must be considered a founding figure of contemporary transgender studies. Hir influential pamphlet, reproduced below, took an older (and apolitical) term—transgender—and infused it with a radical new meaning.

Previously, “transgender” had referred most frequently to biological males who lived socially as women, but who did not undergo genital modification surgery. In Feinberg’s redefinition, the term came to refer to a “pangender” movement of oppressed minorities—transsexuals, butch lesbians, drag queens, cross-dressers, and others—who all were called to make common revolutionary cause with one another in the name of social justice. The tract provided an ideological and historical framework for the similar but more emotionally moving fictionalization of Feinberg’s life, *Stone Butch Blues*. The pamphlet was subsequently expanded in two book-length treatments, *Transgender Warriors* and *Trans-Liberation: Beyond Pink and Blue*.

Through many examples drawn from a wide range of cultures and historical periods, Feinberg, a Marxist, argues that transgender people in pre-capitalist tribal and agrarian societies were revered and honored, while the widespread contemporary oppression of gender-variant people is an effect of the capitalist mode of production. Though hir particular theory of history has not attracted widespread support in transgender communities, hir work has gained a devoted and grateful following for the powerful way it calls upon transgender people to recover their historical legacy, and to harness that knowledge to the current struggle for a more just society. It is an important foundational text of contemporary transgender theory and activism.

This pamphlet is an attempt to trace the historic rise of an oppression that, as yet, has no commonly agreed name. We are talking here about people who defy the “man”-made boundaries of gender.

Gender: self-expression, not anatomy.

All our lives we’ve been taught that sex and gender are synonymous—men are “masculine” and women are “feminine.” Pink for girls and blue for boys. It’s just “natural,” we’ve been told. But at the turn of the century in this country, blue was considered a girl’s color and pink was a boy’s. Simplistic and rigid gender codes are neither eternal nor natural. They are changing social concepts.

Nevertheless, there’s nothing wrong with men who are considered “masculine” and women whose self-expression falls into the range of what is considered “feminine.” The problem is that the many people who don’t fit these narrow social constraints run a gamut of harassment and violence.

This raises the question: Who decided what the “norm” should be? Why are some people punished for their self-expression?

Many people today would be surprised to learn that ancient communal societies held transgendered people in high esteem. It took a bloody campaign by the emerging ruling classes to declare what had been considered natural to be its opposite. That prejudice, foisted on society by its ruling elite, endures today.

Yet even in a society where there are harsh social penalties for not fitting, a large part of the population can't or won't change their nature. It is apparent that there are many ways for women and men to be; everything in nature is a continuum.

Many of the terms used to describe us are words that cut and sear.

When I first worked in the factories of Buffalo as a teenager, women like me were called “he-shes.” Although “he-shes” in the plants were most frequently lesbians, we were recognized not by our sexual preference but by the way we expressed our gender.

There are other words used to express the wide range of “gender outlaws”: transvestites, transsexuals, drag queens and drag kings, cross-dressers, bull-daggers, stone butches, androgynes, diesel dykes or berdache—a European colonialist term.

We didn't choose these words. They don't fit all of us. It's hard to fight an oppression without a name connoting pride, a language that honors us.

In recent years a community has begun to emerge that is sometimes referred to as the gender or transgender community. Within our community is a diverse group of people who define ourselves in many different ways. Transgendered people are demanding the right to choose our own self-definitions. The language used in this pamphlet may quickly become outdated as the gender community coalesces and organizes—a wonderful problem.

We've chosen words in this pamphlet we hope are understandable to the vast majority of working and oppressed people in this country, as a tool to battle bigotry and brutality. We are trying to find words, however inadequate, that can connect us, that can capture what is similar about the oppression we endure. We have also given careful thought to our use of pronouns, striving for both clarity and sensitivity in a language that only allows for two sexes.

Great social movements forge a common language—tools to reach out and win broader understanding. But we've been largely shut out of the progressive movement.

It was gay transvestites who led the 1969 battle at the Stonewall Inn in New York City that gave birth to the modern lesbian and gay movement.

But just as the lesbian and gay movement had to win over the progressive movement to the understanding that struggling shoulder to shoulder would create a more powerful force for change, the transgendered community is struggling to win the same understanding from the lesbian and gay movement.

Many people think that all “masculine” women are lesbians and all “feminine” men are gay. That is a misunderstanding. Not all lesbians and gay men are “cross”-gendered. Not all transgendered women and men are lesbian or gay. Transgendered people are mistakenly viewed as the cusp of the lesbian and gay community. In reality the two huge communities are like circles that only partially overlap.

While the oppressions within these two powerful communities are not the same, we face a common enemy. Gender-phobia—like racism, sexism and bigotry against lesbians and gay men—is meant to keep us divided. Unity can only increase our strength.

Solidarity is built on understanding how and why oppression exists and who profits from it. It is our view that revolutionary changes in human society can do away with inequality, bigotry and intolerance.

In the spirit of building that fighting movement, we offer this view of the sweeping patterns in history, the commonality of women and men who have walked the path of the berdache, of the transgendered—walked that road whether we were held in high esteem or reviled.

Look at us. We are battling for survival. Listen. We are struggling to be heard.

TRANSGENDER PREDATES OPPRESSION

Jazz musician Billy Tipton died in 1989 at the age of 74. He will be remembered most not for his music, but for the revelation that Tipton was born a woman. Tipton died of an untreated bleeding ulcer rather than visit a doctor and risk exposure.

After his death this debate began: Did Tipton live as a man simply in order to work as a musician in a male-dominated industry or because of lesbian oppression?

It is true that women's oppression, especially under capitalism, has created profound social and economic pressures that force women to pass as men for survival. But this argument leaves out transgendered women—women who are considered so “masculine” in class society that they endure extreme harassment and danger. Many of these women are forced to “pass” in order to live. Of course transgendered women also experience the crushing weight of economic inequity and, in many cases, anti-lesbian oppression. These factors also play a role in forcing “masculine” women as well as non-transgendered women to pass.

If “masculine” women are acknowledged at all, it is implied that they're merely a product of decadent patriarchal capitalism and that when genuine equality is won, they will disappear.

IT'S “PASSING” THAT'S NEW

Transgendered women and men have always been here. They are oppressed. But they are not merely products of oppression. It is *passing* that's historically new. Passing means hiding. Passing means invisibility. Transgendered people should be able to live and express their gender without criticism or threats of violence. But that is not the case today.

There are legions of women and men whose self-expression, as judged by Hollywood stereotypes, is “at odds” with their sex. Some are forced underground or “pass” because of the repression and ostracism they endure.

Today all gender education teaches that women are “feminine,” men are “masculine,” and an unfordable river rages between these banks. The reality is there is a whole range of ways for women and men to express themselves.

Transgender is a very ancient form of human expression that pre-dates oppression. It was once regarded with honor. A glance at human history proves that when societies were not ruled by exploiting classes that rely on divide-and-conquer tactics, “cross-gendered” youths, women and men on all continents were respected members of their communities.

“SHE IS A MAN”

“Strange country, this,” a white man wrote of the Crow nation on this continent in 1850, “where males assume the dress and perform the duties of females, while women turn men and mate with their own sex.”

Randy Burns, a founder of the modern group Gay American Indians, wrote that GAI's History Project documented these alternative roles for women and men in over 135 North American Native nations.

The high incidence of transgendered men and women in Native societies on this continent was documented by the colonialists who referred to them as *berdache*.

Perhaps the most notable of all berdache Native women was Barcheampe, the Crow “Woman Chief,” the most famous war leader in the history of the upper Missouri nations. She married several wives and her bravery as a hunter and warrior was honored in songs. When the Crow nation council was held, she took her place among the chiefs, ranking third in a band of 160 lodges.

Today transgender is considered “anti-social” behavior. But amongst the Klamath nations transgendered women were given special initiation ceremonies by their societies.

Among the Cocopa, Edward Gifford wrote, “female transvestites were called war hameh, wore their hair and pierced their noses in the male fashion, married women and fought in battle alongside men.”

Wewha, a famous Zuni berdache who was born a man, lived from 1849 to 1896. She was among the tallest and strongest of all the Zuni. When asked, her people would explain, “She is a man.” Wewha was sent by the Zuni to Washington, D.C., for six months where she met with President Grover Cleveland and other politicians who never realized she was berdache.

Osh-Tische (Finds Them and Kills Them), a Crow berdache or badé who was also born a man, fought in the Battle of the Rosebud. When a colonial agent tried to force Osh-Tisch to wear men’s clothing, the other Native people argued with him that it was against her nature and they kicked the agent off their land. They said it was a tragedy, trying to change the nature of the badé.

A Jesuit priest observed in the 1670s of the berdache, “They are summoned to the Councils, and nothing can be decided without their advice.”

But the missionaries and colonialist military reacted to the Native berdache in this hemisphere with murderous hostility. Many berdache were tortured and burnt to death by their Christian conquerors. Other colonial armies sicced wild dogs on the berdache.

WHY SUCH HOSTILITY?

Why were the European colonialists so hostile to transgendered women and men? The answer can be found back on the European continent in the struggles that raged between the developing classes of haves and have-nots.

Ancient societies on the European continent were communal. Thousands of artifacts have been unearthed dating back to 25,000 B.C. that prove these societies worshipped goddesses, not gods. Some of the deities were transgendered, as were many of their shamans or religious representatives.

We have been taught that the way things are now is roughly the way they have always been—the “Flintstones” school of anthropology. The strong message is: Don’t bother trying to change people. But a glance at history proves that human society has undergone continuous development and change.

A great debate has raged for more than 150 years about the role of women in ancient societies. To hear Jesse Helms and his ilk rant, you’d think that the patriarchal nuclear family has always existed. That’s not true.

Twentieth century anthropologists recognize that matrilineal communal societies existed all over the world at an early stage in social development. Women were the heads of *gens* or clans that bore little resemblance to today’s “family.”

But many argue that matrilineage could co-exist with the subjugation of women, and that there is no confirmed documentation of any culture in history in which women consistently held leadership positions. This ignores the relationship between male domination and private property, and implies that women’s oppression is merely a result of “human nature.”

This ideological argument is as much a weapon of class warfare as prisons are.

Rosalind Coward offers an invaluable overview of this debate in her work *Patriarchal Precedents*. Coward shows that most 19th century European scholars held the patriarchal nuclear family and male inheritance to be universal. But by the latter part of the century, European colonialists studying the peoples of Southern India and Southwest Asia disputed that view.

In 1861, Johann Bachofen published his famous book *Das Mutterrecht* (Mother Right)—a scientific study of the family as an evolving social institution. His work was regarded as a fundamental contribution to modern anthropology.

Lewis Henry Morgan, the great ethnologist and one of the founders of anthropology, wrote his significant work *Ancient Society* in 1877—an exhaustive study of communal societies with kinship systems based on women. He studied the Haudenosaunee (Iroquois Confederacy) on this continent, and numerous indigenous peoples in India and Australia. His research on social evolution confirmed that the patriarchal form of the family was not the oldest form of human society.

The research of Bachofen and especially Morgan was the basis for Frederick Engels' great 1884 classic, *Origin of the Family, Private Property and the State*. Engels argued that early societies were based on collective labor and communal property. Cooperation was necessary for group survival.

Engels, Karl Marx's leading collaborator in developing the doctrine of scientific socialism, found that these ancient societies showed no evidence of a state apparatus of repression, large-scale warfare, slavery or the nuclear family. Engels and Marx saw Morgan's studies as further proof that the modern-day oppression of women was rooted in the cleavage of society into classes based on private ownership of property. The fact that oppression was not a feature of early communal societies lent great weight to their prognosis that overturning private ownership in favor of socialized property would lay the basis for revolutionizing human relations.

Research in this century, particularly by women, has further disproved the view that women have always been considered "inferior." The extensive research of Marija Gimbutas and Gerda Lerner revealed that prior to 4500 B.C. goddesses, not gods, were worshipped throughout Europe and Western Asia.

As Jacquetta Hawkes concluded in her *History of Mankind*: "There is every reason to suppose that under the conditions of the primary neolithic way of life, mother-right and the clan system were still dominant, and land would generally have descended through the female line. Indeed, it is tempting to be convinced that the earliest neolithic societies throughout their range in time and space gave woman the highest status she has ever known." (It's interesting to note that this progressive woman researcher, writing in 1963, still found it necessary to use the term "mankind" to describe humanity.)

WHEN BIGOTRY BEGAN

In the fertile river valleys of Eurasia and Northeast Africa, during the period of about 4500 B.C. to 1200 B.C., human labor became more productive and abundance accumulated as wealth. The old communal systems were gradually and unconsciously transformed.

A tremendous societal change took place. The desire to pass on wealth to male heirs demanded wifely monogamy; the patriarchal family became the new economic unit of society.

But the respect the ancient communal societies accorded transgendered men and women, and same-sex love, endured long after these societies underwent dramatic changes.

An Egyptian sculpture of a bearded Queen Hat-shepsut dressed in the garb of a pharaoh (1485 B.C.), for example, shows the persistence of popular folklore about the bearded woman as a sacred symbol of power and wisdom.

A link between transvestism and religious practice is also found in ancient myths associated with Greek gods and heroes. The myth of Achilles notes that he lived and dressed as a woman at the court of Lycomedes in Scyros before he acquired his martial skills.

“Macrobius reports that male priests dressed as women in honor of the Bearded Aphrodite of Cyprus; on the same island, the cult of Ariadne (originally a fertility cult) was marked by a ceremony in which a boy was dressed in female clothes and proceeded to enact all the symptoms of labor and birth” (*Dressing Up*).

Herodotus noted that Scythian religious shamans spoke and dressed as women and were highly revered. The priests of Artemis at Ephesus were reported to have worn “women’s clothing” (*Dressing Up*).

“Men had to dress up before they could take part in the rites of Hercules at Rome (Hercules himself spent three years dressed as a woman at the court of Omphale, Queen of Lydia). . . . At the vine growers’ festival, the Athenian Oschophoria, two boys dressed in women’s clothes and carried a vine stock in procession. At the Argive festival of Hybristika, the men adopted female clothing. At the feast of Hera at Samos, the men wore long, white robes and placed their hair in golden nets” (*Dressing Up*).

To “justify” the new economic system and break the spirit of people who had lived and worked communally, a systematic downgrading of the status of women and an assault on the transgendered population began.

An early prohibition against transgender was codified in the Mosaic Law of the Hebrews, one of the earliest patriarchal societies: “The woman shall not wear that which pertaineth unto a man, neither shall a man put on a woman’s garment; for all that do so are abomination unto the Lord thy God” (*Deuteronomy*, 22:5).

The rise of the Greek city-states during the 8th to 6th centuries B.C., is another example of the subjugation of women. The new patriarchal economic system couldn’t co-exist with matrilineage. But in many areas transgender, same-sex love and many of the old religious practices of transvestism continued to flourish, because they didn’t yet threaten the new ruling order.

The slave-owners developed an ideology degrading women in order to justify overturning women’s equality in society. Many of the early Greek myths and the numerous depictions in artwork of battles against Amazon warriors symbolized the overthrow of matrilineal communal societies and their replacement with patriarchal slave societies.

Patriarchal gods like the Greek deity Dionysos arose to overpower the pre-class goddesses. Dionysos was one of the Greek gods that replaced goddess worship. But Greek painters and writers portrayed Dionysos as feminine or dressed in women’s apparel. Transvestism also persisted in the rituals of Dionysos, which endured even after Christianity became a state religion of the ruling elite.

The attitude toward women partly accounts for the growing hostility of the ruling classes toward transgendered men. But another aspect of the campaign against “effeminate” men, and Dionysos in particular, might have been to create a Rambo mentality, like the extreme appeal to “manhood” of the Nazi war machine or today’s Pentagon. These were “expand or die” militaristic societies. Unlike the war god Ares, Dionysos was a “make love, not war” god who encouraged soldiers to desert their posts in battle.

The Christian writer Clement of Alexandria authored a book in the third century A.D. called *Exhortation* that demanded pagan Greeks recognize the error of their beliefs. “If one goes around examining pictures and statues, he will at once identify your gods from their disgraceful depictions, Dionysos from his dress.”

THE PERSISTENCE OF TRANSGENDER

Although ruling attitudes toward cross-gendered expression were changing and becoming repressive, ancient respect for transgender proved difficult to eradicate and transgendered women and men continued to be present in all classes of society.

“The Roman Caesars were reported to show a fondness for wearing women’s clothes and Caligula, according to Seutonius, often adopted female clothing” (*Dressing Up*).

But the ruling class repression began to demand increasing conformity—even among the elite. “The most famous example is that of Elagabalus . . .,” wrote Arthur Evans, “who became emperor of Rome in 218 A.D. As Emperor, he often appeared in public in drag, practiced ritual sex with members of both sexes, and publicly declared one of his male lovers to be his husband. The sentiments of the ruling classes were outraged. He was assassinated by an indignant Praetorian Guard in 222 A.D. His body was mutilated, dragged through the streets of Rome, and thrown in the Tiber River” (*Witchcraft and the Gay Counterculture*).

In the fourth century A.D., the Bishop of Amasia in Cappadocia denounced the New Year’s Day practice of men cross-dressed “in long robes, girdles, slippers and enormous wigs.” Bishop Isidore of Seville (560–636 A.D.) railed against New Year’s dancers “womanizing their masculine faces and making female gestures.”

The worship of a god in a dress so enraged the Christian hierarchy that in 691 A.D. the Council of Constantinople decreed: “We forbid dances and initiation rites of the ‘gods,’ as they are falsely called among the Greeks, since, whether by men or women, they are done according to an ancient custom contrary to the Christian way of life, and we decree that no man shall put on a woman’s dress nor a woman, clothes that belong to men . . .” (*The God of Ecstasy*).

THE NATURAL BECOMES “UNNATURAL”

Ancient religion, before the division of society into classes, combined collectively held beliefs with material observations about nature. Christianity as a mass religion really began in the cities of the Roman empire among the poor, and incorporated elements of collectivism and hatred of the rich ruling class. But over several hundred years, Christianity was transformed from a revolutionary movement of the urban poor into a powerful state religion that served the wealthy elite.

Transgender in all its forms became a target. In reality it was the rise of private property, the male-dominated family and class divisions led to narrowing what was considered acceptable self-expression. What had been natural was declared its opposite.

As the Roman slave-based system of production disintegrated it was gradually replaced by feudalism. Laborers who once worked in chains were now chained to the land.

Christianity was an urban religion. But the ruling classes were not yet able to foist their new economic system, or the religion that sought to defend it, on the peasantry. The word pagan derives from the Latin *paganus*, which meant rural dweller or peasant. It would soon become a codeword in a violent class war.

Even after the rise of feudalism, remnants of the old pagan religion remained. It was joyously pro-sexual—lesbian, gay, bisexual and straight. Many women were among its practitioners. Many shamans were still transvestites. And transvestism was still a part of virtually all rural festivals and rituals.

In the medieval Feast of Fools, laymen and clergy alike dressed as women. The Faculty of Theology at the University of Paris reported priests “who danced in the choir dressed as women.”

But in order for the land-owning Catholic church to rule, it had to stamp out the old beliefs that persisted from pre-class communal societies, because they challenged private ownership of the land.

Ancient respect for transgendered people still had roots in the peasantry. Transvestism played an important role in rural cultural life. Many pagan religious leaders were transgendered. So it was not surprising that the Catholic church hunted down male and female transvestites, labeling them as heretics, and tried to ban and suppress transvestism from all peasant rituals and celebrations.

By the 11th century, the Catholic church—by then the largest landlord in Western Europe—gained the organizational and military strength to wage war against the followers of the old beliefs. The campaign was carried out under a religious banner—but it was a class war against the vestiges of the older communal societies.

JOAN OF ARC

Almost everyone has heard of Joan of Arc. Yet today few people realize that in 1431, when she was 19 years old, Joan of Arc was burned at the stake by the Inquisition of the Catholic church because she refused to stop dressing as a man.

Almost 500 years later, in 1920, the Catholic church canonized “Saint Joan” because it needed a popular figure to connect to the church at a time of revolutionary upheaval worldwide. Because Joan of Arc had been from the common people, she was still enormously popular, especially among peasants and workers. But the church and France buried the fact that she was a transvestite—an expression of her identity she was willing to die for rather than renounce.

Joan of Arc was an illiterate daughter of the peasant class. The courage with which she defended her right to self-expression was as extraordinary as the brilliance of her military leadership, which contributed to the emergence of the nation-state of France.

What was there about the social soil in which she was rooted that would account for such a remarkable personality?

Joan of Arc was born in Domrémy, in the province of Lorraine, about 1412. Beginning in 1348 the bubonic plague had ruptured the fabric of the feudal order. By 1350 half the population of Western Europe had died and whole provinces were depopulated.

France was then in the grip of the Hundred Years War. The armies of the English feudal lords had been attacking France for almost a century. The peasants suffered plunder at the hands of the marauding occupation army as well as heavy taxation by the French nobility.

The immediate problem for the peasantry was how to eject the English army, something the French nobility had been unable to do. But on a broader scale peasant rebellions—including the significant Revolt of the Jacquerie (Commoners)—were shaking European feudalism root and branch.

The leadership of Joan of Arc emerged during this period of powerful social earthquakes. In 1429, this confident 17-year-old woman, dressed in garb traditionally worn by men, presented herself and a group of her followers at the court of Prince Charles, heir to the French throne. Her stated goal was to forge an army of peasants to drive the occupation army from French soil.

Religion permeated all aspects of feudal life. Joan asserted that her mission, motivation and mode of dress were directed by God. She must have been an impressive young woman, because the court agreed to support her efforts. Joan was placed at the head of a 10,000-strong army.

On April 28, 1429, Joan led a march on Orleans. The next day, she entered the city at the head of her peasant army. On May 8, the English were routed. Over the next months, she further proved her genius as a military strategist, as well as her ability to inspire the rank and file. With Joan as its leader, her army liberated other French villages and towns, forcing the English to retreat.