



Politics of Defining Gender – A Contested Question of She-male

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Introduction -

Feminism emerged as a movement which raised the question of equality of women vis-a-vis men and assertion of their rights as living human beings. Feminism also challenged the sanctity and autonomy of family as the sacrosanct institution which should be treated above politics. They have transformed the foundation of political theory and the way the political discourse envisions institutions like family, marriage and the patriarchal nature of various social institutions.

Sex and Gender Dichotomy-

Initially feminist used to stress on the dichotomy between the biological sex and socially defined role for that sex defined as Gender. This for the first time provided a discourse with two clearly differentiated terms one dealing with biological reality and other with the social conception of the woman's role in the society. Simon de Biouwa's work **Second Sex** has contributed to this dialogue. Gradually this discourse went in the direction of defining the body and subsequent thinkers went on to challenge the very categorization of the body as male and female. They claimed that sex which is taken as an objective fact is rather a subjective act of assigning labels of a male and female to a person at the time of birth. Radical feminist Catharine MacKinnon asserts that male domination originates from sexuality and the dominant notion of heterosexual intercourse. Women and men are divided by gender, made into the sexes as we know them, by the requirements of its dominant form, heterosexuality, which institutionalized male sexual dominance and female sexual submission. If this is true, sexuality is the linchpin of gender inequality.¹

Judith Butler - Gender as Performative-

Judith Butler questioner's that gender behaviors being labelled as natural, she asserts that individuals learn from performing male or female role in the sexual relations which is than defined as feminine and masculine. This imposition of natural sexual behavior into categories of male and female according to Judith is the result of the prevalent hegemony of heterosexuality. Butler doubts the capacity of an individual to be an active agent because according to her, individuals understand and define their sexual behavior within the prevalent language and conventions of the society. In other words, an individual's capacity to judge and identify their gender is influenced by logic of language and the cultural context. Butler claims that there is no a priori gender subjective identity which then becomes the basis of various acts of a gender. Butler

¹ MacKinnon , *Towards a Feminist Theory of the State*, Harvard University Press 1989, p. 113.

asserts that it is the constant practice of performing the gender roles which shapes a person's identity. Butler asserts that the present stable identities and differences are the result of social coercion and the concept of taboo. Butler asserts that these stable identities come at the cost of suppression of true gender inclinations of the individuals.² Judith Butler has tried to challenge the very definition of gender and this also shakes the foundation of gender categorization by making space for marginalized identities like gay, lesbian and etc. Gender according to her is the result of social reconstruction and therefore it can be contested and open for change. It would not be wrong to say that she politicized the definition of gender and implicitly the sexual categories. Gender according to Butler hides its genesis which emanates from performative acts which individuals perform in their day to day lives. Judith uses the speech act theory to describe how reality of gender is created by uttering gender and this utterance manifests in physical gestures, manner of dressing and other demeanors of an individual. She asserts that an individual is an actor performing the role of a gender. Gender performativity happens in the border social context according to Judith Butler and it would be wrong to see gender as prior to the actual act.

Denial of Prenatal qualities of Gender-

Judith Butler denies the innate qualities of gender which can be attributed to the act of conception of the child. The question arises whether human action is not designed by nature (body -type/ sex) to have certain inherent inclinations towards their sexual likes and orientations. Judith clearly denies them with her claim that the Gender is a social construction. Butler further asserts that gender hides its genesis and its true genesis is related to performance. Butler asserts that the body becomes gender by acts which are renewed, revised and consolidated over the time. By illustrating the artificial, conventional and historical nature of gender construction she tries to present the critique of the assumption of normative heterosexuality which imposes punitive rules on social and legal coercion on individuals to conform to the hegemonic, heterosexual standards for identity.³ But the question arises what is the criteria of describing an action as artificial and merely because an idea has been given by conventions can that idea be labelled as artificial. If an action is guided by the past accumulation of knowledge and experience which results in the manifestation of a family in which a new generation is created and raised can simply be labelled as artificial. Because if they don't follow these actions which are guided by generations of experience they will end up dissolving families and lowering the birth rate of children. Act of defiling their sanctity by labelling them as an artificial institution has emasculated family institutions in the West which has created the problems like single parents and orphan children. Butler rejects the very distinction between gender and sex, this distinction was accepted by the feminists which referred to the difference between a body defined as sex and gender was defined as the social role assigned to that body. These feminists used to accept the anatomical differences between male and female bodies but their fight was against the discriminatory laws and traditions of society against women. Traditional feminist used to see sex as a biological category and gender as a historical category.⁴ Butler defines sex as a cultural norm which governs the materialization of bodies. Sex is an ideal construct which is the result of a process whereby regulatory norms materialize sex and this is achieved through a forcible reiteration of those norms. Butler is postmodernist in her approach towards the real meaning of concepts like sex and such concepts are defined by language.

Third Wave of Feminism-

Leading Feminist of the third wave of feminism Kimberle Crenshaw and Judith Butler supported the inclusion of gay, trans, queer gender identities within the fold of feminism. They believed that this will help in greeting a broader alliance of the marginalized gender identities to fight for liberation. Butler asserted that the question of women liberation in umbilical ties to the liberation of gender from the binary male and

²Butler, Judith *Gender trouble: feminism and the subversion of identity*. New York: Routledge, 1990.

³ Butler, Judith *Gender trouble: feminism and the subversion of identity*. New York: Routledge, 1990.

⁴ de Beauvoir, Simone *Le deuxième sexe [The Second Sex]*. NRF essais (in French). Vol. 1, Les faits et les mythes [Facts and Myths]. Gallimard 1949.

female centric understanding.⁵ This is the reason for the weakening of the trans -exclusionary radical feminism (TERF) which still holds that women are defined on the basis of the axis of sex. Presently the border alliance of the third wave feminist has captured the centre stage of the feminist discourse.

Shemale identity is colonization of Feminist identification-

Janice G Raymond, author of *The Transsexual Empire - Making of the Shemale* has brought forward a very radical perspective to see the impact of transgender identity on feminism.⁶ Raymond asserts that the process of psychological and surgical treatment of transgender people only reifies and strengthens the traditional gender stereotypes. She was seminal in understanding the impact of medicalization of gender identity and how it will culminate in the growth of gender-affirming treatment industry. Thomas Szasz psychiatrist has commented in the context of this book that "[the book] has rightly seized on transsexualism as an emblem of modern society's unremitting—though increasingly concealed—antifeminism."⁷ Raymond asserts that on the deeper level creation and promotion of transgender especially the she-male identity, has actually colonized female identity, along with sexuality and politics. Which is unprecedented in the history of entire male -dominated human history. Raymond writes that transsexuals are violating the uniqueness of women by reducing the female body to the status of artefact which they can appropriate with the help of sexual clinics. Raymond asserts that transsexuals cut off their male genitals to show their non-invasive nature but in reality they are invading the very identity of being a woman. Janice G Raymond's work faced labels of being transphobic but her work is seminal for producing the critique of the present gender discourse in which lines between male and female are being blurred.

Dr. Miriam Grossman critique of Judith Butler and her gender theory-

.Sex is not assigned at birth, sex is established at conception and it is recognized at birth. Brains always match the bodies to which they are attached. Sex is binary and permanent. Males cannot become females and females cannot become males. Doctors, therapists and others who lead young people to believe otherwise are guilty of malfeasance⁸. Grossman asserts that it was Dr. John Money who developed the idea that gender identity was a separate subjective element to sex, purely psychological in nature. John Money believed that gender identity was malleable within the first two years of life and he initially advocated surgical normalization of new born intersex children. It was Money who coined and popularized now commonly accepted terms like **gender role** and **sexual orientation**. Money really broadened the concept of gender by including the behavioral aspects of an individual while defining the gender and this reduced the importance of the genitalia difference for defining the gender. He also developed the concept of **bodymind** which helped scientists to develop the science of sexuality which will overcome the binary of nature vs nurture, innate versus the acquired, biological versus the social, psychological vs the physiological.⁹ This idea became so dominant that the psychiatric and medical field has imbibed this conception given by John Money. This has subsequently led to an increase in the psychiatric treatment

⁵ Yenor, Scott (31 July 2017) . “ The Rolling Revolution in Sex and Gender : A History.” Public Discourse . Witherspoon Institute Archived from the original on 15 December 2018 . Retrieved 3 November 2024 .

⁶ Raymond, Janice G. *The Transsexual Empire : The Making of the She-Male* New York: Teachers College Press,1994.

⁷ Thomas Szasz . “ Male and Female Created He Them”. *The New York Times*. (June 10, 1979). p. 3. Retrieved 4 Nov, 2024.

⁸ Dr. Miriam Grossman, *Lost in Trans Nation- A Child Psychiatrist's Guide Out of the Madness* , Introduction ,Simon & Schuster, 2023.

⁹ John Money, *Gay, Straight and In- Between: The Sexology of Erotic Orientation*, 1988.

being provided to the young child and adolescent for the treatment of gender dysphoria. Gender dysphoria cannot be conceived without understanding the concept of **bodymind** in which it is assumed that there is a mismatch between the biological sex and gender identity of a child.

Dr. Alfred Kinsey, Wardell Pomeroy and Clyde Martin developed the Heterosexual- Homosexual scale which is more prominently known as **the Kinsey Scale**. They published two reports - **Sexual Behavior in the Human Male (1948)** and **Sexual Behavior of Human Female (1953)** and collectively these reports are known collectively as the Kinsey Reports. These reports were prepared after interviewing thousands of people about their sexual preferences and past histories. These reports found that very often the feeling of the people towards the same or opposite sex was not fixed rather it was situational or contextual. Kinsey Scale categorized people into six types rather than simply labelling them as heterosexual, bisexual and homosexual. They sold millions of copies of these reports in many languages and this helped in changing the public perception of sexuality in the 20th century.

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Logical Culmination of Butler's logic-

Butler is postmodernist in her approach towards defining the real meaning of concepts like sex and such concepts are defined by language. She affirms the perspective of John Money and Kinsey about sexual orientation by accepting the conceptual foundation of **bodymind** which laid the foundation of modern science of sexuality. This modern conception of sexuality enables Butler to claim that a trans -woman should be accepted as a woman and her sexual genitals are secondary to her emotional identification. It cannot be denied that images, words are an essential part of human thought and without them it is next to impossible for humans to act. All images and words which a child inherits have inherent biases and symbolic meanings. There is nothing neutral about them; rather, the very existence of life lies in being something and the very act of being something is value laden. Still the question arises can we reject the role of chromosomes and other sexual determinants within the human body which bestows the human body with certain inherent proclivities in human sexes.

The question arises whether human actions are not preceded by ideas and deeper urges or we perform actions without the help of any kind of intuitive ideas and urges. Gender is a construction according to Butler which hides its genesis and its genesis is related to performance. Butler asserts that the body becomes gender by acts which are renewed, revised and consolidated over the time. By illustrating the artificial, conventional and historical nature of gender construction she tries to present the critique of the assumption of normative heterosexuality which imposes punitive rules on social and legal coercion on individuals to conform to the hegemonic, heterosexual standards for identity. If conventions are historically derived then can such conventions be labelled as artificial? But if such actions are based on the past accumulation of knowledge and experience which leads them to nurture their families and raise the new family. Because if they don't follow these actions which have been guided by the past experiences of generations they will end up dissolving families and emasculating protection which families provide then for the children. Butler rejects the very distinction between gender and sex, this distinction was accepted by the feminists which referred to the difference between body referred to as sex and gender was the social role assigned to that body. These feminists used to accept the anatomical differences between male and female bodies but their fight was against the discriminatory laws and traditions of society against women. Traditional feminist used

¹⁰ <https://kinseyinstitute.org/research/publications/kinsey-scale.php>

to see sex as a biological category and gender as a historical category. ¹¹ Butler defines sex as a cultural norm which governs the materialization of bodies. Sex is an ideal construct which is result of a process whereby regulatory norms materialize sex and this is achieved through a forcible reiteration of those norms.

Kathleen Stock - the new politics of gender identity -

Kathleen Mary Linn Stock is a British philosopher and writer who resigned from the University of Sussex due to facing constant opposition from the trans-activist. Kathleen Stock herself is a lesbian in her sexual orientation asserting that lesbian identity has been eroding gradually. Now Lesbian are identifying themselves as queer or non-binary. She wishes to exhort lesbians to avoid being submerged into the rainbow identity and by doing this want to end the present blurring of the sex and gender distinction. Kathleen asserts that she has no problem with people trying to choose their own sexual identity but the problem starts when they start to use powerful institutions to claim access to female teams and other kinds of exclusively female areas of life. She supports any laws which protect the individual with nonconforming sexual orientation against any kind of social discrimination. Kathleen believes that present gender identity politics is reactionary in nature because it asserts that if a young child feels that he or she is not in sync with their present gender then they are definitely in the wrong gender. This logical conclusion leads to gender clinics where such children undergo sex transforming surgeries and treatments. The nature of public debate has been shaped in such a way that any kind of criticism of this gender politics is labelled as transphobic. Kathleen Stock asserts that trans-women are living in the status of fiction and they cannot be treated as real women.¹² Kathleen Stock gives the example of linguistics that every language of the world has standard categorization of woman and man on the basis of sex. She gives the example of Lia Thomas who is a leading American transgender swimmer in women's sports but she was barred in 2022 from participating in the World Aquatics. Kathleen points out that the present gender identity movement is jeopardizing the security that feminist have attained for women in the 1970s. Kathleen Stock says that women's identity is not a skin suit which presents discourse trying to equate, as if a male underwent hormonal therapy and took surgical treatment of her genitals she became a female.

Conclusion-

Some feminist in their quest to gain more traction have tried to broaden its umbrella by including the transsexual (transwomen) within the domain of female identity. This has now given birth to serious backlash from conservatives and also from other feminists who do not consider transwomen as a gender. Transgender women are now claiming the spaces of the women and now want to participate in the female sports and share female toilets. Transsexuals are now claiming the status of women on the basis of their self-identification and this has become possible due to blurring of the sexual difference between the two sexes. Feminists like Butler have denied the sanctity of sex and have given more priority to gender as the sole basis for determining who are men and women in the society. Gender has been totally detached from its relation to sex and gender has been defined as a constructed identity. They have reduced the female identity into the swim suits which any male can wear provided he claims that he identifies himself as a woman. Liberation of transgender has become equivalent to enforcing their marginal conception upon the entire society. Those who try to reject these norms are labelled as transphobic. Among this clamor the question of liberating the real women has been lost.

¹¹ Simone de Beauvoir, *The Second Sex*, 1949.

¹² "Kathleen Stock: Oxford professors sign free speech letter in gender row". BBC News. 17 May 2023 retrieved 2 Nov. 2024.