CHAPTER 2 – LABELS AND DEFINITIONS

2.1. Transgenderism and Transsexualism – An Overview

The term transgender is of recent origin. The term ‘transgenderist’ was coined by Virginia Prince, a pioneer in the cross dresser movement in the United States in the 1970s (Valentine 2007; Stryker 2008; Bettcher 2009). In the 1990s with growing activism and scholarship in the United States, the term transgender gained popularity. In the mid-1990s the term transgender has been widely used.\textsuperscript{12}

The term transgender refers to those who reject their socially assigned gender and refuse to place themselves in the men/ women gender binary (Beasley 2005). In simpler terms, transgender is an umbrella term used to group several different kinds of people who do not conform to their expected gender, and are living the gender that was not assigned to them at birth, and also those who live genders which is not the traditional conception of gender (Bettcher 2009).

According to Stryker (2008: 123) “… “transgender” is a word that “encompasses the whole spectrum” of gender diversity, that lumps together rather than splits apart the many subgroups within a large, heterogeneous set of communities.”

Some of the categories under transgender umbrella are transsexuals, transvestites, cross-dressers, drag queens and drag kings, butch and femme lesbians, feminine gay men, intersex people, bigendered people and others who ‘challenge the boundaries of sex and gender’ (Minter 2006).

There is a difference between a transgender and a transsexual (Valentine 2007; Bettcher 2009). The term transsexual was coined by Dr. David O. Claudwell, a psychiatrist in the year 1949 for people who wanted to change their sex (Meyerowitz 2004). Transsexual is both MtF and FtM.

\textsuperscript{12} Transgender term is used by Community Based Organizations (CBOs), identity based political movements, popular media accounts, international human rights discourses, academic debates, anthropological description of gender variance cross-culturally, and the medical establishment.
2.2. Medicalization and Pathologization of Transsexualism

The phenomenon of transgenderism and transsexualism is observed across the world. In many parts of the world transsexualism is medicalized and pathologized (Bettcher 2009; Hammarberg 2009). It is classified as a mental disorder by the American Psychiatric Association (APA) and the World Health Organization (WHO) (Winters 2008; Gooren 2011). Moreover transgenders and transsexuals are expected to fit under the fixed sex/gender binary both during and after their gender transition (Hammarberg ibid.). WHO (1992) and APA (2000) have very clear cut guidelines to deal with transsexual patients.

There is high prevalence of violence (which often leads to hate-crimes) against transgenders and many of these incidents go unreported and unaccounted (Hammarberg ibid.). Transphobia is another issue encountered by many transgenders worldwide in their everyday lives. Gender identity, sexual orientation, legal recognition of the preferred gender, change of name and sex on credentials and all important documents, family, access to transgender health care services, access to labour market, transphobia and violence against transgender persons etc. are some of the common problems faced by transgenders not only in European countries but also in many parts of the world.

Transgender issues are diverse and encompass various issues related to Human Rights (transgender rights), HIV/AIDS, health, sex, gender, sexuality, and gender identity (Hammarberg 2009). Hammarberg (2009) and Waites (2009) has shown a link between gender identity and sexual orientation. Though both these issues are two separate issues, they are entwined and cannot be discussed without referring to each another.

2.3. Sexual Orientation and Gender Identity (SOGI)


Yogyakarta Principles 1 and 3 are important as they pertain to discussion on sexual orientation, gender identities, and transgender on the grounds of Universality of Human

¹³ Sexual orientation and gender identity together is often cited as SOGI.
Rights. The Yogyakarta Principles are used by activists across the globe to fight against discrimination on the grounds of SOGI.

In the handbook An Activist’s Guide to the Yogyakarta Principles (2010) examples of Naz Foundation and Voices Against 377, and the Sangama experience of working with sexual minorities in India has been documented.

In the UN Declaration (2011a), Declaration on Sexual Orientation and Gender Identity (17th session) the importance of universality, interdependence, indivisibility and interrelatedness of human rights enshrined in the Universal Declaration of Human Rights and elaborated in other human rights instruments such as the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and other relevant core human rights instruments are highlighted. It is also highlighted in the UN Declaration (2011b) that the critical human rights concerns and States have an obligation to address. India along with few other countries has been cited in the UN Declaration (2011b) to have repealed criminalizing homosexual acts between consenting adults. India is also cited to have had recognized change of gender (or to indicate a gender) other than male or female for transgender and intersex persons.

2.4. Feminism, Queer Theory, and Transgender Theory

Feminist literature explain social construction of sex and gender (Butler nd; Cerulo 1997; Shilling 2003; Alexander 2005; Beasley 2005; Nagoshi and Brzuzy 2010; Bettcher 2012) and also the rigid/ fixed nature of sex/ gender binary (Butler 1990, 2004; Califia 1997; Puri 1999; Hausman 2001; Meyerowitz 2004; Beasley 2005; Schrock et al. 2005; Denny 2006; Minter 2006; Hill and McBride 2007; Monro 2007; Toumey 2008; Nagoshi and Brzuzy 2010). Furthermore sexuality is also constructed from a heteronormative perspective (Butler 1990: 49, 63, 148).

Social construction of gender maintains gender categories, roles, and knowledges that delimit and police the bodies and identities. One fits in or does not fit in the society depends on how one’s body is perceived, whether it complys with or deviate from sets of highly gendered norms (Alexander 2005: 72).

The body of transgender is in question because of its ‘gender-transgression’ or ‘gender transcendence’ (Roen 2002), and also because of its horizontal movement between two established gendered spaces i.e. ‘man’ and ‘woman’ (Stryker et al. 2008). A transgender
body deconstructs the male/female binary by transgressing from one gender to the other (Alexander 2005).

There is a relation between feminism and transgender theory (Bettcher 2009). Many trans\textsuperscript{14} and non-trans (mostly feminists) have written on transgender issues. However un-friendly theorization of trans by non-trans authors such as Janice Raymond (1979)\textsuperscript{15} received a critiqued response to their writings by trans authors such as Sandy Stone (1991) and activists in academia. It facilitated further discussion on transgender issues. Biological sex is often differentiated with gender, where gender is understood as the cultural roles assigned on the basis of sex. There is not only oppression of women as women but also oppression of trans people as trans people.

And that is what according to Bettcher and Garry (2009) feminist, queer and trans points of theoretical and political issues have been overlapping and interconnected but not the same. There are three ways of understanding trans feminist relationship. First two is the intersection of transphobia and sexism and the third is feminist and trans as different entity. Sexism and transphobia are inseparable. As transsexuals are recognized as women they are subjected to mechanisms of sexism and sexual violence. Though the dialogue between feminism and trans studies is perceived dangerous the common thread between them is the concept of ‘gender’.

Though Judith Butler’s writings Gender Trouble (1990) and Bodies That Matter (1993) discuss the cultural construction of sex and gender and the performance of gender, Butler’s writing is perceived trans-friendly (friendly with transgender theory and politics) to some extent as she explains that biological male/female sex is independent of the culture (Bettcher 2009).

Furthermore what also brings transsexual body into question is their medical intervention through technology to alter their body. Transsexuals are entirely dependent on medical technology to change their sex. Intervention of doctors plays an important role in this process to justify access to medical technologies. Through medical-technology intervention gender is produced on transsexual bodies. Thus the sex assigned at birth can be changed to the desired sex through medical intervention.

\textsuperscript{14} The term ‘trans’ is also used as a general term for transgender (Bettcher 2009). The term ‘trans’ is inclusive of all transgender identities/ categories.

\textsuperscript{15} Raymond critiqued transsexuality as a medical phenomenon, and referred MtF transsexuals as men and FTM transsexuals as women. She critiqued that MtF transsexuals rape a woman’s body by undergoing gender transition and sex change operations, and also by undertaking sex roles which was basically created through surgical intervention mainly by patriarchal medical establishment.
However acceptance of MtF transgenders as a woman is cultural specific. According to Bettcher (2012) there are two cultures. One is the dominant culture, and the second is trans subculture. Gendered practices in different cultural contexts and within the trans sub-cultural contexts differs. Transcontextually (i.e. across all or most contexts) ‘woman’ remains the same\textsuperscript{16}, however a trans-woman will not be counted as woman transcontextually in various contexts where karyotype is considered an important parameter to be called as a woman. Within the trans subculture, the presence of genitalia (testicles, penises, XY karyotype and prostates) is of no importance in identifying oneself as woman or man and this is what trans subculture is also contesting (Bettcher 2012: 240). Thus biological body is not the destination to be called as a woman. What is important is the self-identity that a person claims to be.

Bettcher (2012: 241) stresses that a sexed body is not the criteria for creating the gender ‘woman’. A trans woman/ female as a ‘woman’ can have penis, and a trans man/ male as a ‘man’ can have a vagina. Gender is thus free from the clutches of biological sexed body at least within the trans subculture if not necessarily within the dominant culture:

\begin{quote}
First, a trans woman can reject the entire dominant gender system as based on false beliefs about gender and gender practices that are harmful and even oppressive. That is, while she might agree that she is not a woman in dominant culture, she can reject, on philosophical grounds, the entire system of gender that dominant cultures circulate. (Bettcher 2012: 243).
\end{quote}

Furthermore there is also a critique of tense relationship between feminism and queer sexuality when it comes to inclusion of lesbian and trans-women issues (barring queer-identified women and sex workers) (Sircar and Jain 2012). Sexuality studies show proliferation of the gay and lesbian categories as separate (singular) identities and shapes debate on identity politics. The emergence of separate gay men’s movement remained strongly Libertarian regarding sexuality and the lesbian analyses became bonded with Women’s Liberation and remained in the context of woman-centered approach. Queer Theory which emerged from the post modernist framework reflects sexual identity vs. gender identity issues of bisexual and transgender identities. Postmodern studies are complex, but at the same time when looked at from different standpoint become very easy to understand the discourse. The histories of all these discourses are around the body. The body is sexed and gendered. The sexed and gender body is placed in the sex/ gender or homo/ hetero binary and from there the proliferation starts. And within the homo there is proliferation of the gay/ lesbian categories. Sexual identities are different from gender identities that can be distinguished in association with each other (like bisexual and transgender) or in isolation like

\begin{footnote}
\textsuperscript{16} Sex determination includes chromosomal karyotype, gonadal structure, genital structure, reproductive capacity, and hormone levels (Bettcher 2012: 236).
\end{footnote}
(gay/lesbian). Much of these discussions are framed in the western world with a western understanding of all these categories. The western models of sex/gender, homo/hetero, gay/lesbian are rigid. The emergence of transgender studies proliferates sexual orientation/gender identity politics.

Transgender studies emerged in the early 1990s in close connection to Queer Theory (Betcher and Garry 2009). In the initial stages of trans studies there was tension between (non-trans) feminist outlooks and trans lives. Transgender studies itself is coming out a separate study that is addressing issues like gender, sexuality, identity and embodiment (Stryker 2004). Transgender discourse helps us to understand that multiple forms of bodily difference exists (Stryker et al. 2008). Trans theorists also try to look at the relation of gender with biology, cultural norms, and social roles (Alexander 2005). Transgender theory shows intersection of gender, sexuality, identity, and body politics (Alexander 2005; Nagoshi and Brzuzy 2010).

Though feminist discourse critique the heteronormative nature of sex, gender, and sexuality construction (Butler 1990; Nagoshi and Brzuzy 2010), it has failed to capture the lived sex, gender, sexuality, identity, and bodily experiences of transgenders. Furthermore Queer Theory which emerged from the post-modernist and post-structuralist framework (Bernstein 2005) is also critiqued for its misrepresentation of transgender issues as it is more focused on gay and lesbian binary (Seidman 1995; Cerulo 1997; Stryker 2004; Alexander 2005).

Nagoshi and Brzuzy (2010) mention that there is a need to understand the lived experiences of transgenders and the limitations on the fluidity of gender imposed by the body and biology. The whole idea is to construct a theory of gender identity that would include both ‘self-embodiment’ and ‘self-construction’ of identity which will include embodiment of transgenders in the context of social expectations and lived experiences.

Recent Transgender Theory captures lived experiences of transgenders with respect to sex, gender, sexuality, identity, and body politics (Alexander 2005; Nagoshi and Brzuzy 2010) and this is what differentiates transgender theory with feminist critique on sex, gender and sexuality and Queer Theory. Transgender Theory gives an opportunity to understand the politics of transgender/transsexual identity which challenges the hegemonic assumptions about gender (Roen 2002: 517).

The religious-cultural ‘third gender’ hijra identity in India gives an opportunity to understand its non-rigid sex/gender binary position. Its existence and acceptance within the Indian
society explains that *hijra* bodies are non-problematic. The research study also aims to highlight important discussion on trans(gender) identities and sexuality through *aravani* bodies in Tamil Nadu. They explain fluidity of bodies both within the mainstream society and understanding of the state towards these bodies from a non-heteronormative perspective.