

CONFINES OF THE GENDER BINARY: THE EXCLUSION OF TRANSGENDER PEOPLE IN NORTH AMERICAN SOCIETY

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Abstract: The following research essay focuses on the various issues transgender people face within society because of the gender binary by looking into case-studies and related research. It shall serve to highlight the constrictive limits of the dichotomic gender system, such as segregated institutions, and the ways in which they impact transgender individuals.

The trans* community (like many other movements and communities) recognizes the gender system as being constrictive and discriminatory, to say the least. A less-noticed issue within this large-scale system involves gender nonconforming individuals and the oppression they face against gender-based exclusion in North American society, specifically their identification(s) and the gender-segregated constructs of society. I will discuss how the identities of transgender people are often viewed as invalid and as well as examine the discrimination the trans* community faces on a regular basis.

For reference and clarification, I will begin by defining a few terms that will appear throughout this essay. *Transgender* describes a person whose gender identity differs from culturally determined gender roles and/or biological sex (VandenBos, 2007). *Cis-* or *cisgender* simply refers to those who are not transgender (Gay and Lesbian Alliance Against Defamation [GLAAD], 2011). *Trans** is an umbrella term referring to all identities that do not conform to what is typically expected from the gender they were assigned at birth (GLAAD, 2011). The asterisks represents each gender expression and identity including, but not limited to: transgender, genderqueer, genderfluid, genderfuck, agender and non-binary. This essay will focus primarily on transgender people, though it is important to mind and acknowledge the other identities that trans* encompasses.

Sex and gender are not one and the same. Sex refers to biological characteristics such as hormones, anatomy and chromosomes (VandenBos, 2007) while gender appertains to one's self-identity. Gender identity describes an individual's private sense and experience of gender – how they identify themselves (GLAAD, 2011). Gender expression is how one decides to portray their identity in public through clothing, behaviour, actions, names, pronouns, et cetera (GLAAD, 2011). It is important to mind that a person's gender identity and gender expression may not necessarily “match” their sex; however, this does not diminish the validity of their self-identification or expression.

For many gender nonconforming people, the validity of gender identification and expression is consistently questioned and, in too many instances, rejected. While the transgender movement is growing and has been in recent years, “[every] day people are undermined or injured in the name of sex, gender and sexuality” (Serano, 2013). Documented accounts related to the harassment of trans* people are plentiful, with 74% of trans* students across Canada reporting in an Egale Canada survey having been verbally harassed about their gender expression while in school – 34% of which experienced it on a daily to weekly basis (“Every Class in Every School”, 2011). This is a considerable amount of people having their basic safety and well-being compromised in allegedly healthy environments. It is unacceptable. The rights of so many should not be disregarded because of the intolerant, narrow-minded beliefs and behaviours of a few.

Countless transgendered people are coming forward with their stories and experiences, often with the hope of educating the public and increasing awareness and inclusiveness of and for transgender people. Below is from the case of Mariah, a young adult in the beginning of her transition.

A lot of people didn't approve of me. My neighbours cursed out my family. “You're raising a fucking boy! He's supposed to be wearing fucking boy clothes, not fucking girl clothes. You should go to jail for this shit.” That's what they were saying. (Kuklin, 2014)

This specific account of Mariah's is from when she was just five years of age. From as young as five years old, she was picked on, abused, judged and yelled at by strangers and friends alike because of her gender expression. To verbally harass an entire family(as represented above) , because they allow their child to wear what the child is comfortable in, is a direct violation of human rights. The *Declaration of Human Rights* applies to all people of all nations, no matter their personal affiliations or identifiers (*The Universal Declaration of Human Rights*, 1948). There are 30 human rights everyone should be entitled to, and the harassment Mariah faced violates four of them: articles 1, 7, 19 and 30. These articles refer to fair and just treatment, the right to freedom of expression and state that one cannot perform acts that are destructive towards another's rights.

While this is but one case, there are dozens of others expressing varying degrees of discrimination and violence ranging from random verbal harassment to outright murder. Cases such as that of Angie Zapata (a transgender woman beaten to death in Greeley, Colorado) are becoming common (Tilleman, 2010). Trans Day of Remembrance (now becoming more widely observed each year on November 20) is a day memorializing those who have been killed due to transgender violence, and brings to our attention a list of over 80 trans* people murdered in 2014 ("Memorializing 2014"). We should keep in mind these are only the homicides that were actually documented. The victims ranged in ages, the youngest being a mere eight years old. The tragic murders vary only in the degree of their horrific violence. There is a cruel reality and lack of acceptance that all transgender people must inevitably confront: the legitimate issue of transgender discrimination in North America cannot be denied.

While individual prejudiced people pose a real threat, a bigger perpetrator of transgender oppression in North America is the civilization that people have built. This society has created the concept of explicit male or female genders that correlate with male or female sex (Daley, Elizondo, & Wilkinson, 2012) and has solidified this in its citizens from the day they are born. The social construct of

gender holds power over every individual (Burdge, 2007), cisgender and transgender alike. While it is human nature to distinguish all objects, situations and individuals as deriving from some sort of category (Anderson, 1991), these “ideal” classifications should not be enforced with such little consideration. When a child is birthed, they are given the label of male or female based solely on their sex and it is assumed that the “correlating” gender will be chosen by said child. What may seem like a simple act of categorizing information has great impact on that child, defining the life that lies ahead of them (Burdge, 2007).

The tendency to sort and label information in humans is strong, this is shown by the integration of gender segregation in institutions: this segregation is known as the gender binary. Gender binarism separates sex and gender into two distinct, disconnected ideas of masculine and feminine, offering rigid and narrow ideas of what gender should be (Johnston, 2013). This gender binary – which almost exclusively recognizes cisgendered men and women – excludes alternative gender-sex pairings by only giving accurate representation and accessibility of two black-and-white identifications. Institutions in North American society are built around the gender binary: washrooms, changerooms, titles and default pronoun selection are just a few examples of ways the traditional gender system pervades our social constructs. This binary gender model is oppressive, especially for transgender people whose sense of their gender is not consistent with what they were labelled as at birth (Burdge, 2007). Resentment and discomfort towards trans* people is seen in common situations as transgender people are forced to assimilate themselves into parts of society dictated by gender.

Perhaps one of the largest instances of this is the use of washrooms. They are unavoidable and nearly always separated by gender under the assumption that everyone has a correlating sex and gender identity. One story speaks for the experience of many:

Women look at me disgusted. Others confused. But all of them, ALL of them looking, thinking. If not saying something to me with words, it all

comes out in their eyes. Their body language. . . Wouldn't you think twice about which toilet to go into? Sometimes I hold it in for hours until I get home. Or until I can find toilets that aren't separated to male/female. (Hines and Sanger, 2010)

Our society has been building institutions to support and enforce gender binaries so absolutely that in most cases it is unobserved by many people (Sardá, Ferreyra, Cabral, & Guinea, 2005); though not those who fall on the trans* spectrum, demonstrated by the above account of Steven, an 18 year-old transgendered male. The washroom options are limited for trans* individuals. These can be easily outlined: use the washroom your sex corresponds with; use the washroom your gender corresponds with; find a single-stall/gender-neutral washroom; or, don't use one at all. The most comfortable option (a gender-neutral washroom) is hard to come by. The next two options both involve judging and being judged, and uncomfortable feelings are often created by this situation. The last option isn't overly viable. In any case, here a simple biological function is unnecessarily complicated by an unjust – although powerful – social and ideological construct of how people “should” identify themselves.

The very existence of transgender people threatens the conventional gender dichotomy which, in turn, encourages believers of that model to follow it all the more closely. If the system were sound, the need to enforce and reinforce it so strongly would not be necessary, indicating a flawed structure. A major flaw with the gender binary system is that it gives people an identity (and enforces this identity) rather than allowing a person to find and define themselves. The right to self-identification should serve as the basis for a person's individuality rather than appearance, biological factors or pre-prescribed ideas of gender, gender roles and behaviour (Serano, 2005). This shift would deter notions of defects in sex and gender (in those that do not conform) that so often oppress people, experiences and identities.

Placing ideas of stereotypical gender onto trans* individuals forces them into predetermined categories that they do not truly belong in, leaving them to struggle between what is expected and what is realistic. The dichotomic gender system is oppressive to transgender people, and creates gender-based oppression – in particular, the exclusion and rejection of trans* identities in North American society.

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