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CHAPTER

12 Beyond Binary Sex and Gender Ideology

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Abstract

Perceived as natural and universal, the framing of sex and gender as binaries is in fact a cultural ideology. The empirical reality is that sex is a spectrum, manifesting in a wide array of sex variance, some of it formally categorized as intersex by scientists and doctors, and some not. This article gives an overview of how different societies have organized sex and gender into three, four, or more categories, and of the imposition of binary sex/gender as part of the European colonialist project. It then presents case histories examining four transgender and/or intersex individuals in the contemporary context, illustrating how individuals negotiate, exploit, or subvert binary sex/gender ideologies in conceptualizing physical sex variance and gender transition.

Keywords: sex, gender, binary, nonbinary, non binary, spectrum, intersex, DSD, transgender, trans, transition, variance

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IN the contemporary West, sex and gender are framed as binaries. The first thing we are told when a baby is born is if it is a boy or a girl, and a binary sex designation must be listed on the birth certificate. Our school textbooks teach us that humans are either males (with phalli, XY chromosomes, and a testosterone-dominant hormone profile) or females (with vulvas, XX chromosomes, and an estrogen-dominant hormone profile). Genitals are understood to determine binary gender, a social characteristic so fundamental that it structures everything from the built environment to language to what advertising algorithms show us in social media. Sex/gender binarism is so pervasive that it seems inevitable and universal.

But this is ideology. In fact, each element of physical sex—genitals, gonads, chromosomes, and hormones—can vary independently, producing a broad spectrum of physical sex configurations (Dea 2016; Dreger 1998; Fausto-Sterling 2000; Kessler 1998; Reis 2012). Intersex statuses are found in all animal species, including humans. As this chapter will discuss, throughout world history, societies have sorted the sex

spectrum into three, four, five, or more categories. And many societies have had culturally-recognized pathways for people to move from one category to another.

Most people in the contemporary West are unaware of this history and embodied reality because they have been systematically erased—first by European colonialists imposing binary sex/gender on colonized peoples in the name of “civilization” and eradicating sin, and then by the medicalization of sex variance as a disorder to be surgically eliminated and hidden. Presumptions that sex and gender are inherently binary have long infused Western lay understandings, religious prescriptions, and scientific theories. Within the social sciences, such theories are usually referred to as “essentialist” (Carastathis 2019). Essentialist theories hold that binary physical sex, “traditional” gender roles, and heterosexual orientation naturally align. Today, such theories are often asserted by evolutionary psychologists and sociobiologists who assert that binary, patriarchal gender relations are naturally compelled by an interaction between universal binary sex differences and a Darwinian imperative to reproduce (e.g., Buss 1995; Peterson 2018). Theories that oppose sex/gender essentialism, generally termed “social constructivist,” hold that sex/gender understandings are socially produced and performed, and thus are malleable and will vary between cultures (e.g., Butler 1990; Connell 2002; Fine 2011; West and Zimmerman 1987).

A simplistic summary of the debate between sex/gender essentialist and constructivist theorists frames essentialists as socially conservative and constructivists as socially progressive. Indeed, most constructivists lean toward progressivism, and many essentialists hold reactionary sex/gender ideologies—for example, celebrity evolutionary psychologist Jordan Peterson refuses to recognize gender transitions as valid, frames nonbinary gender identity as mental illness, and describes feminism as in dangerous conflict with biological reality (Murphy 2016). But there are feminist gender essentialists (e.g., Fisher 1992), and today many trans-exclusionary radical feminists identify as feminist progressives while asserting a sex-essentialist ideology that rejects the possibility of gender transition and views gender identity itself as a delusion that endangers (cisgender) women (e.g., Goude 2016). So essentialists are a diverse group—but almost all hold in common a belief in an immutable, embodied binary sex division that determines binary gendered behavior.

In disputing essentialist theory, key evidence relied upon by constructivists is that of documented historical variation in sex categories, gender roles, and sexual behavior. And a survey of world history reveals both great variation in sex/gender understanding—and the imposition of binary sex/gender by force—that we should review.

A Brief History of the Imposition of Binary Sex/Gender Ideology

Before we engage in a brief overview of nonbinary sex/gender understandings in world history, it’s important that we delineate errors to avoid. Within the disciplines of anthropology and history, as Towle and Morgan (2002) note, nonbinary sex/gender understandings are often lumped together under the framework of a “third gender.” This framing erases great diversity in world-historical cultural understandings by presenting them all as one unified third category added to binary sex/gender. The “third gender” approach makes the fundamental error of ignoring intersectionality (Collins and Bilge 2016) and its insight that gendered experiences always vary—not just between cultures, but within them, by race/ethnicity, class, sexuality, disability, and many other social positions. In addition, this third gender category is posited as some “primitive,” exotic concept that exists outside Western experience. This is not just ethnocentric, it ignores nonbinary experiences within Western histories.

Another error we must avoid is the one that comes out of Western LGBTQIA+ advocacy-related scholarship. This is an error of essentialism: one that treats whatever understanding of sex, gender, and sexuality that is held by the scholar-advocate writing at that time as eternal and universal. This misrepresents other

cultures in an effort to appropriate them to mobilize support for the authors' particular advocacy movements (such as "gay liberation" in the 1970s, trans rights in the 2000s, etc.). And a final error to avoid is that of romanticization. Romanticized visions of cultures that have granted social recognition of nonbinary sex/gender(s) presume they must be free of patriarchy, stigma, and/or rigid gender categorization. This is false; cultures that recognize nonbinary sex/gender categories have often still been patriarchal and/or have stigmatized sex/gender variance outside the categories recognized by that culture.

These caveats having been stated, a survey of world sex/gender systems reveals that nonbinary figures and roles have long existed, providing evidence that binary sex/gender is socially constructed. In fact, nonbinary sex/genders are recorded from the earliest historical records (Peled 2016). In ancient Egypt, for example, a major divinity was Hapi, god/dess of the Nile, an intersex divinity depicted with breasts and a phallus.¹ Children born intersex might serve at a temple of Hapi, their physical form seen as divinely inspired, not "disordered" as it is under contemporary Western sex ideology. In ancient Greece, the god/dess Hermaphrodite (whence came the contemporary term "hermaphrodite") was viewed as embodying the physical perfection of unsundered sex, and much revered. The ancient Greeks produced not only numerous statues and paintings of Hermaphrodite, but of real intersex adults and children, whose bodies were much admired. Ancient Greece also bequeaths us a number of classic stories of gender transition, such as that of Tiresias.² Nor was gender transition limited to mythic stories; the worship of a number of Greek goddesses was recorded as being led by priestesses who were raised as boys, but gender transitioned out of male status to serve in the temples. Older Western histories refer to these individuals as eunuchs (Roller 2002), and contemporary ones may refer to them as trans women (Ball 2017), but both of these are projections backward of the historians' understandings. It seems most accurate to say that these priestesses did not understand themselves as castrated men or as typical women, but as a possessing a liminal, sacred sex.

The Western ideology of imperative binary sex/gender did not exist in the ancient past, nor indeed did it arise initially with the Judeo-Christian tradition, despite the existence of the phrase "male and female created He them" in Genesis. Under traditional Jewish *halacha*, or religious rules, the birth of intersex individuals was recognized under an array of four birth sexes: male, female, *androgyne* (both), and *tumtum* (neither), with androgynes responsible for carrying out the religious duties of both men and women, and tumtums responsible for no gendered religious duties (Cohen 1999).³ Arising from Judaism, Christianity initially followed the four-sex system of halachic birth sex assignment. It was not until the Middle Ages that Christian doctrine turned away from recognizing nonbinary sex/gender. Over the course of this era, the phrase "male and female created He them" came to be understood as an imperative, and what we now term sex/gender essentialism was consolidated in European societies.

So at the time European colonialism emerged, binary sex/gender ideology held sway in Europe. European colonists encountered indigenous peoples around the world who differed from them in many ways, one of these being that they often recognized physical ↵ sexes and gender roles beyond the binary. But core to the European belief system that justified colonialism was the trope that the Europeans were bringing the "gift of civilization" to benighted peoples—converting them to Christianity; bringing them knowledge of rational thought and science; reforming them of "native sloth"; teaching them about "civilized" dress, habits, and comportment. Part of this "civilizing" agenda involved reforming indigenous sex, gender, and sexual cultures (Cleves 2014).

Throughout the Americas, European colonists encountered what are now collectively referred to as "two-spirit" systems of sex and gender. This term is an English translation from the Ojibwe *niizh manidoowag*, but different Native nations had their own names for nonbinary sex/gender(s) (the Navaho *nádleehí*, the Zuni *lhamana*, etc.) (Brayboy 2017). Visibly intersex children would be presumed two-spirit from birth, but indigenous American cultures also allowed individuals to self-identify as nonbinary and transition to this status regardless of birth anatomy. Some nations recognized one nonbinary sex/gender, and others two or more. The First Nations' cultural roles for those of nonbinary sex/gender varied just as those did for the

binary men and women among their societies (Pruden and Edom 2016). In many, two-spirit individuals were seen as having special, valued spiritual roles due to having a liminal gender.

For the European colonists in the Americas, however, nonbinary sex/gender was viewed very negatively. French colonists named two-spirit individuals *berdache*, a term believed to derive from the Arabic *bardaj*, meaning “slave” (Brayboy 2017). In French at this time the term *berdache* was used to denote a boy kept by a man for sexual purposes—a cultural concept having nothing to do with two-spirit indigenous social roles. Nevertheless, Euro-American anthropologists continued to use the term *berdache* to refer to nonbinary Native genders until the end of the twentieth century. In English, colonists often referred to two-spirit individuals as “sodomites” or “transvestites”—both pejorative terms for what the colonists viewed as sinful behavior, rooted in binary sex-essentialist ideology, that misapprehend nonbinary indigenous understandings of bodies and behavior.

This same pattern of cultural imposition took place in other locales around the globe. In South Asia there is a long tradition commonly referred to in Euro-American scholarship using the term *hijra*, though there are many variations on this sex/gender category in terms of practices and the names under which it is known in different languages (Reddy 2005). Once revered as occupying a special spiritual role,⁴ the hijra suffered greatly under British colonialism. Their very existence was outlawed under the Criminal Tribes act of 1871, as British colonial authorities framed the hijra through a binary sex/gender lens as male “sodomites,” and as men indecently dressed as women (Gannon 2009).

p. 203 A similar story can be told regarding European colonialism in other areas. Polynesian societies once had prominent nonbinary sex/gender roles—the Hawai’ian *mahu*, Samoan *fa’afafine*, Cook Islands *akava’ine*, and so on (Besnier and Alexeyeff 2014). These were repressed under Western colonialism as “sodomites,” “homosexuals,” or “transvestites.” But in some areas of the globe that were lightly colonized, nonbinary sex/gender roles persisted with little change. In South Sulawesi, Indonesia, for example, the ↘ Bugis people have upheld their ancient, quintic gender system, recognizing a spectrum of complete men, quasi men, intersex people, quasi women, and complete women (Davies 2006). Their intersex category, *bissu*, is the gender from which shamans are drawn. Even in this isolated area of the globe, however, the contemporary era of social media has arrived, and today traditional social gender understandings are being displaced by the medicalized Western paradigm of gender transition. This may be framed as positive evidence of individual gender agency, or negatively as cultural imperialism; it’s likely that both are simultaneously true in the encounters between once-isolated indigenous peoples and the West today.

Finally, we should note that despite the “official” religious and scientific insistence on binary sex/gender from the Middle Ages through the contemporary period, European traditions that flouted this ideology always persisted. Examples include English *mollies*, Italian *femminielli*, Albanian *sworn virgins*, and Byzantine eunuchs (Vincent and Manzano 2017). Some of these groups, such as the English mollies, faced constant persecution, but others, such as the sworn virgins, were widely socially respected despite the general policing of binary sex/gender in other local contexts at the time. So binary essentialist notions, while hegemonic for centuries of Western history, were never universal.

Nonbinary Sex and Gender in the Contemporary Context

Today we see both a flowering of nonbinary sex and gender understandings, and a continued imposition of binary sex/gender ideology. Around the world, decolonizing movements of indigenous peoples are recovering traditions, languages, and practices that were suppressed by European colonizers. In some areas, traditional nonbinary groups have secured legal recognition—for example, hijra individuals in India, Bangladesh, and Pakistan can receive passports classifying them as neither men nor women but as members of another gender.

But most institutions in the West—legal, medical, and religious—continue to insist upon recognizing only binary sex/gender. Catholic and Evangelical Christian organizations today, no less than in the colonial period, claim that the biblical phrase “male and female created He them” is not a poetic general statement, but a divine declaration of policy and imperative for human embodiment and behavior. This insistence centers on patriarchy, framed as “complementarianism” as it justifies gender inequality as simply a matter of innate, divinely-intended difference between complementing dominant men and nurturing women united in heterosexual marriages. Heteropatriarchy being understood as God’s plan for human nature, same-gender relationships, gender transition, nonbinary gender identities, and intersex statuses are all framed as disorder and “unnatural.”⁵ Pope Francis has stated that the very idea of “gender theory” (i.e., that sex and gender are distinct phenomena and that gender identity exists) is as dangerous to human survival as nuclear weapons, and decried medical transition techniques as evil (Brammer 2017; Saul 2015). Meanwhile, the American white evangelical Christian ideology of sex, gender, and sexuality was recently codified in the Nashville Statement (Council on Biblical Manhood and Womanhood 2017). It summarizes complementarian binary sex/gender ideology and declares as sinful same-gender relationships, gender transition, and failure to seek a binary sex assignment as an intersex person or parent of an intersex child.

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While religious descriptions of nature are often perceived as being in conflict with scientific ones, in the arena of sex/gender ideology, the two align fairly closely today. It is true that they aligned more perfectly in the 1950s–1970s, when “homosexuality” and “transvestism” were both considered mental illnesses to be cured through such drastic therapies as shock treatments and painful aversion therapies (e.g., Callahan and Leitenberg 1973). It was in this context in the mid-twentieth century that intersex “repair” surgeries became the standard of care, and “sex change clinics” emerged in the United States (Stryker 2017). Intersex genital reconstructions were obviously intended to enforce the ideology that bodies of nonbinary sex are unacceptable. And the initial “sex change clinics” were also founded by medical practitioners who viewed them as serving binary sex/gender ideology, as they were conceived of as “curing effeminate homosexuals” by transforming them into gender-conforming women (Hausman 2012).

In the twenty-first century, conversion therapies for LGBT people are no longer mainstream American medical practices (though they persist, particularly in evangelical communities), and same-gender marriage is legally protected. But contemporary trans people continue to struggle for embodied autonomy and acceptance. Access to therapies that can alter physical sex characteristics is controlled by the medical profession, and conflict with medical gatekeepers is a common issue—particularly for those who are transgressive in their gender expression or have nonbinary gender identities, those who are poor or of color, and those who are minors or elders (Spade 2003; Sumerau and Mathers 2019). And many trans people also suffer from the sometimes-violent policing of binary physical sex expectations by members of the general public. Transfeminine individuals who do not wish or are unable to access genital reconstructive surgery are particularly vilified, with their nonconformity to binary genital sex expectations being framed as making them sexually dangerous and deceptive (Lee and Kwan 2014). The myth that trans women are really cis men posing as women in order to peep at them in binary-gender-segregated spaces like bathrooms is regularly drawn upon to generate opposition to the social acceptance of gender transitioners—and propaganda deploying this trope typically stereotypes a trans woman as a hairy, muscular, square-jawed person in poorly-applied makeup. Thus, having a body that fails to conform to binary, cisgender expectations is portrayed as threatening. This image and linked myth of sexual danger are deployed to oppose covering the costs of medical transition as well as to assert that trans people must be segregated out of gendered public spaces such as bathrooms (Schilt and Westbrook 2015).

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Meanwhile, physical conversion therapies in the form of what amount to unconsented-to infant sex-reassignment surgeries remain the mainstream standard of care for intersex children in the United States and most wealthy industrialized nations (Davis 2015). This remains the case despite its being declared a human rights violation by the United Nations (2016), after decades of intersex advocacy opposing

unconsented—to genital reconstructions. Intersex advocates decry the imposition of genital “normalizing” surgery upon intersex children as it sometimes assigns a child to a binary sex with which they do not mature to identify, and even for that majority who do grow in our social context to accept their binary assignment, often destroys some or all capacity for sexual sensation, reduces fertility, requires multiple painful revisions, impairs relationships, and causes other harms (Costello 2019, Karkazis 2008). And many more people deal with the sequelae of genital “normalizing” surgeries than are generally assumed.

One reason most people in the contemporary West are unaware of the commonplace nature of sex variance is the array of efforts being made to erase it physically via medical interventions to treat “disorders of sex development,” and the training of intersex people and their parents to keep intersex status closeted (Viloria 2017). Another reason is simply diagnostic sleight of hand. Apparently in an effort to protect fragile masculinity, most children born genitally sex variant and assigned male at birth today are diagnosed as having “hypospadias,” and the intersex nature of this diagnosis is obfuscated. Parents are told their children are “boys with penile malformations,” not “intersex infants,” and that the “condition” is easily cured via necessary surgery. In the United States, 1 in 125 children assigned male on their birth certificates are diagnosed at birth with hypospadias (Paulozzi, Erickson, and Jackson 1997). This number may seem surprisingly high, given that most popular writing on intersex issues cites a 1-in-2,000 figure (see, e.g., James 2011). But consider this: when urologists studied photographs of the penises of 500 adult men who had never been diagnosed with any genital disorder, they classified a full 45 percent as hypospadiac (Fichtner et al. 1995).

Of course, a study of rates of intersex traits in people assigned male at birth based solely on visual assessments of photographs of external genitalia cannot be definitive of the total prevalence of intersexuality in this population. A person determined by a urologist to have a penis that appears typical in a photograph could still have an intersex genotype (such as XXY), possess one or more ovotestes or ovaries, have a uterus or substantial prostatic utricle, etc. But what this means is that the estimate in this study that 45% of men are at least to some degree intersex is an underestimate, contrasting dramatically with the 1-in-2000 figure so commonly cited.

How can it be that medical estimates of how many people are intersex range from 0.05 percent to 45 percent—a figure 900 times larger? The answer is that sex really is a spectrum. In order to be classified as “normal,” urology textbooks say the urethra should open at the very tip of the penis. In endosex vulva, the urethra opens at the level of the pelvic floor. In intermediate genitalia, the opening may be in any position between the tip of the phallosclitoris⁶ and its base at the pelvic floor. So, when the urethra opens on a penis at some point below the tip on the penile head or shaft, a person is on the intersex spectrum. If the opening is just a few millimeters below the tip, they are just a tiny bit intersex, and nobody—doctor or penis-possessor—is likely to care, because the individual will not face any stigma. If the opening is on the shaft of the phallosclitoris, a child will definitely be diagnosed with hypospadias and surgery advised. How far the urinary opening needs to be from the exact top of a phallus before the child is diagnosed with a “disorder of sex development” or “DSD” is a subjective matter. Technically speaking, 45 percent of all male-assigned people have hypospadias as it is medically defined. Pragmatically speaking, it’s 0.8 percent of babies given a male assignment who get such a diagnosis at birth.

The idea that people could happily flourish in bodies of visibly nonbinary sex seems to strike most contemporary Western doctors as incomprehensible—they debate the timing and types of surgical “correction,” but not the practice itself (see, e.g., Mouriquand et al. 2016). And this same perspective deeply influences the medical gender transition paradigm. Like intersex “corrective” surgeries, medical hormonal and surgical gender transition procedures are described by medical authors as normalizing trans bodies to binary sex expectations, which is framed as necessary for the mental health and safety of the patient (Talley 2014). This is the so-called “passing” narrative—a highly problematic term in that it implies a “successful” trans person is one who deceives others by looking like a cis person of their identified gender. After all, in

other contexts, the phrase “passing as X” is used to mean “pretending to be X”: someone “passing as a straight woman” is not actually straight (Pfeffer 2014), and someone “passing as a non-Jew” is actually Jewish (Daalder 2016).

One problem with this framing of gender transition as centered on medical interventions allowing a patient to “pass” as cisgender members of their identified gender is that the risks visibly trans people may face—harassment, assault, discrimination, social and romantic rejection—are not medical but social. By analogy, it’s as if doctors were claiming that the existence of racism requires them to treat babies of color with surgery and medications to try to make them appear white to reduce their risk of suffering discrimination. Such an approach naturalizes bigotry and leaves it unchallenged. It blames the victim of discrimination or harassment by framing their body as the problem (Sumerau and Mathers 2019). This paradigm of framing as “necessary” trans conformity to cisgender physical expectations also blatantly ignores those who have a nonbinary gender identity or are agender. Its narrative of “successful transition” excludes people with nonbinary identities, who do not wish to simply switch binary checkboxes. This makes negotiating medical transition services difficult for many nonbinary gender transitioners.⁷ And while trans demographics are severely understudied, it appears that currently perhaps a third of US young people who do not identify with their birth-assigned sex today have nonbinary gender identities (Rider et al. 2018).

In sum, today both intersex and trans individuals struggle with issues of autonomy over the sexed body in the context of medical practice. But the direction from which harm comes for the two groups is reversed: intersex people struggle today for freedom from forced infant sex-reassignment surgeries. Meanwhile trans people struggle to gain access to medical treatments they desire (while simultaneously battling a social prejudice held by doctors and laypeople that frames trans people who do not access hormones and surgeries as not being “real” members of their identified genders).

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Case Studies

I will now illustrate how factors discussed earlier play out in contemporary sex/gender minority communities by presenting several case studies of people who are intersex and/or transgender. These case studies come out of a longitudinal qualitative research project examining how people embody in avatars in the virtual world of Second Life. One aspect of this research has been examining how people use Second Life to explore their sex/gender, both through avatar expression and via support groups in the virtual world. The body of data I have collected during a decade of research includes 134 semistructured interviews of a mean length of 2.25 hours, and over 6,000 hours of participant observation. In the course of the project, I have interviewed individuals in a series of Second Life support and social groups, including those for trans, nonbinary, and/or intersex people. Seventy-eight of my interviewees to date are members of one or more of these groups.

Many people are drawn to virtual worlds because they allow for easy, low-risk exploration of sex and gender. Unlike the highly constrained avatar embodiment choices allowed for in video games, Second Life allows for almost infinite avatar customization, and one can change from being a two-foot-tall winged faerie girl into an eight-foot-tall, hypermuscled man and then into a sexless silver cyborg as easily as one changes shoes in real life. This makes Second Life very appealing to trans people (binary and non), gender transgressors, kinksters fond of genderplay, artists, and curious people of all stripes. My interviewees often contrasted gender dysphoria they experienced in real life with gender euphoria they experienced while embodied in their Second Life avatars. They spoke of the ease and safety of changing sex/gender characteristics in Second Life, distinguishing it from the expense and difficulty of real-life transition. If someone reacts negatively to one’s avatar, one can instantly teleport away and block the harasser from being able to make further contact. Furthermore, since Second Life profiles are not required to contain any

information about the real-life person behind a given avatar, bigots can't cause a person with a gender-transgressive avatar trouble with their real-life careers, families, and so on. And Second Life has numerous support groups and clubs within its world to meet the needs of various communities organized around sex, gender, and sexuality. These conditions make it an excellent setting in which to find and interview sex- and gender-variant people.

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I have already used data from my Second Life study to illustrate commonalities and tensions between intersex and trans communities (Costello 2016). In that research I focused on the typical narratives shared widely by my trans and intersex interviewees, centering a desire for autonomy over physical sex characteristics and for social acceptance. ↪ Here I will instead present case studies of several atypical interviewee narratives, because they usefully delineate the boundaries between what is considered normative or unacceptable in such communities today. These case studies reveal deep fissures and tensions within contemporary sex and gender minority communities regarding ideas about binary sex and gender.

I will first present two brief case studies where interviewees express regrets regarding conformity to binary sex and gender expectations that currently strongly shape gender transition. The first case study, that of Cam,⁸ a trans man, illustrates feeling forced into a more binary appearance and gender expression than desired. The second, employing interview material from Zeta, an intersex trans woman, relates to feeling constrained from questioning genital reconstruction as the culmination of gender transition. Where most of my interviewees discussing gender transition shared a straightforward narrative of gender transition as liberating and finally allowing full self-expression, Cam and Zeta discussed feeling in some ways silenced by a binarist narrative.

Cam

Cam was a trans man in his mid-thirties. He presented as a very androgynous man: wearing outfits that exposed a smooth, pale, and hairless midriff, he favored eyeliner and sparkly bangle bracelets, and employed feminine, dramatic avatar animations. Cam had begun his real-life gender transition 7 years prior to our interview and had accessed a series of medical procedures commonly recommended to trans men: hysterectomy, chest reconstructive surgery, and hormone replacement therapy with testosterone. He said,

I knew I wasn't a girl. I definitely wanted the top surgery and T, and just, you know, went with the program. I got a crewcut. I grew a little beard. My hairline receded. I wore the most guy clothes I could get. But at some point my body changed more than I wanted. And the macho dude thing just seemed too much ... Why couldn't I grow my hair long, swish it around? Wear a skirt sometimes? But I couldn't say these things to the guys in my support group or my therapist. To them, you were a trans guy because you hated girly stuff.⁹

So Cam's trans support networks enforced binary gender conformity. And when he tested the waters, bringing up the case of a supposed acquaintance who wanted to reverse some of his body changes, the reaction was powerfully negative.

They said that that person must be an idiot. Insane. Totally confused. And not only that, dangerous. Because he'd just be giving ammo to the [trans]phobes who say we regret our transitions so we shouldn't be allowed to do them. So, you know. I don't regret gender transitioning. I just wish there was a middle place I was allowed to get off on. But I can't say that. So I do the dudely thing in real life. I'm just glad I found the femboy community here [in Second Life] and can wear a skirt and have zero body hair on my avatar.

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Cam's experience shows that in social milieux where trans conformity to binary gender norms is strong, nonbinary identities, and desires for some kind of intermediate physical gender transition, may be secretly

held, kept silent by community pressures that frame androgyny as undermining the legitimacy of the trans community.

Zeta

Another variety of resistance to transition narratives was brought up by Zeta, a bright, sharp-tongued woman fond of dark, cyberpunk avatar aesthetics. Zeta, intersex by birth, was surgically assigned male in infancy and began her transition as soon as she reached her legal majority and could make medical decisions for herself. She found support both as an intersex person and trans woman in Second Life. Having started on her own transition path more than a decade before coming into Second Life, she helped support a number of Second Life residents as they negotiated how to start a medical transition. One of these was Kori.

Many trans women lead socially marginal lives, but Kori was lucky. Her cis wife reacted well to her coming out, reconceptualized her partnership as a lesbian one, and supported Kori in her transition process. Kori had a job with high pay and status, and her place of employment had a nondiscrimination policy and helped Kori transition at work. So unlike many, Kori was in a place where she could methodically and very swiftly tick off every box on formulaic transition guidelines one by one. And these culminate in genital reconstructive surgery.

Following these guidelines, a little more than a year after coming out, Kori began to lay plans for genital reconstruction and asked her social networks for help. One of the people she had regularly turned to for advice during her transition was Zeta. And Zeta confided to me that what she really wanted to do was tell Kori not to rush into something like this, but to seriously weigh the cons as well as pros of surgery. Many intersex people, like Zeta herself, have lost some or all capacity for sexual sensation due to genital reconstruction—though Zeta recognized there was a difference between surgeries imposed on tiny, unconsenting babies and surgeries sought out by adults who wanted them. Zeta wanted to push back against the narrative that a successful transition required genital reconstruction to conform to cisgender, endosex bodily norms.

But Zeta did not voice her concerns to Kori. She told me,

It's just not the done thing. Trans women face a wall of objections, second-guessers and nay-sayers. There's a world of cis people out there ready to gender police us, tell us we are choosing to ruin our lives, that we are crazy. That's why we turn to other trans women with our near desperate need for support. And unfortunately, we don't always get it. There are a lot of trans women who are pretty broken by all the [abuse] they've encountered. They're drowning in need to feel less awful about themselves, and drowning people will pull you down with them. I've felt my share of boots in the face from other trans women trying to climb up to the promise of air, freedom, cis-passability. I don't want to seem like one of those people you reach out to and they kick you down. And to critique the practice of GRS—well, to many people, that looks like attacking the foundation of gender transition. It's our holy grail, the pot of gold at the end of our parade of rainbow pride flags. We're all supposed to dream of getting "the surgery." I just feel I need to stay silent.

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Kori went into the hospital for her surgery floating on a cloud of anticipation and the support of her wife and friends like Zeta. She was pleased with the aesthetic outcome. Unfortunately, as Zeta feared, Kori's reconstructed genitalia were largely insensate. Kori came to reconceptualize herself as asexual and separated from her wife. Kori seemed content with the outcome. Zeta, however, told me she wished she'd spoken up—but also that she still didn't see it as possible. She mused:

We're allowed to renounce GRS for ourselves. But as trans women, we are not allowed to critique it generally. That's the prerogative of trans men, who get a trumpet fanfare for refusing to buy into

phallic authority. For us, though, critiquing GRS will be read as proof we're really men, unwilling to relinquish our dangerous penises, insisting we be allowed to bring implements of violence into women's locker rooms. We have to speak in reverent tones of vaginoplasty.

Zeta's narrative reveals that the pressure to conform to binary sex/gender expectations is particularly high for trans women, due to the force of transmisogyny, leading some to silence their own critiques of those expectations.

These first two case studies reveal how trans people can feel silenced and constrained by binary conceptions of gender transition. I will next turn to two longer case studies in which trans interviewees consider intersexuality—and come up with diametrically opposed conclusions about the nature of gender. These two interviewees were fascinating to me, not because they were typical—they were atypically savvy in their deployment of gender theories and adhered to rather extreme ideologies. But they are illustrative of trends in different branches of trans community advocacy that reach very different conclusions—while sharing in common a deep commitment to gender essentialism. In so doing, each commits lateral violence against people like the other.¹⁰

In the usual understanding of social scientists who study gender, essentialism is associated with misogyny and transmisogyny. Essentialism is understood as basically a claim that universal physical sex binarism underlies immutable patriarchal gender relations. Social constructionism is framed as permitting liberation from this ethnocentric fallacy: gender inequality is socially produced and can be eliminated; gender roles and identities change over time. So social scientists and academic gender scholars tend to presume advocates for those of variant sex/gender will hold a constructivist view. But in fact, there is a substantial history of LGBT+ advocacy that takes an essentialist perspective. This is well illustrated by the “born this way” motto deployed to support same-gender relationships. Against a claim that “homosexuality is an immoral choice,” sexual orientation essentialists deploy the argument that sexual orientation is innate, somehow biologically determined, and impossible to change.

p. 211 The two individuals I will now discuss spoke of gender identity in this way: as innate and immutable and therefore requiring respect. But the essentialist stories they told were diametrically opposed in their vision of the nature of sex and gender, which they fascinatingly illustrate when describing intersex people and how they should be treated. I will refer to them here by the pseudonyms Nora and Baily.

Baily

Baily was a nonbinary individual who embodied in a variety of colorful avatars in Second Life, many of them of anime or cartoon appearance. On the day of our interview, they appeared as a youthful, androgynous, pale blue anime humanoid with a unicorn horn and rainbow colored hair. Baily described themselves as lacking a gender identity. It's common for people in Baily's position to describe themselves as agender, but Baily preferred the term “gender atheist,” a term they had encountered through an online community network. Baily explained,

I dont like the word nonbinary because it has the word binary in it. I dont like the word agender because its saying gender is real, and Im missing one like some people are missing a leg or something. I dont have a gender identity because they arent real, they are socially constructed ... Gender is a myth. People believe in it like they believe in god and get all offended if you say it isnt real. But it isnt. And it always harms women. So trans people today are putting all this energy into a system that is always patriarchal. Its not progressive at all. But critique the cult of gender and trans people jump all over you.

In Baily's worldview, in an enlightened world in which patriarchy were eliminated, everyone would be like them, having no gender identity. They would dress and behave androgynously and be pansexual, because this was, in their view, humanity's natural state.

These beliefs put Baily in an odd position vis-à-vis the entire LGBTQ+ community. Essentially, Baily viewed all sexual and gender identities as fallacies, taking the essentialist position that social constructs, unlike biological phenomena, are not "real." Thus, identifying as a man or as two-spirit, or as lesbian or gay, was delusional according to Baily's theory. But in critiquing sex, gender, and sexual minorities for what they viewed as being wedded to delusions, Bailey focused their comments on critiquing a particular group: binary trans women.

p. 212 Baily's critiques of trans women followed classic transmisogynist tropes: they presented trans women as hyperfeminine and as insisting that women be understood as passive, decorative, and submissive. That cis women regularly wear dresses and cosmetics was excused by their being forced into identifying with their own oppression through childhood socialization. But for someone to *choose* feminine womanhood, which Baily equated with objectification and sexual display for men's patriarchal pleasure,¹¹ was not to be forgiven in the same way. Baily believed trans women's gender identity and expression reflected "what happens when you are socialized as a boy—you think patriarchy is fine, and you tell women that."

Baily's position was transmisogynist in its portrayal of trans women as uniformly hyperfeminine, clueless about feminism, and as seeking to entrench regressive gender roles. It's notable that Baily raised no critique of trans men as hypermasculine, as clueless about feminism, or as benefitting from patriarchy and seeking to retrench regressive gender roles. Baily followed the trans-exclusionary radical feminist (TERF) line of social-media argument that gender socialization takes place significantly only in youth and is based on genitals. This links binary sex essentialism with a sort of childhood gender socialization essentialism. Thus, because they were born with penises, trans women are presumed to have been permanently socialized as oppressors and held to benefit from patriarchy, no matter how many years they live in their identified gender and are treated as women by others. Meanwhile, having been born without penises, and thus presumed socialized as victims of patriarchy, trans men are absolved from being viewed as patriarchal oppressors, no matter how long they live as men, how they act, and how they are treated by others.¹²

Baily saw gender identities as myths produced by gender socialization, and gender socialization as destiny. This begs the question of how Baily could have escaped this destiny to achieve what they viewed as an enlightened freedom from having a gender identity. Fascinatingly, Baily attributed what they viewed as an escape from the trap of having a gender identity in part to learning about intersexuality. (As one line of my research involved relating intersex and trans narratives in Second Life sex/gender minorities, I asked my intersex interviewees their thoughts on gender transition and my trans interviewees their thoughts on intersexuality.)

Baily expressed great sympathy for intersex children who are subjected to forced medical interventions to try to make their bodies conform to binary sex expectations. For them, intersex people's experiences revealed the artificiality of binary gender for all.

It really opened my eyes when I learned about [the sex spectrum]. Our society tries to hide that with surgeries on intersex babies. But really there is no binary sex. Not for anyone. Its a myth. Its like we're all intersex, really. And this is where I feel dysphoria. Intersex bodies shouldnt be erased. And Im taking T and I dont think of it as making me a man somehow because binary sex is a lie. And I dont think its bad at all that my body will never look like people think a mans body should. It will be more like looking intersex and thats great.

Baily presented themselves as having their consciousness raised by learning that sex is by nature a spectrum, allowing them to escape all ideology about gender that others were trapped into via their socialization. And Baily presented themselves, not as gender transitioning based on a gender identity (which they saw as a fallacy), but as changing their body to look intersex in a way that would reveal binary sex as a lie. In essence, p. 213 Baily presented binary gender transitioners, especially trans women, as dupes, but themselves as enlightened, because Baily was transitioning out of an illusion of binary sex, into what they perceived as the reality of universal intersex status.

Nora

Nora, a trans woman in her thirties, presented as a professional white woman with long brown hair and unusually conservative dress by Second Life standards—a sort of business casual look featuring skirt suits with feminine, tailored jackets. Nora interested me because she too spoke a lot about intersexuality. Not only did she, like Baily, relate intersex experience to herself, she spoke about intersex appropriation as a problem—and that problem as she saw it was precisely people like Baily.

Nora and Baily were polar opposites, each of whom saw trans people like the other as dangerous and delusional. Whereas Baily saw binary sex as a myth and gender identity as akin to a cultish religious faith, Nora saw binary sex as a “biological fact of nature you can’t ignore.” Nora followed the orthodox scientific belief that evolutionary biology requires binary sex. However, Nora acknowledged that sometimes children are born intersex. Like Baily, she spoke with great sympathy for intersex children, whom she framed as facing stigma due to something beyond their control. And also like Baily, Nora identified with intersex people. But her vision of what that meant was very different:

We all have genitals, chromosomes, and a brain sex. Those line up for most people. But sometimes they don’t. Someone might have XY chromosomes but female genitals. Scientists call that intersexed. Well, the same is true for me. My brain sex is female, but it didn’t match my genitals. And scientists now know that brain sex is set by hormones before you are born. The mistake people used to make was thinking that when [sex characteristics] don’t all line up, genitals were the thing you should use to decide someone’s real sex. But now scientists say brain sex is the most important factor. So, when someone is intersexed, you have to figure out what their brain sex is to know if they should be treated as a man or a woman. And trans people are really just one kind of intersexed people. Our brain sex determines the sort of treatment we should get.

According to Nora, trans people suffer from a medical disorder because they are intersex, and thus require medical interventions to correct their disordered bodies. This medicalized line of argument is strongly rejected by intersex advocacy, because of the way it posits interventions into intersex children’s bodies as necessary and good. This argument is commonly termed “trans misappropriation of intersex experience” by intersex advocates. But when I asked Nora if she had ever heard of the phrase “intersex appropriation,” she vigorously agreed—but raised a very different issue. “Oh,” she said, “you’re talking about transtrenders.”

p. 214 Nora distinguished between “true trans” people and what she called “gender players.” Second Life, she complained, was full of gender players, outnumbering true trans people by a hundred to one. Nora bitterly bemoaned the dominance of Second Life clubs and spaces that called themselves “trans” by people she saw as cis men engaging in fetish play. These individuals labeled themselves “shemales,” “futa,”¹³ “traps,”¹⁴ and “trannies,” sporting avatars that combined outsized breasts and penises for sexual kink purposes.¹⁵ In parallel to viewing virtual worlds as overrun by cis men engaging in genderplay as sexual kink, Nora viewed the Internet as overrun by cis women and girls engaging in genderplay in the realm of trendy politics, “claiming they have all sorts of silly gender identities.”

For Nora, real gender identities were binary. All nonbinary gender identity claims were foolish fantasies.

Actual, real trans people are women or men. We have female brains, or male ones, just like cis women and men. It's simple. And then along come these transtrenders with their million different special snowflake things they want you to call them. You know, boydyke. Or whatever. And it boils down to they're all just kind of tomboys. They're assigned female at birth. They don't identify as men. They just somehow got the idea that it's not cool to be a woman, or that if you like sports or like girls you can't really be a woman.

Like Baily, Nora voiced assertions typically associated with TERFs—here, that gender-transgressive young people are brainwashed by trendy gender ideology into believing they should become gender-conforming by transitioning. Both Baily and Nora mobilized what could be termed “gender memes”—phrases circulating in social media, deployed in very different ways by parties with differing ideological agendas.

When it came to the idea of appropriation of intersex experiences, Nora said:

So these transtrenders will tell you that everything they say is justified by intersex people existing. They say sex isn't really binary, gender isn't really binary, because intersex people exist. But I've actually done my homework. I've read what actual intersex people say. And they say they're sick of radicals who think real intersex people must have nonbinary identities. But really, the vast majority of intersex people identify as women, or men.

In fact, Nora's claim does reflect the writings of some prominent intersex advocates—a level of knowledge unusual among my endosex interviewees. But I'd note that the assimilationist school of intersex advocacy Nora's claim reflects is often associated with transmisogynist statements, which she omitted. Nora seemed unusually well-versed in contemporary gender debates, and she cherry-picked from them phrases and partial arguments she deployed with practiced ease.

p. 215 One of the themes that unites the positions of both Baily and Nora is that they seek to bolster their advocacy for their positions by equating themselves with intersex people, positioning themselves as endosex allies in so doing. But Baily frames intersex people ↪ who identify as men or women (or really, as having any gender identity at all) as dupes who have failed to understand the message of their own bodies. And Nora frames intersex people as all having binary gender identities, determined by hormonal exposures in utero that set a binary “brain sex.” So both wind up telling intersex people what their experience “should be,” which is presumptuous.

Another commonality of the two narratives is that Baily and Nora both seek to police the boundaries of trans identities and communities, in ways that would exclude the other. For Baily, all people are by nature agender, and all gender identity claims are false consciousness—but those of trans women are particularly suspect. For Nora, nonbinary gender identity claims are ludicrous, and only binary gender transitions are legitimate. Nora is a binary sex/gender essentialist who just locates essential sex/gender in a “brain sex” rather than genitals. Baily is a nonbinary essentialist. Both of them position social constructs as “fake”—rather than as the fundamental reality of human experience that sociology shows them to be.

The world history reviewed in this chapter shows us that multiple sex and gender categories pervade human history. What is ironic is that both Baily and Nora would frame all this history as “false consciousness,” in order to shore up their identities in a world that views them as deviant for failing to adhere to the ideology of “natural” binary genital sex essentialism. The extremity of their opposing positions, and the way each commits lateral violence on others suffering from similar marginalization, result as each of them seeks to justify their legitimacy in a world that stigmatizes them. This is sad, but theoretically useful to understand, as Baily and Nora illustrate contrasting contemporary views of binary sex and gender.

Conclusion

Throughout world history, intersex people have been born. Many traditional societies accommodated such people via three, four, or more social sex/gender categories, and had socially recognized ways to move into those categories. But binary sex/gender ideology became entrenched in Europe, and then exported and imposed on much of the rest of the world via colonialism. Then, in the twentieth century, new medical procedures enabled two opposing phenomena: the erasure of intersex variance, and the “sex change”—both deployed by doctors seeking to “cure” sex and gender variance.

Today, movements have grown to resist physical enforcement of binary sex/gender ideology. We see intersex advocates arguing for the right to retain variant bodies, binary trans people asserting that the legitimacy of their transitions should never be deemed dependent on accessing any particular medical service, and nonbinary trans people seeking to relegitimate identities like theirs. These advocacy movements are resisted—not only by transphobic conservatives, but by people who are themselves trans and/or intersex, who fear that positions asserted by others in the community will worsen their oppression. As illustrated by the case studies of Cam and Zeta in this chapter, this leads ↵ some people with nonbinary sex/gender statuses to self-censor, lest they be viewed as threatening their fellow travelers. Others, like Nora and Baily, appear to feel that the best defense is a good offense, and freely attack others for “transing wrong.” Yet Nora and Baily both recognize nonbinary sex—in fact, they seek to frame themselves as intersex, and as thus justified by nature in asserting their self-understandings (though they come to opposite conclusions about that nature being one of binary gender identities or nonbinary essentialism). These case studies illustrate a changing landscape, in which nonbinary sex and gender understandings repressed by European colonialism are re-emerging in forms old and new today.

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Notes

1. Embodiment of this variety is associated in the contemporary Western imagination with trans women, but it is a body form that naturally arises without medical intervention in various intersex statuses.
2. The myth of Tiresias, blind prophet of Apollo, involves Tiresias’s transformation from man into woman, then 7 years later, back into a man.
3. Halacha also recognized additional genders for those born appearing typically male or female: *aylonit*—one who appears female at birth but develops a beard at puberty, and *saris*—one who appears male at birth but feminizes at puberty, or who is castrated by accident, force, or choice.
4. As religious devotees of the goddesses Bahuchara Mata, Shiva, or other deities, hijra perform important social rites such as dancing for the fertility of a new couple at their wedding, or to bless a newborn baby.
5. Of course, truly unnatural phenomena by definition cannot occur, which is why there is no religious campaign against humans choosing to reproduce by budding like yeasts.
6. The phallogitoris is the name of the intermediate genital form all humans start out with in the womb, and it is an umbrella term for the full range of genital forms—phallic, vulvic, or intermediate.
7. The contemporary paradigm of legitimating gender transitions is explicitly founded upon a presumption of gender binarism, which makes the nonbodily aspects of transition more complicated for nonbinary transitioners as well. Examples of these challenges include the lack of nonbinary gender markers on most legal identification and resistance to respecting nonbinary people’s identified pronouns, such as the singular “they.”
8. Chosen names used in virtual worlds, games, and social media name can be quite identifying, so I employ pseudonyms to protect subjects’ confidentiality.

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9. In accordance with the textual communication norms in Second Life, the interviewee block quotes appearing here were actually transmitted as a series of short statements, usually a single sentence or clause in length. I have for clarity “translated” this convention of synchronous textual communication into a continuous paragraph of text and have eliminated my interstitial textual nodding to indicate I was following the conversation.
 10. Lateral violence is a problem in many marginalized communities, and it is hardly unique to trans contexts. But it is definitely an ongoing problem within trans communities; as Second Life resident Maren noted, “It is easier to fight with your sisters and brothers and others than with those oppressing you.”
 11. I was frankly surprised when Baily voiced this femmephobic position, as their avatars gave me a femme-of-center impression. Addressing this later in the interview, I learned ↵ that Baily appreciated feminine expression when it was understood as subversive of gender norms (as in drag), pitied it when earnestly expressed by cis women, and objected to it when expressed earnestly by trans women.
 12. This worldview is extremely phallocentric, which is one of the strange things about TERF theory, which decries phallocentrism while constantly talking about penises and how despicably powerful they are. While it seems especially strange that a nonbinary person who rejected binary sex ideology should espouse such a position, Baily is hardly unique in holding it. A nonbinary interviewee of mine who was assigned male at birth spoke about being single in real life, and thinking it unlikely that they would become partnered. They spoke very deferentially about the nonbinary community they interacted with in real life being made up of predominantly people assigned female at birth who would reject them as a potential partner, because they had a penis. They said they understood that this rejection was inevitable, as so many people were victims of sexual harassment and violence, which they’d experienced themselves. They did acknowledge that accepting the idea that experiencing patriarchal violence produces inevitable and eternal triggering by penises reinscribed a binary in a community that was supposed to be nonbinary. They treated this as sad, but something they must respect as a good feminist who defers to the experiences of trauma bearers.
 13. Short for *futanari*, a genre of Japanese anime erotica featuring women with penises.
 14. From the Western pornography genre in which a straight man believes he is being seduced by a cis woman, and by the time he discovers she is trans has been “trapped” by his lust into having a sexual encounter with her.
 15. I can affirm from my own searches for Second Life interviewees that the number of Second Life residents describing themselves as “trannies,” “dickgirls,” or “futa” far outnumbers those describing themselves as “trans women” or “transgender girls.” This was a source of consternation for a good number of Second Life residents who were real-life gender transitioners.

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