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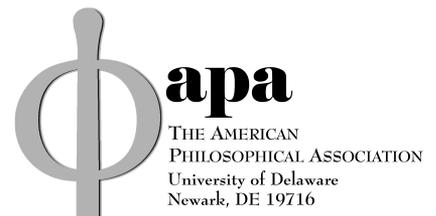
FROM THE NEW EDITOR, WILLIAM S. WILKERSON

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TALIA MAE BETTCHER

“ Without a Net: Starting Points for Trans Stories ”

NEWS AND NEW IN PRINT



ARTICLES

Without a Net: Starting Points for Trans Stories

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There is a familiar view of transsexuality which speaks of women trapped inside male bodies and men trapped inside female bodies. We can call this the “wrong body” account. In this view, transsexuality is construed as a misalignment between gender identity and sexed body. At its most extreme, the idea is that one’s *real* sex—given by internal identity—is somehow grounded somatically. It’s on the basis of this identity that one affirms that one has always *really* belonged to a particular sex and therefore has a claim to surgical procedures that bring one’s body into alignment. One of the obvious problems with this account is that it seems to naturalize sex/gender differences in a troubling way. Christine Overall remarks, for example: “On this theory, gender is reified, at least for some individuals. As a member of the social group ‘women,’ I find this idea frightening.”¹ As a (trans) woman, I find this idea frightening, too.

To be sure, as I started my transition in the early nineties, *that* classic story was certainly available to draw on. But a new and exciting story was also emerging. Sandy Stone’s “The *Empire* Strikes Back: A Posttranssexual Manifesto” had inaugurated trans studies.² And Kate Bornstein’s *Gender Outlaw*³ and Leslie Feinberg’s *Stone Butch Blues*⁴ were exploding like transformative cultural bombshells. These works articulated a “beyond the binary” account: Since trans people don’t fit neatly into the two categories, dominant efforts are made to force trans people into this system (thereby eliminating any middle ground). The medical apparatus is but one way in which society makes us “disappear.” The forces of oppression aim at our invisibility, and the strategy of resistance is to come out and make ourselves visible.⁵

As I tried to make sense of myself during these difficult years, I searched for a story that worked for me—a story which justified my claims to womanhood and which illuminated my confusing life-experiences. I felt intuitively suspicious of the “wrong body” account. And the move away from pathologizing accounts, the inherently liberatory aspects of the new theory, and the room for multiple ways of being resonated deeply with me. However, I still remained dissatisfied with the new account. This positioning of trans folk “problematically” with regard to “the gender binary” bothered me. For most of my life I’d felt “problematically positioned with respect to the binary.” This was a feeling of painful monstrosity. What made me feel human was life as a woman. Why should I be forced to live as a monster? Unhappy with both of these stories, I simply found friendship and love in the political trans subcultures of Los Angeles. There we had developed alternative gender practices—ways of being that felt more safe and sane. I found that the different accounts didn’t matter so much—or at least they didn’t matter in the way that I might have first supposed.

As a philosopher, however, I’ve become increasingly interested in telling a story that satisfies me. And I’ve been interested in criticizing the “beyond the binary” account in earnest. In doing so, I’m hoping to clarify, for myself at any rate, the desiderata of a more satisfying account of trans experience.

And in this essay, I want to make a few preliminary moves in that direction.

I'll begin by considering a form of transphobia that I call "the basic denial of authenticity." A central feature of it is "identity enforcement," where trans women are identified as "really men" and trans men are identified as "really women" (regardless of how we ourselves self-identify). Often this kind of identity enforcement (particularly through pronoun use) occurs repeatedly and runs against the trans person's own frequent requests to be treated otherwise. It can appear in mundane interactions between a trans person and a store clerk (e.g., repeated and deliberate references to a trans woman as "sir") to cases in which a trans person is "exposed" as "really a man/woman, disguised as a woman/man" and subjected to extreme forms of violence and murder. Notably, this form of transphobia isn't well-accommodated by the newer, "beyond the binary" account. In that model, this transphobia is seen as an effort to take those who are "beyond the binary" and somehow force them into it or else eliminate them altogether. But the kind of identity enforcement I'm describing doesn't involve any confusion on the part of the "identity enforcer." There's no *question* about how to situate the trans person. Rather, the trans person is, without hesitation, viewed as belonging to the binary (really a woman or really a man).⁶

Now consider the self-identifying claim "I am a trans woman." Frequently, in dominant cultural contexts, the expression "trans woman" is understood to mean "a man who lives as a woman." And it's misleading to say such an understanding is merely an individual's false interpretation, since many (media, organizations, governments) understand the expression that way. Yet, when I use that expression within trans-friendlier subcultures, it doesn't mean that. So it's fair to say identity enforcement doesn't merely concern whether an expression of a gender category applies to a person but also what such an expression even means.

The enforcer thinks (in the case of the trans woman) that the category "man" applies while the category "woman" doesn't. So the enforcer thinks if "trans woman" is truthfully said, it can't possibly mean that the person is a woman (and isn't actually a man). Instead, it must mean the person is merely *pretending* to be a woman. "Trans" would flag something involving pretense and would perhaps have the force of "fake" (as in "fake woman").

There are two ways one might respond to this. One is to argue that the enforcer is mistaken and that the category "woman" does (while the category "man" doesn't) apply. In this strategy, "transgender" would possibly indicate a transitional status. It would qualify the term "woman" (taken in the standard meaning) as a particular kind (one who had been assigned male at birth, perhaps, who became a woman later). The disagreement concerning the meaning of "transgender" ("fake" versus "transitional") would then hinge on the correct applicability of the term "woman." One could make that case by taking "woman" as a family-resemblance concept. That is, one could deny that there is a well-specified set of features which constitute necessary and sufficient conditions for category membership. Instead, one could argue, some members of the category have some features in common, other members have others in common, and there are generally overlapping features of similarity and difference. One could argue the boundaries of the category "woman" are blurry: There can be difficult cases where the features come into conflict.

With this notion in hand, one could show that at least some trans women meet enough of the conditions required for application of the category "woman." For example, one might point to gender identity, hormone levels, surgically

altered genitalia, and so forth to defend a claim to womanhood. The enforcer, by contrast, might point to karyotype and "birth genitalia" in order to defend a verdict of manhood. In such a conflict, the disagreement over meaning would turn out to be fairly slight. At bottom, what would be at stake are which criteria to weigh *more* in applying the category "woman." At bottom, it might be an undecidable question. Yet, in a best case scenario there could be some kind of practical agreement on how best to draw lines.⁷

However, we can understand this disagreement differently if we understand identity enforcement in terms of a contrast between dominant or mainstream culture and trans subcultural formations: There exist different gendered practices in different cultural contexts. This includes the practice of gender attribution. So a trans person can count as "really a man" according to dominant cultural practices, while counting as a woman in trans-friendlier subcultures.⁸ Accordingly, the taken for granted assumption that the dominant cultural gender practices are the only valid ones can be recognized as a kind of cultural arrogance.⁹

In this view, there's not *one* concept at stake: "Woman" doesn't mean the same thing to the enforcer and to the trans person. The conflict is deepened because this isn't a shared concept, so there's no possibility of agreeing how to draw the line. Consider the word "animal." It's ambiguous between a broad and a narrow sense. In the broad sense, it includes human beings; in the narrow sense it applies to mere "beasts." In this case, it's clear we're dealing with two different concepts and, in general, I would argue there are different concepts if what isn't a paradigmatic case in one is a paradigmatic case in the other or if what is a difficult case in one isn't a difficult case in the other. Certainly we have different concepts if the extensions are significantly different. Yet these two concepts are also hardly unrelated: Most criteria for category membership are the same (with the exception of the exclusionary feature "non-human"). Still, they're different concepts. Consequently, the question whether a human is an animal doesn't hinge on where to draw the line but rather on what concept is in play.

It's a fact that in some trans community contexts, gender concepts (such as "woman") are broadened. This is accomplished, first, by taking "trans woman" as a basic expression, rather than one that is a qualification of the dominant notion of "woman." This means it applies unproblematically to *all* self-identified trans women. For example, even if a trans woman failed to have any surgical or hormonal interventions to her body (while "living as a woman"), she could still count as a paradigm instance of "trans woman." Outside of trans-friendly subcultures, such an individual, of course, would probably not be counted as a woman at all. At the very best, she might be taken as a hard case. But since "trans woman" is taken as a primitive expression (rather one that qualifies "woman" taken in a dominant sense) it can apply to her unproblematically.

The second thing that happens is the dominant concept of woman is now understood as the concept of a *non-trans* woman rather than as woman *simpliciter*. "Woman" then applies to both trans and non-trans women alike. We thereby end up with an extension different from the one including only non-trans women (plus some trans women who have enough features to be argued into the category). We end up with a notion of "woman" where a trans woman counts as a paradigmatic (rather than a borderline) case. That means we have two different, interrelated concepts of woman, one in dominant culture, another in trans-friendly contexts.

This change is not an empty trick. It tracks a difference in cultural practices of gender (in particular, the negotiation of intimacy) and the relation of these practices to the interpretation

of the body and self-presentation. For example, whether one is viewed as a “gender rebel” (in violation of gender norms) depends upon interpretation. If one is viewed as a man, wearing a skirt, for example, will be read as a form of “gender bending.” By contrast, if one is viewed as a woman, it might be viewed as normative behavior. Thus, one of the social consequences of the shift in the meaning of the word “woman” is a change in the way that gender norms are applied. Again, bodies may be subject to different privacy boundaries. For example, what is dominantly read as a man’s chest that is therefore not subject to a nudity taboo, might in subcultural instances be read as a woman’s chest or at least a chest that is subject to such a boundary. This matters in terms of how and why gender violation is recognized as a violation. So the generation of an expanded category isn’t trivial. It connects to alternative social practices. In light of this, I will speak of a “multiple meaning” account.

The two different answers to the enforcer’s identity invalidation reveal something important about the starting point in trans politics and studies. I’m reminded of the question (among some non-trans feminists) whether transgender women do or do not count as women. In such a reading, trans women are viewed as “difficult cases” with respect to the category “woman” (whereas most non-trans women aren’t). In such a reading, the inclusion of trans women within the category is something in need of defense (unlike the taken for granted inclusion of non-trans women). Notably, this asymmetry, which places the womanhood of trans women in jeopardy, arises only on the condition a dominant understanding of “woman” is assumed. When a resistant understanding of “woman” is assumed, no question arises, since trans women are exemplars of womanhood. While it may sometimes be a useful strategy to assume a dominant understanding of “woman” in order to defend the inclusion of trans women (as difficult cases), an unquestioned assumption of dominant meaning makes for a bad starting-point in trans politics and theory. It puts us trans folk in the position of ignoring the resistant gender meanings produced in our trans cultures and trying instead to find a home in the dominant gender meanings that marginalize us from the start.

Consider an analogy. When I teach a lower-division course in the philosophy of gender, I spend time examining arguments which purport to show the immorality of homosexuality. I try to show the students why these arguments are unsound. I do this because I think it’s an important strategy to debunk the (generally bad) arguments which harm LGBT folk. However, in a graduate seminar in LGBT studies, I wouldn’t dream of taking these arguments *seriously*. I wouldn’t even engage in the question “Is homosexuality immoral?” because to do so would be to play into a heterosexist cultural asymmetry which places homosexuality in moral jeopardy while leaving the moral status of heterosexuality unquestioned. More generally, it would seem a very questionable and unhealthy LGBT political starting point to accept as valid the asymmetry which places homosexuality in moral jeopardy from the outset.

Similarly, it’s a questionable trans political starting point to accept as valid a dominant understanding of gender categories which situates trans folk as “difficult cases” in the best case scenario. To be sure, it may be a useful strategy to take up a dominant understanding in particular situations. But I worry about any liberatory theory designed to illuminate trans oppression/resistance which unreflectively accepts a dominant understanding of categories.

In the “wrong body” model, for example, one can count as a woman (in the dominant sense) to some degree and with qualification (at best) so long as (A) one is recognized by an appropriate authority as possessing the right gender identity

and (B) one undergoes a transformative process to conform to the dominant concept of woman as much as possible. A dominant understanding of the category is presupposed and an asymmetry is tacitly accepted whereby trans membership in the category requires justification (where non-trans membership does not).

Versions of the “beyond the binary” account likewise fall prey to this problem. Consider the claim that trans people are problematically positioned with regard to the binary categories “man” and “woman.” The account presupposes a dominant understanding of these categories where trans folk fit only marginally or where we are difficult cases not easily categorized as either. Here, a trans person could be—at most—legitimized as a (marginal) woman through some kind of process of arguing that she met enough of the dominant criteria of membership. Similarly, a trans person could be legitimized as “in-between” through a process of showing where the person conforms and where the person fails to conform to the dominant categories. In both cases the dominant understanding of the categories is presupposed and the position of trans people vis-à-vis those categories is justified by pointing to criteria of membership (unlike non-trans folk who are accepted as paradigmatic of the dominant categories and thereof in no need of justification). In short, the “beyond the binary” account gives up far too much ground.

Now at this point, I should really come clean about something. As I have framed it, a different (expanded) notion of womanhood can be found in trans subcultures. And I have spoken as if there is only this one understanding. But this is actually quite wrong. It’s hard to be trans and avoid thinking a little bit about what a woman is, what a man is, what gender is, and the like. It’s hard to avoid telling a story. So trans subculture is generally replete with multiple and sometimes conflicting stories and theories. Moreover, outside the dominant cultural arena, gender terms (“trans,” “transgender,” “transsexual,” “woman,” etc.) simply won’t stay put. For example, “transgender” is often used as an umbrella term to include all other categories (e.g., transsexuals, cross-dressers, drag queens, drag kings, some butch lesbians). However, the term is also used to *contrast* with “transsexual.” For example, “transgender” might be used to apply to individuals who live full-time in a gender role different from the one assigned at birth but without surgical intervention (as opposed to transsexuals who do avail themselves of surgical intervention). Such meaning variability also concerns terms such as “woman” and expressions such as “trans woman.” Instead of understanding “trans woman” as a subcategory of an expanded category of womanhood, trans women may be conceptualized as “in-between” with respect to the traditional categories where they don’t count as women *simpliciter* (i.e., as non-trans women) who *are* seen as part of the binary. There’s just no guarantee how a trans person is going to understand the term “woman” when they self-identify (or do not self-identify) with that term.

Such variability shouldn’t be mistaken for an “anything goes” free-for-all. In such contexts, the use of these gender terms is subject to some constraint. Moreover, while there’s variability in meaning, there’s also a fairly common linguistic practice. As I’ve argued elsewhere, claims about self-identity in (some) trans subcultures have the form of first person present-tense avowals of mental attitudes (e.g., “I am angry at you”).¹⁰ This means the shift in meaning involves far more than an expansion of category, but rather a change in use, reflected in the grammar of first/third person assertions. In this case, it’s no longer merely a question whether the category is truthfully predicated of the object in question. Instead, there is an avowal which is the prerogative of the first person

alone. And while there are cases of defeasibility, first person avowals of gender are presumptively taken as authoritative. Fundamental to this practice is the idea that gender categories don't merely apply (or fail to apply) on the basis of objective criteria. Rather, they're adopted for personal and political reasons. For example, the category "trans woman" might be dis/avowed because the category doesn't speak to "who they are," because it doesn't fit (i.e., feel right). Alternatively, it may be taken up or disavowed on political grounds alone. Insofar as such considerations are fundamental to the very practice of gender attribution in these contexts, it's easy to see why this is such a shift from the dominant practice of gender attribution which operates independently of such considerations. The shift makes room for the "multiplicity of meaning" by allowing first person authority over both gender avowal and the very meaning of the avowal.

The point I've been defending in this essay is that accounts which take for granted singular, fixed meanings are not well equipped to provide a liberatory theory. Not only do such accounts fail to square with the simple empirical fact that central terms are used in trans contexts in multiple and contested ways, they undermine trans self-identifications by foreclosing the possibility of this multiplicity. These stories do so, in part, because they aim to justify categorical positioning vis-à-vis a dominant understanding. This, I have argued, is to tacitly accept a marginalizing asymmetry between trans and non-trans folk from the beginning. To provide a satisfying account of trans phenomena, it seems to me, gender marginalization cannot be tacitly accepted as a starting point. The demand for justification and the demand for illumination are not the same. We need new accounts, I believe—ones that don't begin with a *justification* for trans self-identity claims, but which follow subcultural practice in taking the presumptive legitimacy of such claims for granted. But this requires *recognizing* the multiplicity of resistant meanings rather than *acquiescing* to the dominant culture's erasure of them. In my view, it's the only way to yield illuminating accounts of trans phenomena that don't themselves proceed from transphobic starting points.

Endnotes

1. Christine Overall. "Sex/gender Transitions and Life-changing Aspirations." In *You've Changed: Sex Reassignment and Personal Identity*, ed. Laurie Shrage (Oxford: Oxford University Press, 2009), 14.
2. Sandy Stone. "The *Empire* Strikes Back: A Posttranssexual Manifesto." In *Body Guards: The Cultural Politics of Gender Ambiguity*, eds. Julia Epstein and Kristina Straub (New York: Routledge, 1991).
3. Kate Bornstein. *Gender Outlaw: On Men, Women, and the Rest of Us* (New York: Routledge, 1994).
4. Leslie Feinberg. *Stone Butch Blues: A Novel* (Los Angeles: Alyson Books, 1993).
5. This is an exceptionally simplified account which glosses over significant differences among thinkers such as Bornstein, Feinberg, and Stone. However, it captures a general idea which is frequently assumed in discussions of trans issues. It is adequate for my purposes.
6. See Talia Mae Bettcher, "Appearance, Reality, and Gender Deception: Reflections on Transphobic Violence and the Politics of Pretence," in *Violence, Victims, and Justifications*, ed. Felix Ó. Murchadha (Peter Lang Press, 2006).
7. For this style of approach, see C. Jacob Hale, "Are Lesbians Women?" *Hypatia* 11 (1996): 94-121. See also Jennifer McKittrick, "Gender Identity Disorder," in *Establishing Medical Reality: Essays in the Metaphysics and Epistemology of Biomedical Science*, eds. Harold Kincaid and McKittrick (Dordrecht: Springer, 2007), 144-5 and Cressida Heyes, *Line Drawings: Defining Women through Feminist Practice* (Cornell: Cornell University Press, 2000), 83-96.

8. I am largely indebted to C. Jacob Hale for this type of view. For his related account, see "Leather Dyke Boys and Their Daddies: How to Have Sex Without Men and Women," *Social Text* 52/53 (1997): 223-36.
9. This account may assume that the trans person is connected to or participates in trans subculture.
10. See Talia Mae Bettcher, "Trans Identities and First-Person Authority," in *You've Changed: Sex Reassignment and Personal Identity*, ed. Laurie Shrage (Oxford: Oxford University Press, 2009).