



Good afternoon

Today I want to show you a bit of the state of trans/gender work these days. Since it is always to the minority to explain itself and to educate the majorities and other minorities, I thought “let’s seize the opportunity and do some proud education”.

This lecture is called “transgender: beyond identities”. I will cover the identity and expression and I will also definitely go beyond that. For it is not just our identities that is interesting - we can talk about identities for ages, we humans thrive in this. But there is far more to trans* people and the trans* phenomenon than those identities. For a big part trans people are denied their identities, their bodies are controlled by the state and state and non state actors hate us. How this works out and what are some of the causes will be the theme of my intervention here.

My identity

As a good marxist and anthropologist (which I am not) I will first explain my own position: I am vreer, I am gender queer and like doing lots of revolutionary stuff. My passion is unfuck this fucked up world. And somehow my lens appears to be trans-gender. And these is also me.

When talking about trans* there are three levels (at least) that stand out.

- Gender identity,
- Gender expression
- Gender trouble

Identities

Gender identities are manyfold, both here and elsewhere. To give an overview of the diversity. In a voyage determined by my quirky brain we encounter:

- Hijra (aravani), Kothi, Thirunambigal, Jogappa, Magaraidu and many others in South Asia.
- Travestis, Machi weye, Muxhe in Latin America.
- Kathoey, Waria in Thailand and Indonesia.
- Xanith in Arabia.
- Fa'afafine in Oceania,
- sworn virgins in Albania,
- two spirited people in North America.

And then in the Western world of Western Europe and North America you may encounter:

- Gudykes,
- girlfags,
- cross dressers,
- bois,
- boygirls,
- girlboys,
- genderqueers,
- (ex)genderkids and even
- transsexuals.

Westernisation

A recent phenomenon is the rise of western gender identities in countries as India and Thailand and the loss of local and regional identities.

In Thailand for example there is a growing gap between the traditional Kathoey that are 'gayified' and thus robbed of their third gender status and appreciation and gay identifying men. Gay then starts to mean western like more masculine men that look down on the

more feminine kathoey. The same applies for hijras and for traditional Indian gender boundary transgressing identities. Where the transsexual may look down upon the hijra and local identities get eliminated. American so called berdache or two-spirit people are seen through a western reductionist lens. I call that gender colonialism or gender imperialism. Because there are power relations in play here.

But also, as with the protesting of indigenous people against forced westernisation or the huge influence of western money and media representation in e.g. the US and Canada, protests are growing in these communities against this influence. Rising self consciousness, consciousness of tradition and recognition they have rights as indigenous people. In this general process of decolonizing also lost gender expressions and identities are rediscovered (like the Giuseppe Campuzano's Museo travesti del Peru, the Peruvian transgender museum, a 2008 book on pre-hispanic alternative gender expressions).

PROBLEMS

Then now to go beyond the identities themselves to what happens with them, what may happen if you have a 'gender variant' identity there are some problems that may be huge, depending on your situation. These are:

- violence and hate crimes
- legal recognition - only if you admit to be "transsexual"
- access to health care - any health care to start with
- refusal of goods and services like getting a house, insurance
- labour discrimination

Hate crime has a color

All these different transgendered experiences also intersect. For example if you are black and transfeminine in the USA you have the biggest risk of discrimination and losing your life. Trans people of color there unmistakably have the lowest chances to happiness: racism against them is highest of all: 49% attempted suicide; 21% is HIV positive, compared to 1% in the average trans* population. The US is also one of the countries with the most transgender homicides. Together with South America (mostly Brazil, Venezuela and Colombia) and Central America. But that's just what we know and can easily trace.

What we got as global figures is 681 lethal victims of transphobic violence from January 2008 to October 2011. About every other day a transperson gets killed. We know this is the tip of the iceberg but have no proof. The researchers are limited to on the internet traceable cases. This is the very reason why we on TDOR yearly commemorate those who fell. The Dutch one will be on Nov 19.

Next to that there is employment discrimination: regularly up to 50% with poverty to extreme poverty as the consequence. In the US this applies to 34% of trans people of color. Probably here also trans people with a non white ethnicity suffer more from transphobia than others. Alas we have no reliable data yet on transphobia in the Netherlands and then again I wouldn't bet that the results will be disaggregated for ethnicity.

For combatting violence and hate crime we are dependent on adequate legislation and more important: enforcement of these laws. In many countries trans people (and LGBT anyway) are confronted with impunity for perpetrators: the law does not apply to them. So in that case the struggle goes through the judicial apparatus and eventually to the ECtHR or the UN (HRC, several treaties). Turkey is a famous country for impunity of perpetrators of transphobic hate crimes: many of them get away with it. Although recently one has been sentenced to perpetual imprisonment. And of course empowerment of the people themselves. In Turkey there happen interesting things in this. In Ankara and Istanbul the trans people have a telephone tree to alert other activists in case of trouble, to prevent arrests or violence. And it works well.

Legal

Laws on gender recognition - and the absence thereof - is another way to control identities. In just a few countries one can legally change gender, and where this regulation exists several are going in a progressive way, while others stay behind. When looking for the possibilities to change one's legal gender - the most important socially speaking since states are based on legal systems - it appears that most states have nothing: no procedures, frequently no possibilities either. Sometimes through a friendly or corrupt judge, of which Spain and Portugal used to be European examples.

Of the countries that do have some kind of a legal arrangement for gender changes, most require the applicant to have undergone a physical transition process with CGHT and SRS. Otherwise no way to get your need granted.

On the good side: there is at least one country with constitutional protection for transgender people: Ecuador. Where Ecuadorian constitution mentions gender identity, in most constitutions trans people are - in principle - protected under the category sex, which usually is not enough since gender identity does not always match (registered) sex.

Alternative recognition

Recognition for non-binary gender identity is a fundamental aspect of full legal recognition. However what hardly a country has opted for up to now is the option get rid of the infamous gender binary. In virtually all countries one is to choose from male to female or vice versa.

This legitimising only male and female is grounded with fake biological and religious arguments. There seem to be only two sexes. Alas this is a somewhat charged legitimisation. The gender binary (and the sex binary also for that matter) is not natural. It is just a biologist and historicised attempt to keep the heterocentric hegemony in place.

There are no real alternatives yet: Australia recently enacted legislation that enables trans and intersex people to have - voluntarily, only if they wish - an X in their passport instead of an M or F. But on the other hand that does not really cripple the gender binary. It sets trans and inter people apart as 'different'. On their own request and thus empowering, it may work as the Southern Solution. Once recognised you can claim rights to apply to you too, since they recognise your identity. That might take some time however.

In Nepal trans people are required to be third gender officially. India knows males, female and hijra; but then again: can you be sure you get what you need? The answer is no. Practically almost all trans women in India get "hijra" and in Nepal almost only intersex children with a visible genital difference can get "third sex" in the census. Trans men are a whole different story. Roughly they have trouble 'ascending' to maleness but look too masculine to live among the women.

Cuba

Usually there are requirements to be fulfilled before you can legally change your sex (or gender). Most of the progressive countries 'only' require expert letters and having lived for some time already in the new gender. There is only one country that treats you on the

basis of your human right to good health care. And that is Cuba. Stating your wish wanting to change your gender will get you all the health care you need, including psychosocial counselling, free. And your identity is recognised also, though probably not yet on your birth certificate. It is to be expected that soon Cuba may recognise all trans identities also legally, although it is not yet clear in what form. We have some hope the battle will go between the Netherlands and Cuba in this. Since Dutch law is about to change for the better in the coming two years. Although it remains to be seen how much better. None of these countries however will abolish the gender binary yet. Alas.

Gender dichotomy

On a note regarding that dichotomy, that binary of genders, I am actually happy say it is indocrination. It is fake, between quotes. Because at the same time it is all too real. But that is just a discursive effect. When we changed the hegemonic discourse all will be fine. Just joking. That is not the way it works.

Following Judith Butler and Beatriz Preciado I would say there is no sex without gender. It makes no sense to talk about sex apart from gender since it is not just about certain aspects of human) anatomy but also and mostly about their meaning in daily and institutional life.

Butler's early writing on the queerness of drag was not really what drove the point home for gender variant people. When she wrote on and published *Bodies that Matter*, and why certain bodies do or don't matter, things became much clearer for us who live the reality of bodily and gendered rejection and enforcement into body and gender stereotypes - which is not to say everyone hates that, many are really happy to have the chance to finally live life as who they feel they are. And since Butler wrote in 2004 about *Undoing gender* we are now all happy trying to undo our gender education.

The body

We cannot seriously talk about gender identities without taking into account bodies and what operates on them. This applies the more when it comes to sex. Sex operates on three levels:

1. Anatomy, having certain reproductive organs in a certain state
2. Hormones: do you have mostly testosterone or estrogens regulating your body?

3. Chromosomes: do you have, XY, XX, XXXY, X0, XYY chromosomes?

And as prof. Annemarie Mol repeatedly indicated: biology and medicine do not have a clear definition of sex. On the anatomical level at least five sexes can be found as Anne Fausto-Sterling in her article "The Five sexes" indicates. Only a few anatomical errors really need immediate fixing because they are life threatening. One can really doubt if these errors should be called intersex or just an anatomical problem in the genital area (like the persistent cloaca). Most other "birth defects" or "disorders of sex development (DSD)" as doctors are prone to call them, are in the eyes of the people having them mostly a development that may at most need some specific supplies but should further not be a pathology. Reason why the intersex population speaks of Infant Genital Mutilation and genocide (or gendercide if you wish). IGM is definitely contrary to self-determination.

By human rights principles and by law every person has the right of autonomy over their body and the ones daring to speak of their experience of pediatric intersex surgery are definitely not happy with the interventions nor with the results and the efforts to keep the results acceptable, somewhat functioning genitals.

Forcing trans people to undergo genital surgery before they can be legally recognised is thus a flagrant violation of their most basic rights. I would advocate for medical interventions only being done with full consent of the person whose body it concerns. Shame is here the central question, not health.

Medical assistance

Contrary to intersex people, trans people usually ask for medical assistance themselves - well, those who need to change their body to better reflect their felt identity. That also indicates the big difference between voluntary and unconsented surgeries. Trans people wanting surgical interventions - which is a tiny minority in all the trans populations! - are far more willing and able to comply with the requirements of maintenance. If they get to find a friendly doctor. Because also in the Netherlands, in Amsterdam many doctors are not trans friendly, are actually damned transphobic like a great part of society is anyway. Not to talk about France where it seems that even the appointed doctors and shrinks hate their trans patients. Or Lithuania that has been charged by the ECtHR in 2007 to make trans surgery possible and pressured by the EU to not table an anti gay bill, worse than UK's section 29

back in the days of Thatcher and Major that triggered the campaign “Never going underground”. And so on and so forth.

There is a reason here why - when doing a talk on trans and gender - I end up talking a lot about intersex. You might consider trans and intersex cousins. We experience kindred problems. We are no siblings. But good willing doctors already for some time (Gooren at least for 15 years) tries to interpret gender identity diversity - and then mostly the ones the gender teams see - as a form of “mental” intersex, or up to now unrecognised hormonal intersex. Something must have happened in the womb. A bit of estrogens or testosterone too much or too little and we ended up somewhere in between’. Our mothers will have smoked one too many or drank a glass of wine too many. Yeah, blame it comfortably on the women instead of just saying “we have no clue”.

Several trans people love the idea that we would have some kind of intersex condition, others say we suffer from the Harry Benjamin Syndrome, after the Godfather of transexuals who published his bible “The transexual phenomenon” in 1965. They would love to stay in the DSM or ICD health classifications. Finally recognition they have a Genuine Problem. Others call that Internalised Transphobia. Fear of their own transness, fear of being unjustifiably different.

There is a dangerous political effect in this. This pathologising would give us acceptance because we have a chronic illness, because we are sick. Like with crip, disability, however I would like to state that it is society that is sick. As Harlan Hahn stated on disability: “Once we begin to realise that disability is in the environment, then in order for us to have equal rights, we don’t have to change but the environment has to change.” Seeing trans and inter people as sick, lays the burden with them while it is a heteronormative society that is queerphobic.

It doesn’t solve the problem either. It gives visibility without empowerment. It also presupposes that being seen as intersex would relieve us from the problems we have in society. Get real, ask a trans or intersex person how it works now, while being pathologised.

Science is never neutral. The modest witness must remain detached, invisible. Even where science finds real results - as happens often enough seeing how health possibilities

e.g. increased through the ages - there lies enormous trouble in the ideas behind the findings, the ideology and religion. Politics and scientific ideology also co-decide what gets to be developed and funded. And usually rights are not the deciding factors in this.

Medicine is being used to really physically construct people in two forms with a very limited interpretation of biology as an excuse. In an earlier lecture for ARC-GS Rebecca Jordan-Young already showed that the claims to locate transgender or homosexuality in the brain fail because of flawed research and Simon LeVay's "Gay, straight and the reason why" also critiqued Swaab's gay and/or trans research. The wording of 'male sex hormone' and 'female' sex hormone for Testosterone and Estrogen is also questionable as both these sexes have both hormones.

THE END

What I wanted to show you in this lecture is that trans is more than identities. But at the same time these identities and expressions of gender cause real life fuck-ups because of so called science - actually patriarchal hetetrocentric cis gendered prejudice. You will now know more about gender identity and about gender trouble.

As a final word and a concluding advice want to give you : change your gender. It is fun. Gives you a totally new view on the world. I continue my search for new sexes and hitherto unknow genders.

So long and thanks or al the fish.

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