



# Taxonomy of Accounts for Processes of Trans-gendering

Jaber S\*

Department of Law, Shahid Beheshti University, Iran

## Abstract

Concurrent with the development of a biomedical model of transgender, the field of anthropology was growing with studies of cultures which are not organised by gender binarism, a model for contemporary Western society. Researchers quietly struggle with their hegemonic gender socialisations and hetero-normative predispositions as they seek to provide accurate and objective descriptions of these societies.

**Keywords:** Gendered cultures; Non-Conformity; Third gender; Binarism; Berdache; Sociological approaches

## Introduction

The use of concepts such as third gender, a term coined by anthropologists Martin and Voorhies, has highlighted the extent to which researchers attempt to account for non-conformity within gender binarism, a limitation in that gender binarism remains an uncontested basis for comparison with and conceptualisation of the third gender. Gender binarism here is the innocent, untouched and neutral model for which ethnographic and anthropological descriptions and comparisons are made, and all the more justified as they are conveyed to those who adhere to the same order. With these cross-cultural studies of gender non-conformity and bending, cultural diversity is placed at the heart of studies on gender, revealing how gender as we understand it is culturally situated. Nevertheless, as Towle and Morgan point out, while the “third gender” typology provides an understanding and visibility of transgender and transsexual people, most observations of gender non-binarism and variance across cultures have been uncritically annotated under the third gender rubric [1]. At the same time, the category and discourse of the third gender while leaving unchallenged the hegemony of binary gender, remains a dumping ground for differently-gendered, accepting any other type of gender identity orphaned by binarism. Marjorie Garber feels otherwise, and believes that the concept of third is useful for both the accommodation of gender and sexual fluidity, and the critique of binarism. Carolyn Epple further highlights the importance of ethnography in the uncovering of multiple genders, particularly its emancipatory potential in disrupting the boundaries of binarism. However, Epple also argues that the conception of alternative genders leaves undisrupted the categories and meanings of man and woman, charging that theorists of third and alternative genders undermine their own efforts. The critique of studies of cultures that are alternatively gendered reveals great limitations in the fields of anthropology and ethnography [2]. The Euro-American centric logic of masculine/feminine, man/woman, and gay/lesbian/bisexual largely presents the transgendered natives in ways understood by Western communities. This sort of presentation has been criticised as observations are made using the prevailing normative gendered logic as a base [3]. Instead of providing new perspectives and interrogations into the adherence to and insistence on binarism, studies of alternatively gendered cultures are organised and presented in accordance to the rubric of binarism.

## Discussion

The reliance on the Western cultural logic to read, explain and articulate the identities of non-Western transgender natives is also tantamount to colonisation. With regards to even the loose use of transgender to describe gender identity in non-Western cultures, David Valentine emphasises caution and argues that transgender and its concept arose in the United States out of the recent cultural politics of

sexuality, and as a reaction to gay and lesbian-centred politics of advocacy. Terms of a particular history and politics have found their way into the descriptions of peoples and phenomena in other milieus [4]. Researchers such as Walter Williams and Will Roscoe have insisted on the use of gay to best describe the Native American berdache, underlying the strong emphasis on same-sex sexual practices at the expense of scrutinising their occupation and religious roles. They risk misrepresenting their subjects with categories and labels each laden with its unique history and politics. With the portrayal of the berdache as gay men, it indicated an alignment of ethnographic research with the LGBT discourse of the time, in particular Western male homosexuality. The academic pigeonholing of the berdache as gay men not only bleeds two distinct categories of homosexuality and gender variance, but also erases the transgender, omitting the intricacies of gender identity and sexuality. On the flipside, the bantut, hijira, tranvesti, berdache, kathoey, waria, and others, would otherwise be rendered invisible without their Eurocentric depictions. The descriptions of the transgender natives in their socio-cultural environments also signalled a departure from the biomedical framing of transgender identities, a move from transgender as a medical phenomenon to a social phenomenon. Later sociological approaches to transgender, aside from being socially deterministic in nature, often hint at the arbitrariness of gender role and the relativity of culture across space and time [5]. In 1967, Harold Garfinkel was one of the earlier contributors to the field of sociology in the study of transgender. In his oft-cited study of the male-to-female transsexual Agnes, he notes how gender could be managed through the embodiment and display of social cues attributed to the respective genders, and not merely through physiological changes. In exploring the social dimension of gender, Garfinkel sees gender as a managed achievement, or in Kessler and McKenna's rendition, a social accomplishment rather than a reflection of biological reality. Behavioural traits and cues can be calibrated in a way they correspond with the societal rationalisation of gender, which is in constitutes an order that both informs and is largely preserved by the medical institution [6]. This also entails, in Agnes case, consultation with medical experts, who feel that the process of feminisation should be topped with the creation of a vagina. For Garfinkel, both patient and doctor share the same idea of what

\*Corresponding author: Jaber S, Department of Law, Shahid Beheshti University, Iran, Tel: +08777776435, E-mail: sayvania@ymail.com

**Received:** 21-Nov-2022, Manuscript No. JCLS-22-84569; **Editor assigned:** 23-Nov-2022, PreQC No. JCLS-22-84569(PQ); **Reviewed:** 07-Dec-2022, QC No. JCLS-22-84569; **Revised:** 12-Dec-2022, Manuscript No. JCLS-22-84569(R); **Published:** 19-Dec-2022, DOI: 10.4172/2169-0170.1000367

**Citation:** Jaber S (2022) Taxonomy of Accounts for Processes of Trans-gendering. J Civil Legal Sci 11: 367.

**Copyright:** © 2022 Jaber S. This is an open-access article distributed under the terms of the Creative Commons Attribution License, which permits unrestricted use, distribution, and reproduction in any medium, provided the original author and source are credited.

constituted woman and collaborate to produce it [7]. The anthropological and ethnographical approaches to studying transgender are not without their biases. For instance, Leon Pettitway may have provided a seemingly objective study of African-American transgender and transsexual prostitutes, but not without moralisation as he introduces his subjects as addicted to drugs and commit sex work. He has been since criticised for being aligned with the prevalent American moralistic discourse against drugs and prostitution. Furthermore, researchers like Pettitway are susceptible to ignoring the social conditions that underpin their subjects' inhabiting the fields of observation and compel them to make the decisions and lead the lives they do. Various social, economic and political realities experienced by different communities and demographics lead to professional and geographical displacement, which skews research and observation if not carefully assessed. At the same time, there are methodological and sampling limitations when researchers experience the difficulty of access to transgender subjects. As a result, prisons, red light districts, clinics and hospitals have become convenient sites for research. Social research had also been greatly limited by the lack of accurate terms to describe the differently-gendered subjects across cultures. Up till the 1960s, scholars had to contend with medico-psychiatrically defined terms such as transvestite and transsexual [8]. Virginia Prince first coined the term transgendered in the magazine *Transvestia* in late 1969. But the term did not catch on. Instead, by 1978, Prince started using transgenderist, one of three classes that also include transvestites and transsexuals describing transgender people. As male-bodied person who adopts "the exterior manifestations of the opposite sex without any surgical interventions, Prince identifies herself as a transgenderist. It was observed an alternative usage of transgenderist shortly appeared after Princes profound conceptualisation, manifested in the mainstream usage of the term to encompass transvestites and transsexuals. It should be noted that transgenderist then implied movement, temporary or permanent within the gender binary, vis-à-vis the modern day transgender which represents a larger constellation of gender-bending, gender-breaking, queer-as-fuck identities, all characterised by their movement within and beyond binarism, as well as their intersections with sexuality. The study of the social dimensions and constitution of transgender challenges the study of transgender as a medical phenomenon. In studying the social, Anne Bolin is suspicious of the unvarying nature of medico-psychiatric category of transsexuals and transvestism, two distinct groups of gender variance only recognised by the institutions. The psychiatric discourses assumed that transsexuals identified mostly as heterosexual, a portrayal Bolin disagreed with and argued against. Bolin observes a diversity of gender identities that challenged this transgender binary model of transsexual/transvestite. These are gender-variant people that neither inhabit nor display characteristics categorically associated with the medico-psychiatric classifications of transsexuals and transvestism [9]. In her field work, she notes an increasing social acceptance of non-surgical intervention for those whose gender identity fall outside what is commonly ascribed to their birth sex. Bolin situates her observations in their socio-cultural and historical contexts and believes the recent emergence of the transgenderist identity that roams the murky unknowns outside the medico-psychiatric cosmology of transsexuals and transvestism can be attributed to the following factors: the closing of university-affiliated gender clinics, the grassroots organisational adoption of a political agenda, and social alternatives to embodiments of femininity as somatic frailty. This identity was formed from a combination of social and

political circumstances, but would later be adapted to encompass almost every uncategorisable behaviour and identity outside dimorphic binarism [10]. The anthropological and ethnographic studies of gender dovetailed with the emerging feminist thought in the mid-to-later part of the Twentieth Century not only to present gender as culturally contingent or an object of social construction, but also served to denaturalise the notion of gender as commonly known, and critique the articulation of power as gender is enacted on a daily basis. The framing of transgender remains nevertheless underpinned by the compulsion of gender. Binary gender and the respective cultural meanings that have been ascribed onto biological, physical and aesthetic traits, continue to be the markers determining what constitutes transgression or transgendered, hence the emergence of transgender. The denaturalisation project, however, does not put in place a framework for conceptualising and understanding non-binary gender. Long established and previously thought to be cultural and ahistorical categories of binary gender may appear to be challenged by the project, but they remain integral to defining transgender, with limitations. For instance, the carving of third gender" spaces outside binary gender depends on the Derridean recognition of the insides or constituents of binary gender.

## Conclusion

Binary gender is on the one hand, challenged and rendered arbitrary in the presence of transgender, but on the other, legitimised and quietly recognised as an anchor-point for conceptualisations of transgender. The descriptions and depictions of transgender travel through the frames of binarism, while challenging binarism itself.

## Acknowledgement

None

## Conflict of Interest

None

## References

- Bernard JS, Lello DS, Ntiyakunze SK (2018) Analysis of causes of conflicts within the design teams in building projects in Tanzania. *IJETT IN* 60:1-20.
- Bernfeld JJS (2007) *States Ships and Secondary Registries: Examining Sovereignty and Standard in a Globalized World*. Cardiff University UK 1-24.
- Hassan A, Qadri MA, Saleem M (2021) The Muslim Family Law Ordinance 1961: Pioneer of Women Empowerment in Pakistan. *JRSP PAK* 58:1-8.
- Abdullah R, Monsoor T, Johari F (2015) Financial support for women under Islamic family law in Bangladesh and Malaysia. Taylor and Francis UK 21:363-383.
- Shahid TN (2013) Islam and women in the constitution of Bangladesh: The impact on family laws for Muslim women. *FLJS UK* 1-11.
- Shehabuddin E (2008) *Reshaping the holy: Democracy, development, and Muslim women in Bangladesh*. CUP NY 1-304.
- Hossain K (2003) In Search of Equality: Marriage Related Laws for Muslim Women in Bangladesh. *J Int Women's Stud* MA 5:1-38.
- Cariou, P, Mejia MQ, Wolff, FC (2008) On the Effectiveness of Port State Control Inspections. *Transp Res E Logist Transp Rev* UK 44: 491-503.
- Costanza R (2004) Estimates of the Genuine Progress Indicator (GPI) for Vermont, Chittenden County and Burlington, from 1950 to 2000. *Ecol Econ* 51:139-155.
- Lemaitre JC, Grantz KH, Kaminsky J (2021) A scenario modeling pipeline for COVID-19 emergency planning. *Scientific reports* 11(1): 1-13.