

Trying to Shove Ourselves Back Together (after Hedwig and the Angry Inch)

By Miah Jeffra Milla

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In summer 2018 a group of legislators, led by California Senator Kamala Harris, introduced the Census Equality Act, a bill that would have required the US Census to solicit and record responses in our country's largest survey for a new category: gender identity. The proposed law did not specify what response options for gender identity would appear on the Census Bureau's questionnaires. Instead, it directed the agency to conduct research and come up with a plan to develop the new questions within a year. Forms for the census—which the Constitution requires every person in the US to fill out—have long offered people the option to select "male" or "female" as their sex. But this false dichotomy leaves many people out. When the bill was introduced, Senator Harris said in a written statement, "The spirit of the census is that no one should go uncounted and no one should be invisible." While Harris' intention is clear, I'm still curious what sort of spirit a census possesses. The idea of the census is thousands of years old, but has any census ever really counted everyone?

This bill arrived on the heels of a movement to more accurately represent the complexities of our culture, and particularly this aspect of human identity: gender. For so long, at least in the Euro-colonized US, male and female were the only options available for both someone's sex—their biological attributes designated at birth—and their gender, an individual's performed characteristics of being.

Many socially progressive folks are clinking wineglasses to this recent development. The news originally excited me as well. In the San Francisco Bay Area, I have dozens of friends and colleagues who don't subscribe to "male" or "female." My friend B was born with the biological attributes of a male, but adopts the cultural characteristics of the feminine, including dressing, presenting as, and requesting to be referred to as "she/her." My friend T appears biologically and presents culturally female, but identifies as "they." My neighbor L desires no association with male or female, and considers non-binary a suitable term. For these folks, it seems that the new census bill would be a step towards visibility, making them feel more considerable in the fabric of their culture, or at least more considered.

My friend, Hollywood neighbor, and fellow broke artist Cee had a personal visit during the 2010 census, "because I forgot to fill my form out." The representative was a skinny kid with pimples on his chin and a buzz cut. Cee identifies as neither gender. So, when it came time for the sixth question on the census form, and only available to check were male and female boxes, Cee gawped at the representative with an open mouth. Buzzcut was equally turkey-necked—it is rather difficult to assign Cee an apparent gender upon sight—so Buzzcut ultimately instructed, "Whatever it says on your birth certificate is what you have to check." Cee, not a stranger to public humiliations, explained to me over beers at our favorite dive The Spotlight, "I wanted to cry, Miah. It's different when it's assholes heckling on the street, or homonormative dudes in West Hollywood. This was the government. My government. I love this country." And in the following elliptical silence, I knew Cee was discovering, in a deeper way than they had ever considered, that their country, in some ways, didn't love them.

This is changing, however, not just in America but around the world, if bureaucratic minutiae are any signifier. Australians now can choose “X” as their gender in all government documents. In 2004, the Chiang Mai Technology School in Thailand allocated a separate restroom for kathoey, with an intertwined male and female symbol on the door. In 2007, the Supreme Court of Nepal ordered the government to issue citizenship cards that allowed “third gender” to be listed. In 2016, an Oregon circuit court ruled that resident Jamie Shupe could change his legal gender to “non-binary,” and the ground-breaking legal precedent stands, although Shupe no longer considers himself non-binary. And, in 2017, my home state of California passed legislation implementing a non-binary gender marker on birth certificates and driver’s licenses.

These developments were not necessarily met with warmth elsewhere. When home for Thanksgiving, I caught up with my cousin Tammy. Growing up we were the closest in age, so I always felt a pull to keep in touch, and made efforts despite her adoption of an evangelical form of Christianity that inspired her to voraciously judge others. Tammy was talking about one of her church friends named Terry, something about parking spots or baked goods, and in reply, I referred to Terry as “they.” Tammy snapped her head, her white bangs a crashing wave: “Oh, don’t tell me you’re one of *those* people.” I countered that Terry was an ambiguous name and there had been no mention of pronoun, so I was simply ensuring I didn’t misidentify her friend. Tammy rolled her eyes with an exaggeration that made me wonder if it hurt. “Why do you liberals make everything so complicated? There is male and female. OK, well, and some hermaphrodites.” She brought her thumb and forefinger close to her left eye. “That’s it. You people need to get over yourselves.” I wasn’t sure if by saying ‘you people’ she was referring to progressives, or to queers.

While I didn’t challenge Tammy, knowing the confrontation would end with me self-righteous and condescending and with Tammy dislocating her eyeballs, I had my arsenal cocked and ready. Having taken that Gender Studies course in grad school, running a queer literary press, and simply living in the Bay Area, I was armed with what I thought was knowledge. In this circumstance, I could have presented all kinds of data, arguing for a third gender option as a mitigating effort against oppressive forces.

I would have begun with Aristophanes’ speech from Plato’s *Symposium*. In this Dialogue, the playwright shares a myth on the nature of love: “The sexes were not two as they are now, but originally three in number; there was man, woman, and the union of the two, having a name corresponding to this double nature, which had once a real existence, but is now lost, and the word ‘androgynous’ is only preserved as a term of reproach.” Of course, I would have omitted that Aristophanes was a writer of parody. I then would have assured myself that myth was a tactical entry into the truth of things.

I definitely would have championed Judith Butler, in obligation to my six-figure college-loan debt. In their essay, “Performative Acts and Gender Constitution,” Butler contends that most actions are witnessed, reproduced, and internalized and thus take on a performative or theatric quality. According to this view, gender is a performative repetition of acts associated with the male or female. The actions deemed appropriate for men and women have been transmitted to produce a social atmosphere that both maintains and legitimizes a seemingly natural gender binary. Butler dismantles the idea that gender is solely biological and sex related, demonstrating that, in fact, the performance of gender creates gender itself. In other words, gender is not essential: it is socially constructed. *Of course* there may be more than two.

The nineteenth-century cultural critic K. H. Ulrichs argues for the existence of a third gender, called Uranians. He posits that there are residues of the other sex in each human, that there are the ‘germs’ of both sexes within each embryo. Every human contains these traces, which express themselves to various degrees. But in Ulrichs’ theory, people are only deemed Uranians once they exhibit the desires of the residual sex in contrast to their apparent sexual body assignment.

The Kanaka Maoli culture of Hawai’i has the mähū, which means “in the middle.” They serve as priests and healers. Mähū are also valued as the keepers of cultural traditions, such as the passing down of genealogies. Traditionally parents ask mähū to name their children.

The muxes of the Zapotec community in southern Mexico are those assigned male at birth who later assume characteristics associated with both males and females. They have traditionally been revered in the community and are considered good luck.

The Hijra of the Indian subcontinent have a recorded history of four thousand years, most notably in the *Kama Sutra*, *Mahābhārata*, and *Ramayana*. They are considered neither completely male nor female, and live in specific communities led by a guru. Historically they held important positions in court and administration—that is, until the British conquest sought to criminalize them—and were sought out for fertility and birth-blessing rituals.

In her book *Myself Mona Ahmed*, Indian photographer Dayanita Singh writes about her friendship with Mona Ahmed, a Hijra, and their societies’ beliefs about gender: “When I once asked her if she would like to go to Singapore for a sex-change operation, she told me, ‘You really do not understand. I am the third sex, not a man trying to be a woman. It is your society’s problem that you only recognize two sexes.’”

In my own childhood, before I even knew what sex was in any sort of embodied way, I felt discrete from both my boy and girl friends. When Amanda asked me to play grocery store, Juan would contest, “that’s a girl’s game,” and when Juan asked me to play cops and robbers, Amanda would protest, “that’s a boy’s game.” I wanted to play both, but it was more than that. I wanted to dance with ribbons in my hair, like Rainbow Brite, and I wanted to reconnoiter in the mud, like G.I. Joe. I loved running around in my Aunt Donna’s nightgowns because they made me feel pretty, but I also loved the coursing strength of my arms when a baseball bat made that cracking contact with the ball. Perhaps I am that third gender. Maybe I will check that box if and when it arrives on the 2030 census form.

But see, there's a problem. My Hollywood friend Cee would have been just as frustrated with the census visit by Buzzcut, even with the updated third option. Cee doesn't align with the term third gender. Or genderqueer, or non-binary, or especially "X." Cee's response: "It's all bullshit." So, what about Cee?

Maybe the answer is to provide more categories. I look to my data arsenal, and then some. The Diné of the American Southwest have four genders: male, female, male-bodied nadleeh, and female-bodied nadleeh. They are seen as distinct groups, each with their specific roles and duties in the society. And the Buginese people of Sulawesi, Indonesia, recognize five separate genders: makkunrai, oroané, calabai, calalai, and bissu. One is considered bissu when all aspects of gender are combined to form a whole, and they take on the role of shamans. Calabai are biological men who take on feminine characteristics, and play an important role in wedding rituals. Calalai are biological women who take on masculine traits and perform jobs usually reserved for men. The ancient teachings of the Buginese counsel all five genders to co-exist harmoniously.

The nineteenth-century physician and sexologist Magnus Hirschfeld used "third sex" as an umbrella term for all types of "intersexes," but acknowledged a multiplicity of expressions of sexual and gender identity. He became obsessed with creating a name for every type he studied, but soon became frustrated by the inability to categorize all permutations. He tried, though, and wound up with at least sixteen different possible types by the time of his death.

When I was eleven, my older brother led a family intervention in our small living room, nestled in the very heart of our trailer park. He asked me, "What are you?" He said that he was worried about me, and I believe this was true. Mama stood awkwardly to the side, picking her nails. I tried to answer—sometimes I wanted to be a girl, sometimes I wanted to be a boy. But in my limited vocabulary I failed to express that it never felt like that, exactly: I never felt that at any moment I preferred one side over the other. I also never felt that my biological attributes were unfitting. So, what was I? Not trans, not third gender, maybe genderqueer, maybe non-binary? In the small living room in Chesapeake Bay Mobile Court, in 1987, we knew none of these words—some didn't even yet exist. I wonder now which of his sixteen categories Hirschfeld would have applied to me.

Maybe what's needed on our census forms is more choice: several words with adjacent boxes, as many as will fit. Third gender, fourth gender, fifth gender, queer, transgender, genderqueer, gender variant, two-spirit, gender-fluid, neutrois, agender, androgyne, demigender, omnigender, intergender, pangender. . . . Maybe the question should be its own form, altogether.

This categorization conundrum is somewhat analogous to the problem of race in America. In "Relations," a deeply vulnerable essay on this topic, Eula Biss writes, "[O]ur racial categories are so closely policed by the culture at large that it would be much more accurate to say that we are collectively identified." No matter how many categories we create, and determine ourselves to be, Biss continues, "Whenever we range outside the identity that has been collectively assigned to us, we are very quickly reminded where we belong."

Tammy, again. When faced with the “they” pronoun, or any consideration outside of the binary, she rolls her eyes and says, “Christ, what does it matter? Is it really such a big deal?” In fact, the data show that existing outside of the binary is, indeed, a “big deal,” with major consequences for individuals as well as the society. The World Health Organization published a study in 2017 that determined that transgendered, genderqueer and non-binary people are two to three times more likely to be victims of violent crime.

Gwen Araujo of Newark, California, was strangled, kicked and bludgeoned with a shovel by four men after they discovered Gwen had a penis. The defense argued that Araujo’s deception shocked “ordinary human beings” beyond reason into murder. Sonia Rescalvo Zafra was killed in the Parc de la Ciutadella, in Barcelona, Spain, by six skinhead neo-Nazis who kicked Sonia and a friend repeatedly in the head as they lay helpless on the floor. The conflict began when they asked if Sonia was male or female. In Manchester, UK, William Lound was murdered during a planned attack by an assailant who called William “a little freak” as he stabbed William’s head and neck. Alisha, a 23-year-old who went by one name, was shot seven times and died later in the Lady Reading Hospital in Peshawar, Pakistan. Hospital staff spent over an hour determining whether to place Alisha in a male or female patient ward. Bri Golec was stabbed to death by Bri’s father who initially claimed it was “the cult” that had broken in and stabbed Bri. The cult he referred to was a local non-binary support group. Angie Zapata was beaten to death with a fire extinguisher by an attacker who had learned Angie was born with a penis. Shelby Tracy Tom was strangled after the assailant noticed Shelby’s sexual reassignment surgery scars. He claimed that Shelby caused him personal violation. He served only four years in prison for Shelby’s murder. Raina Aliev was hacked to death just after undergoing a gender-affirming operation and getting married in Russia. Raina’s family had called for their child’s execution on national television. Kedarie Johnson was shot to death by two men. The murderers were not prosecuted under hate crime legislation because Iowa state law only designates such with sexual orientation and not gender identity. Rae’Lynn Thomas was shot twice and then beaten to death. The murderer called Rae’Lynn “a devil.” Rae’Lynn’s family requested the murder be investigated as a hate crime, but Ohio hate-crime statutes do not cover gender identity. Islan Nettles was beaten to death in Harlem by a man who had initially been flirting with Islan. Latisha Fobes King was shot by fellow classmate after asking him to be Latisha’s valentine. Dwayne Jones, sixteen years old, was beaten, stabbed, and run over by a car in Jamaica after attending a party in a dress.

Notice I don’t identify these people by gender or sex. They are dead, that is the only category that bears any relevance for this discussion.

A student comes up to me after class. I have just assigned an excerpt from Judith Butler's *Gender Trouble*. While describing the text, I had referred to Butler as genderqueer. My student asks, of the author, "If they are genderqueer, does that mean they're transsexual or does it mean they are bisexual?" I stood there, dumbfounded. Not by the ignorance of the student, but by my own. It was at this moment, this rather innocuous moment, that I realized the inherent violence of labels. No matter what, no matter how many names we give gender, no matter how many boxes we offer, the binary is there: a checked box or an unchecked box. To check the box is to be. To not check the box is not to be. This, or that. One, or the other. After all the grad-school classes and the chats with Cee, after the podcasts and articles and Ted Talks, it was my student's innocent question that had me realize how violent it all was.

I know that I am an entity in between words, but very early in my life I moved towards a—how I hate this word—'cis' presentation. I exhibit loads of feminine characteristics, but as a young person I emphasized the traits of a cis male, out of fear. I always felt comfortable with my biological sex, and though I felt the variant constructions of gender flow through me, ungraspable as water, I wore clothes that signified *male*. I exaggerated my male identifiers, no doubt. I grew a beard. I did this to protect myself. From violence. Who knows what I would have become, otherwise? That is not really important. What is more important, much more important, is that not all of us have the luxury—the privilege—that I did.

I chastise myself for using Butler's work as support for the third-gender box. I focused so heartily on the argument that gender was socially constructed—liberated from sex—I failed to recognize that, in the vein of social construction, gender isn't fixed in any way to be assigned a category, a checked box on a form, no matter the number of options. I once again—as I have so often in my life—mistook data for knowledge.

In March 2017, a coalition of Australian and Aotearoa/New Zealand intersex organizations released "The Darlington Statement," calling for an end to all legal classification of sex, stating that legal third classifications, much like binary ones, were based on structural violence. When I mention this to my class, a student says, "maybe we need to go back to the beginning and ask ourselves why we classify, at all." The class audibly agrees. After a brief pause, some of the class nods, some stare into that invisible corner of youthful introspection, others chew their lips. No one speaks. And I don't have the certainty to, either. I dismiss class. I walk to my office and think of the names I've bestowed upon things.

Towards the end of Plato's *Symposium*, after Zeus has cut humans in half and pulled the wound closed to the belly-button, after he has threatened to do it again if we humans misbehaved, in which case we'd be "hopping around on one foot, looking through one eye," Aristophanes concludes, "Human nature was originally one and we were a whole, and the desire and pursuit of the whole is called love." Yet still we stumble around, trying to pull ourselves back together.