

# Human Diversity: To the Detriment of Norms<sup>1</sup>

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## SUMMARY

Based on the assessment that trans and intersex persons currently often do not see themselves regarded as equal and normal human beings this contribution explores the question of what taboos and stereotypical conceptions are still in effect in the contexts of family, education, school, medicine, biology, and law, and which would need to be dissolved for society to be able to move towards greater democracy for all groups of people. The contribution also examines the question which role scholarship and research play or should play here.

## DIVERSITY AND NORMATIVITY

In the past decades norms of sex/gender and sexuality saw themselves under pressure from the societal and political emergence of social groups that deviated from them or challenged them head on, as constructivist feminists, gay, lesbian, bisexual, transsexual, transgender and intersex persons have done. It is only recently that a number of realities and issues which many of us would never have anticipated have begun to demand our attention. Children and teenagers have been expressing their discomfort with the sex/gender assigned to them at birth and wish for their bodies to develop differently or their preferred sex/gender identity to be acknowledged. Persons whose sex had been judged as ‘ambiguous’ by doctors and who were subjected to surgery or hormonal treatment are demanding the required provision of informed consent prior to medical intervention as well as the depathologization of their bodies. Same-gender couples are starting families and some parents are having their registered sex/gender changed. This raises the question whether these persons should have the right to

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1 | Original version in French.

self-determination of how they present themselves to the world and how they interact with it, for instance allowing children to be addressed with the sex/gender they identify with, and to dress and play the way they want to. The same applies to the question whether teenagers who want hormone blockers to affirm their gender as they wish should be granted access to them, or whether people born with intersex traits are allowed to grow up intact and be welcomed as they are, with the possibility to affirm the gender they identify with (be it woman, man or other), as well as be openly intersex.

These issues involve many social actors: primarily those demanding this autonomy for themselves, and then parents, educators, teachers, psychologists and doctors, to name but a few. Evading these concerns under the pretext that there are but a few intersex and trans persons is not an option, because the situations that engender these issues are not abstract and require from many people that they concretely reflect on them and respond to them. Parents and teachers are obligated to find a way of reacting to a child or adjusting to a child which they have so far treated as a boy, but who identifies herself as a girl and wants to wear a dress at school. And kindergarten educators have to find a way of dealing with the transition of one parent.

An adequate response to these issues requires reassessing deeply rooted assumptions about the connections between the individual and the collective benefit on the one hand and sex/gender norms on the other. In other words: It is the very understanding of sex, gender and sexuality that guides our everyday life behaviour as well as our comprehensive relationship with others as sexual/sexualized beings who are challenged by what first seems like 'exceptional situations'. If we wish to find productive and satisfactory answers it is important that we become aware of the extent of emotions that this issue sparks in all of us, ranging from those who strive for a direct autonomy of gender to those who bring their institutionalized expertise to this field. No one can claim to hold an entirely objective position in these matters. If we as researchers were to lack every emotional attachment to this issue we would be emotionless towards what we consider to be notional misconceptions about the outer and inner sex/gender and sexuality, and we would content ourselves with a one-time statement on what these signify to us. Instead of claiming to hold an objective perspective and presuming that this simple utterance is enough to produce it, we should aim for intellectual integrity. This demands thoughtfulness, humility and an awareness of our personal sensitivities and cultural embeddings as well as the lens through which we observe these issues – or, for that matter,

any other issue we direct our attention to. Kuhn<sup>2</sup> has shed light on the cultural premise of scientific paradigms in his classic work 'The Structure of Scientific Revolutions'. Do we presume now that we have successfully detached ourselves from culturally-induced perspectives? How do we reflect our methods for selecting variables or indicators for a study? On the basis of which criteria do we consider them relevant, particularly when examining the well-being of individuals with respect to their sex/gender identity, sex/gender-based dynamics and sexuality? Have we directed our attention to the premises a major part of our research on outer and inner gender and sexuality builds on? On what basis do we distinguish between healthy and pathological, presence and lack, formation and deformation, variance and condition, normal and abnormal, order and disorder or disruption, correctness and errors, natural and unnatural? For which reason do we show a strong preference for some words and a neglect of others? And where in the end lies the origin of the problem or the suffering? Does it lie in the embodiment of an unusual sex/gender or sexual variation or in the shame imposed on us by people who react negatively to this variation?

If we cast an epistemological look on the way trans and intersex issues are often regarded, we can identify a conjunction of a developmental and a complementarian understanding of sex and gender. For instance, intersex persons are presented by medical science as men and women whose sex development is incomplete, while trans persons supposedly suffer from a mental illness or a psychic disorder. In other words: They deviate from a course which should have taken them to medically defined male and female bodies, respectively associated normative masculinity and femininity, as well as heterosexuality. An idealized course that gives little or no room to variability. The general formula: 'The meaning of life is procreation' exemplifies this developmental and complementarian view by which living organisms develop according to a program. It is however essential that we be aware of the teleological character of this line of thought as well as the fact that we have unwittingly substituted God with Nature as a guiding figure and organizational power of life. If we regard things from the perspective of purpose, goal or program we unquestioningly assume the underlying existence of a sentient being that forges plans or points out directions.

Yet we do not possess the instruments to prove the existence of such a being, which only seems to be possible by a leap of faith. Maybe it is easier to comprehend the critique of the theological way of thinking if we apply it to an area which is for the most part devoid of the emotional attachment present here, such as astrophysics. Astrophysicists do not explain gravity with the statement that

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2 | Kuhn, T. (2012): *The Structure of Scientific Revolutions*, Chicago: The University of Chicago Press, 50th Anniversary Edition.

its purpose is to maintain order among celestial bodies. Instead they describe its mechanics and effects. If we transfer this insight to our subject matter then it is more appropriate to say that there exists a process among living organisms that can produce new generations. The consequence of this is that assumptions about incompleteness and defectiveness are defeated and require us to reflect on this with other terms.

This leads to the observation about the traditional differentiation between nature and nurture, between what biology exerts its influence on and what is formed and organized by society. This differentiation is often interwoven with the theological observation of nature in which a living organism not merely establishes a program but also what is desirable in terms of the organization of its life or even social life. Yet as Stephen Jay Gould pointed out appropriately: “[...] everything we do lies within our biological potential” (1977, p. 277), meaning that vastly different cultural behavior and social systems all originate from our collective biological fabric, which allows much variability. He also shed light on the values judgment scientists often make when they interpret physical traits and biology, calling for an ‘acknowledgment of diversity’.<sup>3</sup>

I am not saying here that everything that a human being can imagine and produce is desirable and good for the ecosystem or for our individual and social life. Nevertheless everyone is called upon to be aware of the lens through which they observe issues of sex, gender and sexuality. This applies particularly to those who as researchers are attributed authoritativeness, since our perspectives carry more weight in the life and fate of people in a marginalized position. The desire to act for the ‘own good’ of a given population has in the course of time repeatedly led to injustices and traumas, as one can see with peoples divided by race, indigenous tribes and women, and is more than anything an expression of the social ideals that we cling to or have internalized, even if from time to time we dare to criticize them gently. As a result we think it important to carefully listen to the voice of people who experience precisely these issues that concern us, and to be prepared to see some of our most entrenched certainties shattered. It is through contact with diverging thoughts and ideas that our own thoughts grow and acquire refinement.

A special feature of the conference ‘Gender Normativity and its Effects on Childhood and Adolescence’ was that it brought together people with very diverse backgrounds and horizons. Trans persons, intersex persons and cisgender people<sup>4</sup> attended, as well as parents, delivery nurses, educators, teachers and institutional experts from various areas. Biology, psychology, social work and sci-

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**3** | Stephen Jay Gould (1977): *Ever Since Darwin*. New York: W. W. Norton.

**4** | See the contribution by Natacha Kennedy in this volume.

entific research came together here, since all of them are concerned with gender. This conference expertly emphasized the centrality of these issues in our lives, since binary and complementarian representations of gender dominate the lives of each and everyone of us, including those of trans-, intersex and cisgender persons.

A cultural premise in the conference program which will hopefully contribute to further discussion was revealed in the attention given to the subject of the well-being of gender-nonconforming children, as well as in the discussion of the issue of bad treatment by surrounding persons or the systemic environment which the so-called sex and/or gender-nonconforming child is a part of. That is because intellectual discipline should not do away with a commitment to the well-being of these children and the fulfillment of their human rights.

Criticism directed against biological determinism cannot ignore the importance of the fact that we need to initiate the debate there where it should most logically take place, i.e. in the discipline of biology. And examining already ongoing debates we see that there are various schools of thought competing with each other and producing further additional nuances (e.g. Bagemihl 1999; Fausto-Sterling 2000; Haraway 1991; Gould 1981; Vidal 2007; Voß 2010).<sup>5</sup> In addition crucial questions concerning the concrete relation between parents and child as well as the way in which their adult self-forms need to be discussed. Whoever deviates from the sex and/or gender norm does not live in a vacuum, as the experiences of parents who are often confronted with the vulnerability of their children show. The perspective broadens as we deal with the societal treatment of intersex and trans persons with particular attention to medicine and law. We can expect these two areas to be the focus of reflected action in the near future since many intersex groups from different countries worldwide have the common desire to protect children's human right to bodily integrity.<sup>6</sup> We are well-advised to deliberate these matters in the framework of scientific conferences and not remain within the closed circle of academia, but rather to act on an equal footing with intersex and trans persons, as well as enable the latter access to research and teaching. Lived-based perspectives and field research are crucial for forming a way of thinking that does not suffer from detachment. Moreover, people working in a specialized area but having never been seriously exposed to these issues and

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**5** | Bagemihl, B. (1999): *Biological Exuberance. Animal Homosexuality and Natural Diversity*, New York: St. Martin's Press; Fausto-Sterling, A. (2000): *Sexing the Body: Gender Politics and the Construction of Sexuality*, New York: Basic Books; Gould, S. J. (1981): *The Mismeasure of Man*, New York: W. W. Norton & Company; Haraway, D. J. (1991): *Simians, Cyborgs, and Women*, New York: Routledge; Vidal, C. (2007): *Hommes, femmes: avons-nous le même cerveau ?* Paris: Le Pommier; Voß, H.-J. (2010): *Making Sex Revisited. Dekonstruktion des Geschlechts aus biologisch-medizinischer Perspektive*, Bielefeld: transcript.

**6** | Demands concluded by the second Intersex Forum ILGA. URL: [http://www.ilga-europe.org/home/news/for\\_media/media\\_releases/intersex\\_forum\\_2012\\_media\\_release](http://www.ilga-europe.org/home/news/for_media/media_releases/intersex_forum_2012_media_release) [06.09.2013].

realities benefit from experiences or reports from intersex and trans persons far more than from ethereal, disconnected theories built on assumptions. For this reason, field and lived based experience should always be a solid part of such conferences in order to complement theoretical approaches. In my view this balance is necessary for forming enlightened and practical knowledge.

There is a final concern I wish to express here: I want to emphasize how important the voices of intersex and trans persons are and that they be taken seriously. Regardless of their level of development there are elements in their and our life reality that only they/we can convey since only they/we experience their/our own life.

For the sake of intellectual transparency, I wish to emphasize that I am sharing these thoughts from the standpoint of an intersex researcher.