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Enforcing the Gender Binary and Its Implications on Nonbinary Identities: An Exploration of the Linguistic and Social Erasure of Nonbinary Individuals in the United States

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Abstract

In American society's history, there has been a strong agreement on the existence of only two genders - male and female. However, there are people outside this binary called "nonbinary" individuals. The gender binary, whose enforcement begins with language and the spreading of binary ideology, prevents nonbinary people from partaking in daily life without being misgendered. Much of gender perception is based upon the "gender schema", which organizes traits into categories of "male" and "female" when judging others. The ramifications include, and are not limited to, social, medical, and legal discrimination. The option for a legal third sex with the choice to change gender markers later on, a standard third-person singular gender neutral pronoun, and increased advocacy for ending the conflation of sex and gender can hopefully lead to the increased normalization and acceptance of nonbinary people.

Keywords: nonbinary, transgender, linguistics, LGBTQ

Introduction

"If it was really 'natural' to be a woman or a man, why do people spend so much time telling children how to do it?" (Gibbon, 1999)

For centuries, the gender binary has been seen as a concept that is valid and immutable in Western society. This binary assumes heterosexuality and cisgender¹ identity. People have gender expectations in this society. They are encouraged and even demanded to fulfill those roles to maintain social order (Bem, 1981; Butler, 1988). The strength and depth of these roles is apparent upon examination: masculine and feminine traits are applied to children right after birth (Bem, 1981, p. 354, 362). While there has been much research in the past on linguistic differences between "the genders," they have been considered to be the *only* genders, pitting them against each other and comparing them, without room for additional gender options.

¹ Cisgender: The opposite of transgender; one whose gender identity is congruent with the sex they were assigned at birth.

There are individuals, however, who do not fit into the either/or gender mold. Nonbinary people, or individuals who identify outside the gender binary, challenge the perceptions and expectations of gender through the language used to refer to them. Many nonbinary people have begun to bring the gender-neutral pronoun “they” into the mainstream by using it as a singular pronoun along with neopronouns such as “zie” and “em” as the third-person pronoun they want others to use in referring to them, in place of “he” or “she”. While growing numbers of Americans respect nonbinary identities, there is still discrimination against nonbinary people. Ultimately, this creates a need for the use of gender-neutral language in many settings, such as medical and legal areas (Zimman, 2017b, pp. 89-97). When nonbinary people are not allowed to identify as such, and no language is available to accommodate their identities, there can be serious consequences that stretch beyond the individual, hurting not only nonbinary people but cisgender and binary transgender people as well (Zimman, 2017b, p. 99-101; Zimman & Hall, 2009, p. 169). For nonbinary and binary transgender people this may include housing issues, legal discrimination especially with documents incongruent with gender identity, and social discrimination surrounding their identities and/or presentation. Cisgender people are also affected based on some biologically exclusionary language (see “Plan” under “Linguistic Plan of Action”).

Nonbinary people can be denied healthcare and legal validation, and can ultimately have mental health issues arise from constantly being misgendered (Zimman, 2017b, p. 89, 97; Zimman & Hall, 2009, p. 169). The heavily compartmentalizing language surrounding the gender binary incorrectly portrays sex and gender as an immutable binary, and in turn allows for the non-consensual mutilation of intersex bodies and erasure of nonbinary identities (Zimman, 2017c). I argue that the option for a legal third sex with the choice to change gender markers later on in life, i.e. a standard, legal third-person singular gender neutral pronoun, as well as an increased

advocacy for ending the conflation of sex and gender, can support the increased normalization and acceptance of nonbinary people.

In order to explore the topic of how nonbinary identities are conceptualized and manifested, it is necessary to explore the binary, and how it is enforced. Firstly, gender and sexuality are independent of each other, and this essay will only be discussing gender identity. The main reason why the dualism of gender is so naturally felt by the average person socialized in Western society is not that gender and sex actually are strictly binary, but that they are constantly presented as such (Bem 1981, p. 354; Butler 1988, p. 524; Gibbon, 1999, p. 73, from Bing and Bergvall 1996, p. 8). This translates into the binary-based perception of bodies, conflation of sex and gender, and how binary pronouns and gender-segregating language are applied to erroneously gendered bodies.

Gender Schema

The gender schema is the filter through which everyone processes everything they experience and learn. It is an “anticipatory structure” that people passively use to categorize stimuli as either “male-related” or “female-related” to make sense of them more quickly. People whose actions line up with the roles of their assigned gender/sex are called “sex-typed” (Bem 1981, p. 355). Western society assigns gender categories based on sex, and within these categories are a myriad of traits and skills that people are expected to align themselves with in order to be rewarded by the prevailing societal system (Butler 1988, p. 520, 522; Eckert, 2014, p. 530-531). These traits and skills are also mutually exclusive to gender categories.

Children learn the value in the congruent application of gendered traits, and thus reject the application of opposing traits to themselves to reinforce their assigned-gender performance.

For example, being emotional is a trait typically attributed to women and girls, and thus children are told that “boys don’t cry”, eliminating the trait of sensitivity from the inventory of acceptable traits for boys. By creating this divide, humans constantly police their actions and operate accordingly. Thus, individuals assess much of their self-worth upon this gender socialization, attempting to align their actions with those typically valued in this system (Bem, 1981, p. 355).

It is possible to subdue the schema. The performative view of gender is one example of this. Instead of being seen as an innate physical quality, the performative view of gender holds that the differences between genders are entirely social constructions. Gender is seen as a performance, and the body is given meaning solely through the language and ideology applied to it (Zimman & Hall, 2009, p. 166; Butler, 1988, p. 531). In removing the presupposition that one’s physical sex determines gender, one can freely identify with any gender. The fixed-binary gender schema in place harms nonbinary individuals through micro-aggressions and overt discrimination. Additionally, since pronouns are a closed class of words in language, it is extremely difficult to create and use new ones for gender categories that are not easily given the chance to exist.

Literature Review on Gender

In the United States, gender was initially even more restrictive than it is today in 2019. The second wave of feminism paralleled researchers suggesting that there were inherent (mainly biological) differences between men and women, and these differences manifested themselves linguistically as differing speech patterns (Littlejohn & Foss, 2009). Linguists developed varying explanations for the linguistic differences between the binary genders, with some arguing that men aimed for dominance through language, for example, and others arguing that men and women were different because they actually came from different cultures (Pujolar, 2001; Talbot,

2011; Tannen, 2009; Tannen, 1996). The latter approach constitutes the genderlect theory², a vital point of Deborah Tannen's work (Littlejohn & Foss, 2009; Tannen, 2009).

Despite the trailblazing research by linguists such as Deborah Tannen and Mary Talbot, its linguistic bias of assuming "men and women" meant *cisgender* men and women not only excluded binary transgender individuals, but nonbinary individuals, too. While the research has aided feminist movements, transgender linguistic advocacy has been continuously disregarded in favor of studies that naturalize differences between cisgender males and females while using gendered language such as "(s)he" that is discouraged by the American Psychological Association (Gustafsson Sendén, Bäck, & Lindqvist, 2015, p. 893; Zimman, 2017c). In fact, studies that minimize differences between the binary genders or acknowledge similarities are shown to have less coverage and publicity (Gibbon, 1999, p. 100-101). This process furthered the divide between the binary sexes, exacerbating the naturalization of binary genders and harming nonbinary people in the process.

Gender Perception

Because of such strict biological essentialization of gender, binary and nonbinary transgender people struggle to gain legitimacy legally and socially. For all transgender people, a lot of emphasis on gender-validity can be based upon how others perceive them (Hancock, Kris-singer, & Owen 2011, p. 554). A particularly salient feature is one's voice. Most people judge others' genders by the fundamental frequency of their voices (Gelfer & Mikos, 2005; Hancock, Stutts, & Bass, 2015). Males and females have different resonance based on the size and shape of

² Genderlect theory is the theory that men and women have differences such as speech patterns because men and women live in different cultures.

their vocal tracts (Gelfer & Mikos, 2005, p. 544-554; Hancock, Stutts, & Bass, 2015, p. 315-333; Zimman, 2017a, p. 339). For transgender individuals, especially transfeminine³ people whose voices will not change even with hormone replacement therapy, having a voice pitch that is not congruent with one's gender can be mentally taxing (Gelfer & Mikos, 2005). When rating their own voices in a study, transgender women had a strong correlation between how feminine their voice was and how likable it was (Hancock, Stutts, & Bass, 2015).

The next most important feature is the difference in intonation between male and female speech patterns, with more wide pitch contours being associated with femininity (Conrick, 1999). The sheer variance of speech styles makes it near impossible to formulate a generalized transgender speech therapy (Hancock, Stutts, & Bass 2015, p. 318). This difference in speech can be potentially dangerous to a transgender individual because it can contribute to their mis-gendering.

Appearance can also betray a transgender individual, since they lose the power to be consistently recognized as their true gender if they do not "look" and/or "sound the part". It is easier for others to delegitimize someone's identity as a woman or man and if they do not "pass" as such (Butler 1988, p. 527-528, 530; Eckert, 2014). "Passing" is a terrible pressure on trans people which can be a severe detriment to their mental health.

This problem is even more complex for nonbinary individuals, because coupled with the expectation that gender and sex are on a binary, there is no linguistic or aesthetic precedent for nonbinary people besides the use of "they". Even then, socially, many people (both transgender and cisgender) are skeptical of the possibility of a gender other than male or female

³ "Transfeminine" is used to describe someone who was assigned male at birth, but does not identify as a man. Instead, they are more comfortable identifying more femininely, but not necessarily as a woman.

due to the constantly disseminated concept of a strict sexual and gender binary (Gustafsson Sennén, Bäck, & Lindqvist, 2015, p. 893; Zimman, Davis, & Raclaw, 2014; Zimman & Hall, 2009). This results in constant misgendering, since with the gender binary's current construction, there is no possible way for a nonbinary individual to be correctly gendered (unless they also use a binary pronoun) without being out explicitly voicing their preference of pronoun. There is no way to "pass" as nonbinary, and thus many times they will be referred to using the binary pronoun that most closely matches their appearance.

To relate the gender schema to language, language structure causes variation in how speakers conceptualize different ideas. Salience of gender was tested in English and Chinese speakers aurally and visually (Chen & Su, 2011). The first experiment aurally recounted ten stories to participants, about which they had to answer three questions each. One of every three questions had to do with the character's gender, and each story contained a character that was referred to using a third-person singular pronoun, as well as a stereotyped, gendered trait (Chen & Su 2011, p. 197). The second experiment showed sentences in text, and participants had to match the subject of the sentence to either a man or a woman, or singular or plural objects (Chen & Su 2011, p. 198). The results indicated that English speakers were faster and more accurate than Chinese speakers at identifying the gender of characters and matching gendered subjects to pictures (Chen & Su 2011, p. 197-198, 200). In Chinese, both "he" and "she" are pronounced the same way, but written differently, so this may have impeded Chinese speakers' speed.

Though not directly addressing nonbinary genders, as this study called pronouns "biological gender markers", it can be applied to why nonbinary genders are not widely acknowledged and even attacked (Chen & Su, 2011). Linguistic relativity's influence on English's usage of only "he" and "she" as viable pronouns for humans makes gender a humanizing component

and results in the enforcement of a binary conceptualization of gender (Bem, p. 198; Butler, 1988). Circularly, English is constructed for binary ideology around gender, and thus it is carried out by speakers, which upholds the construction of this binary. There is some usage of the singular “they”, but mainly not for specific, individual people. The rapidity of information processing of gender is a byproduct of the gender schema, further enforced by the construction of the English language. All of these components create a rigid linguistic environment for nonbinary and gender expansive individuals. Additionally, many argue through prescriptive grammar rules that “they” *must* be a plural pronoun. However, this is fallacious because grammar rules are generally classist and do not take into account other variants besides Standard English. By taking a neutral stance on this pronoun without incorporating superficial grammar policing, one is able to better understand the benefits of allowing “they” to be used as a singular pronoun.

Nonbinary Language Use

Nonbinary individuals must navigate the binary by “approximating” an identity through linguistic forms most comparable to those of the binary gender that most fits their expression (Gratton, 2016). This effect is seen in binary transgender individuals striving to exhibit the common roles of the gender they identify as to strengthen their perception as “man” or “woman” (Zimman, 2017c). In a study done on two nonbinary individuals, one assigned female at birth and one assigned male at birth, they both used the more masculine and feminine forms of the phoneme /NG/⁴ opposite their birth gender to maintain a more gender-neutral speech style. This factored into other speech components used to more closely situate themselves towards the opposite binary gender.

⁴ The notation used for the study denotes the phoneme as “/NG/”, and this is equivalent to the sound [ŋ]. It is in the word “**king**”, example, with the bolded text being the sound referred to.

While both participants stated that they did not want to embrace only the speech style and attributes of the gender opposite from their birth gender, they felt that it was better to be misgendered as opposing their birth gender than to be referred to as their birth gender (Gratton, 2016). Since there is no neutral linguistic alternative that is commonly available and accepted due to pervasive binary ideology, “nonbinaries” are forced to “approximate” their identity to one of the binary genders. This phoneme, /NG/, is a microcosm of the social maneuvering that nonbinary people must do.

The idea of pigeonholing identities and gendered traits is also seen in a group of trans-masculine⁵ individuals, some of whom were nonbinary. The study looked into the extent that testosterone masculinized the voice, and whether or not speech style had a large effect on perception. In this study, the phoneme /s/⁶ tends to be higher in frequency in female speech than male speech, as well as the fundamental frequency of the voice. What was discovered was that with a low vocal pitch, the individuals did not mind that their /s/ frequency was high. Even though the bundling of features of /s/ and pitch resulted in their perception as metrosexual/queer men⁷, most did not mind as long as they were correctly gendered as men (even those who were nonbinary accepted this label) (Zimman, 2017a, p. 339).

⁵ “Transmasculine” is used to describe someone who was assigned female at birth, but does not identify as a woman. Instead, they are more comfortable identifying more masculinely. In this study, this included individuals who identified as “(trans) men”, as well as those who identified as “genderqueer”, a “trans boy”, and other similar identities.

⁶ For this study, the notation used to denote the phoneme in question was “/s/”. This is equivalent to the sound [s]. It is in the words “cross” and “sign”, with the bolded text showing the vocal equivalent of the sound.

⁷ Metrosexual: A heterosexual man who puts much effort into his appearance, who because of this is sometimes perceived as gay or queer.

Queer: An umbrella term for someone belonging to the LGBTQ+ community.

The rhetoric surrounding gender is that its determination is based upon how well someone fits into a gender role, and for many trans-people this results in the pressure to align oneself with a more stereotypical role for safety (Zimman, 2017a, p. 89-90; Zimman, 2017b, p. 339; Zimman 2017c). As one is perceived as their correct/preferred gender, they do not feel this pressure as strongly and feel freer to express themselves in ways more closely aligned with their birth gender (Zimman, 2017). For nonbinary individuals, this feeling is much harder to achieve based on linguistic recognition, since there is no nonbinary pronoun that is unanimously accepted and commonly used. Without being recognized as nonbinary, many never feel the same relief from pressure.

Obstacles for Transgender Identities

Legal and Societal

In the United States, there is a misconception that the struggle for LGBTQ rights is over. Transgender individuals are gaining more visibility, and thus there is more prominent backlash against the community. This has manifested politically through the HB2 and HB142 Bills, preventing transgender people from using the bathroom they identify with. However, nonbinary people are automatically precluded from using the bathroom they identify with in most states, which has led to increased numbers of ‘gender-neutral’ and ‘family’ restrooms. While there has been progress for nonbinary individuals in places such as Oregon, Washington D.C., New York and California, where one can obtain official documentation with a nonbinary gender marker, there is still much to be done for the majority of the country. New York may be the most progressive, with a change to one’s birth certificate being permitted even without a doctor’s note (Wong, 2019). Only Washington D.C. has mandatory gender neutral bathrooms, which is not

only safest and easiest for nonbinary people but for cisgender people as well. In Tennessee, after the Obergefell v. Hodges decision in favor of marriage equality, the state government required gendered terms such as “wife/mother” and “husband/father” for marriage laws. In Virginia, a person’s sexual orientation and/or gender identity can be legal means for public institutions like homeless shelters to deny them service. Finally, the “gay and trans panic defense” is still a viable legal defense of physical assault in some states. What this means is that an LGBTQ person’s murder can be justified in a court of law if the murderer uses the victim’s sexual orientation/gender identity as the reason for the crime (Human Rights Campaign [HRC], 2017).

Medical

For transgender individuals, transitioning is not a linear process. Some may desire to undergo surgery and hormone replacement therapy, while others may not. For nonbinary people especially, there are fewer assumptions for what transitioning entails. While expectations for things such as hormones and “the surgery”⁸ should not be put on binary trans people, they are not put on nonbinary people because there are no societal and corporeal expectations for them. Socially transitioning for most trans people involves changing one’s name and gender socially, and eventually some kind of official document to match one’s adopted name and correct gender (Schulz, 2018, p. 73). While there are some institutions that have an informed consent model, the majority of medical transition processes are done through the diagnostic model. Medical transition requires more authorization from therapists, because a lot of the changes can be irreversible (Budge 2015, p. 287; Schulz, 2018, p. 74-75). The diagnostic model requires therapy for varying periods of time, along with one or two letters to receive top or bottom surgery, respectively. In

⁸ “The surgery” is often a euphemism for “bottom”/genital modification surgery, otherwise known as “sexual/gender reassignment surgery”, “gender confirmation surgery”, or other similar variants.

order to receive these letters, a patient must be diagnosed with gender dysphoria (Schulz, 2018, p. 73-74, 76).

The way that the WPATH (World Professional Association for Transgender Health) Standards of Care and the Diagnostic and Statistic Manual of Mental Disorders (DSM-V) phrase the diagnosis for gender dysphoria creates the sense that the feelings are internally created and the trans person's "fault" (Schulz, 2018, p. 76, 78; Dean, 2017). To be a transgender individual and hear constantly not only the words "man" and "woman" with an implied cisgender requirement to be considered "real", but also to be told that it is something wrong or even their fault is extremely dehumanizing (Budge 2015, p. 292). Also, the diagnosis of gender dysphoria is often positioned around having "lived experience" as the desired gender, which entails the adoption of either more feminine or masculine gender roles (Schulz, 2018, 73). The position of power given to the therapist in turn makes trans people feel that they must lie and exaggerate their gendered features in order to get hormones, confirmed both through studies and my personal exploration of browsing forums and sites such as YouTube (Budge 2015, p. 287-288; Schulz, 2018, p. 76, 79). This effect of having to prove one's "transness" is even stronger for nonbinary individuals.

Informed Consent Model vs. Diagnostic Model

The two most prevalent models of healthcare access for transgender individuals are the Diagnostic model and the Informed Consent model. The Diagnostic model requires much more gatekeeping than the Informed Consent model. It entails some amount of psychotherapy for the patient, letters of recommendation and authorization for different transitional surgeries, and the diagnosis of gender dysphoria according to the DSM-V. The Diagnostic model is currently the most utilized by doctors when considering the viability of transition for a patient. The Informed

Consent model places the power in the hands of the patient, as they can receive hormones if they are informed of the possible consequences and accept them. For many transgender patients, the Informed Consent model allows them the autonomy to act on their desires and undergo any transition that they need to. While at face value, therapy seems like a beneficial option before making large physical changes, the Diagnostic model is rooted in binarism and biological essentialism, as gender dysphoria is commonly investigated through the lens of people wanting to “become” the “opposite gender”. This causes nonbinary individuals to hide their identities and say to the therapist what they feel is necessary in order to receive medical treatment.

Employment

Being nonbinary can also cause discrimination in the workplace (Davidson, 2016). Almost all jobs require some form of official documentation. By instituting sex and gender as a binary in the legal system, authority enforces and naturalizes the idea that not only are sex and gender the same thing, but they are on the same binary, erasing both socially and medically intersex⁹ and nonbinary people (Davidson, 2016; Zimman, 2017c). By having an institution conflate sex and gender, people are restricted from entering some spaces that may be gender-specific and reliant on recognition of congruent social gender and sex (e.g. if a female-presenting trans woman had a male ID card) (Zimman, 2017c). In the case of the workplace, that includes access to correctly gendered bathrooms. Nonbinary people have been found to be discriminated against before hiring and on the job because of their gender identity. If one’s official documentation does not match their presentation or social gender, they can experience restrictions on anything from shelter and medical care to travel and usage of bank cards (Zimman, 2017c).

⁹ Intersex: A person born with genitals, chromosomes, and other sex-related characteristics that are not distinctly and completely “male” or “female”.

Since most institutions have not officially adopted nonbinary as a term, many nonbinary people cannot legally acquire documents that affirm and officially authorize their identities (Davidson, 2016; Zimman, 2017c). Also, nonbinary individuals are more likely to not be hired and be discriminated against at work if they are hired, with limited direct access to customers and no correct bathroom to use (Davidson, 2016). They are often confusing for employees, who do not know how to refer to them especially if their presented gender does not match their documents (Davidson, 2016). Being misgendered and constantly needing to correct people about one's identity can be extremely taxing on mental wellbeing. While this is not their fault, it creates awkward and confusing situations for employees, demonstrating the need for orientations at work about nonbinary language and a change to language in general.

Linguistic Plan of Action

Plan

In order to create a safer world for gender expansive individuals, a plan of action is necessary, starting with gendered language. Changing one's language to accommodate more gender-neutral variants without sacrificing binary identities is not only feasible, but much more accurate in its content than not doing so (Zimman, 2017b, p. 99). As Zimman points out, there are many reasons to adopt trans-inclusionary language, some of which help include more cisgender people, too. By adopting gender-neutral language, it allows the male-centric tilt of language to be limited (Zimman, 2017b, p. 87). Even though English does not have grammatical genders or inherent gendered adjectives when describing individuals, the language society currently accepts is very gendered, with gender being treated as "a presupposition", rather than "an assertion" (Zimman, 2017b, p. 89). While many languages are spoken in the United States, English and Spanish are

the majority, and both have some element of binary gender. No matter how strongly one identifies with a specific gender, the realistic acceptability of their gender is dependent on how they are perceived and labeled socially (Zimman, 2017b, p. 90).

In order to accommodate transgender people so that they will not be immediately gendered incorrectly, Zimman argues that the way gender is woven into language needs to be changed in contexts both directly and indirectly (2017b, 85-86). For example, when telling a story where the gender of a person is irrelevant, one should not include it. Or in a more direct sense like gendered healthcare, do not equate the terms “women/men” to a certain set of genitals. There are different contexts in which gender is overtly or covertly inserted, with gender labels and pronouns being the most overt (Zimman, 2017b, p. 89, 91-92). When gendering others, it is natural to assume and not ask pronouns, as that could be taken as offensive, due to the humanizing properties of binary gender (Butler 1988, p. 522; Zimman, 2017b, p. 93). The shift from authority of identification needs to be shifted from others based on biology to the individual by asking another person’s pronoun preferences (e.g. they/them/theirs) when first acquainted (Zimman, 2017b, p. 92-93).

By limiting the frequency of linguistic expression of gender, the sense of its necessity will probably atrophy. Most importantly, talking in an inclusive fashion when gender is important to the details of a conversation subverts cissexism. It is generally inherent when one says “woman” that they assume that the gender, sex, and even gender expression of that individual are congruent (Zimman, 2017b, p. 98; Zimman, Davis, & Raclaw, 2014).

The conflation of genitals and gender conflated by language is extremely damaging both to transgender and cisgender people, and it is everywhere: “women’s health”, “men’s vitamins”, and in slang words such as “females” to refer to women, for example (Zimman 2017b,

p. 99). Not only does the biological essentialism of gender severely damage binary and nonbinary transgender people by invalidating their identities and attributing them in a dysphoric way to their birth gender, but it also damages cisgender individuals that do not meet all the requirements implied in these terms. For a hypothetical example, Zimman writes “all women need access to cervical cancer screenings” (2017b, 99). This excludes transfeminine individuals and cisgender women without a cervix.

To avoid this, inclusionary linguistic methods can be used (Zimman, 2017b, p. 98). By hedging statements (i.e. *most* women...) or making them more specific (i.e. *those assigned female at birth...*), it is possible to not only be more inclusionary, but also more correct. Even if one is uninterested in transgender rights, using this language also advocates for cisgender people who may not fit the inherent biologically- and socially-charged qualities of the current terms “man” and “woman”. By following in the footsteps of the performative view of gender, separating the gendered quality from a body can mainly be achieved through language, since the gendered meaning of a body is arbitrarily attributed by society (Butler 1988, p. 519, 521, 531).

Hypothetical Acceptance

Many opposing arguments state for varying reasons that gender-neutral pronouns and language could not and should not be used. Despite the arguments for the biological innateness of the gender binary and the linguistic awkwardness of gender-neutral pronouns, what would happen if the United States, for example, officially recognized a gender-neutral pronoun, whether it were already in existence or newly created? While initially created for linguistic con-

venience, the Swedish gender-neutral pronoun “hen” was crafted. It is similar to the English neopronouns¹⁰ such as “zie” and “hir”. Instead of the Swedish equivalents of “he/she” or “(s)he”, the singular, third-person pronoun was created in the early 1950s by linguists, then picked up again in the 2000s by Swedish LGBTQ community members and activists after it was forgotten (Gustafsson Sendén, Bäck, & Lindqvist, 2015, p. 893).

In Sendén et al.’s study, a section of the Swedish population in Stockholm and Lund was surveyed from 2012-2015 about its attitudes towards the word “hen”. When the word first made its widespread public debut in 2012 when it was included to describe the main character in a controversial children’s book, it was contentious and negatively received. The Language Council of Sweden decided that it should not be used because its controversiality would distract readers from the actual content of whatever surrounded it (893).

Despite such a negative initial reaction, by the end of 2015, almost everybody who was surveyed knew about “hen.” Most did not use it to self-identify or even for other people, but there was almost no negative reaction towards the word’s usage. In 2015, the Language Council of Sweden officially declared “hen” to be an alternative to “han” and “hon”, or “he” and “she” respectively. While not mandatory, it is now acceptable to be used in articles and government documentation (Gustafsson Sendén, Bäck, & Lindqvist, 2015, p. 893). Pronouns are words in closed categories, meaning that they are typically semantically and lexically unchanging in language. The ideological stubbornness of the binary system makes it substantially difficult to change to a ternary (or larger) official gender pronoun system, which the study takes into account (Gustafsson Sendén, Bäck, & Lindqvist 2015, p. 893).

¹⁰ Neopronouns are pronouns that are created outside of the common set of pronouns. Mainly, they are third-person and singular, like “zie” and “hir”.

“They” is already being used to a certain extent and has been recognized by dictionaries in English, but some studies indicated that there was still a male bias, so a gender-neutral, singular neopronoun may be necessary (Gustafsson Sendén, Bäck, & Lindqvist 2015, p. 893). What the study found was that the most influential factor in the acceptance of these new pronouns was time, with many feeling positively towards the pronoun without incorporating it (893). If a pronoun were adopted by the United States government, regardless of initial opinion, the linguistic recognition would give an official and respectable sense. The pronoun most likely to have the most positive opinion would be “they/them”, since it also exists already in the pronoun system of English. The pronoun system is always changing, however, so neo-pronouns will exist regardless. By making the shift from feminizing language (i.e. saying *firewoman* and *fireman*) to neutralizing language (i.e. *firefighter*) and adding a pronoun such as “hen” in English, nonbinary individuals would have more legitimization when advocating for more rights in other avenues of society.

While changing language to be more gender-neutral will not immediately eradicate cissexism and transphobia, it provides not only more correct ways of speaking about transgender issues, but it also allows transgender and especially nonbinary individuals to express their identities authentically (Zimman, 2017c; Zimman & Hall, 2009). By normalizing this type of language, it draws “unconventional” gender identities to the mainstream, making cisgender individuals aware of their existence. As said in the study on “hen”, one of the most powerful tools for evoking a more positive reaction to these linguistic changes is exposure; as one gets used to the idea of a word or grammatical/structural change being present, it is only a matter of time before

it gets more positively perceived (Gustafsson Sendén, Bäck, & Lindqvist 2015, p. 893). However, just instating new pronouns is not sufficient to reach the core of cissexism (Zimman, 2017b, p. 100-101).

Gender and sex have separate spectrum, but the current binary language veils this fact. On a smaller scale, it may seem harmless that someone believes that gender is a binary, and the same thing as sex. When this logic is widespread, however, it extends to the authoritative bodies, who then have the power to deny both physically and/or spiritually nonbinary individuals the right to exist as themselves, whether it be through nonconsensual infant genital modification in the case of intersex individuals or through the absence of the right to correct legal documentation for nonbinary and intersex individuals (Schulz, 2018, p. 73; Zimman, 2017b, p. 85, 88; Zimman, 2017c). This is not to conflate intersex people with nonbinary people, but the consequences could affect both groups in that expressions outside of the binary in both sex and gender are not accepted. The lack of correct documentation and social recognition continues to put an unnecessary and unjust emphasis on using an assumed binary body to identify one's gender, which in turn marginalizes nonbinary individuals in legal, social, medical, and physical contexts.

Conclusion

A third legal sex must be available as an option for identification. Starting from the time of birth, when infants cannot express their wishes, they are forcefully put into the sex/gender binary. There must be a third-person singular pronoun instituted officially as a recognized pronoun for all kinds of identification, including social and legal. While an intersex person is not inherently nonbinary in terms of gender, a legal third sex would cover both individuals identifying as nonbinary and/or intersex individuals.

Although the pronoun “they” has been allegedly perceived to have some male connotations, either “they” or a neo-pronoun would be acceptable. By changing the language surrounding the gender binary, the false conception of its infallibility would no longer hold. Those who believe gender and sex are synonymous have no choice but to accept logically that they are both not on a binary. By incorporating the new pronoun on a smaller scale into the lexicon (by using it in conversations, television, etc. for example), and ideologically into the government system, cissexism will, hopefully, slowly start to be phased out. The importance of language is often underestimated, but for a trans and/or nonbinary person, it can give them the opportunity to not have to choose between living authentically and not fully participating in society.

A nonbinary option has appeared on a small scale, first in the case of Jamie Shupe, America’s first legally nonbinary person. After years of homophobia and transphobia by their mother and the army, Jamie has stated that they feel liberated from the binary boxes that they have been placed into. Their only obstacle for legal transition to nonbinary was the lack of recognition and protection from the government. Instead of feeling policed by the expectations of binary existence, Shupe now reports that they no longer feel suicidal thoughts, and they feel free to be themselves. By having legitimacy, they felt that at the time of HB142 they could stand up, saying “So I could go to [the] state building in North Carolina and say, ‘Where’s my bathroom?’ My federal ID trumps their garbage” (Woodstock, 2017). By instilling this legitimacy into nonbinary individuals, they have the power to fight against governmental oppression without being told that it is “just a phase”. Large-scale legal legitimacy through pronoun standardization and identity recognition will create this change, and it must start with the language we use to refer to nonbinary people and our world in general.

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