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Gender Precarity: Gender Identity and the Economy of Authenticity

Within this paper, I critically examine the role of authenticity within contemporary identity politics – with a particular focus on trans* identity politics. For the purposes of this paper, the term ‘trans*’ will serve to broadly refer to transgender, transsexual, and non-binary subjects, and though my discussion of trans* politics does describe several overarching trends, it should not be taken as a totalisation of all forms of trans* identity movement(s).¹ Though trans* identity politics, particularly in the form of trans* rights discourses, have become the central focus of much political discourse in recent years – much of the engagement, even within the academy, has not attempted a clear theorisation of trans oppression within the contexts of feminist philosophy, and queer theory – particularly in so far as these fields conceptualise power. Though trans people are clearly subject to oppression – variably on the grounds of sex, gender, and sexuality – most of the discourse surrounding this has failed to contextualise the oppression of trans people within

¹ It is important to note that trans* voices are plural and cannot be fully reduced to a single position, see: Declan Henry, *Trans Voices: Becoming Who You Are* (London: Jessica Kingsley Publishers, 2017).

wider systems of power. These discourses often remain squarely rooted within the framing of political liberalism, hamstringing their praxis solely to the acquisition of political rights at the expense of wider socio-political and cultural transformation. Due to their affiliation with political liberalism, such discourses often rely on a naïve account of the authentic self, variably constructing the self through various framings of the self as an object. Within these framings, individuals are encouraged to pursue a naïve vision of authenticity that appears absolutely personal to them, producing a situation of intense identification wherein individuals become highly attached to particular personae. This identification not only claims to be presenting an absolutely true self (in a factic sense),² but presents this self as distinct from the mechanisms of power that produce it. As such, these discourses are unable to fully make use of the critical insights provided by queer theorists, who have long argued for not only the constructed nature of the self, but have also sought to make explicit how an individual's actions – mediated with and within systems of power – serve to produce a changeable, flexible selfhood (Foucault, 1991, 1988). Instead, the general move within these discourses is to treat the trans* subject as something *de facto* distinct, as a discrete kind of person that endures a distinct kind of oppression – referred to as transphobia. I do not move to dispute the existence of transphobia, nor do I dispute the oppression of trans* subjects, but instead wish to consider the ways in which we can articulate these oppressions in a way that does not require us to conduct a series of rhetorical breaks from feminist theory (for to do so would be to lose many excellent critical tools) and that also enables us to reimagine the subject beyond the confines of factic authenticity.

This paper shall consider how power has been treated in several influential contributions to trans studies, particularly their treatment by Michel Foucault (or lack thereof). I shall then respond to this problem through a reading of Judith Butler – whose corpus takes up the salient aspects of Foucault's project as it regards gender. Although there has been a wealth of work produced concerning the production of trans identities within fields of power, this work varies in how centrally it keeps to productive accounts of power. Though a good portion of

² In the sense of one's true self being a matter of fact.

academic work on the topic does acknowledge that gender categorisation is itself part of an operative mechanism of political power, the degree to which such work leaves space for pre-discursive selves remains variant (Parlee, 1996; Meyerowitz, 2002; Valentine, 2007). By the term pre-discursive self, I indicate the idea of a self that stands before the political,³ the kind of self often presumed by those political projects we would understand as representative - which is to say that they are concerned with ensuring that these pre-discursive selves achieve representation within 'the political' (however this is variably conceived). Whilst much treatment of trans subjects would agree that power is at the very least implicated within subject production, there remain a significant number of works that leave space for a representative politics of the kind that presumes some form of trans* subject before power. This is to say that such projects surreptitiously relegate power to a secondary concern, as something that may mediate the subject, but which is not fully understood - despite even the presence of overt claims to the contrary - to be fundamental to the subject. Such readings of subject-production thus fail to take power "all the way" and, even if the space left unclaimed by power is miniscule, it is often enough to leave an indisputable gendered essence at the core of the individual.⁴ This essence is a kind that, even in such a miniscule form, renders impossible a rigorous, critical project of reading identity in terms of power.

Thus, my treatment of trans studies within this paper shares Laurel Westbrook's concern that "Very few scholars within transgender studies look at how identity categories...are produced through discourses" (Westbrook, 2010: 46). My contention is that the notions of structural power that underpin notions of discourse form a 'mere' background for contemporary work on trans identities: that power/discourse routinely remains solely in the background. When not foregrounded, the implications of these readings of power routinely become forgotten, allowing them to take the form of a kind of presumed, shared knowledge.⁵ Much work within trans studies thereby acknowledges power only in

³ This before can be both temporal in the sense of an individual have been constituted before they engage in politics, and spatial in the sense of an individual constituting themselves outside of the political realm.

⁴ The concern is that such readings only reproduce the logics of gender, upholding uncritically what they claim to oppose or destroy.

⁵ When this occurs, power is far more able to appropriate those sites of resistance, allowing them to appear as a radical break when in truth they remain squarely within the field of hegemonic power. For

passing. I think it is telling, for instance, that the introduction to *The Trans Studies Reader* restricts its treatment of structural power to a "simpl[e] note", seemingly thrown in as a concluding remark (Stryker, 2006: 15).

For instance, work such as Jay Prosser's *Second Skins*, omit any sustained reflections on power, with Prosser's text going a step further than omission and actively accosting Foucault for treating materiality (in this instance 'the flesh') only in reference to discourse (Prosser, 1998: 13). In critiquing Foucault on these grounds, Prosser too seems complicit in holding ground for the subject (in this case specifically the subject as a body) to be understood beyond power. His accusation draws on and echoes Somer Brodribb's claim that within such a perspective "the flesh is made word" (ibid). However, this ignores how any articulation is to put experience into words, and thereby amounts to a reactionary refusal to acknowledge power through discourse.⁶ The hope of these projects is to locate that which can challenge normative power precisely through standing outside of it. I contend that this failure to conceptualise precisely *how* our projects resist power are intimately bound with the productive force that this very power enacts.⁷

Westbrook comments that, in its treatment of power, trans studies focuses on repressive rather than productive power, both of which are drawn from the work of Foucault (Westbrook, 2010: 45). We can also note that the repressive account of power is most commonly drawn out of *The History of Sexuality*, particularly the first volume and is thereby contextualised as a response to the repressive hypothesis, wherein power is understood to simply repress non-normative desires (Foucault, 1978). Foucault rejects this for its elision of productive power, which is to say that such a perspective ignores how power produces the very desires it represses. So, in failing to attend to the role of productive power as he does, Prosser's work appears to presume a subject that may very well be repressed by

an exploration of this dynamic, see: Ernesto Laclau, 'Identity and Hegemony: The Role of Universality in the Constitution of Political Logics', in *Contingency, Hegemony, Universality*, by Ernesto Laclau, Judith Butler, and Slavoj Žižek (London: Verso Books, 2000).

⁶ We may well be impelled by Prosser's work to ask ourselves: how are we to theorise without language? How can theory refuse language?

⁷ A figure that Dean Spade conceptualises as the "fictional transsexual", see: Dean Spade, 'Mutilating Gender', in *The Transgender Studies Reader*, ed. by Susan Stryker and Stephen Whittle (London: Routledge, 2006), pp. 315–32 (p. 321).

power, but which is not itself produced by this power, thereby repeating the repressive hypothesis.

Further to Westbrook's note, there is a noticeable lack of disciplinary power within these accounts. What is notable is that *Discipline and Punish* is itself so rarely drawn on⁸ and, with it, how treatment of power-through-Foucault within these discourses further elide any treatment of disciplinary power.⁹ This failure to account for disciplinary power, as well as a repetition of the repressive hypothesis, is notable within Sally Hines' *TransForming gender*, wherein power is discussed in various forms, but in the context of Butler only goes as far as stating that categories such as sex can be limiting (Hines, 2007: 22). The text does not explicitly discuss how these very limits are productive of their own sites of resistance, and though it speaks of abuses of power and the powers of gender normativity – neither of these are examined in light of the disciplined subject (ibid: 40, 58). This is further evident in the text's primary use of Foucault - wherein Hines focuses primarily on the notion of a docile body, which she presents as a subjectivity pacified by external power, a presentation that introduces a dualism into Foucault's reading of power that obscures how power does not solely come from without but is always-already at the heart of the subject (ibid: 64).¹⁰

Even when power is centralised, this slippage can endure. Tam Sanger, in their critique of binaries within sociological theory, claims a radical potential for trans identities to challenge the norms of gender and their hegemonic configuration within power (Sanger, 2010). However, much of this is framed as challenging misunderstandings, demonstrating a commitment to the idea of an underlying truth of the self. For instance, he continually speaks of this as a matter

⁸ Notably, where disciplinary power is mentioned, its treatment is restricted to an analysis of medical institutions and their role in the production of the trans* subject, see: Sandy Stone, 'The Empire Strikes Back', in *The Transgender Studies Reader*, ed. by Susan Stryker and Stephen Whittle (London: Routledge, 2006), pp. 221–35; Spade; Joanne Meyerowitz, 'A Fierce and Demanding Drive', in *The Transgender Studies Reader*, ed. by Susan Stryker and Stephen Whittle (London: Routledge, 2006), pp. 362–86; T. Benjamin Singer, 'From the Medical Gaze to Sublime Mutations', in *The Transgender Studies Reader*, ed. by Susan Stryker and Stephen Whittle (London: Routledge, 2006), pp. 601–20.

⁹ There are some rare examples of discussions of productive power that do not then discuss power's repressive form, there is a particular moment in Halberstam's text *Trans** that reflects this, see: Jack Halberstam, *Trans*: A Quick and Quirky Account of Gender Variability* (California: University of California Press, 2018), p. 9.

¹⁰ It is important to note that the docile body figures in Foucault as the output of disciplinary power, and thus Hine's use of it is ripe for a discussion of this framework of Foucault – a discussion that never appears.

of "misrecognition" or of his own work as making visible those who are erased by oppression (Sanger, 2010: 264). Particularly in his discussions of the limits of the gender binary, Sanger seems to mobilise 'non-binary experiences' as if these were a readily-available and distinct set of experiences that stood on their own outside of this binary, rather than noting that the very designation of these experiences as 'non-binary' establishes them in direct response with the binary itself - they are dependent on this binary for their own appearance as other or as failure. Indeed, the notion that there are certain subjects erased by power is not in and of itself a problematic reading but, in this instance, I think contains a slippage that presumes these subjects as already there to be erased, which is to say that it presumes these subjects to exist before power comes to erase them. On my reading, I suggest that the situation is considerably worse for the subjects Sanger considers, power prevents them from appearing, they cannot even be erased for they are unable to appear - and this inability to appear demonstrates the conditions of power underlying the very binary Sanger wishes to overcome.

This collection of examples is by no means exhaustive, and my claim intends only to highlight a general trend that is noticeably present where power is discussed within relation to transgender identities - particularly when these conversations draw (more or less directly) on the work of Michel Foucault, who shall be a primary reference for power within this paper. My claim should not be mistaken as a reductive totalisation of trans discourses, but - having noted the presence of this trend within several major works that we can regard as central to trans-gender studies - I seek to suggest a useful way of responding to this common series of arguments and positions. It is my hope that through articulating the precarity of gender, we may articulate ways not of dismissing the manifold contributions of trans scholarship, but instead may develop critical tools to both inform and deepen the kinds of engagement we can have with these texts - perhaps even helping us to better apply their ideas to the numerous sites of contestation within contemporary identity discourse.

As such, there are three central points I wish to raise within this paper. The first of these concerns the 'inauthentic' ontology of gender - a point I shall establish through revisiting Judith Butler's *Gender Trouble*. Secondly, I shall use Butler's presentation of the heterosexual matrix as a model of oppression, and shall

demonstrate how this can provide us with a useful critical vocabulary for discussing trans* oppression. This move suggests that there is available to us a way of articulating transphobia that remains in direct conversation with pre-extant feminist theory, that adherence to or adoption of the insights and tools of feminist theory does not require a form of trans-erasure. Thirdly, I shall examine trans* oppression in light of precarity – introduced by Butler in her text *Precarious Life* and developed in *Frames of War*. Through the use of precarity, I shall explore the aims of trans* identity politics, as well as discussing trans* oppression through the lens of an economy of authenticity.

Judith Butler's *Gender Trouble* occupies the centre of a contested conceptual terrain – wherein she is both supported and resisted on grounds that misrepresent the arguments presented in the text. Famously, Butler begins her considerations with a deconstruction of the idea that feminism has an essential subject – that of 'woman' (Butler, 1990). Such a foundation, says Butler, is fictive – for there is no subject awaiting representation. In a distinctly Foucauldian series of moves, Butler presents gender as inseparable from the cultural intersections that produce and maintain it – rejecting the separation of the subject from conditions of power, contesting both the singularity of identity and the idea that a category of identity could ever be seamless. This famously culminates in her Nietzschean rejection of the metaphysics of substance and her elaboration of performativity (Butler, 1990).

Many of us will be familiar with these arguments, or with the queer feminist philosophy they have inspired.¹¹ However, the ramifications of this view for thinking about gender often go without elaboration or appreciation. Butler's rejection of the metaphysics of substance fundamentally deconstructs the ontology of gender – reorienting us away from a discourse wherein gender is a factic quality: true or false. Gender is not factic for it holds no truth-value, gender is an affective production of power – and as such it can be neither authentic nor inauthentic in so far as these terms remain mired in facticity. To maintain this vision of gender as mired in truth-value is not merely to deny the deep insight Butler's text provides,

¹¹ As Prosser himself notes, trans studies owes its existence to Butler's canonisation.

but it is to further disavow the performative mechanisms by which gender is produced and thus to sustain the regime of power that underlies that production.

This hegemonic regime is one wherein the subject is understood to be a kind of substance that has further essential qualifications (such as gender, sex, or sexuality). These essential qualifications are considered to be innate insofar as subjects are thought to be pre-constituted with these defining traits before they arrive on the scene of politics. As such, Butler provides us with a critique against the very kind of identity authenticity that underpins so many contemporary identity discourses – each of which seek to establish who one ‘really is’ as an essentialist foundation upon which one can then claim certain rights. This is, of course, not unique to trans* politics, but to LGBT politics more widely – and has potential implications for civil rights discourses that centre on other ‘protected categories’ such as race, sex etc. Perhaps these discourses have strategic political value, and one cannot dispute the rhetorical value of repeating such essentialist moves within the current political paradigm, but one cannot then deny that such moves reinscribe this vision of the subject into the heart of these discourses. Though this paradigm of political strategy may appear to be eminently sensible, it is nevertheless a strategy that continues to play the game of liberal politics as intended - it is not a strategy that could ever move beyond the conditions of subjugation. As such, when trans* rights advocates make these discursive moves they are at once making what may be an understandable response to their present political condition – but it is nevertheless one that helps to sustain the very system of power that underlies the structure of that oppression.

The reinscription of the liberal discourse into identity politics helps to maintain trans* subjects as a distinct type of person – as that which is marked by some kind of inherent or innate ‘transness’ – and it is uncontroversial to note that trans* identity politics has embraced this essentialist argument as one of its many rhetorical tools – echoing the classic ‘born this way’ argument in the context of gay and lesbian liberation politics (Walter, 2018). To read this position in light of Butler’s critique of the metaphysics of substance is to trouble this articulation of trans* identity – but it does not culminate in a form of trans* denialism or erasure. Instead, the theoretical move would be to articulate the trans* subject in terms of

how it is implicated in broader systems of oppression. It is at this point that I find it useful to turn to the heterosexual matrix.

Though perhaps not intended to serve as such, I deploy the heterosexual matrix within this paper as a way of modelling oppression based on the unholy trinity of sex, gender, and sexuality. We can think of the matrix as a grid of disciplinary power – one that enforces an alignment between disparate elements. As such, we have a body classed as a particular sex, from which gender and sexuality are presumed to follow (Butler, 1990: 36). Now, of course this alignment can be broken in multiple ways – such as in the figure of the homosexual, or the trans* subject – whereby the alignment between sex and gender can become troubled in numerous ways. However, the heterosexual matrix does not simply bring pre-extant elements of identity into alignment – it produces them through this alignment (ibid: 31). It is not that the homosexual or the trans* subject exists outside of the matrix, conversely they are constituted by the specific ways in which they refuse or deny the compulsory heterosexuality the matrix seeks to reproduce.¹²

The purpose of these insights is to demonstrate that the trans* subject should not be taken as a distinct type of subject – and thus subjected to a distinct kind of oppression. Instead, those oppressions affecting trans* people are products of the wider system of sex, gender, and sexuality based oppressions – albeit intersecting in a particular way. Rejecting this framing of the subject – which would entail viewing trans* subjects as a distinct type of person – we can instead acknowledge that trans identity is not a matter of being the bearer of a distinct identity qualifier but is instead constituted by the subject's relationships with (and within) the norms and laws that delineate these wider oppressions. Accordingly, to consider power in this context is to follow the Foucauldian conceptualisation of power as a series of interwoven relationships. The subject is thus never secured or achieved 'once and for all', but is instead an ongoing matter of negotiation – and, within the context of trans subjects, this negotiation occurs not within an isolated structure of transphobia but within the matrix of sex, gender, and sexuality upon which any conceptualisation of gender fundamentally depends. This is to suggest

¹² For a detailed treatment of how the matrix produces compulsory heterosexuality, see: Angie Fee, 'Who Put the "Hetero" in Sexuality?', in *Transgender Identities: Towards a Social Analysis of Gender Diversity*, ed. by Sally Hines and Tam Sanger (London: Routledge, 2010), pp. 207–23.

that a failure to acknowledge how transphobia is a product of this wider system of power is to allow a particular vision of the subject – a commodified vision, relying on a factic account of authenticity – to obscure the political reality of trans subjects. It is to disavow the manifold insights of queer theory, which attempt to deliver us from a schematic of the subject that confines us and that remains open to continual co-option by present systems of power and oppression. In reclaiming these insights, we attempt to create space beyond the confines of authenticity-speak. These insights do not diminish the importance of critically attending to and opposing transphobia – instead this is a move towards an acknowledgement of the importance of treating trans* identity intersectionally (Crenshaw, 1989). This understanding suggests that oppressions based on sex, gender, or sexuality must be understood as *de facto* intersectional on the grounds that each of these identity qualifiers structurally depend on one another for their individual intelligibility.

As part of this intersectional articulation, I turn to Butler's later work on precarity, through which we can articulate how identitarian discourse serves as a condition for contemporary trans* oppression. Precarity is presented as the fundamental vulnerability, an undeniable part of the human condition (Butler, 2006). Butler specifically discusses this with respect to bodies – whereby our bodies are *de facto* vulnerable to injury and harm – setting this alongside the question of the kill-ability of the other (which she considers alongside Levinas and the face) and of grievability (Butler, 2016). Due to the ways in which our bodies are linked to one another – there is always a vulnerability here that although it can be maximised and minimised, can never be finally denied or displaced (*ibid.*). The question of maximisation or minimisation of precarity is described as a function of political power – whereby certain vulnerable populations can be overexposed to their own capacity to be injured or killed.

Though Butler considers precarity as a matter of bodily integrity and questions the circumstances under which the boundaries of the body are made permeable – particularly in instances of violence – we can too consider the precarity of **identity**, particularly in the form of identification (Butler, 2016). Much like the body, an individual's sense of self is implicated in discourses that extend beyond them, the terms within which they articulate themselves are not purely theirs to control or determine, and their articulations always act to address

others. Similarly, the boundaries of one's sense of self are not absolute – they are constantly called into question throughout our lives and our interactions with others. Articulations of the self are fundamentally precarious because they must be maintained. Without repetition, a sense of self fails, precisely because it has no other ontological underpinning.

The result of this view for gender politics is transformative in the sense that it troubles the mobilisation of discourse towards a settled account of the self. This is understandably difficult for certain kinds of politics. Contemporary identity politics is largely premised on the idea that one's identity (such as one's gender) is not **only** entirely one's own – a point that Butler herself contests – but also that it can be viewed as a factic matter that, once established, is settled once and for all. Of course, a rejection of the metaphysics of substance entails a rejection of the idea that gender – perhaps identity more broadly – can ever be established by a singular, founding act. But it is important that we understand why these identity politics make the moves they do – and this is precisely because they are responding to the present construction of trans* identities as precarious. In contemporary societal discourses, trans* identities are viewed as less authentic than cis* identities – just as homosexual identities are sometimes held to be inauthentic when compared to heterosexuality, or, in turn, how bisexual identities are often viewed as less authentic than homosexuality identities. The resulting economy of authenticity is one wherein certain subjects have their identities viewed as authentic (if they are conspicuous as 'identities' at all),¹³ whereas others are continually seen as inauthentic – as being, at best, an imitation. Perhaps a very good imitation, but never the genuine article. It is an understandable response to a condition of induced precarity – with the violence and death this can entail (or serve as *post hoc* justification for) – to seek out security. However, though the desire to overcome precarity is understandable – precarity itself cannot be escaped. We must be careful that, in attempting to overcome conditions of induced precarity

¹³ Sara Ahmed's corpus provides a series of excellent tools for exploring precisely which identities become conscious as identities and under what conditions, see: Sara Ahmed, *Queer Phenomenology: Orientations, Objects, Others* (Durham: Duke University Press, 2006); Sara Ahmed, 'A Phenomenology of Whiteness', *Feminist Theory*, 8.149 (2007) <<https://doi.org/10.1177/1464700107078139>>; Sara Ahmed, *Living a Feminist Life* (USA: Duke University Press, 2017).

(a consequence of a specific regime of power), we are not at once disavowing precarity itself.

A ramification of the rejection of the metaphysics of substance, which is to say against an essentialist picture of gender, is to recognise an absolutely secure gender identity as impossible. This point does not admonish trans* politics or trans* people for seeking this security, instead it calls into question the efficacy of playing into a discourse that structurally marginalises trans* people and which sustains gender as an exploitative structure of power. Instead, this philosophical move entails a preclusion against factic authenticity, calling instead for a recognition of the precarity of the self, and a politics that foregrounds this precarity. Importantly, this approach troubles the practices of mainstream contemporary identity politics and the numerous points wherein these reinforce the structures that underpin the very oppressions they avowedly oppose – such as the economy of authenticity. Conversely, deliverance from the economy of authenticity must entail a refusal to sink into this vision of the subject, and the facticity of identity must be refused. Only through locating those lacunae through which the grammar of the authenticity can be refused can we find the purchase required for a project of deliverance.

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