

BRATISLAVA INTERNATIONAL SCHOOL OF LIBERAL ARTS

**Social Construction of Gender: Is Gender Binary or Does it Exist on Continuum?
Experience of Transgender People in Slovakia**

Bachelor Thesis

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Declaration of Originality

I declare that this bachelor thesis is my own work and has not been published in part or in whole elsewhere. All used literature and other sources are attributed and cited in references.

Bratislava 22 February 2016

Andrea Vargová,

Signed: _____

Social Construction of Gender: Is Gender Binary or does it Exist on a Continuum? Experience of Transgender People with in Slovakia

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Abstract

The aim of this work is to reconsider the contemporary gender classification through the theory of transgender as a theory that refutes used classification not only as changeable, but also to consider gender as non-binary. I will argue my point through the societies that are almost untouched by the modern society as well as transgender members of modern society. The main point of this work is to show that there are not just two genders people can choose from, but many variations of the two used by our society as 'normal', male and female. I will make this point clear through gender theory and socialization of person into one of other gender, based on its socially constructed social role it should have. This work will also look at the case study of Slovakia and how is the situation of the institutions for transgender people and their assimilation to the society.

Sociálna konštrukcia rodu: Je rod binárny alebo funguje na kontinuu? Skúsenosti transrodových ľudí na Slovensku

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Abstrakt

Cieľom tejto práce je znovu zvážiť súčasnú klasifikáciu rodu cez teóriu transrodových ľudí ako teórie, ktorá vyvracia zaužívanú klasifikáciu nie iba ako zmeniteľnú, ale taktiež táto práca zvažuje rod ako nebinárny. Toto tvrdenie podporím pohľadom na spoločnosti, ktoré sú takmer nedotknuté modernou spoločnosťou, ako aj transrodovými členmi modernej spoločnosti. Hlavným cieľom tejto práce je ukázať, že neexistujú iba dva rody, z ktorých si ľudia môžu vybrať, ale že je tu mnoho rodov, ktoré môžu byť variáciou dvoch zaužívaných v našej spoločnosti ako „normálne“, muž a žena. Tento bod objasním cez teóriu rodu a socializáciu jednotlivca do jedného z rodov, ktoré sú založené na sociálnom konštrukte sociálnej role, ktorá je k nemu pridelená. Táto práca sa taktiež bude pozerať na prípadovú štúdiu Slovenska a jeho inštitúcií pre transrodových ľudí a ich asimilácia do spoločnosti.

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Introduction

Modern society in terms of gender functions on the basis of the binary system, but this is not the case for all communities in the world. There are tribes that let their members choose the social role they want to fulfil in the community that Western society recognizes as gender function based on the biological sex. In the tribes, however, their biological sex does not have to be the same as their gender that is a socially constructed role of a given sex in the society. Not only do these communities recognize another types of gender, they respect them and sometimes even give them greater importance in a hierarchy than the regular members have. In case of some Native American tribes the members of a different gender affiliation are considered to be third gender and in case of Mohave tribe even four different genders.

The system of tribes almost untouched by modern society's binary perception of gender breaks this binary gender system and show that society can function as non-binary. The problem with the western culture is that binary gender system is not applicable to all its members as for example transgender people who do not identify themselves with the idea of gender and sex as coherent and connected. Transgender people are stigmatized and unaccepted by modern society while in small tribes it is not a problem to have different sex and gender. The contemporary society lacks social justice and stigmatizes people if they disobey cis social norms by being naturally who they are. Modern society needs new organization which would break identification of an individual and assigning of a role to the person by a third side.

Socialization is important and inevitable in all communities, no matter whether they are big or small. The problem with assigning gender in a young age and rising up the child to fit the social role of a certain gender sometimes does not match the biological sex. (Wharton, 2005)

Children are born as gender neutral. They are raised up to fulfil a certain social role and so we can claim that gender is a result of social construction. It was created in order to make sure that all the positions of society, which are necessary for its survival, are occupied. These roles are divided between two sexes, male and female. This, however, does not mean that only two genders exist as we can see in the case of diffused communities which do not categorize their members as sick or mentally disturbed if their biological sex and gender are not coherent as it would be expected in western culture. Some communities do not raise their children into any gender and let them choose for themselves through rituals, mostly when they reach the age of maturity. This means, transgender people do not have to

accommodate into binary gender system, because binary gender system is constructed by cis people in order to put people into categories of female and male based on the genitalia the day they are born.

In Slovakia, information for the case of transgender is almost nonexistent and the little that is presented by media is ambiguous. The only reliable sources are the articles and webpages of organizations working in transgender circles, such as is TransFúzia. Law and education about transgender people are not set and so people do not respect the basic human right of self-determination.

Liberalization of modern society opened a space for new groups to demand recognition and society needs to include these groups to the functioning of a society for it to prevail and maintain its legitimacy and stability. The focus of this work is to analyze gender situation in a modern society in which gender works as binary. As a key study for the issue we will analyze the impact of binary gender system in transgender society, more specifically in Slovak society and into what extent these people have space to function in given society.

CHAPTER 1: Theory of belonging to the binary gender system

In this chapter we will look at the theory of gender and theory of transgender which are the key aspects of exploring why the society is gender binary and why does it not apply to transgender people. Main issues in this chapter will be to explain the difference between the sex and gender and to define binary gender system. Binary gender system does not work for all members of the contemporary society and so it is important to look at such group and define why binary gender system does not apply to them. To do so, we decided to look into transgender group. In this chapter we will define transgenderism and transgender people, who they are and why do they defy established gender system. We will also look at the two-spirit people, and tribes which recognize more than just two genders.

Gender and sex difference

Gender categorization in human society is not just common, but ever-present. While we talk about gender we have to be careful to distinguish between gender and sex since one is of biological nature while the other is artificially created by society by connecting it with a certain functions and social roles assigned to it. This difference varies from culture to culture. Gender is present in our everyday actions and we “do” gender through our learned activities. (Kessler, McKenna, 1985) Gender is, therefore, not shaped by biological differences, but through social interaction. (Holmes, 2007) It is important to state that definitions provided in this work of a gender and transgender are bound to the Western Culture not all the cultures since little communities function differently as some of which we will introduce later in this chapter.

To understand what gender is we first need to define a difference between sex and gender. These two terms are many times confused and are seen as interchangeable which they are not. Sex is of a biological origin while gender is socially constructed¹ and its definition of masculinity and femininity depends on the culture and individuals functioning in it. (Hines, 2007) As for example, we could take contemporary society that functions mostly on the level of binary gender system² and if someone steps out of the line they are stigmatized, compared to the almost untouched tribes that have a representation of two-spirit people, or people who are biologically one gender, but take on the gender

¹ A process or believe created in and by the society which cannot exist outside of the society since it is unable to survive without people believing in it, following it or living it and cannot be found naturally outside of a certain human community

² A system in which only two types of gender are recognized – male and female – and it refuses to recognize other types of gender identity, or the ability of self-identification on the gender level

role³ of an “opposite gender”. (Roughgarden, 2004) The concept of two genders, however, was created by cisgender⁴ community which accepts existence of just two genders, male and female. Cis people refuse to accept existence of third gender or any other gender which does not identifies themselves as male or female. Moreover, according to cisgender believes, gender and sex have to match and are given to the individual after the birth by a person authorized to “name” genitals of a child to be either male or female.

When someone says gender, the first thing that comes in mind is a difference between male and female mostly as some kind of symbol that was assigned to a certain gender by a society, either as a color (blue for boys, pink for girls), toy (doll for girls to play with and car for boys), or actual symbols (φ, σ). We can even imagine a person in a certain situation depending on a behavior we expect them to have (cooking woman and man repairing something). Gender role is a certain behavior that is assigned to a gender by the society which expects an individual to fulfil this role. Gender-normative behavior is a behavior that meets expectations of the society while gender non-conformity is an incompatible behavior to a given gender. (Butler, 1990) Gender-normativity or non-conformity is decided by gender norms which are *“the sets of rules for what is appropriate masculine and feminine behavior in a given culture.”* (Ryle, 2012, p. 120)

Sex and gender are mostly understood as coherent and so biological sex has to match the gender identity⁵. (Hird, 2002) The concept of gender, however, changes from culture to culture, as well as concept of masculinity and femininity that is directly connected to a gender role. (Hines, 2007) According to Butler (1990) gender should be seen as fluent and biological sex should not determine ones gender identity, which is a role which individual chooses for self. Gender is not stable, but more likely it should be understood as fluent and changeable. Moreover, sex and gender should not be grouped together since they do not necessarily depend on each other. Perry (1999, p. 8) says that *“gender is defined here as cultural construction of femininity and masculinity as opposed to the biological sex (male and female) which we are born with.”* In case of femininity and masculinity, it is more likely that male-to-female transgender people will be less accepted than female-to-male transgender people since in western culture the concept of masculinity is about power and authority while femininity is about delicacy and fragility. “Becoming” female can be seen as throwing away one’s power and this may be the reason why males “becoming” females are less accepted.

³ A public presentation of the social role understood either as male or female depending on the definition by various culture, e.g.: hunting as male presentation of strength and taking care of the sick as the female role

⁴ A person who is comfortable with the gender they were assigned after the birth and they identify with it

⁵ Internalization of being male, female, third gender, etc.

Binary gender system which claims that there are just two genders individuals can identify themselves with, male and female, is the system that was adopted by a modern society. It is expected of an individual that this gender matches its biological sex. This sometimes does not apply for some people who decide to change their gender and sometimes even their biological sex, to better fit into the binary system and by that to fulfill the expectation of a society for an individual to match his sex and gender. Modern society has a model of binary gender, which helps to organize it, on one hand, but on the other hand, not all members of the society can identify themselves as either male or female and take some social roles from both, no matter their biological sex.

We need to look at transgender people within society and how the society perceives transgender people. Hird in her article *For a Sociology of Transsexualism* divides perception of cis-normative people into three processes of gender interpretation:

1. Authenticity
2. Performativity
3. Transgression

In case of authenticity – that deals with the relationship between gender, sex, and “reality” – the society sees sex as something stable and unchangeable according to which the division of power and labor is dealt with. *“The notion of authenticity rests upon three inter-related assumptions: that sex and gender exist; that sex and gender constitute measurable traits; and that the ‘normal’ population adheres to the first two assumptions.”* (Hird, 2002, p. 581) According to the first assumption, sex is understood by cis society as stable, they derive gender of an individual based on anatomical sex. For cis people, the ones who decide to get surgeries to change the sex they were born with are just castrated males or sterilized females and they do not see post-operative transgender people as “true” women or men, but rather as women “living as” men or vice versa. (Hird, 2002)

Second problem with the assumption is that sex and gender are believed to be measurable. Because of this children are raised stereotypically with a certain toys, behavior patterns, colors, etc. assigned to them based on the gender decided for them right after the birth. The last problem is that society understands transsexuals as deviant group who wants to undergo a sex surgery and so deviates from their biological sex and so they are “pathologized”. (Hird, 2002)

Furthermore, Hird (2002) explains that performativity is the way we express femininity or masculinity on the outside. In other word, it is whether we behave feminine or masculine while interacting with other members of the society. *“Thus we find a shift from an analytic emphasis on the authenticity of gendered identity to a more malleable notion of identity as performance.”* (Hird, 2002, p. 584)

The last category, transgression, looks at the extent to which the modern concept of gender and sex are influenced by transsexualism. Transgender people strongly challenge two-gender system by breaking the relationship between gender and sex as stable and unchangeable. (Hird, 2002) It should be up to the individuals to choose a gender for themselves and society should broaden the scope of genders to choose from or give a freedom to an individual to form their own gender identity without any involvement of the third side.

Gender identity is constructed through identifying of an individual with a certain social role and is exclusively a mental process. The problem with identification with a certain role is that society expects an individual to adopt a role that matches their gender. There is a possibility to undergo the surgeries to accommodate their sex, so it will “fit” the gender, which is not the solution for all transgender people since they do not necessarily fully have to identify themselves as “the other gender”. *“Psychological analyses of transsexualism focus on the issue of authenticity because the discipline remains wedded to sex and gender as coherent, stable and ‘real’ concepts.”* (Hird, 2002, p. 578)

Transgender people in theory

In the past, being transgender person was not seen as disorder. The Greek medics believed there were not just two genders, but alongside them a third gender existed, back then referred to as hermaphrodite, which is nowadays derogatory term for intersexed people. Not only medics believed in the existence of third gender, but this concept was also presented by the mythology and was part of cultural norm. (Witten, 2003) The reason why the third gender may not be conceptualized as natural, according to Witten (2003), may be the change of the thinking in the terms of religion which shifted from Greek polytheistic to the Judeo-Christian monotheistic. *“The imposition of Judeo-Christian monotheism replaced the pantheistic view and brought the associated gender/sex continuum of Greco-Roman era into the digital age (on or off, male or female)”* (Witten, 2003, p. 216)

Division of society into two sexes is based on the myth of Adam and Eve. The Judeo-Christian concept decides what sex a person is, based on the genitals the child is born with and associating them

with one of the sexes by a person who is authorized to do so, a doctor. If a child is born with penis it is a boy, if with vagina it is a girl. (Witten, 2003) Even though teachings of Catholic Church were strong, there is documentation mentioning transgender people in Middle Ages. (Hines, 2007)

The period of nineteenth century was decisive in term of medicine having say in the issue of transgenderism. Until then mostly Catholic Church regulated thinking of the people and spread the believe that being transgender, homosexual, or having any other sexual or gender preference than the one being intended for reproduction is sinful. *“Central to the medical profession’s burgeoning interest in matters sexual was the attempt to classify all acts of non-procreative sex.”* (Hines, 2007, p. 10) The result of this was the classification of transgender people as a separate group in terms of sexual behavior. Until this classification, transgender people were considered as criminals with cross-dressing fetish. After the classification, however, transgender people started to be approached from the medical point of view and so they were classified as “abnormal” or “sick” since they were not following the norms of the cis gender binary system. (Hines, 2007)

“Gender” community, according to Witten, is really difficult to categorize: *“an individual who is born genetically female (XX), but states that she is actually male, might describe himself as an FTM (female-to-male) transsexual, while another woman might claim the label transman. Others might choose to define themselves in terms of hormone usage (lo-ho, hi-ho) transman and still others might use their “operative status” as a description (pre-op transsexual, post-op transman). Yet others might claim that they were MBT (men born trans). Thus, categorizing the membership of the transgender community is exceedingly difficult.”* (Witten, 2003, p. 219) Nonetheless, there is a way how to define transgender people or anyone who is non-conform to the cis binary division, though it is not possible in the boundaries of binary gender classification. If we use so called negative definition, we can define transgender people as the ones who do not identify themselves with the gender they were assigned after they were born and so they call for respect of gender self-identification and self-determination without intervention of a third party.

Transgender people, however, are less accepted than intersexed people since according to Cassell (1998) their problem is not as easily “fixable” as in the case of intersexed⁶ people since it resides

⁶ According to the definition by *Intersex People of North America* people born with unusual sexual or reproductive anatomy are described as intersexed. The conditions may vary from physical appearance on the outside to a difference of the reproductive organs on the inside, by which this does not fulfill the cis normal conditions of male and female body image. The body image can be either of a person having genitals of one sex, but inner reproductive organs of the other or they may have ambiguous genitals which are neither male nor female. There

in the mind not in the body, which can be surgically “corrected” to fit the gender binary system. Judeo-Christian model accepts the only sexuality, heterosexuality, since it is the only model according to which people can reproduce as should be their natural instinct. If male, who is by nature masculine, and female, naturally feminine, and both are accepting their social roles have an intercourse, they will produce a child with the characteristics taken from one of their parents and not mixed, so the sex and gender are linked as should be according to the cis society conditions – penis means masculine behavior and male social role, while people with vagina should be feminine and accept female social role. (Witten, 2003) Cassell (1998) calls this “right mind/right body” as of intersexed child is person who has “wrong body/right mind”. In case of transgender people their problem is not “fixable” since it resides in mind and it cannot be surgically “corrected” and so they have “right body/wrong mind” as if they do not identify themselves as they should as the shape of their genitals communicates. In other words, their body and mind do not share sex and gender identity as is given by the cis gender binary society.

Transgender people versus medicine

“Medicalization is the process by which non-medical (or social) problems become defined and treated as medical problems, usually as illnesses or disorders.” (Waggoner, Stults, 2010) In the cis western culture everything has to be defined and if anything is out of the order from the social norms it is called a disorder and thus has to be medically classified and reason has to be given why a certain phenomenon happens, instead of accepting difference and diversity in the society. If a proper medical explanation cannot be given, society is more likely to reject people who are different as themselves out of the fear of unknown. To categorize transgender people as psychically unstable is kind of a defense mechanism of gender binary system to prevent people from realizing that society is not gender binary, but it is more complex and we cannot assign gender based on sex at birth since it is choice for an individual to make. Freud is of an opinion that gender is closely connected to the psyche of a person and is determined not by being born to a certain gender, but being raised up to it. Since gender is, according to Freud, learned process through social interaction, the social nonconformity can occur, in other words, gender identity failure. *“Freud and his followers believed that visible anatomical differences were decisive in the*

are various conditions in genitals such as are large clitoris, no vaginal opening, small penis with divided scrotum resembling labia. The problem during identification may occur also at the chromosomal level *“person may be born with mosaic genetics, so that some of her cells have XX chromosomes and some of them have XY.”* (ISNA, 1993-2008)

development of the child and especially that sexual energy, located in the body, propelled the child's experiences that determined gender identity." (Kimmel, 2011, p. 87)

Freud recognizes five psychosexual stages. The first two – “orals stage” and “anal stage” – are connected with feeding and defecating and for a theory of gender they are not of a big importance. “Phallic stage” is a part of an infant’s life during which gender formation starts. Child, according to Freud, identifies himself or herself with a parent of the same sex. It is more difficult for a boy than a girl to identify themselves with a parent since girls are growing up close to their mother since they are born, while boys have to bond with a new parent, father, who is also less affectionate than mothers. It is a process of choosing between “becoming” masculine or feminine. (Kimmel, 2011)

Freud also connected gender with adopting certain sexuality and if sexuality was other than heterosexuality in a child, he considered this as a failure of identification with the same sex parent. He did not, however, consider homosexuality or bisexuality as sickness and therefore there was no need to “cure” them. Just a term “failure” in Freud’s work implies, identification with an opposite sex parent and adopting their gender which is cis-normative is seen as “mistake” on the side of a child and its incompetence to socialize into binary gender system. Even though Freud was the first person who thought about gender as not given at birth he was still unable to grasp a concept of not-binary gender existence.

Being transgender is still considered to be a medical issue and so the “disorder” is registered under the name ICD10 F64.0 Transsexualism. This “disorder” is considered to be of psychical or mental origin. The diagnosis is defined as follows: *“A desire to live and be accepted as a member of the opposite sex, usually accompanied by a sense of discomfort with, or inappropriateness of, one's anatomic sex, and a wish to have surgery and hormonal treatment to make one's body as congruent as possible with one's preferred sex.”* (ICD-10 Version:2016)

A new version of the diagnosis is being prepared and should be finished by 2017. The new version should exclude medicalization of transgender children since it is unnecessary. Julia Ehrt, Executive Director of TGEU, says that children should be who they want to be and adults should guarantee them this freedom. She adds that hormonal or any other medical treatment of transgender children is not necessary until they enter puberty and so having diagnosis for children who did not enter puberty is meaningless. A new version of diagnosis should group transgender people under the category of sexual

health instead of the one of mental illness. *“Not labelling trans people as mentally ill anymore will be an important step forward and will help to reduce stigma.”* (TGEU, 2014)

In the ICD11 beta version a diagnosis of “5A40 Gender incongruence of adolescence and adulthood” is proposed and is defined as *“a marked and persistent incongruence between an individual’s experienced gender and the assigned sex, generally including dislike or discomfort with primary⁷ and secondary⁸ sex characteristics of the assigned sex and a strong desire to have the primary or secondary sex characteristics of the experienced gender.”* (ICD-11 Beta Draft) Furthermore, an individual experiences a desire to “transition”, to become and be accepted as experienced gender.

To define someone defying the established rules of cis binary gender system as mentally sick is just a way the system protects itself. If transgender people would be considered as a part of the system that is natural the system would fall, since the bonds between sex and gender which were created within the system would not apply anymore, not to mention if someone would define themselves as third gender. The binary gender system would fall, as well as social role control which was established with it.

Concept of sex and gender in diffused communities

All around the world, there are small communities of people who have a bit different pace of life and live according different social standards than what modern western society considers as “normal”, or cis friendly. In these societies thing as non-binary gender system is not an issue or people who decide to adopt a different social role than what would be given do them according to their biological sex are not frowned upon. Modern society, even though being pushed to adopt strict social rules due to the number of people living in it, could learn from these small communities at least one of the most basic things such as is respect of those who are different than majority of the community.

Anthropological researches show that the level of masculinity and femininity among different traditional cultures varies even though members of these communities have similar biological composition considering hormonal and brain structure. Margaret Mead, who studied South Seas’ cultures, claims that sex differences are not biologically given, but rather learned from the community an individual lives in.

⁷ The primary sexual characteristics are clearly visible since a child is born. Penis and testicles in boys and vagina and ovaries in girls are considered to be the primary sexual characteristics.

⁸ The secondary sexual characteristics are the ones that develop later in life while child experiences puberty. For girls the secondary sexual characteristics are breasts and facial hair for boys.

In America, there were tribes in which it was normal to represent both genders no matter what biological sex a person was born with and they did not have to undergo medical treatment to accommodate their body – transition was even forbidden, because it would change the two-spiritedness of two-spirit people, how people representing female and male gender at the same time were called and were perceived as third gender. *“Some tribes have held two-spirited people in exceptionally high regard, in part because of their religious role in ceremonies and beliefs about creation.”* (Roughgarden, 2004, p. 330) Western society recognizes existence of two sexes and so assumes existence of two genders, one for each sex. Not only is not the concept of gender non-binary, non-binary gender is practiced in the small communities and tribes all around the world, not just accepting non-coherence of sex and gender, but they recognize existence of more than one gender.

Roughgarden (2004) in her work mentions two tribes in which two-spirit people have a spiritual importance. According to the legend in Zuni tribe there was a war between agricultural spirit and the spirit of hunting, each of them representing femininity and masculinity. The one who brought peace between the two was a deity of two-spirited origin and thus did represent neither man nor woman. The performance recreating the events from the legend takes place every four years with a two-spirited person playing the main role of the deity who brought peace between the warring sides. The other case described in the work, Navajo, has a similar tradition.

The Navajos, or Navahos, have a legend that *“the survival of humanity was believed to depend upon the inventiveness of two-spirited deities. Having two-spirited deities at the foundation of religious endowed two-spirited people with dignity and significance.”* (Roughgarden, 2004, p. 331) Moreover, Kimmel (2011) in his work *The Gendered Society* describes the two-spirited people of Navajos tribe being recognized as third gender. The first two genders are recognized same as in Western culture, masculine for man and feminine for women. *Nadle* is a third gender and people whose biological sex is not certain at birth belong to this group. One can, however, also decide to be part of the third gender and then is expected to perform tasks meant for women and man alike. Members of the tribe who define themselves as *nadle* are referred to as a woman, which is not degradation in the social status, but rather their social status increases, since the role of women in Navajo tribe is of a greater importance than the one of man. With the “woman” status come also many privileges and special rights such as are decision-making in conflicts, property ownership, and sexual freedom which enabled *nadle* to choose a partner of a sex they preferred, marry them and even preserve their status of third gender after marriage. Another communities recognizing third gender Kimmel (2011) mentions live in Mexico, in the state of Oaxaca.

They call the third gender people *muxe*, who are males behaving like women from an early age. *Muxe* are not just accepted by the community, but are seen as special in terms of intelligence and artistic skills.

The Mohave, also known as Mojave, is a tribe from North America residing in Mohave desert who seems to have not two or three gender, but even four of them. Apart from male and female gender, they have two more genders known as *hwame* and *alyha*. *Hwame* is biologically woman who decided to act the man role in the community and so fulfills daily routines of male members such as are hunting, and farming after the initiation and by that official recognition of being a male. Apart from these *hwame* had a responsibility as a parent, but could not be a part of political decision-making. *Alyha*, on the other hand, is the male who went through ritual to become woman. After the initiation and official recognition *alyha* adopt female name and do female activities, such is wearing female clothes, painting their face, perform daily activities meant for women, as well as marry a man. After *alyha* marries, they even simulate menstrual period by cutting their upper thigh monthly. To be more like women *alyha* learn how to simulate pregnancy and labor pains. (Kimmel, 2011)

Gender diversity is not the only common feature among the tribes and little communities. In the Middle East there is a group of Omani males, but their social gender identity is female. Kimmel (2011) refers to this group of men as “*xanith*”. These men serve in the households, but compared to other male servants their attire is of more feminine, pastel colors, as Kimmel describes it. “*Xanith*” are allowed to speak to women in the streets while men are prohibited to do so and also sit with women at the social event which require segregation. Fluidity of gender is allowed since “*xanith*” men can choose to, eventually, adopt male gender or choose to represent female gender and go as far as marry a man. “*And still others move back and forth between these positions through their lives, suggesting a fluidity of gender identity that would be unthinkable to those believing in biological determinism.*” (Kimmel, 2011, p. 78)

Conclusion

Modern society is regulated by cis-normative rules which includes also category of gender. An individual living in western society is bound by binary gender system which recognizes existence of only two genders: male and female. Gender is directly bound to the biological sex, which is represented by the genitals of a person. Depending on the genitals, gender is assigned to a person by a third party, the doctor. If person accepts gender assigned to them they are so called gender-normative. If a person,

however is non-conform to the assigned gender, they are pathologized and medicalized as transgender people or people whose gender and sex are not bound according to the standards of cis-normative society.

Once a person is labeled as transgender, they are seen by the cis-normative society as people with disorder. In medicine transgender people are referred to as people with identity disorder, which is of psychological character. Being gender non-conform in the cis western society ruled by the two-gender system means not recognizing the basic human rights of self-identification and self-determination which prevents all members of the society in self-development.

Not all societies around the world, however, function as gender binary. There are many people who, even though being mainly male and female, recognize, accept, and nurture members of their society as special if they do not fall within the two-gender system instead of being an obstacle on their way of self-determination. Not only are there tribes around the world which accept diversity, but they even officially recognize more than just one gender, as an example of such a tribe are Navajos who recognize third gender and Mohave tribe with four different genders. Not only do tribes with more than just one gender exist, but also communities which support gender fluidity and so enable its members, in this case only male population known as "*xanith*", to switch between female and male role without any social consequences.

CHAPTER 2: Gendering – is it a boy or a girl?

What is socialization?

Socialization is a process during which people learn rules of a society and learning one's gender is one of these processes. Socialization is *“defined as the ways in which we learn to become a member of any group.”* (Ryle, 2012, p. 119) It is a process during which people learn *“to understand societal norms and expectations, to accept society's beliefs, and to be aware of societal values”* (OpenStax College, 2013, p. 100) and learn to profit the society according to these learned values, believes, and norms.

There are three big theoretical schools mentioned by OpenStax College which approach the issue of socialization differently. In the eyes of social functionalists, socialization is crucial for the society to prevail since it transmits culture to new generations and also because it trains young people to function in the society they live in. According to the conflict theorists socialization creates inequality by *“conveying different expectations and norm to those with different social characteristics,”* (OpenStax College, 2013, p. 106) from generation to generation while every culture is diverse and so the people within society are divided by gender, social class, and race, and therefore, are socialized in accordance to the groups they belong to. The last but not least, is the insight by interactionists who look at the society as face-to-face interactions and symbolism in these exchanges. As an example, used by OpenStax College, the communication may be divided into groups by socially assigned colors to the genders such as are blue and pink used to differentiate gender role status in babies, while blue represents boys and pink is for girls.

Socialization, however, is inevitable for human society since people are social creatures and they have to be learned the rules for the society they are going to live in. The question is: Why is the socialization so crucial for human societies? It is thanks to socialization why cultures prevail. By learning and educating members of the society into a culture, believes, values, and norms spread from one generation to other, which enables cultures to survive. *“Whatever is distinctive about a culture must be transmitted to those who join it in order for society to survive.”* (OpenStax College, 2013, p. 104) No matter through which school we look at the issue of socialization, without socialization cultures would die off no matter the problems caused by it.

One of the problems caused by socialization is the issue of gender since it is chosen for us by the doctor after the birth and then we are led to take on a certain role based on our biological sex which is not necessarily the role we want to have in the society. Based on the choice made by the doctor, parents proceed to raise up a child in the gender which was assigned to the child. Wharton (2005) looks into the upbringing of a child to suit one of the genders and how we become gendered in the first place. The gendering starts in a young age, when parents teach us to do things suitable for our gender.

What is gender socialization?

Gendering or gender socialization is *“the process through which individuals learn the gender norm of their society and come to develop an internal gender identity.”* (Ryle, 2012, p. 120) Learning of our social role is directly connected to our mental processes, and Freud (1905) claims that people are born with a predisposition to become both genders, in other words, to either fulfill the male or female role depending on the way child was socialized either into being female or male and so adopting functions assigned to the gender according to the norm in cisgender society. This role is developed and shaped by parents who teach the child how it should behave based on its social role assigned to it after the child was born depending on the shape of its genitals. (Wharton, 2005)

The whole process of assigning gender starts in the hospital after the child is born. Now we are not talking about gender assignment from the side of a doctor and medicine, but gendering through social interaction and symbols. One of the symbols which is deeply connected to gender identification by a third side already in the hospital is color assignment to a certain gender. After it is decided that child with a penis is a boy he gets a blue hat while a child with a vagina, understood to be a girl, gets a pink one. Color assignment to a gender is completely socially constructed and color definitions of gender shift over the time. Not for whole history of mankind pink represented girls and blue represented boys.

Giddens (1989) gives an example of typical conversation referring to the newborn child after the relatives learned whether it has penis or vagina in a hospital, after seeing a child for the first time. Right after the birth the baby does not have any visible characteristics of femininity or masculinity. Despite of this fact, people tend to describe babies according to the cis normative characteristics of the two. The conversation was retrieved by Giddens (1989) from the study of Walum and is the transcript of the actual conversations at the hospital.

Grandma A: There he is – our first grandchild, and a boy!
Grandpa A: Hey, isn't he a hefty little fellow? Look at that fist he's making. He's going to be a regular little fighter, that guy is. *(Grandpa A smiles and throws out a boxing jab to his grandson)*
At-a-boy!
Grandma A: I think he looks like you. He has your strong chin. Oh, look, he's starting to cry.
Grandpa A: Yeah – just listen to that set of lungs. He's going to be some boy.
Grandma A: Poor thing – he's still crying.
Grandpa A: It's okay. It's good for him. He's exercising and it will develop his lungs.
Grandma A: Let's go and congratulate the parents. I know they're thrilled about little Fred. They wanted a boy first.
Grandpa A: Yeah, and they were sure it would be a boy too, what with all that kicking and thumping going on even before he got here.

Figure 1: Seeing a baby boy for the first time

We can see in the example of the conversation between grandparents A that a little boy is clearly described as masculine. The cry of a baby is seen as the strength as well as its fist, which is a natural body movement and behavior of a baby. Not only was behavior of a baby referred to as masculine, he already resembles a male member of a family. In comparison, grandparents B of a baby girl saw her like this:

Grandma B: There she is . . . the only one with a pink bow taped to her head. Isn't she darling.
Grandpa B: Yeah - isn't she little. Look at how tiny her fingers are. Oh, look – she's trying to make a fist.
Grandma B: Isn't she sweet . . . you know, I think she looks a little like me.
Grandpa B: Yeah, she sorta does. She has your chin.
Grandma B: Oh, look she's starting to cry.
Grandpa B: Maybe we better call the nurse to pick her up or change her or something.
Grandma B: Yes, let's. Poor little girl. *(To the baby)* There, there, we'll try to help you.
Grandpa B: Let's find the nurse. I don't like to see her cry . . .
Grandma B: Hmm. I wonder when they will have their next one. I know Fred would like a son, but little Fredericka is well and healthy. After all, that's what really matters.
Grandpa B: They're young yet. They have time for more kids. I'm thankful too that she's healthy.
Grandma B: I don't think they were surprised when it was a girl anyway . . . she was carrying so low.

(Walum, 1977, p. 36)

Figure 2: Seeing a baby girl for the first time

The girl in the conversation B was automatically similar to a female member of a family as well as she was described as fragile and needing protection and help of the family while the boy in the conversation A was already strong and it was clear he will be able to tend for himself in the future. After the little girl started to cry, grandparents B did not see it as strengthening her lung as in the case of a

boy, but rather as discomfort of a girl than normal baby behavior. Furthermore, grandparent, both A and B, referred to the period before the baby was born and their behavior in the mother's uterus as feminine or masculine, the boy was kicking a lot and so he was strong even before the birth and so they were sure the baby is going to be the boy, while the girl was carried low⁹ and so it was obvious that the baby will be girl after it's born. As these two examples of conversations show us, the kids are labeled girl or boy since their genitals are described by a doctor as male or female, and so family automatically refers to the babies with feminine or masculine characteristics and so they are later on raised up in accordance to the assigned characteristics to the assigned gender.

A huge impact on learning a certain gender role for children is through play. Parents buy their children toys which are considered to be appropriate for their gender. In case of boys they are supplied by the toys – trucks, guns, superhero figurines – which develop masculine characteristics such as aggression, motor skills, and solidarity. In case of girls they are expected to play with toys which promote nurturing, role play, and social interaction – dolls and beauty accessories. In case toys from both spectrums are available to the child, it will mainly choose to play with toys “appropriate” for its gender since parents praise kids for gender normative behavior. (OpenStax College, 2013)

Gender is learned not just by raising up of an individual to represent a certain gender role, but it is also shaped through day to day interaction with other members of the society. Being brought up to a gender does not just influence the behavior of an individual, but also career choice, hobbies, and any other everyday activities. (Ryle, 2012) Such shaping agent does not have to be just family and peer groups, but many institutions shape our gender identity and life choices based on this identity as well. Children's identities are shaped in kindergarten and school while later on, as they grow up, influence of a university and work-place is making them grow and shapes their decisions as well. We are expected to choose “gender appropriate” job and so we have to make gender related decisions since a young age. Men are expected to work at the place which highlights their strength and leadership skills (e.g. soldier, businessman), while women should be in caretaking position (e.g. assistant, nurse).

The problem, however, shows up if the doctor is not sure what gender should be assigned to a baby in case it is intersex. Since the body image or chromosomal construction is ambiguous, they are not

⁹ If a baby was carried low it means the baby is going to be a girl. This is, however, just an old way how to “predict” baby's sex before the birth. If the baby was to be a boy, the baby would be carried high. It is one of the most favorite “prediction” methods of old wives' tales. Except of this there are many other ways how to guess the baby's sex by using the methods of old such as are skin tone, level of sickness, acne, and many others.

sure how to label the baby and so what social role it should be raised into. Gender neutral upbringing is not easy if not totally impossible, since the whole society is divided into male and female and so are for example toys, clothes, colors, etc.

How does gendering happen in medicine?

After a child is born the gender is assigned to it depending on the shape of its genitals, if it has vagina it is a girl and if penis the baby is a boy. If a child with ambiguous genitalia or reproductive organs is born the doctors and parents think they have to make a decision what gender to assign to a child. The decision is many times followed by gender surgeries and hormonal therapy so the body of a child will develop appropriately to the body image assigned to the gender a third party chose for a child.

Gender for an intersexed baby is chosen according to the characteristics of a sex it resembles more. For example, if the penis is too small doctors can decide to surgically remove it and change the genitalia of a baby into vagina. Same goes for inner reproductive organs, if a baby has uterus and penis, baby's genitalia is surgically changed from penis to vagina since doctors consider level of fertility in a child undergoing the genital surgery.

Medical intervention can lead not only to physical problems, but also to psychological ones. In terms of physical problems, intersex people after the surgery can be sexually mutilated or become infertile. There were many cases in America in which people sued hospitals and doctors for ruining their lives in this way without them having any say in it, since the surgery was done when they were small. Many times, genital surgery is done after an accident when doctor decide it is better for a child as it was in the case of a 22 months old child whose penis got burned off during the circumcision and the doctors decided to "make him into female". (Greenfield, 2014)

There is also a case of little boy, who was born intersex and after the birth doctors chose for him to be a girl. He was adopted and his parents decided to let him be a boy, even though he had a body of a girl. Later on they found out that their son was born intersex and decided to sue the hospital and doctors. In his medical records was written that he was born with penis and vaginal opening as well as testicle and ovarian tissue. Doctors decided that in terms of fertility it would be better for the baby to be a "normal girl". (Greenfield, 2014)

Problem with such surgeries is that at the age of a few month doctors and parent cannot know the gender identity of a child. The psychological impact, as was outlined, is non-identification with a gender

that was assigned to the child. This is a reason why in the modern medicine specialist and specialized institutions recommend parent to wait with the surgeries until the gender identity of a child is clear. The case of a third gender is also being considered so children who are born intersex do not have to undergo surgeries.

Conclusion

People are social creatures living in community which rules and norms they have to follow. Every day we communicate with other members of the society and perform a role in the communication. Gender performance is one of these roles and it is assigned to us based on the shape of our genitals after we are born by a third party, the doctors. We are not allowed to choose gender for ourselves, since we cannot communicate it as newborns and so sometimes people are not able to accept gender given to them by a third party. Since in a gendered world gender neutral upbringing is almost impossible it is difficult to let children to grow up gender neutrally so they can make the decision for themselves later. Not only behavior and social roles are gendered, but also materialist things such as is clothing, toys, or even candies are gendered.

The problem with gender socialization is that if a child accepts the gender that was assigned to it after it was born, no one questions the acceptance of a choice that was made for them. Problem arises, as the head of the association TransFúzia remarked, when child says it feel like being the member of the “opposite” gender. If a little boy plays with a truck no one bats an eye, but if a boy wants to play with a doll and behaves more feminine than masculine, everyone starts questioning his actions and tries to push the boy towards playing with masculine toys. In Slovakia, if a child does not behave according to the norms or if a boy says he wants to be a girl, adults just say the child will grow out of it and a child is not taken seriously. Not acceptance of self-determination and self-identification should be considered as sever human right violation.

CHAPTER 3: Experience of transgender people in Slovakia

The biggest problem in case of Slovakia is that literature for the topic of Transgender in Slovak language is practically non-existent and because of this not only information for cis people about transgender is limited, but also transgender people do not have sufficient information they could need. Not only literature and texts are limited, but also legal and medical aspect of transgender people as such. Information for the case of Slovakia was provided by in-depth interview with expert for the transgender topic and a founder of a transgender organization TransFúzia or it is retrieved from the archive of the organization itself.

TransFúzia is an activist organization trying to change the way cis society thinks about non-cis people in Slovakia and fight for the right of self-determination of gender in a cis society. The main goal the organization wants to achieve is a respect for the ones who are “different” than the cis society and to bring a change in thinking about non-cis citizens as unnatural or disturbed. Members of the organization appeal on the human right and respect, because it is the only way how to ensure balance and equality of treatment in the society for all its citizens to lead a dignified and good life. TransFúzia also helps transgender people to answer the questions they cannot answer for themselves, because of the lack of information.

Media and information

Informing people about the topic of transgender is the key thing for them to start to think about the issue at all. Current approach to transgender in Slovakia is to ignore the issue unless it presents itself. Cis citizens think about transgender people as something that is far away and the topic has nothing to do with them. However, people cannot even start to accept transgender people, or gender as non-binary, if they are not informed properly or are completely misinformed. People get information mostly from media that presents many false, misleading or only partially true facts about the transgender community. Transgender person is mostly presented by media as a person who exchanged one gender for the other fully and completely from the behavior, through the change in a way of thinking, to the accommodating their body and physical appearance to the standards of the “opposite sex”. Since there is not a concept of the third gender, bigender¹⁰, agender¹¹ or any other type of gender than binary one, they are unable to grasp the terms of gender and sex as two different concepts that are not tied together

¹⁰ People who fluently cross from female-like behaviour and male-like behaviour depending on the situation

¹¹ When someone does not feel like belonging to either gender or considers themselves a gender neutral

or complement each other, with the lack of information provided to the people outside of the transgender community who live and are bound by cis binary concept of gender.

Medical approach

Not even ordinary citizens, but also studied professionals do not know how to approach transgender people since they think in the gender binary way. Just a small amount of transgender people in Slovakia decide to undergo medical transition – either be it complete genital reassignment, castration/sterilization, facial reconstruction, or any other medical treatment – the doctor decides for them what does it mean to “become male or female”. The definition of femininity and masculinity is not, however, defined legally in Slovakia and so Slovak doctors use foreign, mainly Czech, sources to state what it means to be male or female, and they do not even consider existence of gender which non-existent in a binary gender system, such as is third gender. Many times they use their personal image of masculinity and femininity since it is not stated by law. Not only are people in Slovakia put into a certain group whose role and behavior they are expected to follow by cis community, but they are even said who they should be as transgender people by doctors who use their cis thinking to categorize transgender people and make a certain picture about what is it like to be a transgender person based on the misleading information from the media instead of being educated by a professional or professional organization which works with transgender people such as is TransFúzia.

Close-minded education

Slovak situation needs to change the way how people are educated about the topic of transgender and the reality of gender system not being binary. The crucial point when to start with the education is in schools, which desperately need to open up to the more liberating ideas not just about sexuality as such, but to life and how life works. Slovak education system lacks the insight of how does life outside of school looks like and that not everything is packed into boxes. Life is complex and cannot be categorized, especially not sex and gender. The inability of schools educating children about body, sex, and gender lies in strong influence of Catholic Church at the educating institutions which may be the reason why there is not sexual education in schools.

Catholic Church sees transgender people, or anyone who deviates from the picture of Adam and Eve, as criminals and sinners who disturb the way reproduction functions. Not only children do not learn basics about reproduction and life in partnership, they are not even lead to think for themselves and are

expected to follow the leadership of teacher and how they are said to teach the children in schools. The situation, however, is getting more liberating in the last few years and more and more schools try to make students think for themselves, even though it is a slow process. Nevertheless, the institutions still lack professional who could open up the minds of students considering the topic of sex and gender and lead children who come out as transgender. Even though, there are cases in Slovakia when school successfully supported transgender child there are more cases in which they could not manage to do so and so a children ended up bullied by their classmates or felt unacceptance from the side of professors.

Moreover, transgender people in Slovakia have problem with their diplomas from universities, since once the diploma is issued to the name of a student the name cannot be changed. In case a person decides to change their gender and name, they cannot use the diploma to apply for a job. This is the reason why many transgender people go through a legal change on their documents, such as is ID, as soon as they reach the age of 18, which is considered to be legal age in Slovakia.

Problems with documentation

Not only there is a problem with school documentation, but legal gender transition is an issue as well. It is not allowed to be registered as male and have a female name in your ID or any other official documentation, and vice versa. If someone wants to change their name from male to female, or from female to male, in their documentation they either have to choose a neutral name to go with or assimilate their bodies and take on the sex which is assigned to the gender they want to represent. In the second case, documentation change is only possible with agreement from a medical institution and a professional – psychiatrist and sexologist – that the person really is of “an opposite gender”. There are, however, no criteria according to which doctors give medical evaluation given by law. The only thing that is given for the possibility of changing the documentation and allowing the gender transition is that person who is asking for either of the two or both has to fulfill the condition of the F 64.0 diagnosis we mentioned in the first chapter.

Human rights violation

People in Slovakia are denied of self-identification and so the basic human right is violated. Transgender people do not suffer just from the bullying of the public which is misinformed by the media and rumors, but also from the side of state. The legal system and medical institutions do not allow transgender people to present themselves and try to push them to fit into the binary gender system

which is strongly presented to the Slovak public as the only “normal” and “healthy” system. One of the reasons why the system is so strong is Catholic Church which has great influence on the education system and by that close-mindedness of Slovak citizens by allowing them to consider just one system as the right one. Medical institutions are the ones who decide who we are and who we can be instead of helping and assisting the people to help them be who they really are. Many times the medical examination in the public health center is denied to transgender people and so they have to pay for private health care which is really costly. Transgender people are considered as “mentally disabled” and cannot go through transition without being diagnosed with F 64.0.

Conclusion

Transgender people in Slovakia do not have the basic human right of self-identification guaranteed and if there should be any change in the quality of life for transgender people it should be from the initiative of the state which should take care of all their citizens no matter their sex and gender identification or any other deviation from the norm. Based on this the legal system should undergo a change allowing people to choose their name no matter the connection between the name and gender as the basic right to self-identify themselves. Not just name and gender in the ID should be decided by the individual, but all the documents should be automatically adjusted to the change, especially the school diplomas so they do not lose the validity for a person. Educating young people in a way they could open-mindedly think about issues rather than drilling them theorems to the education is also connected. People should be given the information and think about it on their own instead of having the interpreted version. Because of the low number of university educated people, Slovak citizens mostly stick to the learned interpretation rather than they think about the issues on their own. The school reform is needed to make people think about the problems on their own and create their own opinions rather than being a herd of sheep. In terms of medicine, the law should clearly state the rules for body change regards to the sex such as are genitals or chest transformation.

Conclusion

Defining of the gender binary non-conform groups as deviant or by means of medicine as physically or mentally ill is kind of a defense mechanism of two-gender system, which by defining these groups as not normal excludes them from its boundaries and so seems as functioning. Tomasello (2008) describes human interaction in terms of stating a friend and enemy on the basis of cooperation. *“First came norms of cooperation, built on interdependence with collaborative partners, and also on reciprocity and respect for others as beings like oneself. Then came norms of conformity, built on a need to belong to the social group and to identify with it—or else risk ostracism—and to distinguish our group from others.”* (Tomasello, 2008, p. 106) In our case of transgender people cis two-gender system describes them as mentally ill and so stigmatizes them and labels them as the outcasts of the society or the enemy of the “normal” people accepting the gender binary system.

In Slovakia the question of distinguishing them and us is also almost non-existent unless a transgender person or anyone else disturbing gender binary system shows up among the citizens. On the state level the transgender people cohesion is not much better and the question of the right to self-determination is not being solved, at least not visibly and so the basic human right is violated.

Violation of human rights nowadays is a great issue, but the issue in terms of gender is almost not approached since the society would have to take on a new gender system and be rebuilt in its roots since everything today is gender tied from colors through clothes and toys to candy packages. It is necessary, however, to rebuild a society to include all of its members. Different tribes and communities all around the world show us that it is possible to live in non-gender binary way and it is up to the modern western society whether they will approach the question of gender binary exclusion and how they will approach it. Up until now transgender people were either seen as sinners, criminals or were pathologized and it is the role of the society to change and make it a little bit more just.

Resumé

Cieľom tejto práce bolo pozrieť sa na rod v západnej spoločnosti a teda v spoločnosti v ktorej väčšina z nás žije a zistiť ako funguje, resp. nefunguje. Západná spoločnosť je rozdelená rodovo binárne a teda akceptuje iba dva rody: muž a žena. Treba si však uvedomiť, že rod a pohlavie nie sú to isté. Biologické pohlavie je určené genitáliami s ktorými sa narodíme, zatiaľ čo rod je nám priradený na základe týchto genitálií. Rod je teda určitá schéma správania sa, ktorá je od nás očakávaná a teda buď je od nás očakávané, že na seba preberieme mužskú alebo ženskú rolu a model správania sa.

Systém dvoch rodov vníma pohlavie a rod ako prepojené a neoddeliteľné a teda ak je niekto narodený s vagínou, preberá na seba ženskú rolu a správanie, zatiaľ čo človek, ktorý sa narodí s penisom by sa mal správať maskulínne. Mužskosť a ženskosť sú modely správania, ktoré majú k sebe prisúdené vlastnosti, ktoré by mali ich nositelia napĺňať a teda mali by byť prepojené s biologickým pohlavím. Ako maskulínne vlastnosti sa rátajú agresivita, sila a solidarita, zatiaľ čo ženské sú opatera, nežnosť a krehkosť.

Nie všetci členovia modernej západnej spoločnosti sú však cis-normatívni a preto im binárny systém nevyhovuje. Takouto skupinou sú transrodoví ľudia, ktorí búrajú binárnosť rodového systému tým, že ich rodová identifikácia je „opačná“ k pohlaviu s ktorým boli narodení. Vlastnosti priradené k mužskosti a ženskosti a teda k rodom sú rozličné v každej kultúre. Transrodoví ľudia sú ľudia, ktorí sú definovaní ako skupina hlásajúca slobodu vo výbere rodu, ku ktorému chcú patriť a byť jeho súčasťou. Sú za to, aby rod nebol určovaný treťou stranou a aby si ho každý mohol zvoliť sám. Taktiež by nemali byť iba dva rody a teda ani rodová binárnosť.

Na svete existujú komunity, ktoré nie len že začleňujú transrodových ľudí do normálneho fungovania, ale sú tu aj kmene, ktoré uznávajú viac ako iba dva rody, ako napríklad Navajos s tromi rodmi a Mohave so štyrmi. Menlivosť rodu taktiež nie je cudzia komunite žijúcej na blízkom východe. V západnej spoločnosti sú transrodoví ľudia vnímaní ako psychicky chorí a ich sociálny status sa „medikalizuje“, aby sa predišlo rozpadu binárneho systému. Je to určitý druh obranného mechanizmu, ktorý vyčlení ľudí, čo to tohto systému nezapadajú za jeho okraj.

Ľudia s stávajú súčasťou spoločnosti cez socializáciu, ktorá je pre fungovanie spoločnosti nevyhnutná. Po narodení je dieťaťu určený rod na základe tvaru jeho genitálií doktorom, ako treťou

stranou. Už v tomto momente začína socializácia do rodu, keď rodič prijme určený rod doktorom a začne sa k dieťaťu na základe tohto určenia správať. Dieťaťu je priradená určitá farba, typ hračiek a akceptovaného správania sa. Problém však nastáva, ak sa narodí dieťa, ktorého genitálie nie sú jasné, takzvané intersex dieťa. Intersex znamená, že je nemožné podľa tvaru genitálií určiť, či sú chlapčenské, penis, alebo dievčenské, vagína. Taktiež môže nastať problém, ak má dieťa iné interné rozmnožovacie orgány ako externé pohlavné orgány, prípadne vyvinuté alebo čiastočne vyvinuté oboje. Problém taktiež môže nastať aj na chromozomálnej úrovni, keď chlapec s malým penisom má vysokú hladinu estrogénu alebo dievča s veľkým klitorisom, zvýšenú hladinu testosterónu. V tomto momente sa rodičia a najmä doktori rozhodujú, ako pristupovať k takémuto dieťaťu a teda, či z neho urobiť „normálneho chlapca“ alebo „normálne dievča“. Berú sa tu do úvahy aj skutočnosť ako plodnosť po zákroku a dieťa býva operovaná do pohlavia, aby zostala možnosť plodnosti čo najvyššia.

Nie vždy však takéto zákroky dopadnú dobre a môžu nastať problémy na fyzickej alebo psychickej úrovni. Fyzicky sa stáva, že jedinec zostane sexuálne znehodnotený a tým pádom nemôže sexuálne naplno žiť. Na psychickej úrovni sa môže stať, že doktori nevyberú dieťaťu správne pohlavie a teda sa neskôr zistí, že rodovo sa dieťa cíti „opačne“ k pohlavia, ktoré mu bolo určené.

Intervenciou tretej strany, človek stráca právo na rodové sebaurčenie a tým je narušené jedno zo základných ľudských práv. Na Slovensku však okrem tohto práva nie je vôbec rešpektovaná skupina transrodových ľudí a veľakrát sa stretávajú s odporom alebo šikanou, nakoľko médiá chybné interpretujú informácie a deti v škole nie sú vôbec informované o ničom, čo sa týka sexu alebo sexuality. Školský systém taktiež nemá dostatočne vzdelaný personál, aby mohol pracovať s transrodovými deťmi, keď sa rozhodnú byť „opačným“ rodom. Okrem toho je nastavený na učenie sa poučiek, namiesto učenia detí, ako premýšľať, vytvárať si vlastný názor a kriticky pristupovať k informáciám.

Legálny systém neumožňuje hladkú zmenu rodu, nakoľko zmenené meno musí byť rodovo neutrálne, ak pohlavie nekorešponduje s rodom transrodového člena spoločnosti. Okrem toho po prejení tranzíciou, diplomy a iné dokumenty vystavené na meno pred tranzíciou sa na novú identitu neviažu.

V medicíne to nie je o nič lepšie, nakoľko nie sú zadané žiadne pravidlá, podľa ktorých sa určujú pravidlá a normy, ak sa transrodový človek rozhodne podstúpiť zmenu pohlavia cez operácie a hormonálnu liečbu. Medicína nie je dostatočná aj v téme psychológie, nakoľko lekári nie sú s témou transrodovosti dostatočne oboznámení a tým pacienti nedostávajú dostatočnú podporu, ak je potrebná.

Cieľom tejto práce bolo ukázať, že binárny rodový systém nefunguje, nakoľko nie je dostatočne inkluzívny ku všetkým členom západnej spoločnosti a definovanie transrodových ľudí je iba určitý druh obranného mechanizmu, ktorým vyčleňuje túto skupinu za hranice tohto systému. Funguje to ako systém my, teda tí čo zapadajú do systému, verzus oni, čo sa odmietajú prispôsobiť a teda musia mať nejakú poruchu. Namiesto takéhoto uvažovania by sme mali systém znovu prehodnotiť a preformulovať tak, aby sme získali priestor, ktorí bude inkluzívny k väčšej časti svojich obyvateľov a teda aj sociálne spravodlivejší.

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