**Abstract for the Equality, Diversity and Inclusion Conference 2012, for the Chellenging Hetronormativity: Moving forward on Equality, Diversity and Inclusion stream**

**‘Heteronormativity to transnormativity: passing pressures**

In this abstract I propose that my paper will examine the way in which heteronormative culture and assumptions have framed UK trans legislation in such a way as to privilege the legal position of transitional transsexual people at the expense of offering equal protection to people whose identities fall under a broader definition of transgender. I am also going to examine how in setting the legal framework even the relatively privileged section of the trans constituency is discriminated against intersectionally, in relation to marriage requirements and in relation to legal acknowledgment of their reassigned sexgender status (Hines 2011).

For the purposes of this discussion I am going to categorise trans people into two working categories, transgender and transsexual. In so doing I am not trying to suggest that these two categories are either stable or mutually exclusive, but am positioning trans identities in relation to legal understandings and allowances of trans identities in the UK and using these questionable discrete constructions to highlight the inadequacies of the heteronormative understandings that underlie the legal framework.

In drawing the above distinction I will examine briefly the historical trajectory of the development of modern (public) understanding of trans identities informed by both sensationalist media stories and biographies of transsexual people, briefly highlighting the cases of Christine Jorgensen, April Ashley and Jan Morris (Califa 1997, Morris 1988) and the ways in which their stories were portrayed. I will suggest that their sexgender histories as represented through various media represent a paradigm which has been accepted as a normalised paradigm for transgenderism by the psycho-medical professions and law makers, and that this paradigm has been seen to be a way in which transitional/ing trans people can be both accepted as citizens and offered certain protections, while the challenge that they may seem to represent to the binary gender hegemony is neutralised by their effective re-naturalisation into that same system. I suggest that this represents a reclaiming of trans people for heteronormativity, read through the narrow prism of the transitional transsexual and that this paradigm is itself then set up as a form of transnormativity

which seeks to exclude other trans identities and expressions from effective acknowledgment under UK law (Salamon 2010)

I want then to examine the myriad forms that trans expressions and identities can and do take (Bernstein 2006, Serano 2007). I want to examine the current debate in the trans community concerning the extent to which trans identities should be seen as inherently queer and/or radical, and the extent to which we can assume they should always be a platform from which to seek to critique and destabilise the hegemonic binary gender system and naturalised notions or sexgender identity (Prosser 2006, Salamon 2010, Serano 2011). I want to examine the proposition that the aim of many transsexuals is completely the opposite of this, and that their aim is to pass completely as members of their reassigned sexgender and in so passing to accept the support and invisibility offered to cisgendered people by the binary system.

In the light of the above I want to discuss whether the tensions between the apparently diverse aims of transsexual people and other trans identified people are ultimately truly oppositional. If it can be demonstrated that an acceptance of the diverse goals of trans people in relation to their sexgender identity can be acknowledged as equally legitimate, not least within the trans constituency itself, what mutually supportive aims for addressing prejudice and addressing inequality could be suggested? And is it possible to find common ground in two outlooks, one which from a genderqueer perspective seeks destabilisation of the gender binary system and one from a transitional perspective seeks acceptance within that system? Looking at the input from a variety of trans activists to the Transgender Community Statement of Need (GIRES 2011) how has this found expression to date?

In my final section I want to examine in what ways and to what extent the framing of UK law fails to address the varied needs of trans people both transitional and not, and indeed at which points its construction is considered by trans people to be positively harmful. I would like to suggest how the relevant laws could be reframed and will suggest that such a reframing should be neither complicated nor contentious in its outcomes. Although I will not develop this to any great extent I propose that such a redrawing would take as its framework a contemporary notion of citizenship which would take us into the 21st century as a fairer less divided and less divisive society.

References

Bernstein, M (ed) (2006) Nobody Passes: Rejecting the Rules of Gender and Conformity, Seal Press

Bordo, Susan (1989) The Body and the Reproduction of Femininity: A Feminist Appropriation of Foucault, in Gender/Body/Knowledge/Feminist reconstructions of Being and Knowing, Jaggar, A and Bordo, S (eds), Rutgers University Press pp 13 – 33

Califa, P (1997) Sex Changes: the politics of transgenderism, Cleis Press

EHRC (Equality and Human Rights Commission) (2011a) Equality Act [online] at <http://www.equalityhumanrights.com/legal-and-policy/equality-act/>

EHRC (Equality and Human Rights Commission) (2011b) Transgender: what the law says [online] at <http://www.equalityhumanrights.com/advice-and-guidance/your-rights/transgender/transgender-what-the-law-says/>

EHRC (Equality and Human Rights Commission) (2011c) Transgender Case Decisions [online] at <http://www.equalityhumanrights.com/advice-and-guidance/your-rights/transgender/transgender-case-decisions/>

Foucault, M (1998) The Will to Knowledge: The History of Sexuality: 1, Penguin Books

GIRES (2011) Trans Community Statement of Need [online] at Transwiki, available from <http://gires.org.uk/tranzwiki/index.php/Trans_Community_Statement_of_Need>

Hines, S (2007) (Trans)Forming Gender: Social Change and Transgender Citizenship, in Sociological Research Online, Volume 12, Issue 1, available at <http://0-www.swetswise.com.emu.londonmet.ac.uk/FullTextProxy/swproxy?url=http%3A%2F%2Fwww.socresonline.org.uk%2F12%2F1%2Fhines.html&ts=1316263395863&cs=1423867885&userName=0129925.ipdirect&emCondId=129925&articleID=30803886&yevoID=1875219&titleID=188303&referer=1&remoteAddr=140.97.30.12&hostType=PRO&swsSessionId=kQsigJmYEYcQrTi81cqlTg__.pasc1>

Hines, S (2011) Sexing Gender, Gendering Sex: Towards an Intersectional Analysis of Gender, in Theorizing Intersectionality and Sexuality, Taylor, Y Hines, S and Casey, M E [eds] Palgrave pp 140 – 162

Morris, J (1988) Conundrum, Faber and Faber

Prosser, J (2006) Judith Butler: Queer Feminism, Transgender, and the Transubstantiation of Sex, in The Transgender Studies Reader, Stryker, S and Whittle, S [eds] pp 257 – 280

Salamon, G (2010) Assuming a Body: Transgender and the Rhetorics of Materiality, Columbia University Press

Serano, Julia (2007) Whipping Girl: A Transsexual Woman on Sexism and the Scapegoating of Femininity, Seal Press

Serano, J (2011) “Transsexual versus Transgender” Intervention [online] available at <http://networkedblogs.com/mMWGP>

Whittle, S (1996) Gender Fucking or Fucking Gender: Current cultural contributions to theories of gender blending, in Blending Genders, Ekins, R and King, D [eds] Routledge pp 196 – 214

Young, I M