
Gender and Sexuality

FEMINIST PERSPECTIVES

RITAREKHA DUTTA (PH.D. SCHOLAR)

COURSE: FEMINIST THOUGHTS AND PRACTICES 2 (1ST YEAR 2ND SEMESTER)

SCHOOL OF WOMEN'S STUDIES, JADAVPUR UNIVERSITY.

Objectives and Motivations

1. To chart the evolution of the sex/gender system from various feminist perspectives.
2. To understand how gender and sexuality have both undergone the process of deconstruction.
3. To trace the journey from LGBT studies to Queer Studies in the academic space.
4. To explore the Queer Rights Movement and Trans Rights legislations in India.

How Second Wave Feminists Defined “Women”:

Biological perspective: Persons capable of giving birth.

Psychoanalytic: Persons lacking a phallus.

Sociological: Persons oppressed by patriarchy.

These conceptions challenged with the advent of Queer Feminism.

Exceptions: aged women, trans women, etc.

Why was defining a woman so important?

According to Judith Butler, the trouble of defining “women” threatened the failure of the contemporary feminist movement.

“Contemporary feminist debates over the meanings of gender lead time and again to a certain sense of trouble, as if the **indeterminacy of gender might eventually culminate in the failure of feminism**”

Gender vs Sex Differentiation

Traditionally, sex and gender were taken as interchangeable terms.

Later, according to Gayle Rubin:

“Gender is a **socially imposed division** of the sexes.”

Therefore,

Sex = Biological Facet (Chromosomal Constitution: XX or XY or others)

Gender = Cultural Facet (Societal construction: masculine or feminine)

How does Butler's conception of "gender" stand apart:

Gender is not just performed. It is performative.

Performance vs Performativity

If something is "performed," it seems like a conscious, stable act.

If something is "performative," it is a constant repetition of certain stylized acts through time. It is manifested unconsciously and changeable.

Carries Simone de Beauvoir's "**One is not born, but rather becomes, a woman**" several steps further.

Gender as a verb, not a noun

Not “I **am** a woman.”

Rather “I **do** woman-ness.”

All acts are stylised.

For example, we assign “masculine” and “feminine” ways to act like walking or sitting.

Not because these are inherent to people according to their gender but because people of a certain gender have been conditioned to walk or sit a certain way for ages.

Gender Essentialism vs Gender Constructivism

Essentialism: Gender expression is **inherent**. Linked to one's chromosomal makeup.

Constructivism (de Beauvoir, Rubin, Butler): Nothing like gender “expression” because **gender is inscribed on the body by the society**.

How then do we understand trans people who associate with a gender that **feels right to them** and is neither determined by their chromosomal makeup or society's perception of them?

“Born This Way” (Common Trans Rights Slogan)



Subconscious Sex (Julia Serano)

Post-Butler gender theory that intertwines both gender essentialism and gender constructivism and forms a correlation between them.

According to Serano (transfeminist biologist):

Subconscious sex is the gender expression that “feels right.” It predates social constructivist forces from the outside but also doesn’t align to the gender that normally correlates to the set of chromosomes one is born with.

“Gender” as Subject or Object?

Gender as subject: Gender as something intrinsic and inherent. Something that you essentially are.

Gender as object: Gender as something constructed by the society, absolutely extrinsic and thus cannot be “expressed.”

Current view: **Gender as BOTH Subject and Object.**

Something that can be inherently felt but is definitely influenced by societal construction also.

Deconstructing Labels and Identities

After “gender” itself was deconstructed, terms like “gay” and “lesbian” (which were previously seen as steady categories representing homogeneous groups of people) faced similar scrutiny and instability of signification.

For example,

1. Adrienne Rich did not just refer to women who have a sexual preference for women when she started speaking about the “lesbian continuum”. To her, lesbian existence is about a group of women who can lead an alternative existence away from the patriarchy, irrespective of their sexual preferences.
2. “Leatherdyke boys” are lesbians who transform themselves into “boys” in the BDSM scape through “age-play” without essentially “transitioning” from one gender to the other.

Reasons for Moving from LGBT Studies to Queer Studies:

Linked to the deconstruction of gender.

Previously known as “Gay and Lesbian Studies”.

Assumption that “gay” and “lesbian” were monolithic, homogeneous, unchangeable categories.
Also, excludes various other gender identities and sexualities that haven’t received mainstream recognition.

Queer brings into its umbrella any kind of sexuality, gender identity or gender expression that lies outside the heteronormative structure. Any non-normative identity can be called “queer.” Way **more inclusive and fluid.**

Queerness stands outside the established sex/gender system in the society.

Sex Vs Sexuality

According to David M. Halperin:

Sex has no history. Grounded in the functioning of the body.

Sexuality is a cultural production. So, it does have history.

(ref to Foucault's *The History of Sexuality*, 1976)

Sexual Practice Vs Sexual Identity

Homosexual sexual practices have always existed. But, **when special cultural meaning is added to that sex, sexuality is constructed.**

Now, saying “I **am** gay” means accepting “gay” as a facet of your own identity. Not just as a sexual practice that you engage in.

Heteronormativity

Assumption that heterosexuality is **a natural, given, condition** in all beings.

Creates a privileged space for heterosexual people. Anyone who falls beyond this normative category labelled as “abnormal”, “pathological” or “perverse.”

Interestingly, the public obsession with heteronormativity as a rule only started with **the rise of the middle class in the US and Europe during the 19th Century**. Free sexual behaviour amongst the lower classes and sexual decadence among the aristocrats started being seen as social evils rather than just as individual deviant behaviour.

Krafft-Ebing: Moving from Reproductive Utility to a new Pleasure Norm

In 1889, Austro-German psychiatrist Richard von Krafft-Ebing wrote *Psychopathia Sexualis* on the various sexual perversions as he perceived them.

Procreative Utility was taken as a basis of Normal Sexuality but he moved a step further.

“In sexual love the real purpose of the instinct, the propagation of the species, does not enter into consciousness”- Krafft-Ebing.

Therefore, for the first time, “heterosexuality” was defined on the basis of erotic pleasure, not just as a necessary condition for reproduction.

Heterosexuality through the times:

1901 Dorland's Medical Dictionary defined heterosexuality as an **“abnormal or perverted appetite toward the opposite sex.”**

1923, Merriam Webster's dictionary similarly defined it as **“morbid sexual passion** for one of the opposite sex.”

1934, heterosexuality finally gets the meaning it has now: **“manifestation of sexual passion** for one of the opposite sex; **normal sexuality.**”

Inference: Heterosexuality was never a given constant as we believe it is now. It, too, was pathologized.

Freud's View of Heterosexuality

As summarized by Jonathan Ned Katz, author of *The Invention of Heterosexuality* (1995):

“According to Freud, the normal road to heterosexual normality is paved with the incestuous lust of boy and girl for parent of the other sex, with boy’s and girl’s desire to murder their same-sex parent-rival, and their wish to exterminate any little sibling-rivals. The road to heterosexuality is paved with blood-lusts... The invention of the heterosexual, in Freud’s vision, **is a deeply disturbed production.**”

Adrienne Rich: Challenging Compulsory Heterosexuality

From Adrienne Rich's 1980 essay "Compulsory Heterosexuality and Lesbian Existence."

Defines heterosexuality as an **inherently violent political institution** that must be questioned.

It provides unhindered "male right of physical, economical, and emotional access" to women.

"Heterosexual romance has been represented as the great female adventure, duty, and fulfillment."

Lesbian Continuum: The Feminist Alternative

Adrienne Rich:

“I have chosen to use the term **lesbian existence and lesbian continuum** because **the word lesbianism has a clinical and limiting ring**. Lesbian existence suggests both the fact of the **historical presence of lesbians and our continuing creation of the meaning of that existence**. I mean the term lesbian continuum to include a range—through each woman’s life and **throughout history—of women-identified experience**, not simply the fact that a woman has had or consciously desired genital sexual experience with another woman. If we **expand it to embrace many more forms of primary intensity between and among women, including the sharing of a rich inner life, the bonding against male tyranny, the giving and receiving of practical and political support.**”

Why acknowledging the Lesbian Continuum is necessary:

Lesbian existence has always been erased from female history as a whole to promote and naturalize the dependence of women on men.

This is historically untrue because there have been several instances of “lesbian” communities in history:

- Twelfth and fifteenth century Beguines who “practiced Christian virtue on their own, dressing and living simply and not associating with men.”
- Secret sororities and economic networks among African women
- Chinese marriage-resistance sisterhoods—communities of women who refused marriage or who, if married, often refused to consummate their marriages and soon left their husbands.

If we sever these incidents from the feminist history, there can be no other alternative than taking refuge in the same heterosexist system that oppresses women.

Queer Rights Movement in India

The term **MSM (Men who have Sex with Men)** was prevalent in India during the AIDS awareness campaigns instead of the word “gay”. (Similarly, lesbians were known as “**women seeking women**” or “**single ladies**”)

This is because homosexual sexual practices had always existed in India (ref to next slide).

The term “gay” and more importantly, self-identification as “being gay” was a new phenomenon.

There is still no popular term for “straight” or “cisgender” people in India because they still constitute the unquestioned normative space.

Instances of Queer Existence in Ancient and Medieval India

- Among the **Ramanandis** of eastern India (an all-male group which worshipped Hanuman). . . there exists a group of devotees who **take the form of Sita's servants to worship her**. By embodying the female form, the **vicariously enjoy an union with Rama**. Even today, these men take up women's names, wear feminine clothes and **even claim to experience menstruation**.
- In the sixteenth-century, the **Gauriya Vaishnavas**, who were followers of **Shri Chaitanya**, created an **elaborate theology of bridal mysticism**. One could witness intensely emotional relationships between the male devotees in this sect.
- **Sufi** literature often used **homoerotic metaphors** to express the **relationship between the divine and the human**. This is because a popular belief among Sufi saints was that **only homoromantic love could transcend sex**. Since sex was seen as a distracting force from the ultimate aim of gnosis, same-gender love formed the subject of many Sufi texts and songs.

Watershed Moments in the Indian Queer Rights Movement

- 1986. Veteran journalist Ashok Kavi Row penned the first “coming out story” of modern India. First use of the word “gay” in the Indian context.
- 1990. First Indian gay magazine- **Bombay Dost**.
- 1992. Conference on AIDS in New Delhi- delegates staged a walk-out “*to protest the government’s stance on homosexuality.*”
- 1998. Release of Deepa Mehta’s *Fire* in Indian theatres. Love story of two women named Radha and Sita. Shiv Sena and Bajrang Dal raise a violent protest against the besmirching of Indian values.

Continued: Watershed Moments in the Indian Queer Rights Movement

- 1991. Sakhi, a helpline and resource centre for lesbians was set up by academic and activist Gita Thadani.
- 1999. CALERI (Campaign for Lesbian Rights) published a manifesto titled “Lesbian Emergence.”
- 1999. First Queer Pride in India celebrated in Kolkata with 15 people.
- 2009. Delhi High Court struck down Section 377 (vaguely worded, colonial anti-sodomy law).
- 2013. Supreme Court criminalized homosexuality again.
- 2014, the Supreme Court recognized a transgender person's right to self-identification as male, female or the **third gender**.
- 2018. Supreme Court struck down 377 again.
- 2019. Transgender Rights Bill- incomplete understanding of self-determination of trans people.
- Till date, the Supreme Court has rejected multiple petitions to legalize same-sex marriages in India.

Recent Trans Rights Legislation in India: a brief overview

- In **2014**, the Supreme Court came to a landmark decision after the **NALSA v. India** case. They specifically ruled that not only should the “third gender” be officially recognized, but trans people should also be entitled to some benefits in the sectors of jobs and education. This ruling also, very importantly, promised the **“right to the self-identification of their sexual orientation.”**
- Transgender Persons (Protection of Rights) Bill, **2016**- The 2014 decision of the Supreme Court had not produced significant results because “third sex” had no proper definition beyond “partly female or male; or a combination of female and male; or neither female nor male.” Since Section 377 had not yet been struck down and all non-heterosexual sexual practices were still criminalized, this **brought the third gender individuals into a grey area of legality of the anti-sodomy law.**
- The Transgender Persons (Protection of Rights) Bill, **2019**- Introduced the concept of getting a “certificate of identity” which could have “transgender” in the sex category. **One could only opt for an official “male” or “female” sexual identity after they had undergone sexual reassignment surgery.** One also had to **submit “proof of their trans-ness” to the District Magistrate** to obtain these certificates, who was in charge of either validating or rejecting one’s claim.

Trans Rights Bill of 2019: Gaps and Flaws

Transgender rights activist, Grace Banu described it as a "murder of gender justice."

- Need to prove to the government that a trans person has had a **gender confirmation surgery**. Therefore, this directly flouts the 2014 ruling that a trans person has a right to choose their own gender.
- No mention of civil rights like marriage, adoption, social security benefits.
- No quotas for transgender people in public education and jobs.

Important Texts to study the Indian Queer Movement:

Same-Sex Love in India: Readings from Literature and History by Saleem Kidwai and Ruth Vanita. (2000)

Love's Rite: Same-Sex Marriage in India and the West by Ruth Vanita (2005)

Shikhandi: and Other Tales They Don't Tell You by Devdutt Pattanaik (2015)

A Life in Trans Activism by A Revathi (2016)

Criminal Love?: Queer Theory, Culture, And Politics In India by R Raj Rao (2017)

References:

de Beauvoir, Simone. *The Second Sex*. Vintage. 1989.

Butler, Judith. *Undoing Gender*. Routledge. 2004.

Butler, Judith. *Gender Trouble: Feminism and the Subversion of Identity*. Routledge Classics. 2006.

Foucault, Michel. *The History of Sexuality, Volume 1: An Introduction*. Vintage. 1990.

Freud, Sigmund. *Three Essays on the Theory of Sexuality*. Basic Books. 2000.

Hale, C. Jacob. "Leatherdyke Boys and Their Daddies: How to Have Sex Without Men or Women." *Social Text*. Autumn - Winter, No. 52/53. 1997.

Halperin, David M. "Is There a History of Sexuality?" *History and Theory* Vol. 28, No. 3. 1989.

Halperin, David M. "The Normalization of Queer Theory" *Journal of Homosexuality*. 45(2-4). 2003

References: (continued)

Katz, Jonathan Ned. *The Invention of Heterosexuality*. Plume. 1996.

von Krafft-Ebing, Richard. *Psychopathia Sexualis: A Medico-Legal Study*. Bloat Books. 1998.

Rich, Adrienne. "Compulsory Heterosexuality and Lesbian Existence." *Women: Sex and Sexuality* Vol 5. 1980.

Rubin, Gayle. "The Traffic in Women". *Towards an Anthology of Women*. ed. by Rayna R. Reiter. Monthly Review Press. 1975

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

Vanita, Ruth & Kidwai, Saleem. *Same Sex-Love in India: Readings from Literature and History*. Palgrave MacMillan. 2000.

Thank You

