

Against the grain: Teaching Transgender Human Rights

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Sexualities

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Abstract

Mirroring the course objectives of my senior undergraduate Transgender Human Rights seminar, this article seeks to challenge trans rights politics. Many rights advocates emphasize the symbolic value of formal acknowledgment of, and protection for, gender identity. I argue that trans rights are achieved through the production of deserving subjects according to colonial, heteronormative, nationalist and capitalist logics. Rights discourses are injurious to a significant number of trans and two-spirit individuals and communities because they obscure relations of governance. Rights ought not to be the driving force of ‘trans-’ efforts to cultivate broader relations of political solidarity to challenge interlocking systems of power.

Keywords

Activism, identity, neoliberalism, rights, subjectivities, ‘trans’

The highest purpose of the transsexual is to erase him/herself, to fade into the ‘normal’ population as soon as possible... What is gained is acceptability in society. What is lost is the ability to authentically represent the complexities and ambiguities of lived experience, and thereby is lost aspect of ‘nature’ which Donna Haraway theorizes as Coyote – the Native American spirit animal that represents the power of continual transformation which is the heart of engaged life. Instead authentic experience is replaced by a kind of story...

Sandy Stone, ‘The Posttranssexual Manifesto’, 1991: 230

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Teaching ‘Transgender Human Rights’, an undergraduate seminar offered in the Human Rights program at Carleton University, is an arduous task. Branding itself as ‘Canada’s Capital University’, it is only fitting that Carleton University would develop a stand-alone major in Human Rights given its proximity to parliament, federal government offices, the Supreme Court of Canada, national embassies and NGOs that can ground students’ knowledge of local and global rights issues. Yet, the Human Rights program is a critical interdisciplinary one that problematizes liberal democratic rights politics.

Doing justice to historical and contemporary struggles to obtain transgender rights requires a rigorous analysis of the ‘paradoxical’ nature of human rights (Brown, 2002). Human rights extend symbolic recognition to individuals and groups providing them with formal freedoms and protections at the state’s behest. Rights are exemplary of biopolitical governance given that it is through rights that life becomes increasingly livable for those accepted as citizen-subjects. Rights discourses produce ontological categories that establish sex, sexual orientation, disability and race as historical and transcultural homogenous states of being. To achieve rights, vulnerable populations must render themselves intelligible through cultivating normative identities. Such individualized states of existence govern social subjects according to the hegemonic colonial, capitalist, nationalist, racialized and heteronormative logics obscured through such liberal democratic exercises. While the course material makes it clear to students that rights politics are not the only manifestation of political organizing within trans networks, this trajectory occupies a privileged position. As a trans scholar involved in rights struggles and alternative forms of organizing, I assert that the wealth of material and psychic energies directed towards achieving trans specific human rights has serious repercussions for co-existing efforts to establish viable counter-publics based on ethical commitments to decolonization, sex, gender and sexual liberation and non-capitalism.

Transgender Human Rights provides an excellent entry into critical analyses of liberal democratic rights politics because of the subject matter(s). The histories of ‘systemic erasure’ (Namaste, 2000), the contemporary marginalization of some trans people and the abjection of others have resulted in devastating consequences. Segments of trans demographics are over represented in categories of un(der)employment (Bauer et al., 2011); Bender-Baird, 2011), incarceration (Blight, 2000), HIV/AIDS (Bauer et al., 2009: 350; Hwang and Nuttbrock, 2007), homelessness (FTM Safer Shelter Project, 2008) and impoverishment (Hirsh, 2000). Additionally, many trans people are refused access to healthcare and other essential social services (Namaste, 2000: 157–189). To confront this history, trans activists continue to educate the public concerning trans identities, oppressions and our contributions to society.

Human rights students tend to approach trans oppression with a sense of impatience. After becoming acquainted with trans identities and everyday struggles making the basic survival of many trans people arduous, students often exclaim that immediate action must be taken to alleviate such suffering.

Given the taken-for-granted notion that rights are indisputably positive, students tend to support such political agendas unreflectively. Their response to grave injustices that many two-spirit, transsexual and trans individuals face tends to strengthen their conviction that freedom and democracy must be experienced by everyone because 'we are all human'.

How can a Transgender Human Rights seminar problematize notions of universal humanity and the unequivocal desire for rights? This query is relevant given the tendency to exoticize Others and marginalize minority communities. Teaching transgender human rights presents a Catch-22 situation. On one hand, it is necessary to educate students about trans identities and experiences to challenge the systemic invisibility of the material lives of trans peoples and the frequent misrepresentation of trans identities through media sensationalism. On the other hand, emphasizing identities risks legitimizing capitalist and colonialist individualism naturalizing identity categories. Given that the changes we effect can only emerge from existing material contexts, how can trans scholar-activism work to enrich understandings of sex and gender variance, as well as to uncover intersecting dynamics of additional power relations? I suggest that it is these vectors of governance that enable critiques of human rights paradigms and the development of socially just alternatives.

Mirroring the course objectives, the purpose of this article is threefold. First, I insist that Trans Studies scholars take seriously the challenge to hone a 'trans-' analysis to shift the focus from the horizontal movements of personal identity across the sex/gender binary to the vertical movements between biopower and biomateriality (Stryker et al., 2008). A significant portion of the seminar is dedicated to challenging human rights paradigms through fostering deeper understandings of how trans subjectivities are configured through nationalism, whiteness, colonialism, as well as neoliberal frameworks. The extension of life is neither automatic nor private. One's humanity is formed in conjunction with governing social relations categorizing members of society as 'deserving' and 'undeserving'. Those who fail to demonstrate their fitness for social and state recognition will be 'cast out' (Razack, 2007), or exposed to 'slow death' (Berlant, 2007). Sex and gender alterity in and of itself does not determine whether one will be recognized as a valuable social subject or be deemed a threat to society; therefore, to avoid the latter judgement, trans rights activists, such as those with the Trans Human Rights Campaign, Egale Canada, the Centre for Gender Sanity and Press for Change, adhere frequently to normative colonialist, nationalist and neoliberal discourses shaping 'common sense' to diffuse suspicions of the relatively unknown trans individual. This often unintentional legitimizing of governing relations makes the lives of those who are unemployed, impoverished, criminalized, struggling with addictions, or do not have citizenship status more arduous.

Second, I challenge trans political organizers (defined broadly) to consider the reasons for the ascendancy of human rights within neoliberal society where freedom and democracy are realized through individual participation in competitive free market relations (Friedman, 2002). Many members of vulnerable communities

engage – albeit most often unwittingly or strategically – in reconstituting *homo economicus* as producer (Irving, 2008; Read, 2009), consumer and citizen to prove their value and, therefore, deservedness of legal protection.

Third, I want to open spaces to reflect upon the cultivation of ‘trans-’ solidarity politics with Others who by virtue of racialization, impoverishment, or criminalized labour are rejected as unworthy sexed and/or gendered subjects. I use trans-based cultural production (i.e. films, unpublished papers and ‘zines’) to emphasize that, while the sex and gender binary remains a crucial component of trans scholastic analysis, shared disenfranchisement across identity-based differences makes a broader political horizon possible and necessary.

Influenced by post-structural feminist, queer and anti-racist critiques of identity politics, I acknowledge that trans rights are ‘that which we cannot not want’ (Brown, 2002: 420). Legal recognition of gender identity extends formal opportunities for trans subjects to participate in civic life; nonetheless, few can capitalize on such freedom. Therefore, I argue that to organize for official acknowledgement of gender identity reifies the plethora of power relations shaping trans people’s various experiences. Rights politics legitimize citizen-subjects as proper market actors capable of demonstrating their value continuously. Securing rights to self-determine one’s gender identity is exclusionary and thereby undermining of ‘trans-’ politics by narrowing opportunities for coalition building. Struggles against exploitation, whiteness, as well as misogyny are subordinate – if present at all – in favour of competitive struggles for self-valorizing rights claims.

Problematizing the privatization of the trans self

The first week’s readings include personal and political narratives from intersexed (Valentine and Wilchins, 1997), transsexual (Serano, 2007; Gutierrez-Mock, 2006) and two-spirit people (Walters et al., 2006) to establish working definitions of trans identities and familiarize students with the complexities of trans identities. I urge students to consider how such definitions emerge from specific material contexts and reflect certain political interests rooted in whiteness, class, ability, masculinity and citizenship-status.

To challenge singular identity-based categorizations, the focus shifts from understandings of one’s self towards subjectivity. In so doing, I seek to examine the relationship between liberal democratic conceptualizations of the private and the public. Trans autobiography and other narratives often present sex/gender alterity as emerging from one’s physiological, spiritual or psychic essence. This understanding is demonstrated through definitive ‘I’ statements often articulated by members of marginalized communities. Self-understandings of transsexuality, two-spirit and transgender are privatized; however, gender is a ‘shifting and contextual phenomenon, [it] does not denote a substantive being, but a relative point of convergence among culturally and historically specific sets of relations’ (Butler, 1999: 15). The framing of trans people as intelligible and thereby positioned to

make a rights claim to protect gender identity draws from the logics of interlocking relations of power ordering society.

Transgender/transsexual subjectivities are constituted within a colonialist framework. Student's attention is directed back to our 'trans 101' discussions. Trans identities were defined through the sex/gender system – a rigidly bifurcated mode of thinking indicative of western epistemology. Sex/gender binary systems were, and continue to be, naturalized through repeated processes to discredit or eliminate indigenous knowledges. Individuals who were visibly sex/gender variant were celebrated within some indigenous societies through extending to them key roles as ceremony leaders, teachers and healers. European colonizers posited 'the West' as civilized and progressive through condemning sex, gender and sexual fluidity as emblematic of savagery. Indigenous peoples who are presently referred to as two-spirit were often amongst the first slaughtered in colonial genocidal campaigns. Given the oral nature of indigenous cultures, such acts of terror obstructed teachings concerning those whose embodied sex, gender and sexualities were irreducible to dualistic categories (Seguin, 2008).

Colonialism is not an historical phenomenon. The eradication of diverse performances of sexes, genders and sexualities through cultural genocide was continued by the residential school system, the Canadian *Indian Act* (1876) and incarceration within mental asylums and prisons. The lateral violence against two-spirit people living on reservations and against those who are members of urban Aboriginal communities also fragments and weakens indigenous societies.

Critique of the human rights paradigm will inevitably illuminate contemporary colonial relations. In so doing, educators, students, and trans organizers are encouraged to question processes of colonial rule through epistemic violence. Non/trans identities only make sense according to the western binary system; therefore, trans subjects are held captive(ated) by this dichotomy. Rooted in horizontal movement across the sex/gender binary, or the rejection of such lateral mobility (i.e. genderqueer), trans becomes embedded within this logic. In addition to rendering trans identities possible, this western dualism shapes trans political claims to sex/gender self-determination. Such assimilationist efforts obfuscate the ways colonialism operates according to this register.

Adopted during the 1990s, the term two-spirit emerged as a way to reclaim sex, gender and sexual variance as an integral component of many indigenous cultures. When enfolded into the gender identity rights category to be enshrined in constitutional law and penal codes, two-spirit is reduced to a private sex/gender/sexual identity. Trans human rights approaches reinforce colonialism by lending legitimacy to the state's paternalistic role as protector of 'its' Aboriginal people. Rights approaches stifle de-colonial projects through de-emphasizing the different socio-economic, political and epistemological contexts that render sex, gender and sexual plurality within indigenous societies possible.

Constructing trans subjects via notions of 'transphobia' illustrates another way that trans subject formation reproduces colonialism given that 'words, language and categories do more than describe the world – they create it too'

(Valentine, 2007: 233). Trans subjectivities are shaped in significant part through understanding violations or violence against the self (Valentine, 2007: 223). Efforts taken by many trans human rights activists to remedy trans phobia, such as those working on anti-discrimination campaigns, lend themselves to the production of a trans subject rooted in a western colonial mindset:

Transphobia, as a Western concept, can mask the history of colonialism and imperialism if one assumes that it connotes merely a fear of transgressing the dominant Western sex/gender binary. Moreover, 'transphobia' conceals the Western denigration of Indigenous Others, including cultures and histories that often celebrate what the West views as gender transgression, as in Two-Spirit tribal roles and status. In this case, the repudiation is actually refusing a whole culture and not just an individual's gender. (Shelley, 2008: 37)

Whiteness also mediates the construction of proper trans subjects. Nevertheless, whiteness as a governing relation often remains unchallenged when trans organizers politicize restrictive sex and gender categories. To demonstrate the ways that whiteness is reproduced, students examine the ways that many LGBTQ campus organizers problematize heteronormative notions of bodily congruency and the immutability of sex through reclamations of the deviant or abnormal embodiment of gender. Trans existences are celebrated for their presumed subversive efforts to contest – or queer – the socially constructed nature of sex and gender (Namaste, 2005). Whiteness can be teased out of this conceptualization of trans identity and oppression when one understands that for racialized people the restrictiveness of hegemonic white masculinity and femininity places them in subordinate and deviant positions regardless of their sex/gender identity. Aboriginal women (Razack, 2002), Asian men (Dua, 2003) and those of Arab descent (Puar, 2007) have been, and continue to be, constructed as monstrous and threatening to Canadian and US national imaginaries.

Such efforts on the part of student activists to wreak havoc on the stability of the sex and gender binary during the post 9/11 era exposes white privilege further. The War on Terror is legitimized through sexual and gender exceptionalism positing the West as tolerant and protective of such differences. The heightened securitization of national borders through the surveillance of abnormal masculinities and femininities targets Arab and Muslim communities shaping them as foreign and domestic terrorists (Puar, 2007). The efforts of primarily white middle-class youth to subvert sex, gender and sexuality speaks to their entitlement to mobility afforded to those considered to belong within national borders. This gets complicated further through Trans Day of Remembrance (TDOR) events on and off campus where, as Sarah Lambie argues, the violence against, and murder of trans people is understood as resulting from sex/gender alterity leaving violence against impoverished, racialized and foreign bodies as subordinate considerations when reflected upon at all (2008).

The ways that racialization is embedded within sex and gender performance can inform critiques of the ways that trans subjectivities also reproduce the nation as

'imagined community' (Anderson, 1991). What is insinuated when trans activists argue for the rights to sex/gender self-determination as citizens? Richard Juang states that: '... among the privileges of whiteness in predominantly white institutions is the ability to take inclusion for granted... [there is a] sense of automatic belonging' (2006: 248). We can witness the latent logic of whiteness through demands that the nation respect one's sex/gender by enabling gender identity to be guarded against discrimination. One would be recognized as a proper man or woman. The film *Still Black: Portrait of Black Trans Men* (Ziegler, 2008) raises questions of what it means for racialized subjects to transition within western contexts.

Whiteness also influences entitlement to mobility including the right to occupy public space. Racial segregation and issues of space in Canada are discussed through the formal and informal politics of zoning within urban areas. Students explore the ways that particular cityscapes are constructed through gentrification efforts, whereby impoverished, disabled, criminalized, trans and racialized bodies are driven from sites such as the West End of Vancouver in efforts to purify the region for desired upper-class inhabitants (Ross, 2010). In terms of the implicit whiteness that makes it possible to stake one's claim to belonging as bodies traverse space, we turn to Bobby Noble who analyses the ways that some feminists question trans men's entitlement to physical, psychic, categorical and political spaces. He argues that articulations of male privilege fail to uncover the way whiteness 'works invisibly to modify and articulate identity [furthermore] white supremacy also works aggressively to de-privilege particular groups of men in our culture while distributing power quite happily to others' (Noble, 2004: 25). We examine debates around washrooms to comprehend the way that whiteness is embedded within trans subjectivities. Trans activists assert the right to use the bathroom that matches one's sex/gender identification. While this right is indisputable, students are encouraged to pose questions about underlying assumptions framing whiteness as a currency informing one's entitlement to traverse space freely (Williams, 1991: 122–125).

While many trans activists argue the necessity of severing sex/gender categories from sexuality, the social valorization of trans subjects often depends upon reproducing heteronormative logics. The heterosexual matrix reproduces the understanding that one is born either male or female, socialized as a man or a woman and desires the opposite sex. We explore three sites where heteronormativity buttresses the authenticity of transsexual subjects – the medical clinic, legal system and grassroots trans organizing. Gender Identity Clinics required patients to demonstrate their sexual desire for the opposite sex to medical and psychological practitioners to obtain the diagnosis of 'primary transsexual' necessary to transition medically – that is, through hormone replacement therapy and sexual reassignment surgeries (Rosario, 1997).

The judicial system also played, and continues to play, a significant role in embedding transsexuality within heteronormative frameworks. In terms of marriage: 'heterosexual functioning [was] scripted as a prerequisite to legal recognition'

(Sharpe, 2006: 623). Women with transsexual histories had to provide evidence that their genitals were capable of penal-vaginal intercourse to legalize their marriages (2006). Heteronormative logics privileging such penetrative intercourse also influence custody cases. In the *Kanteras v. Kanteras* case, a joint child custody hearing, Michael Kanteras, was questioned repeatedly about his ability to penetrate a woman (Flynn, 2006: 38).

The ways we govern ourselves and others are overshadowed frequently by emphasis on institutions and legal systems; however, governance is not limited to top-down manifestations of power. Hierarchical notions of value amongst diverse segments of trans populations are reproduced on micro-political levels through everyday interactions. To understand self-governance, students explore tensions between some members of transsexual communities and cross-dressing communities to discuss ways that heteronormativity informs their understandings of themselves through claiming the inauthenticity (Ross, n.d.a 'Prostitution') or the pathology of the other (Meyerwitz, 2002: 181–82).

Such explorations of the systemic governing relations from which trans identities emerge enable students of Trans Studies to complicate the notion of private and singular identities. The separation of economic spheres from the political and socially reproductive characteristic of liberal democracy is challenged through studying subjectivity. As we explore in the next section, however, human rights approaches to achieving justice for trans people privileges notions of possessive individualism and the injured self.

Constructing human rights subjects

In addition to academic commentary, students analyse unpublished papers, 'zines', community-based research and engage with films like *Transparent* (Roskam, 2005), *Cruel and Unusual* (Baus et al., 2006) and *Screaming Queens: The Riot at Compton's Cafeteria* (Silverman and Stryker, 2005). Such cultural productions lend themselves to enriching understandings of the ways that racialization, colonization, hetero-patriarchy and capitalism frame the diversity of trans subjectivities and experiences within society. Students witness the ways in which certain layers of trans demographics are systemically erased from society with devastating effects.

Nonetheless, the victim narrative and the subsequent saviour mentality that bolster human rights politics are disturbed by trans cultural producers. The racialized and criminalized subjects of such films resist moral, legal and political regulation through various means. Such resistance can inspire and widen our political imaginations for developing political horizons beyond narrow human rights paradigms. This potentiality must be harnessed by returning to a critique of trans human rights.

Given its dominance within neo-liberal democracy, rights discourse functions as a comfortable recourse. Students respond to these films and other depictions of the lives of the most marginalized trans subjects by exclaiming: 'this cannot be allowed to happen in Canada', as well as, 'trans people are human beings, they must be

given human rights!' Implicated in the (re)production of dominant knowledge and social relations, students are challenged to confront rights as a benevolent response to subjugation. How can campaigns for, and the bestowing of rights be a constitutive function of power? The first statement by students, just mentioned, makes it clear that rights politics buttress Canadian nationalism rooted in tolerance, diversity and multiculturalism. Notions of progress, peace and exceptionalism are reproduced in the classroom.

The second exclamation proclaiming trans individual's humanity reveals students' difficulty grasping differences between citizen-subjects and surplus populations. As demonstrated earlier, the pushing of many racialized, feminine, impoverished and disabled trans people beyond the body politic is not an irrational act. (Shelley, 2008: 31–37) Not all trans individuals are recognized as human.

When forming a critique of human rights, we must ask 'how are rights attained', 'what key functions do human rights play' and 'how do rights paradigms define politics'? Four identity categories – 'sex', 'sexual orientation', 'race', and 'disability' are enshrined in the Human Rights Code of Canada. It is a misnomer to claim that trans people are without rights since all citizens have formal entitlements. What is missing, however, is the act of naming trans people into existence, as mentioned previously such efforts are taking place as trans rights advocates pursue the legal enshrinement of gender identity in human rights codes and hate-crimes legislation.

Kyler Broadus explains that:

[f]or the historically disempowered, the conferring of rights is symbolic of all the denied aspects of humanity: rights imply a respect which places one within the referential range of self and others, which elevates one's status from human body to social being. . . . rights both empower transgender people to contest discrimination and allow us to envision ourselves, and be seen by others, as fully human. (Broadus, 2006: 99)

Symbolic recognition comes at a high cost especially to those disempowered by governing rationales. Despite citizens of post-industrial countries having formal entitlement to rights, one cannot expect rights to be conferred automatically. Instead, legal freedoms and protections are earned by individuals who can demonstrate their value through participating in free market production and consumer relations – activities that bolster national competitiveness within the global political economy. Neoliberalism emphasizes personal identity fused with care of the self, family, community, and the nation.

Rights serve a biopolitical function since it is through state and social recognition that subjects come to life. Struggles for rights within neoliberal capitalist society cannot be configured as an either/or question (Brown, 2002). Community-based activists such as Sandra Laframboise and Deborah Brady of the High Risk Project Society, a programme serving street active male-to-female transsexual populations in Vancouver, accept the importance of symbolic recognition through rights legislation: '...there are few or no positive laws that have established exactly what legal rights and obligations transsexuals have. . . .

This lack of recognition creates intense alienation and leaves the door open for discrimination in regard to access to [social services or medical services]' (Laframboise and Brady, 1995).

In Canada, the importance of symbolic recognition propels current efforts to pass Bill C-279 to enshrine 'gender identity' into the Canadian Human Rights Code and Hate Crimes legislation. Struggles to protect gender identity assume that sex and gender alterity is the primary, if not the only, arena of disenfranchisement. What is required of, and by, trans subjects to fit into the homogenous gender identity category? Viviane Namaste (2005) poses the following question: '[c]an the everyday realities and world views of francophone transsexual and transgender people, as well as those who live in a language other than English, be adequately represented within a legal framework that depends on Anglophone concepts?' (2005: 115). She responds in the negative by arguing that notions of gender transform 'non-Anglophones into English Canadians' (2005: 116).

The autonomous 'entrepreneur of the self' serves as the ideal citizen-subject whose humanity is shaped through demonstrating their productive and consumerist potential. Steeped in market logic, one's worthiness depends on the human capital they acquire through education, training and other forms of honing oneself as a responsible market actor. Neoliberal privatization and the shrinking of the public extends into the most intimate arenas including sexed embodiment and gender identity. Over the past quarter of a century, the private property form has engulfed multiple dimensions of non-economic or cultural life. Morality, a crucial factor in determining deservedness of rights and access to social services, is determined through one's ability to assume personal responsibility for all dimensions of well-being. The stakes are incredibly high because failure to prove that one is a fit member of society translates into being repudiated into the realm of surplus populations marked for social and literal death. Neoliberal logic and trans sex/gender identities are productive forces working in tandem to naturalize each other. For instance, FTMs often seek legitimization from medical, legal and bureaucratic institutions, as well as from mainstream market society through demonstrating their proper masculinities according to neoliberal norms (Irving, 2009).

It is important to recognize the consequences of forming trans political discourses in conjunction with free market logics given their influence on many trans networks. Cuts to funding for social welfare programming limit the nature of the social service organization's offerings. In addition to the eradication of specific programming and services offered to vulnerable populations, such an environment shapes identity categories through increasingly narrow resources and service mandates. We explore debates concerning who constitutes a woman and the ways that such parameters of identity have influenced trans women's (in)ability to access Violence Against Women services such as shelters (Cope and Darke, 1999; Ross, n.d.b; Strang et al., 2003) and rape crisis centres.

The public conversations amongst feminist and trans organizations raised important points concerning the meaning of 'woman', as well as access to vital services for those deemed to be non-normative subjects. Nevertheless, students

were urged to probe deeper to analyse the impact that neoliberalism has on such conceptualizations of subjectivity and politics. Such systems of power operational within liberal democratic society exacerbate notions of the scarcity of liberation. Marginalized groups are pitted against each other to compete for the state's attention and for the meagre resources available to them. We turn again to the productive work of rights politics based on individual identity categories that are pitted against each other in the competitive political arena.

To make explicit the ways that clashes between trans communities and radical feminists are underpinned largely by economic drives I assign a chapter out of Krista Scott-Dixon's book entitled *Transforming Feminisms* (2006) that can easily be dismissed as transphobic. While A Nicki's justifications for trans exclusion are problematic, she makes an interesting point concerning the fiscal pressures placed on publicly funded feminist organizations: '... are the rape crisis centers to be blamed for the limited number of programs and resources? A survivor can feel highly distressed in finding that the centers are not equipped to meet her needs. But why blame the designs of those centers and *not focus on the lack of alternative support centers*' (Nicki, 2006: 156)?

It is at this juncture that we address abjection and marginality. An overwhelming number of trans people are 'cast out' of society (Shelley, 2008: 62) and are erased from the mandates of the state bureaucracy and social service institutions serving the public (Namaste, 2000). However, the exclusion of these racialized, feminine, disabled, non-normatively sexed/gendered, impoverished and criminalized subjects does not mean that their knowledge is not shaped by dominant logics of power. Given that whiteness, ability, heterosexuality or respectable homosexuality and middle- or working-class social locations are key to demonstrating oneself as deserving of inclusion within the broader public, trans political networks often set out to demonstrate their fitness according to such governing rationales. Often, marginalization does not lead to politics rooted within social justice principles but to more assimilatory approaches.

Drawing from Nietzsche's concept of *ressentiment*, Wendy Brown argues that minority groups shape their politics in relation to whom they are not in terms of the 'white masculine middle-class ideal' (Brown, 1995: 61) Oppression becomes understood in terms of our lack of privileges in comparison to those afforded to those approximating the symbolic ideal. The subject becomes attached to their identity formed in conjunction with injury and comes to loath the prospect of emancipation. Transgender and transsexuality only make sense within the context of colonialism, hetero-patriarchy and capitalism that naturalize western sex/gender dualism. To what extent do trans people really want to fight for the eradication of the sex/gender category when doing so will annihilate the very identity category bestowing identifiable life? To demonstrate the ways that this debate plays out within trans political arenas, students engage with a debate between Pauline Park and Riki Anne Wilchins. Park levels a critique of GenderPac under the leadership of its founder Wilchins given that the latter's approach to gender politics is informed by poststructuralist theoretical frameworks (Park, 2003).

Wilchin's ability to represent trans issues is questioned because of her declaration that: 'I don't want to fight for the right to be a free transgender person. I want to fight for the right *not to be transgendered*. I want the right to define my primary social identity in ways that are much more meaningful to me' (cited in McCreery and Krupat, 2001: 94) Identity is conceptualized in possessive terms that include rights entitlement. Private property relations, exploitation and other logics of the market-based society are not questioned. If we were to shift the trajectory of such debates so that the minimalist state and exploitative labour economy became focal points, how might our approach to trans politics be altered? How could we create grounds for rendering transgender, transsexual, two-spirited and genderqueer subjectivities intelligible whilst turning towards broader issues of systemic power that reach across individual rights-based identity categories? Could we engage in political dialogue with potential allies in different ways? The challenge Brown extends to readers concerning replacing the individualistic 'what do I want for me' with the more radical democratic 'what do we want for us' lends itself to a broader discussion about the cultivation of coalition politics.

Viviane Namaste concludes her book entitled *Sex Change Social Change* (2005) ... with the challenge for 'others to join me in taking a firm stand against transgender rights' (120). Trans subjectivities and politics that are not entrapped within rights discourses contribute greatly to forging new ways forward. Consistent with Sandy Stone's urging for visible challenges by transsexuals to assimilatory logics (1991) and Susan Stryker's call for transsexuals to realize the potential of our monstrosity (1994), Kendall Thomas (2006) argues that we ought to revisit the conceptualizations of transsexuality and transgender as inhuman. Such a construction cannot be reduced to a travesty of justice; instead, it can function advantageously as a rallying point that provides a springboard away from narrow rights frameworks. How can the notion of transgendered people as inhuman 'gesture towards a species of democratic destabilization rights' (Thomas, 2006: 321)? As Thomas makes clear:

... they might provide a vehicle for forging a future democratic consensus in favor of the dissolution ... of gendered human being as a publicly meaningful category and the abolition of gendered human being as a requirement for full, equal participation in the public sphere ... this cultural work represents nothing short of ontological insurgency. (2006: 321–322)

Ontological insurgency entails the 'undoing' (Butler, 2005) of singular sex/gender categories and rights trajectories to make engaging in 'trans-' politics possible. Such politics are enacted through stitching together fragments of our social, political, economic and cultural worlds that appear unrelated within neoliberal discourses. To stimulate students' imaginations and broaden their horizons concerning what is politically possible, I screen *Yapping Out Loud: Contagious Thoughts of an Unrepentant Whore* (2001) Mirha-Soleil Ross' multi-media performance art piece. A vegan animal rights activist, a francophone transsexual woman

who works as a prostitute, a performance artist, filmmaker, and community organizer whose work within low income trans communities has spanned decades, Ross confronts her audience with visual and auditory refusals of containment. Some vignettes parody the ways that many radical feminists and academics have sought to dehumanize sex workers through vicious entrapments within narratives that do injustice to their lives. The rights of women do not include all women and require that some be silenced, the complexities of their lives spoken in a language that is not their own. Through over-exaggerated voice and gesture, Ross dares to expose this violence through revelling in absurdity. She mocks the ways that these victimized women's compliance with proper behaviours will make their redemption possible.

She complicates gender relations, exploitative labour, sexual longing and intimacy between transsexual attitudes and compliance with a critique of the ways that homogenization of clients as 'johns' does violence to the diversity of their lived realities. The dangers of singular notions of complex subjects is a crucial lesson for human rights students. Another key moment comes with her refusal to glamorize or fetishize her occupation. Ross shares the bodily and emotional experiences of prostitutes working in a criminalized economy within the neoliberal security state. The threat of police brutality, incarceration, displacement through gentrification, murder and the social stigmatization of both the sex worker and their clients have psychological resonances that impact upon the health and well-being of sex workers and their families.

Ross demonstrates the ways in which the freedom of sex workers is encroached upon while simultaneously opening grounds to think through intersecting oppressions that can foster solidarity. Growing up in a francophone working-class family, working the streets of Montreal and Toronto, fighting against objectification by some feminist activists and academics who believe themselves entitled to define transsexuality and shape the terms of debate, resisting the degradation of male clients who like the whore herself are subject to, and suffer the effects of, moral regulation are discussed often amidst an audio and video backdrop of coyote hunts. Differences between transsexual women and non-transsexual women, men and women, the sex work and the legally employed are blurred as we witness on screen the trap tightening around the coyote's leg with every yank of the chain. Alone it struggles to free itself until it lies still.

Cross-dressed as a hunter, Ross speaks to the shooting murders of prostitutes on the streets of Toronto. The hunter's language used to describe the body, gait, approach of the female street worker does not signal a human. The lines between women, worker, transsexual are blurred amidst these urban grounds whilst the hunter stalks its prey. Shots ring out, as do the screams as objects recoil. Silence. The lights go up and Ross bows before her collective audience providing applause. The thick prolonged silence in the class extending for moments after the film ends indicates that we were moved by this spectacle.

The transsexual monster defined as messenger who forewarns others of our mutual situations (Stryker, 2006: 247) renders itself present again through Ross'

performance and the response of the class. The inhuman storyteller does not, or cannot, speak entirely of their personal narrative like the pieces analysed in the first week. Instead, this ghostly figure points towards the shared conditions that govern us all. The transsexual monster, the 'transgendered ghost' (Halberstam, 2005: 60) enters through the cracks in the neoliberal fortress to foster the connections between the impoverished, disabled, racialized and additional dehumanized Others. This is done through illuminating various power relations governing us all.

To conclude, trans rights organizing reflects the colonial, capitalist, nationalist and heteronormative material contexts out of which it emerges. The extent to which such discourses challenge systemic power relations is limited significantly because of their material origins and, as a result, is injurious to those outside the margins of the ever narrowing category of the deserving human. The end of the seminar prompts movement – or efforts – to do justice to ethical commitments to extending life. 'Trans-' politics signifies the need for various collective initiatives that offer new beginnings sutured together from the layered fragments of our undoing. Trans human rights cannot offer adequate solutions for social justice. We are moved beyond.

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