

KEYNOTE LUNCHEON

TRANSGENDER LAW CONFERENCE JULY 4, 1996

by Mary Coombs

PHYLLIS FRYE:
(INTRODUCTION): It's one o'clock and we're now going to have our speaker. Professor Mary Coombs from the University of Miami Law School is a lesbian waiting for a partner, a feminist activist, and a very, very prolific legal writer.

I first heard of Mary from people in the National Lesbian and Gay Law Association, which, by the way, was the first national gay and lesbian organization to fully embrace transgender issues as a fundamental part of their mission. In January of 1995, their Board unanimously passed a resolution for transgender inclusion; not only in their own stuff, but pushing for transgender inclusion in the ENDA bill and urging other gay and lesbian organizations to include transgenders. Very significant and I have used that resolution to club a lot of other organizations into submission.

Sue Spoppable, one of NLGLA's directors, is from Florida, and she told me about Professor Mary Coombs. Now, Professor Mary Coombs would be a terrific speaker because Mary can see and study and write about the parallels between the transgendered movement and the feminist movement. So I called Mary and she said, "yes". Since then I've also found out she is a very good friend of Robert Raben, who works for Barney Frank, in Congress. Whenever I go to Washington and need to know what the waters are, I always talk to Robert -- run things by Robert, and he tells me if that's a good idea or not. And I also -- quite by accident -- found out that Elvia Arriola and Mary were good buddies. I mean if you get the recommendations of Sue Spoppable and Robert Raben and Elvia Arriola, you just gotta have a good speaker. So, Mary is going to preach to the choir. We thank you so much for coming and we thank the University of Miami.

MARY COOMBS: I want to thank you for inviting me to speak here. One of the themes of my talk is the way in which we perform gender prior to and part of the way in which we construct having a gender. Much of my knowledge of gender -- and this really does proceed, you know,



(l)Phyllis R. Frye, Executive Director, ICTLEP, Inc. and (r)Mary Coombs, Professor, University of Miami Law School

happened because Phyllis' flattering misapprehension that you wonder assumed that I already knew that stuff invited me I couldn't come I said, God I better learn something. So, the talk is not only worth my while and I hope I can make it worth yours.

What I told Phyllis, was that I'd talk about the parallel of tensions between the way in which gender has been understood in feminist thought and its meaning within the transgendered community. Which I knew that I would have to over simplify feminism. And I'm aware of the extent to which my talk will over simplify transgenderism. There's another danger in doing this and I might as well put it up front, which is that the theory of gender in transgenderism seems to grow out of the experiences of transsexual of the transgendered people. It's a movement that is in some ways in a stage of consciousness raising. And what I've decided to do is to draw on those experiences to construct the theory of gender and its meaning for all of us which is to say, primarily given the numbers, people like me and you who are monogendered, or perhaps more accurately, monosexed. And I want to recognize, I realize that using your lives as part of a theoretical project which is primarily about your lives although it's about our lives as well, has a kind of exploitative aspect. I will try to minimize it. But I know it's always a problem which some drawing out of other people's lives or projects which is broader in their community. So, help in correcting that. Finally an introductory vocabulary note or the other terms: recognizing the meanings of the terminology of queer theory and transgenderism are contested; you see, for my purpose here, I define sex as referring to biology and/or anatomy, and "gender" as a set of culturally constructed and legally enforced psychological attributes and social roles. I want to get to the relationship between sex and gender.

Much of my talk in the sense is summarizing this in the diamond I've drawn on the board. We begin with the traditional roles of gender. The Victorian family concept of gender strictly dichotomous and conflated together. Everyone is assumed to have one sex, male or female, and a matching gender, masculine or feminine. These are assumed to be crucial facts about the person. As Freud said, "When you meet a human being, the first distinction you make is 'male or female?' And you're accustomed to making that distinction with unhesitating certainty." (Obviously Freud never went to an ICTLEP convention). These patterns are essentialized, naturalized and deemed to be intransitive. You're born into a particular sex/gender and you'll always be that sex/gender. Heterosexuality is similarly viewed as both a natural truth and a moral obligation. Part of one's sex/gender is that one is and should be sexually attracted to persons of the opposite sex/gender. The term "opposite sex" often captures part of the traditional notion: Each sex/gender is both radically different and fits together with the opposite. Think about the electrician such as the male/female plug and socket. Frankly, I'm not sure what something of the opposite of me would be, but I don't think it's a male human. I don't know, maybe a brussels sprout or an enchilada.

When you think of that traditional starting point on the diamond, feminism moves down to the bottom point and what I would call traditional transsexualism moves to the top point. They each move away from the traditional gender role. And in that sense they're moving in the same direction, although not with the same speed just as the move away from the sex/gender conflation. But, as I mentioned of gender role conformity, they're actually further apart than either of them is from their traditional roles. I finish the diamond by drawing dotted lines, although they're not really there, yet, to what I would call multigenderism or what at its best is a better definition would be transgenderism.

What I want to do in the rest of this talk is to briefly sketch out the understanding of gender and sex and sexual orientation in feminism and in traditional transsexualism. Then let's speculate a little bit about what multigenderism looks like? What does it mean and whether it's a sensible goal for feminists and other gender transgressors? And furthermore whether one could even think about

the notion of transsexualism or feminism or sexual orientation identities in a world which is truly multigendered.

The critique of gender has been one of the central tenets of contemporary feminism. Sexual feminism begins with the very concept of gender as something distinct and separable from sex. And understand this, I developed and discovered only during the research of this, which developed first in the context of the understanding of transsexualism and then it was borrowed and modified by feminism. Feminist thinkers have reiterated and deepened the understanding of female gender--gender identity, i.e., femininity, as neither natural nor safe for women. There is nothing natural or biological in the characteristics associated with femininity: Charm, modesty, passivity, manipulateness, or a fear of spiders, blood and mathematics. Indeed, the particular characteristics denominated as feminine or the jobs denominated as "women's work" varies wildly across times and cultures. What remains the same; however, is first there in almost every culture -- every culture -- there are two relatively clear and bounded categories of traits that are denominated gendered for that culture. These are associated with a particular anatomical sex. Second, and equally universal important among contemporary cultures would be the relationships between masculine and feminine is not merely one of difference, but one of dominance and subordination. Those characteristics, whatever they are, denominated masculine are associated with success and power. A prime example: The psychologist's assessment of the characteristics of a healthy person track almost precisely those of a "healthy male." The characteristics of a "healthy female" is quite different. As Anne Hopkins, who was denied partnership at Price Waterhouse for not being sufficiently feminine, discovered, the qualities of assertiveness and self-confidence that an employer demands of a professional employee, when demonstrated by a woman get read as charmlessness and abrasiveness. In effect, we have two genders, separate but unequal.

Feminists have sought two, sometimes inconsistent, transformations of this state of affairs. Liberal feminists have insisted on the legal irrelevance, except in the rarest instances of sex. Anyone who ever saw the need to be a trial lawyer or a plumber should get the job, and the employer's assumptions that people with vaginas and girlish qualities were unqualified to carry their weight. In other words, no legal obstacle should be placed in front of girls who want to be and can be like boys. Cultural feminists have been more insistent that men and women are, on the whole, different, whether innately or as a result of socialization, and have been concerned that feminine gendered qualities not be denigrated. Workplaces, for example, should be designed so that primary parents, as well as their spouses, can hold responsible jobs. In other words, the legal and social structures shouldn't harm girls who are girls. The radical feminists has an opinion that says we should be able to demand both, noting that the traditional rules, let boys be boys and reward them for being boys.

The radical feminists would insist that a Shannon Faulkner should have as much right to go to the Citadel as the penis person who had the same credentials and wanted the same hyper-masculinized learning environment. She would also argue for the state's obligation to creating equally well-funded and effective leadership institute designed around pedagogical techniques that seem to work better for those whatever their genitals, of the female gender. And almost all the feminists would want a world without compulsory gender, in which little girls and little boys would be equally free to adopt those gendered characteristics that fit who they are.

All of the schools of feminism, however, have tended to leave sex untheorized. There simply were biological differences between men and women.

The focus of analysis and the political protest was gender. And in that sense, feminism, like traditionalism, they historically assumed that sex was a natural phenomenon to which gender had

unfortunately become attached. Transsexualism, when we feminists do think about it, forces a reconceptualization that seems like the bedrock principles upon which gender is misconstrued.

I now move into the portion of my talk where I am not only preaching to the choir, but I am a visiting Muslim cleric preaching to the Southern Baptist choir and Christian doctrine. So, please forgive me if I get it wrong.

As a feminist examining transsexualism, I necessarily work in the shadow of Janice Raymond's *Transsexual Empire*. The book seems to me to embody certain profoundly correct insights about traditional transsexualism. But to embed them in a false and therefore falsely dismissive set of assumptions. She reflects a particular fringe cultural radical feminism, that erroneously essentializes womanness. In effect, she expresses a useful skepticism about the transsexual phenomenon but not the same skepticism about sex/gender itself. She rejects male-to-female transsexuals as "not women" and asserts that only women-born-women can be women, giving three reasons: Two of them are clearly wrong and the last is problematic. First, she simply asserts that the true core of sex is chromosomes: Since nothing transsexuals do changes their chromosomes, their sex doesn't change. But she provides no reason to privilege chromosomes above all the other indicia of sex. You see, I have never doubted that either I or my daughter are women, although frankly I have never checked our chromosomes. I assume that we have xx chromosomes because I otherwise know that we're women rather than the other way around. Raymond, also has almost mystical notion of some female creativity that we presumably exuding from our chromosomes, that no man-born person can have.

Finally, Raymond argues that transsexual isn't a real woman, entitled to participate in women-only activities, because she didn't grow up as a girl. Yet, I can imagine contexts in which "women only" could mean "only women who were raised in the way our culture raises women." For example, a support group for women survivors of childhood incest. The purpose of the women-only space is to engage in consciousness raising around workplace sexual harassment or to celebrate women's music and culture, one's historical sex would seem insignificant.

What we are usefully forced to see in examining the relationship between transsexuals and women's community, is that even sex has many dimensions, and must be determined historically and contextually. A male-to-female transsexual is, as a woman, at risk of rape (although her experiences growing up male might bring up out a different perspective on how men are likely to behave or a different training in physical self-protection). She suffers as much as any other woman with an office job from the demands that she encase her lower body in pantyhose in Houston in July. She still, however; has the width of shoulders and length of legs and much of the musculature she had as a man, which may provide her a unique advantage in a sex-segregated sports competition. So, the question is why are we defining women and for what purpose, and then you need--only then can you answer whether it makes sense to think about female-to-male transsexualism. It's not a question you can answer in the abstract, like Raymond tends to do.

Raymond's criticism also highlights the way in which all of us trapped within conceptions of gender. She argues that a male-to-female is still a man and will be aggressive and take over women's groups. And yet the very same characteristics she condemns here as masculine, would be praised by feminists (and condemned as dykey by traditionalists) if they were exhibited by women-born-women. What I think Raymond usefully does seem to do is to point out conservative gender politics of traditional transsexualism, which is sort of exhibited by a Christine Jorgenson or a Jan Morris. As best I can tell, their claim is that, I am truly a woman, because I have a core gender identity of female. Which she feels that her gender and her body are mismatched. She wants to change the body by various techniques up to and including of course surgical intervention to be

female as well as feminine, to make the sex match the gender. This contradicts the feminism and in some sense leaves gender untheorized .

Gender itself, and the notion that a whole range of characteristics appropriately go together and are labeled "masculine" or "feminine", goes unchallenged. Indeed the proof that one is a true transsexual and thus entitled to sexual reassignment surgery is one's ability to live for an extended time in the opposite sex to pass as a woman. Which often seems to mean presenting oneself as a sort of Marabel Morgan "total woman," the kind of woman men would like to see, (when they have their energy of women) exhibiting all of the most traditional feminine behaviors in dress. A preoperative traditional transsexual wouldn't consider exhibiting the gender ambiguities that we genetic women do; except for conscious gender rebels among us. We don't doubt that people will see us as female, even if we have jeans and short hair, especially if they have contextual cues, such as walking down the street holding hands with someone who appears to be a man. (Perhaps my favorite story--I have to tell this-- the person whose about which would kill me if she knew I was telling you. The way in which sex and gender are both seen through the context of our expectations).

A young woman I know very well who was invited to a party by a gay male couple she knew. As it turned out she was the only person at the party that wasn't a gay man. And at one point, she yawned and stretched, and a guy she had been talking to turned and looked, and said, "Oh, my God! They're real! I thought you were in drag." She had to be male in that context, and only the most emphatic evidence changed his preconception. Of course this audience would still not make any assumptions about her sex even knowing she had breasts. In one sense, the traditional transsexual is the ultimate gender transgressor, for he or she (I know I'm using this term abstractly) insists on breaking the conflation of sex and gender. But in another, he is the ultimate gender conformist, insisting that gender is real, that it is dichotomous and that it should be matched to sex--or perhaps more accurately that sex should be matched to gender. I recognize that gender conformity is in part a reflection first, the world in which many of the older transsexuals grew up, in which the only available options were traditional masculinity or traditional femininity as defined in a patriarchal world. You weren't one, well you had to be the other. What else could you be? And I recognize too that much of the insistence on gender conformity came and comes from the psycho-medical establishment: Presenting oneself as a traditional "total woman" was the ticket of admission for surgery. You see this assertion of a natural, dimorphic gender (If we're not one we must be the other and then you can get surgery) in the writings by the "experts" on transsexualism, such as Money and Green and Stoller. But you also see it in some of the autobiographies of transsexual pioneers with their celebration intuition, intuitive, modest, simpering womanhood; which happens to make my feminist skin crawl.

Simultaneously, as a lesbian, I shudder the enforced heterosexuality of traditional transsexualism. The denial of even the possibility that one might feel oneself to be a lesbian trapped in a man's body has asserted as simply fact in Harry Benjamin's work and insisted on as a norm by psychologists at gender identity clinics who would deny the ticket to somebody who presents himself that way. After all, as one gay female-to-male reported being told, "If I just wanted to sleep with men, why go to all the trouble?"

Again, the early literature describe the patients as similarly both heterosexual and homophobic. Although it is hard to know how much of this is true feelings, how much strategically can psychologists--giving the psychologists the answers they want to hear and how much an attempt to distance themselves from homosexuality viewed morally by the flight into the medical issue of transsexualism.

The transgendered community, however, includes a range of possibilities and realities far beyond traditional transsexualism in gender transgressiveness. Transvestites and drag queens, though many of them enact equally to non-feminist gendered persona, reject the conflation of sex and gender in what I believe is a more profound way. They claim not that they are in the wrong body, but the body and gender don't need to match. Drag queens, much like butch lesbians, not as enacting a traditional gender but as necessarily subverting it by enacting it on the culturally "wrong body." The purposes behind the gender transgression vary wildly from the ironic mocking of the sissy-fag conflation of drag queens, to the religious demands of a Joan of Arc to the political economic passage of Billy Tipton. And we might also note, gender crossers, are often not conscious to take the awareness of it. For example, there's was a woman-- apparently unambiguously sexed as such-- who survived the Montreal massacre, because the killer who lined up the women on one wall and the men on the other wall, and killed all the women, misclassified her as a man. But she couldn't find a job because she was viewed as too masculine because she was perceived to be a woman and too feminine if she was perceived as a man. Other gender blenders and gender transgressives are even more explicit in undermining the meaning of gender and its conflation with sex by rejecting those bipolar unities. I understand there's some contemporary self-defined transsexuals who don't intend to engage in full surgical transformation. As you can see I'm a transsexual, but this is how far I intend to go. I'm not pre-op, I'm just non-op. Others are simultaneously "male" and "female" in their anatomies. Some mixing male bodies with female -- feminine gender or female bodies masculine gender. Unlike traditional transsexuals, they're deliberately real.

Perhaps most intriguing to those of course trying to rebel against classic gender normativity, are those who are, in Sharon Stone's term, bigendered: They adopt different genders or aspects of gender at different times and in different personas. People have recommended that you should claim the identity of transgenderist, unlike many traditional transsexuals who seek post-operatively to disappear into their new sex. In a sense their trying to transition is timely.

Postmodern play of gender seems incredibly appealing to feminist like me or perhaps I should say it's incredibly appalling to traditional value. It is literally disorienting, because sex/gender is the axis around which both gender identity and sexual orientation turn for most people. It reverberates with the shift in lesbian consciousness to a respectful examination, if not a celebration of butch/femme, rather than the moralistic androgyny of the 1970's middle-class lesbian feminism. I'm attracted to what most often called "postmodern cacophony of multiplicity, pastiche and plurality that marks--(Hey, I'm an academic I gotta use those words)-- suggests the met-narratives of gender." (It reads better than it talks). Such postmodern gender play demonstrates that gender has no natural or essential relationship with sex. It also demonstrates the various aspects of gender: Dress, posture, gesture, work choices, skills, and desires, erotic and otherwise, are separable from each other as well. The sex gender doesn't come in two distinct neat bundles each internally unified, but consists of a multiplicity of characteristics-- biological, psychological, social and cultural, that can in theory be combined in an infinity of ways. It thus implicitly proves (this is one of the important things that the transgenders provide to us) gender is a performance by all of us, from transsexuals, to gay leathermen who enact a parodic hyper-masculinity, to those who unthinkingly perform the roles of traditional straight masculine men and traditional straight feminine women. In effect, transgendered people provide the most compelling proof of Simone de Beavoir's claim, that "One is not born, rather, one becomes a woman."

These insights of a feminism informed by transgenderism have helped inform a new approach to the law. As some recent legal theorists, drawing on both feminism and queer legal theory have shown, legal protection of transgenderism is inextricably linked to effective legal protection of women

and gays and lesbians. While sex and gender and sexual orientation are conceptually distinct, our contemporary understandings conflate them. The dominant culture assumes that it knows someone's sex by knowing his or her gender (how else would you know as long as they're in their clothes?) It also assumes that if you know someone's sexual orientation or knowing their gender. Someone whose gender is insufficiently masculine is a fag; if insufficiently feminine, you're a dyke. Chicks, fags and dykes can be kept in their place by rules ensuring gender conformity.

Oddly, some of these biological women have been harmed because of the inequality patriarchy. When a woman acts masculine, she's seeking the benefit of a position higher in the hierarchy. This refusal of the place determined by sex is at least understandable. So, if the Supreme Court and Price Waterhouse said discrimination against the masculine Anne Hopkins is was illegal. Effeminacy in a biological male is more traitorous, more incomprehensible. Effeminate men can be fired, even when they say they are straight, because employers assume their gay; or they'll be perceived as gay or simply because the refusal of masculinity itself is considered illegitimate. And this discrimination has been held permissible, despite Price Waterhouse. Because the courts perceive it as not being based on sex. Grooming codes ensure that men don't wear earrings or skirts, and courts found these aren't sex discrimination, since they merely require members of each sex to dress in a sex-appropriate manner. The mythical man-in-the-street is far more upset by a man in a skirt than by a woman in fly-front trousers. And the law assumes this legitimate for the employer to assuage his unsensuality and becoming unmanly. There are three authors with recent articles about this: Mary Anne Case, Frank Valdes and Katherine Francke have each pointed out in these articles. These interpretations of the sex discrimination prohibited by Title VII endanger all of us. Similarly, an Employee Non-Discrimination Act a that forbids discrimination on the basis of sexual orientation, but says nothing about gender discrimination, even if it passed, would be inadequate.

If an employer says he refused to hire X because he and his other employees believe men should not wear skirts, he may be able to do so, as long as he would equally mistreat gay effeminate men and straight effeminate men. As Katherine Francke put it, current sex discrimination law assumes the legitimacy and naturalness of sex differentiation "This belief in the truth of sexual identity inevitably reifies masculinity as the natural expression of male subjectivity and femininity as the natural expression of female subjectivity. In accepting this belief, the law has played a significant role in perpetuating, rather than dismantling sexual inequality." And unfortunately for you, transgendered folks are on the cutting edge of these legal and cultural disputes, you are discriminated against precisely on the basis of your disobedience to sex/gender rules.

Both transgendered lives and theory and women's lives and feminist theory point to one in which gender is both multiplicitous and delinked from sex. I think if they change the legal and cultural changes it would get us there. It would reduce the coercion of gender, our desirables even if we don't know what affects that freedom of being. I support that. What I want to do is write two warnings of the possible downsides of such a goal. First, but it's not clear how we can get there, or if we can get there. And second, the potential cost of doing that. First, you need to be careful about adopting, what I call an individualistic, voluntaristic view of gender. The "well, what gender should I be this morning?" Kate Bornstein sometimes seems to adopt this mode, when she says, "I love the idea of being without an identity, it gives me a lot of room to play around. When I get too tired of not having an identity, I take one on." Even psychologically most people can't simply choose their gender; especially if you consider deeper aspects than dress or makeup. I don't feel that I can get up in the morning as if I can simply decide each day to appear to be more or less aggressive or athletic or intuitive. They're qualities, at this point I have, whether or not we culturally associate them with gender and whether or not I have them largely because I was raised as a girl. Gender play and

gender ambiguity are possible only at the margins. Furthermore, the "I" that plays gender is constructed in a deeply gendered world. Gender norms which help construct who we are; we don't exist before and outside of a gender.

The "free play" of gender also tends to neglect the fact that gender is not only a practice, but also an institution. Our social structure assumes and depends on the existence of persons who engage in emotional, reproductive and privatized work associated with women as well as autonomous, independent men and our relationship between "men" and "women". This is a complex and perhaps unanswerable question whether the institution of gender can be dismantled simply by changes in the practice of gender.

Finally, gender play or gender transgression depends on the existence of relatively clear cultural meanings of gender. Drag is a conscious self-presentation in a particular gender role, different than what we expect from the drag queen's biological sex. Gender passing is about a self-presentation designed to make viewers believe one is member of the other sex. If we didn't understand that men dressed and behaved one way and women another, drag would make no sense and there would be nothing to pass into. We may perhaps be able to imagine a world in which gender has no normative power, in which the various characteristics we know associated with masculinity and femininity would not coalesce into predictable patterns. There would be no norms of what it meant to be a man or a woman. Gender would in effect, cease to exist and one's anatomical sex would be like one's height or eye color, a fact about you, but not one that's particularly significant. If you imagine such a world and perhaps can last in such a world, perhaps I think. Would you imagine one and try working hard towards the possibility of one. In such a world no one would be transgendered, for there would be no gender to transgress. Transvestism would disappear as a form of transgression and perhaps as an erotic performance as well. It seems to be an unanswerable question what would remain of traditional transsexualism without a meaningful notion of "core gender identity." Would the shape of one's genitals matter enough to require hormonal change or surgical reconstruction? It seems to me the contemporary conception of transsexualism should require both the sense of one's gender and sex do not match and the possibility that you might choose the sex to match the gender. If you look back at historical figures, like the Chevalier D'eon may have been transgendered. But he couldn't be transsexual because he couldn't imagine changing his sex.

Today we have both the possibility of change and the self need for change rooted in a sense of not meeting the required conflation of sex and gender. But, I think it's presumptuous to assume anything about what the experience in a world where surgery was possible, but gender was meaningless. There's one small bit of evidence for the possible relative insignificance of plumbing.

At least according to Amy Blue's article in *The New Yorker*, female-to-male transsexuals are much less concerned than their surgeons are about getting big penises. (The surgeons are saying, If you're going to have the operation, don't you want a big one)? If we could disaggregate sex and gender we might find that essentially everything that mattered, on the gender side, became insignificant.

It is not only transsexualism/transgenderism that become problematic in the world about gender. If nothing of significance differentiated men and women, the idea of a woman's movement would be meaningless and sexual orientation might disappear as well. There's also something curious about the insistence of sexual attraction terms of plumbing, when all of the sex acts of gays and lesbians. (Almost all the sex acts of gay and lesbians) Most of those of straight people can be managed with a partner of either sex. Yet cultural critics, as well as lawyers, have deemed acts as homosexual or heterosexual. If a man is given a blow-job by a woman, his heterosexuality is confirmed. If a man provides the service, a recipient suddenly becomes a homosexual. How do we

define the act and the recipient when the provider of oral sex is a transgendered female presenting prostitute? And I think the violence against these prostitutes suggests the recipient, on discovering that it wasn't a real woman's mouth, sees his own heterosexuality as brought into question; and it freaks him out. Yet the act and the physical sensation are utterly the same.

In a world which the central aspect of "sexual orientation" is about the sex gender of the partner, in a world where sex conflates with gender, most people have erotic attractions to people of a particular sex/gender. But, I suspect for many of us, the erotic charge is really more about gender than body parts. If that's so, what is our orientation when gender disappears? Does it make any sense to think of a biological basis for sexual orientation if the thing to which we're oriented isn't biological at all? What happens to sexual orientation in an unconfused world? For example, does butch-femme sexual play require that there be a type of masculine man and feminine woman whose identities are complexly related? If we didn't have gender, what would-- maybe orientation would be left up entirely to the oriented to being one-night-stands versus relationships like tops and bottoms versus vanilla sex. Indeed, one of the things we've done is we've really shrunk our notion about sexual orientation by making sex genders so essential to what our erotic identities are. It seems to me to be the most transgressive/ blow-your-mind libtatory aspect about transgenderism. Here are people who thought they were gay or straight-- then they discovered-- who fell in love with a person of the "right sex" and then they discovered that person changed their sex. What does sexual orientation mean for a woman who knows she's a lesbian, whose female lover just became a man? Or a man -- straight man whose wife has undergone sexual reassignment surgery? And what happens to your marriage? Which of them can be married in a world where you need two sexes. Not two genders, but two sexes.

I think that women and gays and lesbians and transgendered people need to make alliances. We are different, but when you think of it, but we face a common enemy in those who want to enforce the conflation of sex and gender and sexual orientation and enforce it across our bodies. And simultaneously we need to recognize that we are embarking on a venture that may take us to a shore where none of us exist in the identities that we are using to make the journey.

Thank you.

BY PHYLLIS FRYE: (ANNOUNCEMENT): It's going to be in print. I know when I was hearing you I was hearing a lot of things that Elvia has been saying and so we're going to get some more reaffirmation of that. And I also know that you all are both prolific writers in the legal community. And thank God we're going to start getting out more of the good stuff instead of this stuff people try to make us fit into. Okay. We've got until 2:00 o'clock we're going to meet over there. Trish is going to need her volunteers again to help her move the sound system. And thanks for joining us.