A Life Less Liminal? Issues of Inclusion and Recognition for Trans-Identities

Liminality:

1. Of or relating to a sensory threshold
2. Barely perceptible
3. Of, relating to, or being (in) an intermediate state, phase, or condition

This paper uses the concept of 'liminality' in order to explore the ways in which deviant gender identities are situated as marginal and the methods through which such marginalisation can be addressed. Specifically, it argues trans-identities are situated as liminal (understood as both conceptually imperceptible and socially marginal) through their transgression of gender norms. Such liminality leads to social and legal exclusion as they do not conform to the norms of identity required for full political participation and legal representation. Consequently, they struggle to become treated as equal citizens (that is, individuals enjoying all the benefits of citizenship). The paper identifies a 'liminal bind' in which the cost of social inclusion for such individuals requires a jettisoning of those features of their identity which rendered them liminal in the first place. Thus inclusion comes only at the cost of relinquishing one's specificity. The paper illuminates this bind through an examination of an influential legal case. It is shown that liminal identities must conform to the very norms of identity they undo in order to enjoy legal and political recognition. Consequently, through this analysis, a limit to the effectiveness of political recognition for remedying social and political exclusion is identified.

Introduction: Trans-Identities and their Political Importance

This paper uses the concept of “liminality” as a novel way of exploring trans-identities and the forms of exclusion or oppression they can face. I use the term “trans-identities” to refer to those identities which transgress the boundary between male/masculine and female/feminine. This is not intended to be a clear-cut, exhaustive definition which draws clean, authoritative boundaries between what is and is not a trans-identity. I do not think that such an enterprise is possible. Arguably, one could read the fact that trans-identities eschew neat categorisation as a key feature of their liminality. Trans-identities can thus

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1 Following the panel abstract, I shall treat citizenship as an integrative concept that addresses issues of inclusion, representation, political and legal rights and protections, justice and belonging. Throughout, I shall generally refer to inclusion and recognition, rather than citizenship. Hopefully the way that the former terms connect to the latter will be clear if a broad and loose conception of citizenship is born in mind.
be seen as an umbrella term for a set of sexual and gendered identities which, in their respective ways, fail to conform to the current gender system’s binary logic of belonging unambiguously to the category of man or woman (wherein the exhibition of masculine traits is restricted to only those individuals with male physical characteristics, and feminine traits to individuals with female physical characteristics). Hence, a trans-identity is one in which the expected bodily and behavioural norms of sex and gender are, to varying degrees, confounded. Importantly, such a failure to comply with normative expectations can be either intentional or non-intentional. Those who choose to blur the boundaries between the male/masculine and the female/feminine clearly represent intentional trans-identities. This would include drag artists, transsexuals, transvestites and transgendered individuals. However, intersex individuals, hermaphrodites and individuals forced to undergo bodily or behavioural modifications without their consent (e.g. in infancy) represent non-intentional transgressions of sex and gender norms.

There are many reasons for attending to trans-identities. Firstly, as Butler (1986: 508) notes, ‘The fall from established gender boundaries initiates a sense of radical dislocation which can assume a metaphysical significance. If human existence is always gendered existence, then to stray outside established gender is in some sense to put one’s very existence into question’. Butler (2004) develops this issue in her discussion of what makes for a ‘liveable life’ in terms of personal, social and legal acceptance without falling into simple assimilation (i.e. passive conformity with established gender norms). We need to think through the issue of increasing social acceptance of minorities without resorting to a point whereby mainstream society fully determines the terms of that acceptance. Secondly, the very existence of identities which transgress gender norms reveals not only the ultimately contingent and mutable nature of sex and gender. This examination of the malleability of supposedly impermeable boundaries ties in with a broader postmodern concern with transgression. As Prosser (1999: 83) states, ‘Border crossing has become the trope for the end of the millennium... boundaries are increasingly figured as there to be transgressed, limits as there to be pushed’.

Transgression draws attention to the institutional resistance of such deviance and the various attempts to constrain these subversive identities, which thus become the site for political intervention, control and repression (as well as verbal and physical abuse). This, in turn, leads to a third point, namely that power is always located at the level of the individual. To quote Foucault (1980: 98), ‘[I]t is already one of the prime effects of power that certain bodies, certain gestures, certain discourses, certain desires, come to be identified and constituted as individuals... The individual which power has constituted is at the same time its vehicle’. If power is exerted through a network of contingent norms, which produce, and are
reproduced by, the subject, then a reworking of those norms by the subject can provide a means of contesting existing power relations and the discourses in which the subject is implicated. This takes the radical feminist dictum that ‘the personal is political’ in new, exciting directions.

Trans-identities can thus be read as explicitly revealing the body as a site of power (re)production and enforcement, as well as a site of political resistance through the strategic reworking of the norms which govern the gendered body. Furthermore, in their transgression of sexed and gendered norms, trans-individuals can reveal the processes by which particular groups are constructed, regulated, censured and even erased. By undoing the tacit norms of sex and gender, the trans-individual becomes a peripheral socio-political entity. This deviance from an established set of norms thus positions those who demonstrate such identities as marginal\(^2\). The term ‘exception’ seems particularly appropriate here, referring as it does to both something which fails to conform to a rule or generalisation as well as an omission or exclusion. For it is precisely through their failure to conform that trans-individuals are subjected to exclusionary treatment or omitted from the socio-political sphere altogether. I believe we can gain important insights into the nature of these identities, particularly their exclusion and erasure, by approaching them through the concept of liminality.

In order to see this, the paper proceeds in the following way. Section I explains the concept of liminality and the history of its usage. Section II explains how liminality can be a useful way of thinking through gender identity. Section III identifies some issues surrounding the social acceptance of trans-identities. Section IV develops these issues through examining the ways that trans-identities can face erasure owing to a failure to acknowledge the liminality of identity. Section V concludes the paper by considering whether the concept of recognition is a useful way of addressing the issues of exclusion and erasure faced by trans-identities. It concludes by suggesting that there are serious problems connected with the notion of social and political recognition. The solution, or at least part of the solution, is accepting the liminal, unrecognisable element within gender identities\(^3\).

(I) Liminality: Betwixt and Between

\(^2\) Certainly trans-individuals make up a small proportion of, say, the population of Britain. Unfortunately, as Whittle et al. (2007) make clear, there are simply no available data with which to accurately estimate the transgender population. This is revealed by figures ranging from 1 in 100 to 1 in 20. Clearly part of the problem of gauging the population of trans-people is that it is an analytically ambiguous category and thus establishing membership of it is highly problematic. Regarding intersex individuals, Harper (2007: 3) reports the proportion of intersex births to be around 1 in 2000.

\(^3\) I would argue that there is a liminal element to all identity. Alas, there is not space here to fully develop this claim and so restrict myself here to gender identities.
The term ‘liminality’ is chiefly associated with the work of anthropologist Victor Turner (1967; 1969) who, in turn, credits Arnold van Gennep’s text, *Rites of Passage* (1909), for developing the notion of liminality. Van Gennep identified three stages to rites of passage / transition: separation; margin (*limen*); and aggregation.

‘The first phase of separation comprises symbolic behaviour signifying the detachment of the individual or group either from an earlier fixed point in the social structure or a set of cultural conditions (a ‘state’); during the intervening liminal period, the state of the ritual subject (the ‘passenger’) is ambiguous; he passes through a realm that has few or none of the attributes of the past or coming state; in the third phase the passage is consummated. The ritual subject, individual or corporate, is in a stable state once more and, by virtue of this, has rights and obligations of a clearly defined and ‘structural’ type, and is expected to behave in accordance with certain customary norms and ethical standards’ (Turner, 1967: 94).

Turner refers to the ‘invisibility’ of the liminal *personae* (i.e. the subject in the second stage of a rite of passage), arguing that it has a twofold character: ‘They are at once no longer classified and not yet classified’ (ibid: 96). Through their breaking with the established norms and values of their previous social role and identity, the individual has dissolved their previous classification within the society. However, as they have not emerged from the liminal period, they have yet to adopt their new social role and identity, and thus await reclassification. Hence, Turner (ibid: 97) claims, an essential feature of the ‘neophyte’ (person undertaking the rite) is that their condition is one of ambiguity and paradox, ‘a confusion of all the customary categories’. In their loss of a social role, the neophyte becomes a disruptive element to the structure of society. Turner (ibid), following Douglas (1966), terms this feature of the liminal *personae* ‘polluting’; the liminal individual is unclear (unclean) and contradictory, thus undermining the desire for clarity (cleanliness). Furthermore, Douglas observes, the very concept of transitioning is seen as dangerous and a threat to established order, hence its control through ritual and rites of passage. She writes (ibid: 96), ‘Danger lies in transitional states, simply because transition is neither one state nor the next’. The societal fear of the transitioning individual stems from their liminality: ‘to have been in the margins is to have been in contact with danger’ (ibid: 97). This explains both the fear and dislike of liminal beings. As Douglas (ibid) writes, ‘A polluting person is always
wrong. He has developed some wrong condition or simply crossed some line which should not have been crossed and this displacement unleashes danger for someone’ (113).

The concept of liminality has occasionally been used by gender theorists. Quashie (2004) examines the concept of the ‘girlfriend’ in American black women’s culture. He describes the idiom of the ‘girlfriend’ as ‘where the self becomes and is undone, where the politics of self, nation, and difference are evaluated through cultural landscapes and ethical sensibilities relevant to Black women’ (ibid: 1). Encapsulating the postmodern concern with unravelling the subject, Quashie uses the concept of liminality to emphasise the deeply relational nature of sisterhood: an unescapable ‘me’ set alongside an unescapable ‘us’ (ibid: 78). Explaining this idea, he writes, ‘[the] practice of pairing with an/other and oscillating between states of (dis)identification yields a liminal identity, a subjectivity that is material and corporeal but which also transcends the limits of corporeality, visual culture, and colonization – a selfhood that challenges the normative constructions of “self”’ (ibid).

Moving away from the Turner’s usage of the term, which emphasised liminality as a process in which stable identity is temporarily suspended, Quashie deploys the liminal to characterise (and celebrate) the essentially relational nature of the self (i.e. transcending the I/you divide). Whilst this is certainly a valuable idea, it limits the conceptual power of liminality with an overly restrictive understanding that relinquishes several other key meanings of the term. Liminality needs to be conceived as both a process and a state of being. More accurately, liminality highlights that being is always in-process: dynamic, temporal, future-orientated and open-ended. Whereas one seems to find comfort in identification with / as the ‘girlfriend’, Turner’s description of liminality suggests that it can also be far more unsettling and unsettled – the liminal is a point of dislocation and disorientation. Its value as an ontological claim about the nature of the self lies in the way it evokes an evasion of ontological security through the crossing of boundaries and embracing of the marginal / threshold. In other words, if liminality is seen as a site of the multiply constituted and relational self, then it is an essentially unstable and elusive site. One could thus read liminality as enacting a shift from an ontology of being to an ontology of becoming; or, indeed, a synthesis of becoming and being⁴. Rather than simply reconfiguring the spatial aspect of the self (i.e. moving from an atomistic to a relational conception of the ‘I’), liminality draws out the temporal features of selfhood through characterising it as fundamentally transitional.

⁴ My understanding of the term “becoming” is primarily inspired by Nietzsche and Deleuze. For insightful feminist discussions of the idea of becoming, see Grosz (2004; 2005) and Braidotti (1999; 2002).
Wilson (2002) acknowledges the way in which liminality depicts a temporary ‘limbo’ phase. Her work documented the experiences and thoughts of transgendered individuals in Perth, Australia, many of whom referred to their desire to end the liminal phase. Whereas Quashie uses the term liminality to characterise a desirable and permanent feature of the ‘girlfriend’, Wilson argues that certain liminal identities are purely transitional and therefore of finite duration. This is not to imply that one should conceive liminality and liminal identities as necessarily pointing towards either endurance or impermanence *per se*. Rather, what is appealing about the idea of liminality is that it is able to encompass the tension between movement and stability – between those who read the liminal as a transition and those who conceive the liminal as a permanent site worthy of acknowledgement. Indeed, it can be productive to explore this oppositional tension and to tease out interesting readings of identity through the lens of liminality. This is particularly the case with regard to trans-identities, which bear an antagonistic relationship to dominant models of the male and female and thus challenge normative constructions of gender and sexual identity.

### (II) Liminality and Gender Identity

The value of liminality, then, is that it is able to provide an analytic lens with which to explore the dynamics of a plethora of different expressions of gender and sexual identity which collectively constitute the trans-phenomenon. The sense in which liminality constitutes an intermediary state or condition connects with the transsexual’s desire to move from one stable gender category to the other, without questioning the existing gender binary itself. Thus, the male-to-female transsexual ideally only exists *as* a transsexual for a limited (liminal) period. The desire is to eventually erase the sense that one is ‘trans’ and become identified unambiguously as either male or female. Hence, the movement between the two poles of gender is a temporary one, in which a prior sex/gender is shed in favour of the alternative one. This echoes Turner’s use of liminality as a temporal phase, the mid-point in a process of re-identification. Furthermore, the movement from one supposedly stable site to another requires a complete jettisoning of one’s previous social identity and positioning in favour of an entirely new one.

Alternatively, one can conceive the transgendered individual who wishes to embrace the blurring of sex and gender distinctions as essentially liminal. This is to say, they wish to sustain the liminal phase, to make the ambiguity of gender identifications a permanent feature of their identity expressions. In this sense, the individual is also liminal to the extent that they are barely perceptible from the perspective of
the existing gender system. According to historically established gender discourses, particularly those perpetuated by bio-medical and legal disciplines, sex is a natural binary opposition and gender is causally determined by sex. Sexual ambiguity, or the mixing of masculine and feminine gender norms, is classified as deviant and unnatural. One should seek to correct such displays of gender and sexual confusion in order to restore and maintain the natural order. For example, children born intersexed are placed into either the category of male or female. There is (currently) no ‘third’ or ‘other’ sex/gender identity for intersexed individuals to inhabit.

Within this schema of a regulatory ideal of naturalised sex and gender, an individual who actively seeks to remain liminal becomes, to a certain degree, invisible. Importantly, I do not mean by this that they are not seen. Indeed, they are often (if not always) exceedingly striking, which generates an increased risk of verbal and physical abuse for they are an easily identified target. Rather, the point is that although they are perceived, it is not clear how they are (or, perhaps, should be) perceived – we do not have an easy way of seeing them that does not violate their sense of non-identification with existing gender and sexual norms. Essentially, they are seen as some sort of male-female blend, rather than an identity in its own right that exceeds and escapes the simple addition of certain features of maleness to a prior femaleness or vice versa. To give a perhaps simplified analogy, imagine someone mixing blue and red paint and seeing a new colour, ‘purple’, that cannot simply be reduced to a blend of blue and red but has its own distinctive qualities (i.e. its ‘purpleness’). Now imagine an onlooker examining this new colour and calling it red-blue. The creator of this purple might try and explain that it is actually purple, but the onlooker cannot move beyond the belief that it is simply red-blue, for these are the only colours that they have to conceptually work with. They thus reduce the new category to a term explicable only within the existing schemata.

The dual aspect of liminality as both a desired enduring site of being and a finite process of becoming neatly captures the bind which many trans-individuals appear to be caught in with regards social and political recognition. This is well expressed by Green (2006), who explores what he calls the ‘visibility

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5 The UK government’s 2004 Gender Recognition Act allows for an individual to change to ‘the other gender’, if an extensive set of criteria are met, including satisfying a Gender Recognition Panel (http://www.legislation.gov.uk/ukpga/2004/7/enacted). Clearly this still operates within a binary classification system, thus precluding the viability of intersexed or trans-sexed individuals.

6 The analogy might be apt given the issue of race. For example, we call individuals who do not exhibit ‘pure’ whiteness or blackness ‘mixed race’, and define them within the terms of white and black as genuine racial types. But the concepts of white and black are themselves murky and do not point to a pure form of racial identity which is then blended into a mixed identity. Similarly, man and woman are not pure categories which are now being synthesised into a ‘mixed’ gender category. The very act of blending can be seen to undo the original categories, thus creating something new which exceeds the terms of the original (the trans-individual or the mixed-race individual cannot be quantified as, say, a 40/60 split) whilst simultaneously destabilising the original terms by revealing their own contingent foundations.
dilemma’ for transsexual men. Beginning with issues of medical and psychological treatment, Green (ibid: 501) writes, ‘[It] is supposed to make us feel normal. We are not supposed to want attention as transsexuals; we are supposed to want to fit in as “normal” men’. This resonates with the idea of liminality as a temporary phase. However, Green (ibid: 503) goes on to identify a key issue through recounting his personal experiences: ‘I always felt like something “other”. Can I just be a man now, or must I always be “other”?’. The question Green raises is that, once one embarks on a process of gender modification (even if this be simply a psychological awareness that one’s sex/gender does not ‘fit’), has one given up the possibility of gender security for good? Having stumbled whilst traversing the path of unambiguous gender identification, can one ever fully regain one’s footing? Can we safely and successfully emerge from a liminal state to smoothly and safely assume the mantel of ‘citizen’?

Green (ibid) succinctly elaborates upon this problem: ‘Seeking acceptance within the system of “normal” and denying our transsexual status is an acquiescence to the prevailing binary gender paradigm that will never let us fit in, and will never accept us as equal members of society. Our transsexual status will always be used to threaten and shame us’. Contra Turner, the transsexual’s re-integration into society after a period of gender liminality is never smooth. The new identity adopted by the neophyte in Turner’s studies was one already culturally established and sustained through clear behavioural expectations. Moving from a “boy” to a “man” is easy when the social structure and signifying practices of a culture which determine their particular relationship are clearly defined. However, moving from “woman” to “man” or vice-versa clearly enacts a far more complicated and problematic transition. This suggests that the aspirations of the participants in Wilson’s study, who spoke of the desire for “normalcy” rather than creating a new or third gender space (Wilson 2002: 432-33), might ultimately transpire to be futile. If one is at some point marked as liminal, or experiences a sense of gender liminality, can one ever find a way back, or is liminality ultimately a map to nowhere, a journey in which the possibility of a final destination is erased through the very act of embarking upon the journey itself? Perhaps, crucially, we can interpret the liminal as highlighting that the very idea of a final destination, of closure and coherence, is a fiction of the self.

(III) The Liminal Bind: The Cost of Assimilating Trans-Identities

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7 Of course, Butler’s theory of gender performativity reveals that no gender identities are ontologically secure. However, one can certainly feel normatively secure through being granted social validation of one’s identity.
I believe the foregoing discussion can be read as revealing an important tension encapsulated within liminal gender identities. Insofar as they represent deviation from established norms, they are subject to social ostracism and thus become (or always were) marginal figures, existing on the periphery of society. However, this very deviance makes the liminal individual highly vulnerable to verbal and physical harm owing to the striking nature of that which does not conform to “acceptable” standards of identity. Consequently, there is a strong need for legal and political protection through the granting of rights and the acknowledgement of their existence as, say, a transsexual or transgendered individual. The problem is that, in order to access the services necessary to gain social integration, acceptability and legal protection, trans-individuals may need to relinquish the very characteristics which made these liminal in the first place. To become fully-fledged members of society, to be ‘citizens’, and to enjoy all the trappings that accompany full subjecthood (i.e. full viability as people), one may need to renounce those feelings and experiences which situate one as trans; it may be that the supposed institutional acceptance of trans-identities actually works to erase their specificity.

This issue of erasure is explored by Anne Marie Smith (1997) in her examination of homophobia and political inclusion. Smith’s article argues that acceptance of homosexuality within mainstream society comes at the cost of eradicating any specificity to homosexuality. She writes,

“The extremism of homophobia seems to disappear as homophobia constructs an imaginary figure, the “good homosexual” and promises to grant this figure full inclusion within the “normal” social order. The “good homosexual” is defined as the “not-dangerous queer”: the “good homosexual” is self-limiting, closeted, desexualized, and invisible, while the “dangerous queer” is an incorrigible pervert who pursues the sociopolitical infection of the general population at every opportunity... the pseudotolerant homophobia pretends to accept homosexuals as long as we remain closeted and “segregated” at a sanitary distance from heterosexual society’ (Smith, 1997: 121-22)\(^8\).

Social inclusion demands the purifying or purging of one’s difference. Extrapolating from Smith’s argument, one can suggest that the only socially acceptable state for the gender or sexual deviant who refuses to accept the terms dictated by society is that of liminality, of being marginal or even invisible. Consequently, the solution to homophobia cannot simply be addressed by acceptance into mainstream

\(^8\) A recent and powerful example of this is the gay couple who were asked to leave the John Snow pub in Soho, London, for the ‘obscene’ behaviour of kissing one another: http://www.guardian.co.uk/world/2011/apr/14/gay-claim-ejected-pub-kissing (accessed 07/07/2011).
society when the terms of that acceptance are dictated by a socio-political system whose normative ideals necessarily rule out the validity of deviance. In effect, tolerance and recognition is granted only to those individuals who are willing to conform to this sanitised version of homosexuality, which hides the reality of many homosexuals’ experiences and desires. This can be broadened to the general statement that liminality cannot be addressed through simple assimilation if the cost of that assimilation is a thoroughgoing erasure of the very feelings, experiences, physical attributes and beliefs which places the individual in a position of liminality in the first place.

This public de-sexualising of the homosexual, effectively a form of social and sexual castration, could be approached through a Deleuzian conception of desire. The flows of intensity demonstrated by the deviant are channelled into mainstream norms, thus regulating the expression of alternative modes of desire and experience. Deleuze’s politics calls for an unleashing of this desire, which suggests that assimilation into mainstream society cannot be sanctioned if the price is a jettisoning of desire (be it homosexual or otherwise). These considerations might be taken to suggest that political responses to issues of liminality must support the radical reworking of social norms and spaces in order to accommodate difference without compromising its specificity. Indeed, as Braidotti (2002: 11) observes, ‘One of the aims of feminist practice is to overthrow the pejorative, oppressive connotations that are built not only into the notion of difference, but also the dialectics of Self and Other. This transmutation of values could lead to a re-assertion of the positivity of difference by enabling a collective re-appraisal of the singularity of each subject in their complexity’. Sexual and gender politics must address issues of integration by eschewing which produce reductive assimilation. Arguably, this cannot be done without a thorough interrogation of the oppositional categorisations and ontological assumptions which infiltrate institutional understandings regarding identity, sex, sexuality and gender (not to mention race, ethnicity, disability, rationality, religion, health, etc.). As Namaste (2000: 57) rightly notes, ‘If institutions manage bodies in a way that precludes the possibility of transsexual and transgendered people, then we need a theoretical framework that makes sense of this erasure’.

To summarise: the trans-individual is situated, through their transgression (willed or otherwise) of gender norms, as a marginal being. This occurs socially, legally, medically, and politically. Within each of these institutions / discourses, a trans-individual is automatically, as a necessary ‘Other’ to dominant patterns of gender identification, a marginal being. They are condemned to a ‘peripheral nether world’ (MacKenzie, 1994: 164) because, ‘In contemporary culture, there is not a permanent institutionalized role or safe social space for individuals who live outside of the dominant bipolar gender world’ (ibid:
If trans-individuals seek access to, and acceptance into, mainstream discourse, then they must necessarily relinquish certain aspects of themselves. However, if they wish to retain a full sense of who they are (regardless of where such a sense originates, if it ‘originates’ at all), then they remain in a de-centred, marginal(ised) socio-political space and thus are prevented from enjoying the benefits that come with full cultural assimilation. I refer to this as the bind of trans-identities.

(IV) The Erasure of Liminal Beings

The bind of liminality reveals that the price of inclusion may well be erasure. This can be seen in Bower’s (1997) analysis of the legal system. She identifies a growing tradition of ‘queer legal theory’ which demonstrates ‘how legal discourse creates norms which universalize particular modes of living, and specific identities and acts, while suppressing other practices and identities which appear deviant or abnormal’ (ibid: 267). Central to Bower’s article is her discussion of the case of Karen Ulane. Karen Ulane, previously Kenneth Ulane, was fired as a pilot for Easter Air Lines after undergoing sex reassignment surgery. Because Karen Ulane filed a charge of unfair dismissal on the grounds that she was discriminated against because of her sex, the case revolved around establishing what her sex was. To this end, the defence resorted to testimonies of medical experts who insisted sex was determined chromosomally and thus constituted fixed biological categories. Ulane’s team called upon members of the University of Chicago Medical School Gender Identity Board, who argued that there was good evidence to understand sex as an ‘unstable category’ (ibid: 275) and thus could not be reductively characterised as a purely biological essence. Instead, the successful performance of gender and psychological stability were seen as vital factors in determining sex. Consequently, judge Grady decided that Ulane’s persuasive performance as a gendered woman was sufficient to establish the success of her surgery (something disputed by the defence on the grounds that Ulane could not alter her chromosomal categorisation).

What is notable about this case is the way in which the judge reiterated a notion of stale binary gender categories. Despite the expert opinion that sex is ‘unstable’, Grady recognised Ulane’s socially and psychologically stable performance of being ‘female’ and thus erased any sexual ambiguity (ibid).

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9 For a detailed record and discussion of the proceedings, see http://www.transgenderlaw.org/cases/ulane.htm (accessed 24/08/2010)

10 I find the term ‘reassignment’ unappealing as it reflects the fact that sex is determined at the behest of official institutions which possess the power of assigning one to a particular category. This renders the gendered body an object of institutional control. Nonetheless it remains common practice to use the term and thus I reproduce it here.
other words, Grady was unable to countenance the possibility of an ambiguously sexed (liminal) individual. Searching for some way of determining sex in either-or terms, he settled upon gender as the means of cleanly categorising Ulane. In this way, gender is conflated with sex and reinforces the assumption that the feminine must supervene unambiguously upon the female. This sustains a deeply-held assumption embedded in traditional discourses of gender identity. As Bowers (ibid) observes, ‘Describing Ulane in terms of discrete gender roles allowed him [Grady] to define her identity according to a familiar binary opposition and thus to recognize her “officially”’. It is worth quoting at length some of Grady’s remarks regarding the success of Ulane’s sexual shift:

‘She [Ulane] appears to (the various psychiatrists) to be a woman. She conducts herself as a woman. She dresses as a woman. There is nothing flamboyant, nothing freakish about the plaintiff. It would take an extremely practiced eye, it seems to me, to detect any difference between the plaintiff and a biological woman... She appears (to me) to be a biological woman... there has been no reversion to any masculine behaviour that we have any knowledge of’ (quoted in Bowers, ibid).

There are several issues to note here. Firstly, there is the evident reliance on medical discourse. The alleged dependency on, and complicity with, medical institutions has long been documented and hotly debated\(^\text{11}\). Grady explicitly defers to psychiatrists in the determination of Ulane as a woman as well as referring to ‘an extremely practiced eye’ to detect differences between Ulane and biological women. The term ‘practice’ immediately conjures up images of a clinic (clinical practices) and medical practitioners. The court case thus reinforces the assumption that transsexuality is, and should be, regulated by medicine. Secondly, the way Ulane ‘appears’ to Grady as a woman begs the question of just what Grady’s expectation of a woman is. In order to be recognised as a woman, one must convincingly perform the norms through which gender is established. Thus, legal and medical recognition of gender reproduces the idealised images of what a man or woman should be, without questioning the exclusionary effects put into play by such normative expectations. Without a critical reading of such norms, Ulane can only be perceived in relation to established bodily and behavioural standards of masculinity and femininity. Hence, she exists as a degree of deviation from a centre, rather than a complex site of material and discursive forces which undoes the notion of normality, even as she attempts to appropriate it (as a “successful” transsexual).

\(^{11}\) See Kando (1973); Hausman (1995); Cromwell (1999); Halberstam (1998)
Finally, Grady expresses the commonly held belief in the temporal coherence of gender. If one is identified as a woman, one must maintain that gender role without slippage. Owing to the fact that there has been ‘no reversion’ to masculine behaviour, Grady is happy to rule that Ulane has satisfactorily ‘taken on’ a female identity and thus, by his logic, can be categorised as part of the female sex. Transsexual narratives abound with the claim that they have always been a woman trapped in a man’s body, or vice versa, and thus resort to childhood events as evidence of a persisting, immutable fact. Unsurprisingly this mirrors the claims of medical discourse, which requires the presence of transsexual feelings for a number of years, as well as expressing an expectation of such behaviour as cross-dressing in childhood. However, there is no reason to assume that one must consistently present an unambiguous gender identity and a number of queer and transgender theorists are keen to highlight the possibility of temporally mutable and multiple gender identifications (e.g. Bornstein, 1994).

Interestingly, judge Grady’s final verdict was that Ulane was discriminated against on two counts. On count I, she was discriminated against as a woman. On count II, she was discriminated against as a transsexual. Consequently Ulane was officially (legally) recognised as both a woman and a transsexual. The struggle faced by Grady to define Ulane coupled with this seemingly paradoxical finding suggests that sex and gender are inherently open-ended, non-reducible categories which cannot be constrained but rather will always produce an excess, an over-flow and thus exceed attempts at a definitive classification. Problems arise when the legal system demands an identifiable, coherent identity in order to legislate it. However, the Ulane case highlights the limitations of this classificatory demand as well as drawing attention to the ways in which official recognition functions according to pre-established expectations which frame the possible ways one can perceive the subject. This point is alluded to by Whittle (1999), who discusses the way in which our organisational structure of ‘man’ and ‘woman’ determines how we see people and the problem that trans-identities present to this classificatory system. Ulane’s undoing of the norms which determine sex and gender thus introduced an element of unrecognisability – of liminality – that confounded the legal system and individual perception of a problematic body. This resulted in a final verdict which gestured towards the very blurring of identity that such institutions as the legal system seek, but fail, to constrain and erase.

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12 For more on the ways that the legal establishment reinforces the belief that sex and gender identity are fixed from birth / childhood, and should remain consistent throughout one’s life, see Sharpe (2002).
13 Another act of erasure was performed when Grady’s ruling was overruled in a court of appeals which reduced sex to a purely biological (chromosomal) category and thus argued that Ulane was a transsexual – a biological male undergoing body and behavioural alteration in order to appear female. Here, the appearance of sex is subsumed / trumped by the ‘original’ sex, which reproduces the myth of origin and the existence of innate, pre-discursive sex which is more authentic than the performance / appearance of sex.
It seems appropriate, therefore, to draw a distinction between recognition and recognisability. In her book, *Invisible Lives: The Erasure of Transsexual and Transgender People* (2000), Namaste seeks to draw attention to the ways that ‘the social and institutional locations in which texts circulate erases the everyday experiences, bodies, and lives of transgendered people’ (ibid: 39). Distancing herself from Foucault and contemporary queer theorists, who only address the *production* rather than *erasure* of sexualities, Namaste (ibid: 57) insists that the ‘classification of... bodies according to sex – male or female – erases the very possibility of transsexual and (transgendered) bodies’. She thus uses the term “erasure” to ‘indicate the exclusion of transsexuals from the institutional world; how agencies deny services to these people, as well as why transsexuals decide not to make use of such organizations’ (ibid: 236). However, Namaste seems to invoke two slightly different notions of erasure which muddies her argument. Excluding or oppressing transsexuals through the denial of services, rights and respect suggests that the solution is a reorganisation of ways in which transsexuals are treated in society. Transsexual subjectivity itself is established; it is the way they are treated that is problematic. This would imply the issue is one of positive / negative recognition.

However, to question the very possibility of transsexual and transgendered bodies, owing to a classificatory system which dictates how we (fail to) perceive individuals, is to imply that the problem lies with our conceptual apparatus. This seems to be more an issue of recognisability. We impose the rigid dichotomies of sex and gender onto individuals, generating a particular perception of those individuals as deviant men and women, rather than an alternative sexed and gendered identity that cannot be reduced to a simple combination of the existing binary. Thus we need to expand our vision, which in turn requires a deconstruction and reconstruction of our understanding of sex and gender. In this sense, transsexual and transgendered identities – when approached through existing binaries – are rendered invisible (liminal) in an importantly different way to a simple denial of services. The latter implies an unproblematic identity which requires sufficient respect and rights; the former seems to go deeper and requires a more complex, holistic solution. We need to find ways of avoiding appropriation of liminal gender identities into existing classificatory systems whilst establishing genuinely viable subjectivities that do not fall victim to simple assimilation.

(V) Recognition and the Liminal: A Promising Escape Route?

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14 This is a reading of Foucault and queer theory with which I do not concur. Surely Foucault’s concept of subjugated knowledges testifies precisely to the erasure of particular bodies (discursive and material) of knowledge.
Recognition theories, which analyse justice through such terms as identity, respect and esteem, would *prima facie* appear an effective response to issues of liminality and erasure.Crudely put, sufficient positive recognition promises to bring those situated as liminal beings into mainstream culture and accord them the value that they, in their specificity, deserve. We simply recognise trans-individuals as such, thus establishing alternative gender categories as legitimate and viable sites from which to articulate political demands. Indeed, so the recognition story goes, it is misrecognition that generated liminality in the first place. As a result of misrecognition, Taylor (1994: 25) argues, ‘a person or group of people can suffer real damage, real distortion, if the people or society around them mirror back to them a confining or demeaning or contemptible picture of themselves’. Consequently, ‘Nonrecognition or misrecognition can inflict harm, can be a form of oppression, imprisoning someone in a false, distorted, and reduced mode of being’ (ibid). This reduced mode of being is precisely the marginal, the liminal.

Crucially, recognition would seem to require some degree of visibility, which is why Taylor reads his theory of recognition as part of the trajectory of identity politics initiated by lesbian, gay and black politics in the 1960s. Recognition theories rest on the commendable assumption that the subject is constituted through intersubjective relations. Each of us is therefore in a constant state of vulnerability towards, and dependency on, the other who has the ability to confer or withhold recognition. A politics of recognition demands respect for difference and individual / group specificity. Given that this is exactly what trans-identities have been denied, it is not surprising that one may seek recourse to recognition politics in the attempt to address the harms inflicted upon trans-individuals. However, there is not a great deal of literature examining the relationship between recognition politics and trans-identities. In what follows, I would like to discuss one recent article which does pick up this thread in order to assess the value of recognition for addressing the issue of liminality.

In his article ‘Transgendering the Politics of Recognition’ (2006), Richard Juang argues for the recognition of transgender people as full subjects entitled to the rights shared by dominant social groups. ‘Being recognized within a liberal democracy’, he writes (ibid: 706), ‘means being valued, having one’s dignity protected, and possessing some access to public self-expression’. Clearly appropriating the conventional language of (Taylorian) recognition theories, Juang (ibid) proceeds to claim that, ‘Despite its unquantifiability, recognition’s importance can be measured by the consequences of its absence: an unvalued person readily becomes a target or a scapegoat for the hatred of others and begins to see him or herself only through the lens of such hatred’. I would like to suggest that there is confusion in Juang’s
claims between an absence of recognition towards a subject / identity, and a subject / identity that problematises the mechanics of recognition itself – a subject / identity that is unrecognisable. Such a distinction was introduced in the above discussion of Namaste’s position. I develop it here in order to gesture towards a limit to the efficacy of recognition, rather than an internal problem requiring theoretical correction. Bluntly stated, the generation and maintenance of liminal identities is not simply a lack of recognition or misrecognition. Rather, liminality reveals the limits of recognition; it flows beyond the conceptual apparatus through which recognition functions and thus exceeds the reach of an effectual politics of recognition.

In the above quote, Juang explicitly links being unvalued with self-hatred. Yet is it clear that a lack of value will lead to viewing oneself through the lens of hatred, a result of the negative attitude others have towards us? Surely it is the case that devalued people are likely to become scapegoats and objects of social hatred. Indeed, the customary witch hunts enacted by tabloid newspapers have variously targeted gypsies, paedophiles, immigrants and Muslims in recent times. In such cases, there is a clear depreciation of these groups and their beliefs / practices. However, the scenario is different with those individuals or groups who are ‘unvalued’. The term suggests that, rather than being treated positively or negatively, there is a failure to acknowledge their social existence. In other words, to be unvalued is to lack the necessary social intelligibility required to generate acts of recognition and misrecognition. The unvalued reside in a liminal state; they are socially unintelligible and thus conceptually invisible.

Juang develops his claims for recognition of transgender persons through an analysis of hate-motivated violence and transphobia. He writes (2006: 714), ‘non-recognition promotes hate crimes by allowing perpetrators to regard victims as targets who ‘deserve’ to be hated. One consequence of this causal relationship is that non-recognition renders invisible the frequency of these crimes. For example, neither transgender persons nor perceptions of gender identity appear as categories of persons or motives in the FBI’s hate crime statistics’. However, to repeat the point above, the issue of hate crime is not one of non-recognition. Indeed, the problem is that the individuals are recognised – they are recognised as individuals worthy of hatred, of violence, of victimhood, as unacceptable and monstrous deviants. This recalls the fact that trans-individuals are all too visible in their often striking displays of alternative sexual and gender identity. The problem is that the unfamiliar is easy to spot, but very hard to understand and accept. The failure to include ‘transgender’ as a category of personhood in the recording of crime points towards the ways that certain identities are systematically erased. This may well help

\[15\] I do not want to pass moral judgement on the justification of such depreciation. My point does not concern the rightness or wrongness of negative appraisals of identities, but rather the underlying structure and dynamics of recognition.
generate and sustain the social denial of transgender identities as intelligible and viable identities. In this sense, it constitutes an act of non-recognition. However, this does not circumvent the issue of difference within and between each identity category. Constructing the category of ‘transgender’ as a candidate for positive recognition may well enact its own erasure of certain individuals subsumed within its scope.

Rather than dismissing the value of demanding the institutional recognition of the category of ‘transgender’, the point is that we must be sensitive to the limitations and effects of such categorisation. Furthermore, we must address the ways in which categorisation initiates the creation of the subject, rather than reflect pre-existing features of persons. Juang seems to assume that the subject presents itself as a suitable object of recognition, rather than emphasising the way in which the subject is formed through the very processes which constitute recognition. This is reflected in his denunciation of the absence of recognition: ‘An existence restricted to purely private expressions of the self, to the closet, becomes a corrosive situation’ (Juang 2006: 706). Juang paints a picture of a fully-formed subject being forced to exist in an isolated sphere. Having failed to receive the recognition required for social integration, they have had to resign themselves to a peripheral life, hidden away in the closet. This echoes sentiments commonly expressed in gay and lesbian politics, which link the concept of disclosure with self-esteem. However, this can be problematic. As Heyes (2003: 57) appropriately warns, ‘Much of the discourse around being closeted, coming out, being outed, or “pride” requires an understanding of the self as an object that has been invisible, and is now unveiled, for better or worse, in its authentic state’.

Reducing the injustices faced by transgender people to misrecognition or non-recognition in the way that Juang does fails to address the fact that norms of intelligibility are always at play in the gendering and sexualisation of subjects and their subsequent recognition and recognisability. In other words, what one can be is dictated (but not fully determined) by socio-historical ontological assumptions about the nature of identity and the ways in which all subjects are performatively constituted. Furthermore, when coming ‘out’ of the closet, one needs to consider just what it is one is going into. For this ‘new enclosure... produces the expectation of a fresh air and a light of illumination that never arrives’ (Butler, 1991: 16). This is a timely reminder not to romanticise the benefits that attach themselves to the process of ‘outing’ and recognition. Firstly, one must consider the impact of coming out not only on ourselves, but on those around us. Family members or friends may struggle to accept the decision, or may find themselves subjected to harassment as a result of their connection to the person who has just come out.
Owing to the interests others have invested in us, and vice versa, the course of coming out rarely, if ever, runs smooth.

Secondly, it is important to acknowledge that there is not some realm of purely positive relations of respect and recognition which await the individual who decides to disclose themselves; no ideal community devoid of the spectre of homophobia. Idealising the process of ‘coming out’ promises a stability and security in one’s identity which, owing to the inherent instability of all identity categories (i.e. their liminality), can never be realised. One can thus never fully disclose one’s identity, for identities are ‘always in flux, involved in processes of becoming’ (Heyes, 2003: 65). The arena one enters after leaving the closet may be just as full of uncertainty, confusion, ambiguity and instability as life “in” the closet. In other words, leaving the closet does not mean an end to a liminal life. We must relinquish any commitment (no matter how tacit) to a static, completed or ready-made self. Rather than seeking closure through disclosure, we must think through the fact that any act of disclosure produces an ‘infinite postponement’ (Butler, 1991: 16) of the identity we seek to be recognised. Reflecting on this, Butler (ibid) suggests that, ‘this very deferral of the signified [is] to be valued... precisely because the term now takes on a life that cannot be, can never be, permanently controlled’. Such deferral, I believe, reflects the liminality that lies at the heart of not just trans-identities, but also the nature of identity itself.

**Concluding Thoughts**

This paper has attempted a number of things. First and foremost, I hope it has established the concept of liminality as a useful way of exploring both trans-identities and the nature of identity itself. Secondly, I hope to have shown that the liminality of gender identity can pose problems for the social and political recognition of trans-identities, and for the concept of recognition more generally. It is my belief that liminality is a key feature of all identities; we are blurred, transitive entities (even if, importantly, we do enjoy points of stability). As technologies offer ever wider and more radical possibilities for altering the form of the gendered human, for reshaping not only what we are but what we could be, we must analyse how institutions regulate these bodies through the granting or withholding of recognition. This is not to say that recognition is itself a dangerous concept that should be expunged from all good political theory. Rather, we must approach it cautiously and critically, alert for the moments when it censures and erases rather than protects and empowers. An effective political theory needs to be responsive to the issues raised in this paper. Although there is not space here to develop such a theory, I hope to have offered some insights into the challenges that lie ahead in thinking through the diversity and complexity of
gender identities as well as the ways that we (in all our guises) can be sensitive to what it means to be a liminal entity.

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