

Beyond the Identity: An Analysis of Systemic Justice in Shon Faye's *The Transgender Issue*

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ABSTRACT

The paper "Beyond the Identity: An Analysis of Systemic Justice in Shon Faye's The Transgender Issue" analyses Faye's highly influential work The Transgender Issue: An Argument for Justice. It moves the focus from the personal view of narratives to the careful understanding of structures of the systems. While the contemporary discussion about the lives of transgender community only stays for the cultural debate, Faye reframes the experience of transgenders as the central notion of the political and material struggle. By using the intersectionality theory by Kimberle Cranshaw, this paper analysis how transphobia is so deeply connected with deep systemic failures in basic needs to exist as a human being. This paper shows that how Faye neglects the liberal focus on the acceptance and recognition rather than focusing on the universal justice. Through analyzing the intersections of class and gender, this paper gives a clear picture of how the economic instability indirectly affects the transgender people and particularly those who are already marginalized by the state of poverty. Additionally, this paper analysis the medical limitation system, which is a form of biopolitical control, that shows the struggles of the transgender person who fights for their rights. Furthermore, this paper through the intersectional framework of Faye reveals an important truth that the transgender freedom is not a sub issue but it pays a way for the collective freedom. By moving beyond the identity, this paper gives a clear way that by dismantling the cisnormative structures, it provides the justice for the all the marginalized groups.

Keywords: Intersectionality, Freedom, Justice, Transgender, Marginalization.

For a long period, the issues of transgender people have been portrayed as a psychological curiosity and also as a talk of debate by the media among the cisnormative system. And the novel *The Transgender Issue* by Shon Faye puts a great break from this these ideas. She goes beyond the thought of being trapped in the wrong body to how the contemporary society functions.

The main problem of facing the obstacles to live is not in the fate of transgender community but rather it is framed by the society who views them as a pathological being. This paper makes a clear statement that the liberation of the trans people takes a daily test for the sake of the society by the use of the intersectionality theory. Faye's works shows that the disputes for the healthcare liberty, economic allocation and the rights for the transgender

people are all combined together as a connected movement for the universal justice. The *Oxford Review* article states:

Intersectionality Theory, first coined by Kimberle Crenshaw in 1989, is a framework used to understand how various forms of inequality, discrimination, and social identities (such as race, gender, class, sexuality, and disability) intersect and overlap. It emphasizes that people are not defined by a single social category but by multiple interconnected aspects of their identity that can result in unique experiences of privilege or oppression.

One of the most contributions of Faye is that she refuses to showcase the trans identity as a simple social concept. She places the experiences of the trans identity under the class struggle. By seeing it under the lens of intersectionality it is visible that the trans person is not only a subject of gender but an economic one. Through intersectionality, it is visible that the oppression imposed on the trans people is not just an issue of identity and acceptance by the culture but it is deeply interconnected with the survival and inequality. The failure of system proves that the trans liberation is an economic struggle. The *National Library of Medicine* article states that “Drawing on theories of intersectionality and structural injustice, Intersectionality Research for Transgender Health Justice (IRTHJ) posits that social and health inequities affecting transgender populations are result of status quo power relations produced within and between oppressive structures, institutional systems, and socio-structural processes”. She mentions that transphobia is not just a mean word but it is the one which pushes the trans people into the place of poverty. *The University of Edinburgh* article states that “Transphobia is harmful or unfair behaviors or actions a person does based on a fear or dislike of trans people. Transphobia may be targeted at people who are, or who are perceived to be, trans”. She also states that they unreasonably get caught due to the lack of job security, low wages and the things with less benefits. She states that the inclusion which is portrayed in the corporate sectors only leads the transgender people on streets rather than providing benefits to them. So, it is important to note that the housing rights and labor rights must also be the part of trans justice.

The analysis given by Faye about the medical system swipes away the idea that healthcare is a blessing which is provided by the state. She portrays the gender identity clinic as a place which acts as a gatekeeping. By using the concept of biopower, it is evident that the state uses the medicine as a tool to make sure by permitting which kind of bodies are permitted to have a change and which bodies not permitted to change. Towards the

transgender people, the doctors are likely to act as a curer but they act as a person who judge and decides the validity of their presence. *National Library of Medicine* article states:

Transgender identity is a social determinant of health because of the pervasive societal and institutional cisgenderism that assumes that there are two immutable genders (i.e. men and woman) and discriminates against individuals who do not conform to cisgender expectations. Consequently, cisgenderism produces differential levels of social exclusion across health care, employment, social service and educational settings for transgender youth.

Furthermore, she argues that the present medical system pressures the transgender people to act in a standard way. And to be specific about it, they need them to perform by following the stereotypical script by the binary gender. To undergo any hormones changes or surgeries, the trans people always need to prove something to the healthcare authorities. They need to prove that they fit to the stereotypes of traditional male and female categories. And this particular thing creates imbalance in the power system where the state, and which only through the medical authorities who completely holds the right to the autonomy of an individual's body. The *Guardian* article states:

Faye uses analogy to deftly answer complicated question – if being trans is not a mental illness, why does the NHS need to provide treatment for it? She draws a parallel with unwanted pregnancy – being pregnant is not an illness and yet abortion is a vital medical intervention, for want of which people are driven to desperate extremes. Similarly, a trans person needs access to medical transition not because they are ill, but because it is necessary for that person.

The problems in the healthcare autonomy are the place where the issues of the transgender community reveal the hidden connection to the other social movements. Faye compares the struggles of the trans healthcare with the struggles faced by the disabled people. Both the people get into the fight against the medical system, which views and portrays their body as a shattered thing which seeks the help of medical care to fix or cure it rather than helping them.

Both the members fight for the principle of thought that the state or the hospital system should not declare about the changes in one's body of an individual related to the gender. Through this way Faye provides us the visual about how trans individuals are restricted by the healthcare systems through waiting for a long time and deep psychological evaluations. And through this it practices a wider form of control which creates a threat of the bodily autonomy. In the novel she says that "In order to neutralize the potential threat to

social norms posed by trans people's existence, the establishment has always sought to confine and curtail their freedom" (Faye 16). Faye states that when the medical system treats the transition of the transgender people as a psychiatric problem, which is needed to be cured it obviously results in a failure.

Faye states that the problems faced by the transgender people are showcased in the newspapers and media is not done out of concern. Queer theory also argues that the portrayal of transgender people by the media is the result of sensationalism and pathologization rather than showing a real concern. *The Third Voice Reality and Vision* article states that, "Queer theory can be described as a queer critical perspective that aims at transforming the prevailing social norms about gender and sexual orientation". When a particular group is portrayed as a threat to the values of society it creates a sense of fear. When the topic moves around the conversation about the bathrooms, the media intentionally distract the focus of public from the structural problems. When the brings the lives of transgender people as a debate, it shows that the rights of the marginalized community are kept for the public opinions. This shows the that transgender people are outsiders in the cisgender society. The *Harmless* article states that "If trans people are constantly shown in media as one-dimensional, suffering, their primary storyline being about risk and suicide, this can have detrimental effect on trans viewers, including hopelessness about their future, impeded sense of identity, and lack of humanity". She exposes that this sense is constructed by the political systems to always safeguard the power structures which exist.

The major thing is that how the transgender people are treated shows the warning about the health system of a democracy. Her work shows that the transgender community are being used as a testing piece for the control of authority and the complete erasure of the privacy. When the state gets the access to completely erase the bodily freedom of the trans person through the healthcare limitations and by criminalizing of their public presence, it gives a legal precedent. So, when the state has the authority to decide to valid whose body can be accepted simultaneously prolong to target the other groups as well. So obviously the justice for the transgender people acts as a defense for the liberty of every people.

The Transgender Issue is not a request for the tolerance, but it is a quest for a new world. She proves that the issues of the transgenders are not their own issues but it is a human issue. The hardships they face in the denial in the healthcare systems, in housing and portraying them as a threat is not an isolated phenomenon. But it is the attitude of the society which prioritized their own benefits over the other people dignity. Through the lens of intersectionality, this paper proves that the one part of the society cannot be fixed without

fixing it in a complete way. Here Faye does not request for a special place in the society, but she raises a question why the society is built in a way that exclude some communities in the first place. Her work gives a clear statement that the freedom of the transgender people is the true freedom of the human spirit.

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