

# Breaking the Binary: Failure to Adhere to the Laws of the Traditional Gender Binary

*This essay provides a framework for conceptualizing the social construction of the traditional gender binary within a patriarchal society. The research explores the history of the singular they as well as gender nonconforming identities through a socio-historical lens and utilizes the Social Role (Eagly & Wood, 2011) and Social Identity Theories (Tajfel, 1972) to argue the importance of language and performativity in conceptualizing gender identity, gender performance, and biological sex.*

## Conversations With a Non-Binary Woman

*He says he's straight but to be straight would mean that he is strictly attracted to women, dismissing a vital component to who I am. He calls me his girlfriend, never his partner. He prefers me feminine but vanishes in disapproval of the mere sight of androgyny. I give myself permission to be who I am, and he walks away. He refuses to use my they/ them pronouns and tells me they don't exist. He tells me that I only exist as a woman.*

*She tells me I am putting myself into a box and asks why I make it so complicated. She tells me that my generation has constructed too many options. Why can't you just be a girl? I tell her I've started binding. She asks why I would ever want to squish my breasts. She says all girls go through a phrase, disapproving the body in which they occupy. It's a kind of physio psychological discomfort in female*

*anatomy that even their inner most critic can't beat. I tell her it bothers me, refusing to use both of my pronouns. She tells me that I am being dramatic; that I'm confused. She tells me that I will always be a girl.*

I identify as a non-binary woman. Sounds counterintuitive to identify both within and outside the realm of the gender binary. I use both she/her and they/them pronouns, and I use them interchangeably. I prefer partner to girlfriend and dapper to stunning. I feel most like myself wearing collared buttoned blouses, blue corduroy trousers, and checkered chevron blazers. I fail to achieve this presentation, however, scared of stereotypes fabricated by the laws of the gender binary. I opt for a hoodie, a pair of white high-top Converse, and royal blue jeans cuffed at the ankle. I do so in hopes that the guy I like won't confuse my presentation with the masculine (masc.) lesbian stereotype. I often find myself pretending to be someone I'm not, silenced by a hegemonic gender binary, and governed by heteronormative socio-historical jurisdiction.

This essay provides a framework for conceptualizing the social construction of the traditional gender binary within a patriarchal society. My research explores the history of the singular *they* as well as gender nonconforming identities through a socio-historical lens. I utilize

the Social Role (Eagly & Wood, 2011) and Social Identity theories (Tajfel, 1972) to better understand the traditional gender binary, while I argue the importance of language and performativity in conceptualizing gender identity, gender performance, and biological sex.

### **The Binary and Social Identity**

The traditional gender binary is established by means of Henri Tajfel's (1972) social identity theory. Hogg and Terry (2000) cite Tajfel (1972) in defining social identity as "the individual's knowledge that he belongs to certain social groups together with some emotional and value significance to him of this group membership" (p. 122). Moreover, social psychologists Abrams and Hogg (1990) define social identity by the social categorization of ingroups, a group in which one belongs. One who strongly identifies with their ingroup is likely to adhere to group norms, which influence their social role (Eagly & Wood, 2011). Likewise, the self-categorization theory suggests that group members are expected to fulfill an assigned gender role, maintaining the attributes that socially define them

(Hogg & Terry, 2000). Both the social identity theory as well as the self-categorization theory suggest that one conforms to the traditional gender binary in efforts to conform to social norms influenced by varying socially constructed categories. Both theories imply that the traditional gender binary is constructed of two social categories, both with their own gender roles and social norms in which individuals are expected to comply.

The traditional gender binary controls the way in which we as individuals understand our social roles. Bernice L. Hausman (2000) states, “People use the idea of gender as a way to understand, categorize, and make meaningful connections between the disparate experiences of being a sex” (p. 118). Not only does the binary act as a way in which we understand our own social roles, but it acts as a way of understanding the lives of those around us. The rigid nature of the gender binary makes sense if we base gender identity strictly on biological sex. The gender binary is inherently based on sex as either a male or female. Those who fail to identify the difference in biological sex and gender identity do not take accountability for prejudice derived from the need for understanding and control over a fixed structure. Prejudice,

in favor of white, cisgender heteronormativity, maintains the gender binary and excludes those who fail to fulfill expected gender norms.

Moreover, prejudice excludes those who fall outside the realm of the gender binary. West and Zimmerman (1987) refer to Judith Butler’s (1988) notion of ‘doing gender,’ meaning that perhaps who we are as individuals do gender differently than what the binary expects of us. Both folks assigned male at birth and those who identify as men might perform femininity and androgyny in efforts to encompass their gender identity. Likewise, women and non-binary folks are in no way restricted to congruence in gender identity and gender expression and might opt to perform masculinity as a means to encompass gender identity. There are lives that exist entirely outside the gender binary, identifying as either non-binary or agender. Non-binary folks fall somewhere in the middle of the spectrum while agender folks do not identify with any given gender at all (GLAAD, n.d.b). Some, however, exist both inside and outside the realm of the traditional gender binary much like me. Such individuals might identify as either men, women, non-binary, or gender-fluid. Gender fluidity is never fixed, rarely rigid, and not contingent on either

biological attributes or external presentation (GLAAD, n.d.b).

### **Gender Roles and Language**

Although many have worked tirelessly to deconstruct the gender binary, traditional gender roles continue to influence our understanding of a hegemonic society. Men are expected to occupy a status of authority while women are expected to be submissive to masculine counterparts. Traditional roles assume that women are nurses while men are doctors. It is a fixed power dynamic between men and women, and when disrupted, we reference terms, “‘female doctor’ or ‘male nurse’” (West & Zimmerman, 1987, p. 129). The terms *doctor* and *nurse* are terms that become gendered. For example, the profession of a doctor is predominately associated with men while the profession of nursing is predominately associated with women. The terms *doctor* and *nurse* are not marked terms. We mark language when we consider exceptions to unmarked terms, such as *female doctor* and *male nurse*. Thus, *female doctor* and *male nurse* become the exception or marked qualifier to the unmarked term of *doctor* and *nurse*. These terms become marked due to associations between traditional gender roles and occupations. A female doctor is not a doctor, rather a female

doctor, and a male nurse is not a nurse, but a male nurse. Language is ultimately marked to signal the ways in which identity in a given population is characterized by traditional gender norms.

We furthermore tailor our language to fit pre-existing gender codes, otherwise referred to as gender-code switching (Gulzar et al., 2013). By default, in traditional gender roles men are doctors and women are nurses, while gender codes exist to associate words with gender identity. When men and women switch expected gender roles, however, gender identity is a prefix to another word traditionally intended to represent the other associated identity. Moreover, if an occupation is defined by a particular gender code, one will switch their traditional gender role to fulfill the expected gender roles in the given occupation. West and Zimmerman (1987) argue that although men and women occupy fixed gender roles, such roles do not define one’s persona. Given that traditional gender roles are socially constructed, we adhere to them by ‘doing gender’ (Butler, 1988). We play the role in which we are assigned at birth, and we do the part to contribute to a patriarchal environment. Butler (1988) theorizes this as ‘gender performativity.’

## Gender Codes and Gender Performativity

Judith Butler (1988) has emphasized terms ‘gender performativity,’ as well as the notion of ‘doing gender.’ The notion of ‘doing gender’ refers to performing gender identity, similar to that of gender expression. Gender identity is performed by means of language, character, articles of clothing, and stylistic preference. Gender is fictional until it is put on bodies, whether that be performing femininity, masculinity, or androgyny (Butler, 1988). Performativity, however, is the ways in which others expect us to perform gender identity (Butler). Performativity is, furthermore, internal expectations of how gender should be either performed or portrayed, influenced by various social constructs, traditional gender roles, and stereotypes (Butler). Some might perform femininity to portray their gender identity as a woman due to internal understandings and expectations of congruence in gender identity and gender expression. Although I have grown out my armpit hair to perform my own internal understanding of femininity, others might interpret my body hair as a sign of masculinity due to traditional social norms and expectations associated with

gender expression. Moreover, some might expect me to perform femininity since I use she/her pronouns, while I really only use them because I’ve gone by she/her for 20 years now. Our personal interpretations of gender expression differ from others, causing a contrast to exist between gender performance and performativity.

Butler references Victor Turner (1974), stating, “social action requires a performance which is *repeated*. This repetition is at once a reenactment and reexperiencing of a set of meanings already socially established” (p. 526). Butler implies that gender performance is repetitive while gender identity is established through repetition in gender expression. Performativity and our social interpretations of gender performance is also established by means of repetition. Moreover, social expectations of traditional gender roles are established through repetition of the traditional gender binary. Some might assume that my body hair represents masculinity due to repeating representations of traditional masculinity. Moreover, the repeated socialization of traditional gender roles and stereotypes makes it that much harder to come out with limited understanding of what it means to

perform as a non-binary or gender fluid individual.

Gender performance, or doing gender, and gender performativity are closely linked to gender codes and gender code switching (Gulzar et al., 2013). Gender codes ultimately represent perceived notions and understandings of gender identity and expression. One's performance of gender will either comply with traditional gender codes or it won't, in which case we refer to their performance as *gender code switching*. If I am female presenting and wear pink, sparkly nail polish, one might assume that I am complying with gender codes or what is expected of a woman. However, my gender identity is almost entirely concealable. I actually identify as a non-binary woman, and I'm not painting my nails to present feminine, rather androgynous. How I 'do' my gender doesn't necessarily comply with what's socially expected of me. Gender code switching is to interpret or perform femininity, masculinity, or androgyny in ways in which don't adhere to the traditional gender binary.

### **Identity vs. Expression**

Gender identity is defined as a deeply rooted internal sense of self (GLAAD, n.d.b). Expression, however, is how one presents themselves to the world around

them (GLAAD, n.d.a). Expression is an external manifestation of gender, best represented by means of Judith Butler's (1998) notion of 'doing gender.' From how you style your hair and if you paint your nails to how you dress and how you communicate with others, expression is ultimately a canvas that illustrates who you are as an individual.

The traditional gender binary assumes how both men and women present themselves. Masculinity is expected of men while femininity is expected of women. However, men might embody feminine characteristics while women might embody masculine characteristics. Feminine, masculine, and androgynous characteristics are all descriptors that have been constructed to adhere to a traditional gender binary. Although descriptive language like feminine, masculine, and androgynous reinforce a binary in theory, we don't have any reference to these modes of expression outside the realm of a social construct. Deconstructing the gender binary gives all folks, regardless of gender identity, permission to exist outside their expected gender norms. From youth, blue is assigned to boys and pink to girls in efforts to maintain the gender binary. Deconstructing the binary gives men the permission to wear gowns and women permission to wear bowties. It gives all

individuals, regardless of gender identity, permission to express themselves however they like. Non-binary folks, although identifying outside the realm of the binary, might still prefer to present either masculine or feminine. Being non-binary does not limit you to androgyny. Moreover, both expression and descriptive language do not need to be fluid for one to identify as gender-fluid. Likewise, a cisman or transman is not limited to masculine attributes. He has permission to be feminine or androgynous and express himself however he likes.

I previously mentioned that I worry that a guy I like will assume my sexual orientation based upon the masc. lesbian stereotype. Gender expression, although confused with gender identity, is also confused with sexual orientation. Feminine, or ‘femme’ lesbians are typically assumed to be straight given the understanding of heterosexual norms. In contrast, masculine, or ‘masc.’ women are assumed to be homosexual based upon Clarke et al.’s (2012) understanding of the lesbian aesthetic. Gunn et al. (2021) cite Clarke et al. (2012) stating, “Femme and feminine presenting sexual minority women have expressed that the adherence to the lesbian aesthetic or the masculine aesthetic norm can be marginalizing” (p. 1). Gender norms also

exist within the realm of sexual orientation. While the masc. lesbian stereotype fails to include femme lesbians, it creates a false narrative for anyone not strictly attracted to women. The masc. lesbian stereotype assumes that a woman who presents more masculine or androgynous than feminine is a lesbian. While it fails to consider a woman’s freedom of expression, it also ignores the possibility that one might not identify as a woman at all regardless of biological female characteristics (i.e., soft facial features, curves, etc.).

### **Sex vs. Gender**

Biological sex is not congruent with gender identity although both are often conflated. Schmidt (1998) states, “I would like to remark that sex and gender are *not* synonyms. The term sex categorizes individuals according to their biological attributes. The term gender, however, embraces sociological characteristics of individuals of different sexes” (p. 305). Schmidt clearly outlines the difference in language between biological sex and gender identity. He identifies the importance of language while both terms cannot be used interchangeably. To do so would be to assume that one’s gender identity is strictly defined by their biological sex. It would assume that one’s individual

narrative, their sense of self, is defined by their genitalia.

Alice Dreger (1998) states, “One’s physical equipment is the signal, not the determinant” (pp. 199-200). To assume that biological sex determines gender identity is to assume that all individuals identify as cisgender, adhering to the laws of the traditional gender binary. As previously mentioned, gender is socially constructed as is gendered language. The term ‘woman’ became associated with female anatomy and ‘men’ became associated with male anatomy. The social construction of gender, itself, falsely assumed that gender identity was derived from biological sex. Deconstructing that binary, however, gives us permission to do gender apart from our body as male, female, or intersex individuals. Cisgender (cis) folks live comfortably within the gender binary while their gender identity aligns with the sex in which they were assigned at birth (GLAAD, n.d.b). In contrast, transgender folks’ gender identity, although occupying a space within the gender binary, does not align with their biological sex (GLAAD, n.d.a). We are not born with a gender identity but rather biological characteristics; we are often assigned a gender identity based upon the heteronormative traditional gender binary that considers cis the

norm or default. Gender-fluid folks experience gender as a spectrum while non-binary folks identify somewhere outside the realm of the binary, both regardless of biological sex. Chromosomes, hormones, and genitalia are not accurate markers of one’s internal sense of self. One’s narrative cannot be defined by biological measures nor determined by a parent or guardian at birth.

### **History of Non-Binary Identities**

Non-binary, agender, gender-fluid, and gender-queer identities have always existed. Existence has been documented by multiple sources, one being that of two-spirit origins in Cherokee nations. Gregory Smithers (2014) states, “The term *two spirits*, in its simplest form, defines a person with “both male and female spirit” (p. 633). The term originated from another, *berdache*, defined as ‘kept boy’ in European language (Smithers, 2014). Berdache described Native-American men who frequently cross-dressed in feminine clothing, representing that of gender identity other than his own (Smithers). Although culturally significant, two-spirit identities have influenced the existence of other gender identities outside the realm of the traditional binary.

The existence of gender outside the realm of the traditional gender binary is far from a new 21st century phenomenon. Snorton (2016) refers to Delany (1796) in “Gender Trouble in *Triton*,” which represents a heterotopia defined as the “juxtaposition of several spaces in one place” (p. 83). Triton is characterized by law enforcement officers whose gender identities are irrespective of their biological sex (Snorton, 2016). Triton dismantles the social construction of the traditional gender binary in identifying the incongruence in gender identity and biological sex. It furthermore implies that gender identity is not strictly fixed, based upon biological attributes nor sex assigned at birth. I would also argue that Triton introduces us to the complexities of social construction. The social construction of gender identity determines what identities are either the ‘default’ or ‘norm.’ The social construction of gender in Western culture, specifically in the United States, has established what we refer to as the traditional gender binary. This binary, or default, inherently excludes all persons whose gender identity does not strictly align with biological sex; all persons who do not identify as cisgender (GLAAD, n.d.b). In contrast, Triton has constructed a social atmosphere that

normalizes incongruence in gender identity and biological sex. Triton has ultimately reversed gender norms, suggesting that gender fluidity has become the default (Delany, 1976).

The heterotopia, Triton, is entirely fictional, which reinforces the notion that gender is fictional until we put it on bodies (Butler, 1988). Like two-spirit identities, various Indigenous cultures recognize the existence of persons who identify as a third gender. While the United States classifies non-binary or gender nonconforming identities as the ‘other,’ indigenous cultures classify third gender identities in a non-binary gender system (Dozono, 2017). In Mexico, third gender identities are recognized as a category in their own, referred to as the *Muxes* (mu-shay) (Dozono, 2017). Similar to Triton in which characters are given permission to govern their bodies and identities, the Muxes are given permission to govern their lives. The Muxes are recognized not as the ‘other’ but *another* and given freedom to take up an otherwise ‘utopic’ space (Dozono, 2017). Like resident characters of Triton, the Muxes develop a heterotopia in efforts to normalize persons who would traditionally identify outside the realm of a Western, traditional gender binary.

Dennis Baron (2020) explores the history of both non-binary identities and gender-neutral pronouns. Baron (2020) refers to Baker (1770) having claimed that the appropriate pronoun was ‘one’ used as a substitute for either man or woman. Although Baker (1770), cited in Baron (2020), suggests that ‘one’ is inclusive regardless of gender identity, I think the use of the singular *they* is more interpersonal in discussing a human being. Moreover, Baron (2020) refers to the importance of the plural *they* used to describe both men and women. Although the singular *they* was coined in the 1300s, it wasn’t until 1794 when the New Bedford Marine Journal used the singular *they* to define an individual’s pronouns (Baron, 2020). Likewise, the singular *they* was used to conceal a character’s gender identity in the New York Ledger’s (1861), *The False Princess* (Baron, 2020). To use the singular *they* as a means of concealing identity might be harmful despite good intention. The reason being that the singular *they* exists to identify persons who exist outside the traditional gender binary. Rather than existing in language to conceal identity, it exists to introduce a gender-inclusive identity. Furthermore, the New York Commercial Advertiser (1884) rejected the use of ‘thon,’ instead suggesting the use of either the 1770 generic he, *one*, or

the singular *they* (Baron, 2020). The Advertiser (1884) makes note that they/them pronouns may be used interchangeably; both singular and plural with the use of they/their/theirs. In 1888, however, writers suggested the use of both the generic he and generic she, perpetuating the gender binary (Baron, 2020).

It wasn’t until 1974 when the singular *they* reappeared being used by Amanda Smith, suggesting that the Washington Post adopt the use of the singular *they*. Baron (2020) in discussing Smith states, “English teachers exert themselves to stop students from saying ‘Everyone should hang up their coat.’ The prevalence of this usage, incidentally, shows that plain folks as well as the feminists feel a need for an impersonal pronoun” (p. 227). Although impersonal, the use of they/them pronouns provides an inclusive space for all individuals regardless of gender identity. In contrast, if we were expected to use the generic he or generic she, we’d be excluding one of the two- never mind one who identifies outside the traditional binary.

Baron (2020) establishes a thorough chronological timeline, signifying the importance of language in understanding gender identity. Most importantly, however, the resources he

cites provide a framework for understanding all the various ways in which language, gender, and pronouns can be interpreted. Language and our interpretation of spoken or written word is what determines the continuing existence of the traditional gender binary. Although taken for granted, and something some might consider minute, language gives us the power and opportunity to break the binary. If not for language, I would not have a word to use that represents not only my gender identity, but who I am as a human being.

### **Why It Matters**

Language has the power to validate existence however gendered language especially can be incredibly harmful when assuming one's identity based upon their external presentation. In 2020, someone misgendered me while I was at work, referring to me as a gentleman since I had a buzzcut, traditionally associated with men. Just last year, I was misgendered and referred to as sir having worn masculine presenting clothing with short hair, and, heaven forbid, I leave the house without a glimpse of makeup. What about every time I go to the grocery store and the cashier tells me to have a good day but concludes the statement with, 'ma'am' or 'miss'? Some refer to me as dear, which

although gender neutral, is to a degree associated with women.

Although I identify as a woman, terms that refer to the gender binary make me feel, for a lack of a better term, *icky*. The reason being that gender identity is insanely complex. I don't strictly identify as a woman or non-binary, which is why I identify as a non-binary woman or gender-fluid. My gender expression is fluid, similar to that of my gender identity, but not in the traditional understanding of fluidity in expressing myself either masculine, feminine, or androgynous. Rather, I don't have a strong relationship with descriptive language. I don't paint my nails to present feminine and don't grow out armpit hair to present masculine. People might interpret it like so, but that's not how I'm externally presenting my internal sense of self. With that said, it is close to impossible to assume one's identity, especially if we base their identity upon a social construct in favor of the gender binary. It is not as simple as masculinity defining a man and femininity defining a woman, and androgyny equating to non-binary or gender fluid identities. To assume every human being adheres to the traditional gender binary, and to assume that every human being is cis is to generalize the entirety of the population, taking away

the beauty in freedom to be who you are and not what society expects from you.

Next time you meet someone new, I don't care what they look like and what you think you know about them, and I don't care if you think it's weird, ask them what their pronouns are and introduce yourself with your own. Pronouns are the ultimate form of gender expression with power to unveil an otherwise concealable identity. I

consider gender identity concealable because we can't always correctly assume one's identity, not until one reveals their identity by means of their preferred pronouns. Even if you identify as cisgender, pronouns are inherent to language, and it gives you the opportunity to be an ally in creating a safe space for those trying to come to terms with their own self.

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