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Women as Victims of ‘Misogyny’: Re-centering Gender Marginalization

Xinyi Angela Zhao

Abstract: Among various views concerning the nature of womanhood, one difference between the materialist and the pluralist accounts is whether a woman should be defined or identified based on her typical female biological features. The former treats “woman” as the social meaning of the biological female, while the latter insists that one can be a woman by virtue of one’s internal identity without also having the normatively associated biological features. In this paper, I argue against the latter view that the inclusion or demarginalization of transwomen requires more than self-identification and that it demands the recognition of the role of ‘misogyny’.

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Sally Haslanger developed a materialist feminist account of womanhood that centers gender, under a heterosexist scheme, in a social hierarchy in which women, as a class, are placed in a subordinate position by virtue of their reproductive markers. However, Haslanger’s account has raised concerns that it fails to be trans-inclusive. Katherine Jenkins contends that such a class identity fails to capture what constitutes and defines a transwoman and argues that an inclusive account of women requires the equal consideration of one’s internal identity as a woman, independent of reproductive features. While I sympathize with Jenkins’ concerns, I believe that there is more to be salvaged in the materialist approach which can be achieved by attending to the notion of misogyny. In this paper, I will critically address both Haslanger’s and Jenkins’s accounts. *Contra* Jenkins’s position, I argue, alternatively, that by tracking what the notion of “misogyny” entails, the scope of womanhood is expanded such that transwomen and other gender minority groups become a part of the class identity in the materialist account. Ultimately, the demarginalization, and therefore the inclusion, of transwomen, along with other gender minority

groups, I maintain, requires the recognition of the significant role of “misogyny” which figures in the total denial of their identity.

1. The Debate

In “Gender and Race: (What) Are They? (What) Do We Want Them To Be?”, Sally Haslanger suggests that gender is a social kind defined by its social position in relation to the other. Put simply, gender is a “social class” (37). Since most societies have sought to control female reproductive capacities—and thus, the female sex—in exploitative and therefore oppressive ways, one can be defined as a woman insofar as one’s subordinate social position is “marked and justified” by one’s female sex (Haslanger 39). A woman, then, as Haslanger suggests, occupies a *subordinate* social position that is oppressive in a social hierarchy because her possessing “observed or imagined” reproductive features is marked as normatively relevant to social position (42). A man, in a parallel but opposite direction, is defined as occupying a *privileged* social position in relation to a woman (Haslanger 42). This account of gender situates women and men in a hierarchical difference in virtue of the (unjust) social interpretation of sexual markers, such a social hierarchy. In other words, it is sex-based. By offering this account, Haslanger is not framing womanhood as an entirely negative category; rather, she aims to create an ameliorative account with a focal analysis that emphasizes the political goal of combating sexual injustice (37). The nature of womanhood, according to this account, is constitutively oppressive owing to the social enforcement of gender roles and positions based on the female sex.

Katherine Jenkins objects that Haslanger’s position fails to define some transwomen as women. In “Amelioration and Inclusion: Gender Identity and the Concept of Woman,” Jenkins argues that Haslanger’s theory of gender, which assigns social hierarchical positions on the basis

of reproductive features, fails to acknowledge the self-identity of transwomen. Such a failure consequently reinforces and exacerbates the marginalized status of transwomen (396), challenging and undermining their status as women. In pointing out the non-triviality of the acknowledgement of transwomen’s identity, Jenkins provides several scenarios in which transwomen, according to their decision of “coming-out” and the type of community in which they live, are perceived and treated differently (from cis women) (399-401). Jenkins notes that, given Haslanger’s account, *only when* a transwoman has undergone surgeries for altering her reproductive features would she be recognized and respected as a woman (400). If a transwoman is either not known as a woman due to her choice to keep her gender identity secret or not being respected as one, owing to her medically unaltered bodily features, then she fails to be a woman (Jenkins 400). In other words, *not all* transwomen are socially situated *per* Haslanger’s picture of “women”; the failure of being observed for having female sexual features excludes a transwoman as a woman. A *narrowly scoped* reference of woman, like the one Haslanger provides, Jenkins insists, should clearly be considered as exclusionary (despite not being so intended), because it fails to account for the living experiences of many transwomen as being women and the kind of subordination they experience (401).

To avoid this exclusivity, Jenkins develops a twin-concept of gender that attempts to include those who fit Haslanger’s picture as well as those who self-identify as women, whether or not they meet Haslanger’s class specifications. Jenkins sees her position as using the former as a starting point but also has different ways of understanding women (415). Transwomen, then, can be included as women for having the gender identity as women defined by Haslanger without necessarily having sexual markers. Such a self-endowed meaning of woman, independent of biological features, is formed in accord with one’s “internal map” that serves as a guide for

identifying oneself with women who are socially situated as a subordinate class (Jenkins 410). One is entitled, for example, to be treated as a woman (in the sense of class identity) if she wishes her identity as a woman (in the sense of self-identity) to be *validated* (with or without public presentation), despite not having her bodily features altered.

2. Internal Identity and De-marginalization

The major difference between Haslanger’s and Jenkins’s account, to reiterate, is whether a woman should be defined or identified based on her typical female biological features. The former responds affirmatively and claims that “woman” (in an ameliorative sense) is the social meaning of the female sex--that it is a sex-based or derived concept. The latter rejects this view and contends that one can be a woman without the normatively associated sexual features. Jenkins insists that the inclusion of an internal gender identity is necessary for respecting and thus de-marginalizing transwomen: we need to acknowledge “transwomen’s assertions that they are women” because not doing so results in failing to respect their autonomous agencies (402).

However, despite being a trans-inclusive account, acknowledging their internal gender identity, I suspect, might not effectively solve the marginalization problem that transwomen face. It might have lost sight of the *primary* cause of marginalization. Jenkins maintains that marginalizing transwomen is significantly different from marginalizing ciswomen because the former are closely tied to *denials* of their self-endowed gender identity (401). However, such denials, as I see it, are in fact precisely asserted by the patriarchal order that enforces and perpetuates gender norms and roles in relation to one’s biological sex. It is a structural oppression that denies any form of gender which it deems as a *deviation* concerning either 1) the non-conformity of a ciswoman or a medically-altered transwoman of her social role because of her

having a female sex or 2) the inconsistency of a non-medically altered transwoman’s biological sex and who she claims herself to be.

It is certainly important to recognize that many transwomen are marginalized because they are not seen and respected as women, but I think that is only a surface issue. The root cause of the denials of transwomen’s identity, as I see it, is precisely what marginalizes ciswomen as well. Simply, it is what contributes to the material reality of the female-sex-based meaning of women that *also* leads to the marginalization of transwomen. It is the enforcement of the sex-gender consistency which renders any kind of inconsistency un-respected and marginalized. More crucially, it is the imposition of binary conformity that constitutes the violent enforcement on those who fail to meet such conformity. (This kind of violence is recognized as “misogyny” which I will discuss in the next section.) In this sense, I do not believe that Haslanger’s definition of womanhood is exclusionary as it seems to be since, in fact, it already implies what oppresses transwomen. If, then, both ciswomen and transwomen share a common cause of their oppression, it appears that the ultimate goal for transwomen of de-marginalizing their status and claiming their identity requires an account of womanhood that does *more* than having an inclusive definition of women that validates one’s gender identity. That is, I think, besides validating transwomen’s identity, what is more urgent *now* is to identify what causes the invalidation of their identity in the first place. Simply put, the inclusion of a self-identity is not sufficient for or satisfactory in de-marginalizing transwomen. An individualized and pluralistic version of gender identity no doubt needs to be emphasized when we have already successfully demarginalized the status of transwomen. However, the inclusion of a self-identification *at this stage* (the stage where combating injustice is urgent) might risk obscuring transwomen’s real target. What we need at the

moment, again, is the recognition of the exclusive force that causes the marginalization of transwomen.

To re-center the marginalization problem by endorsing the mere recognition of an internal self-identity of transwomen (particularly those who have not undergone surgery), I suggest, is far from sufficient. Instead, an account of womanhood should be sought that points to the oppressive system which precisely serves to erase individual gender identity. Given that Haslanger’s ameliorative approach already implies, I think (which I will discuss further in detail), the marginalization of both ciswomen and transwomen, the new account only needs to be revised on the basis of her definition to expose *explicitly* the problem of transwomen’s marginalization and thereby include them as a part of womanhood (in an ameliorative sense). An adequate and desirable account, then, should be one that precisely captures or targets the severe consequence that a woman faces when she is considered as failing to conform to the “ideal” gender category.

3. A Victim-Centred Account

Before giving such a definition, I shall go back to Haslanger’s treatment of the definition of women–women’s class identity. In short, a woman’s normative gender roles, attributed on the basis of her sexual features, contribute to her subordinate social position (in relation to a man’s privileged social position). Such a definition, as I see it, involves an *unidentified* concept, i.e., “misogyny,” a term that is later on defined by Kate Manne in *Down Girl: The Logic of Misogyny*. Manne argues that “misogyny” is a kind of “law enforcement” that functions as a tool for “policing and enforcing” the conformity with or submission to gender norms and roles for women established in patriarchal system (Manne 78). Unlike how it is typically understood as a mere internal prejudice against women, or one’s (ideological) belief about a woman (Manne 79),

misogyny, as I construe it, is a *victim-centred* concept associated with tangible and intangible violence. It is designed with the intention to *put down* women. It is enforced or acted on in social reality by always placing women (back) into their normative roles and exerting violent punishment (justified or unjustified by the law) when they fail to perform in accordance with those roles (Manne 84).¹

Haslanger’s definition of womanhood, while not explicitly identifying the concept of misogyny, neatly captures the misogynistic nature of womanhood imposed by society. Considered as someone who has female reproductive features, a woman has her associated correctness condition and is constantly *put* in a bounded social position that entails subordination when such a condition is not met. The normativity of occupying such an oppressive position, or taking up social roles that imply subordination, clearly indicates a kind of law enforcement for gender practice. Palpably, this law enforcement is practiced with a clear goal of *who* is under the constant surveillance and who is subject to punishment. Such a subject, of course, is a woman. Given the unsettled debates between the materialist and the trans-inclusivist, a definitive answer to the question, “Who counts as a woman?”, has yet to be given. However, this does not pose a problem for the enforcement of misogyny. Since “misogyny” as described by Manne is a victim-centred concept, then whoever is targeted and is a victim of the patriarchal law enforcement *is* a woman. That is, a woman, from the perspective of misogynist enforcement (individuals or institutions), is defined in terms of one’s *punishability* under the patriarchal order. In other words (this is my tentative definition), **S is a woman if and only if she is *punishable* when her presentation is**

¹ Notably, misogyny does not necessarily require individual misogynists as direct enforcers or transgressors because both agents and social institutions can be a part of the enforcement system, wittingly or unwittingly (Manne 77).

inconsistent with the female-sex-based normative standard for women under the patriarchal order.

Two important implications of this definition, which highlight the marginalization problem not only for ciswomen and transwomen with surgery but also for transwomen without surgery and other gender minority groups, are that 1) one can be a victim without being recognized by the enforcement system as a bio-socially consistent woman, and 2) one’s female sex dictates and guarantees one’s punishability. I will explain points 1) and 2) in more detail later.

One might immediately become suspicious of this account on the grounds that it potentially runs into the problem of definitional circularity. The worry is that it assumes the understanding of women with misogyny *in order to* disclaim misogyny. In other words, if we center misogyny to define who a woman is, then the attempt to destroy misogyny on the basis that a woman is defined with misogyny seems to become invalid. Granted, this would be a genuine concern if my definition involved the sole intention of censuring misogyny by using its own definition of woman. However, I think it is already understood when the concept of misogyny is given by Manne that it is to be noted, censured, and abolished. By using this concept as a central part of my definition, I rather treat it as an empirical concept that captures the brute social phenomenon of the enactment of the violent patriarchal order. My intention is to take it as a navigating point to discover or track down who the vulnerable target is and could be. That is, in defining a woman as one who is punishable when her presentation is inconsistent with the female-sex-based normative standard, I am, in already granting that misogyny is condemnable, trying to identify those who are subject to misogynistic treatment.

4. Transwomen and Other Victims

In this section, I will explain how transwomen (particularly those without surgical transitions) and other gender minority groups are under the violent attack of misogyny, making them a part of collective womanhood. By tracking the victims of misogyny, the scope of womanhood, I suggest, is greatly *expanded*. The misogynist punishment not only applies to cis/trans women (whose biological sex is *prima facie* consistent with their social identity) who fail to conform to their expected social roles and positions but, crucially, to self-identified transwomen without surgery, and other gender minorities including transmen without surgery and non-gender-binary assigned females at birth (hereinafter AFAB). I will proceed to discuss, by examining the latter kind of victimhood, the aforementioned two important implications of the essential *punishability* characteristic of victimized womanhood.

Before proceeding, I should first consider the immediate concern that such an expansion seems forcibly extensive--that it renders those who do not want to identify themselves as women, women. One might ask why we should include transmen, for example, as a part of the definition when they clearly do not want to identify themselves as women. I think this concern confuses the distinction between gender role and gender identity. My definition of “woman” is not merely about gender identity. Rather, it marks the misogynistic condition--the punishability condition--that is brought about by traditional gender roles, which victimizes an individual. Wanting to be identified as a woman (or not) is simply different from being punished as an “incorrect” woman. It is the latter, the assigned and enforced gender role and position, that I wish to address in my definition. Therefore, a self-identified transman, for example, can still fit the definition by being assigned and forced into a woman’s role and position.

i) Transwomen without surgical transitions

The enforcement of stabilizing women’s social roles and positions and punishing those who are not in place explains the first implication that one is also punished if one is *conceived* as a non-member of the group women but attempting to fit in regardless. This highlights the membership-admissibility feature of misogynist law enforcement, i.e., in attempting to enforce the content of womanness (the bio-social consistency), it demarcates the boundary. Such a demarcation entails a forceful exclusion and punishment of an inconsistent woman, e.g., an assigned male at birth (AMAB) who self-identifies as a woman and publicly presents herself so, but without undergoing surgery. Presenting herself as a woman without having corresponding female reproductive features presents a *discrepancy* in the eyes of the misogyny enforcer; namely, she attempts to be a woman without having the necessary qualities for *membership* admission.² She is rejected and punished, not necessarily by individual transgressors but also, crucially, by legal and/or medical systems for failing to be an authentic³ (or a sex-gender consistent) woman. That is, it is the “faking”⁴ of membership or the failure of being an adequate member of woman (because of her unaltered reproductive organs) in this case that makes her *punishable* as a victim of misogyny. According to my tentative definition of womanhood given in Section 2, therefore, a transwoman can be considered as a woman even without being recognized under the misogynist system as such. If she is not even considered as a part of the expectation for women to begin with, then her gender presentation would be intrinsically inconsistent with such an expectation.

ii) Other Gender Minority Groups

a) Transmen without surgical transitions

² Robin Dembroff discusses the gender kind membership in a forthcoming article, “Real Talk on the Metaphysics of Gender.”

³ Talia Mae Bettcher discusses the “authenticity” of gender in ordinary language use in “Transwomen and the Meaning of ‘Woman’”(2013).

⁴ See also Bettcher.

They are vulnerable to the second implication in being a victim of misogyny, i.e., they are AFABs. The logic of misogyny dictates that one *should* (or *must*, more accurately) be a member of the gender kind club of woman if one’s female reproductive features are preserved, given that its definition of women is, first and foremost, sex-based. A transman without male organs, upon discovery, then, is potentially subject to being severely punished for failing to fit the normative social position for women—failing to be a good member of women.

An infamous crime against transmen that highlights such a punishment is the rape and murder of Brandon Teena in 1993. Brandon was sexually assaulted dehumanizingly by two people from his friend circle, after being discovered as an AFAB, and was murdered by them a few days later (Fairyrington, “Two Decades After Brandon Teena's Murder, a Look Back at Falls City”). He was brutally punished and sanctioned for his female-man discrepancy, or his being an “incorrect” woman. What is even more horrendous than this direct violent hatred and enforcement, as Fairyrington points out, is the way that the Sheriff who interviewed Brandon after his reporting of the rape before his death by murder (“Two Decades...”). During the interview, Brandon was harassed and demeaned by the constant questioning (and denial) of the legitimacy of his painful experience as a rape victim and his identity as a man. Here is an example of such questioning: “*He didn't fondle you any, huh. Didn't that kind of amaze you?... I can't believe that if he pulled your pants down and you are a female that he didn't stick his hand in you or his finger in you*” (Fairyrington, “Two Decades...”). By asking in such a way that clearly involves his self-testimony, which is in line with misogynist enforcement, the sheriff inserted a forceful denial of Brandon’s testimony and an affirmation that Brandon should and must be a woman. This further punished Brandon as failing to fit the normative position of a “correct” woman: a member of the woman’s club.

b) Non-Gender binary AFABs

Similar to transmen without surgery, non-gender binary *AFABs*, by failing to be “good” members of the membership club of women in the enforcer’s eyes, i.e., failing to commit to what their gender kind dictates, can undergo the punishment due to their non-conformity to women’s social roles and the expectations thereof.

To summarize my point, the aforementioned gender groups should all be counted as women under the account I provided, because they are all subject to punishment owing to their failure of being authentic women under a misogynist system. The first group is rejected (and therefore punished) for being women due to their “fake” membership where they do not fit the “real” kind of women, while the second group is punished for simply failing to fit where they “belong”, i.e., they are “incorrect” women. In other words, it is the enforcement of their membership entrance and their exclusion, dictated by the patriarchal order, that highlights their victimhood. I should present, according to the characteristics of victimhood described above with the enforcer’s demand of gender “authenticity”, a complete definition of the *expanded* concept of “woman”: **S is a woman iff she is *punishable* as a (potential) victim of misogyny insofar as her presentation is inconsistent with the enforced correct condition for “real” women that tracks the female sex, where such a condition dictates the normative standard for women under a patriarchal order.**

What is crucial and distinctive about this account is that what counts as a woman is in accord with one’s *material reality* as a victim under the surveillance and patriarchal law enforcement of women’s social role and position. Without emphasizing the significance of an internal gender identity as an approach for inclusivity, *à la* Jenkins, this definition unites, amelioratively, ciswomen and gender minority groups by pointing to the enforcement of the sex-gender consistency, highlighting the root cause of their marginalization and subordination.

There is, however, one unfortunate exception at the moment: a transwoman, without publicly presenting herself as a woman, might be excluded from such because she is recognized and deemed by the misogyny enforcer as a man and, therefore, does not fit the punishable condition. That is, without the punishable property, she might not be a(n) (obvious) victim of misogyny. However, such an exclusion, I think, is not definitive, for her not “coming out” is out of the *fear* of being treated with violence--the misogynistic mocking and social correction. It is, therefore, still an open possibility of whether or not having this fear could be sufficient for her to be included as a woman according to the new definition.

5. Conclusion

I have argued that the identity oppression which transwomen face shares the same root (at least to a great extent, if not fully) with that faced by ciswomen. Jenkins’s pluralist concept of self-identity formed through agency is not sufficient for de-marginalizing transwomen and might risk obfuscating the common political aim of eliminating normative gender roles and position. I have utilized the concept of “misogyny” by Manne to seek an expanded definition of womanhood by tracking its targeted victims: those who are punishable by the enforcement.

The semantic content of “woman” under an ameliorative account such as the one I give will inevitably be defined with negative extensions. However, it is only used for present purposes. I believe that Jenkins’s emphasis on a self-given meaning of women can be achieved in an oppression-free era. In that way, the new and more positive meaning will no longer involve potential misogynistic treatment and be more open to self-identification that does not require tracking one’s sexual features.

References

Bettcher, Talia Mae. 2013. "Trans Women and the Meaning of "Woman." In *Philosophy of Sex: Contemporary Readings, Sixth Edition*, by N. Power & R. Halwani (eds.) A. Soble, 233-250. Rowan & Littlefield.

Dembroff, Robin. forthcoming. "Real Talk on the Metaphysics of Gender." *Philosophical Topics* 1-29.

Fairyington, Stephanie. 2013. "Two Decades After Brandon Teena's Murder, a Look Back at Falls City." *The Atlantic*. December 31.

Gadsby, Hannah. 2018. "Nanette." *Netflix*. <https://www.netflix.com/ca/title/80233611>

Haslanger, Sally. 2000. "Gender and Race: (What) Are They? (What) Do We Want Them to Be?" *Noûs* 31–55.

Jenkins, Katherine. 2016. "Amelioration and Inclusion: Gender Identity and the Concept of Woman." *The University of Chicago Press Journal* 394-421.

Manne, Kate. 2017. *Down Girl: The Logic of Misogyny*. Oxford University Press.