The Search for the Truth of Sex
Christie Lee Littleton was born Lee Cavazos, Jr., a male. Throughout her childhood, she had difficulty developing a male identity, and she considered herself a female since she was three or four years old. She had been seeking sex reassignment surgery from the time she was seventeen, and eight years later, after two years of receiving female hormones, Christie finally got her wish. Her penis and scrotum were removed, a vagina and breasts were constructed, she changed her name, and she was “diagnosed psychologically and psychiatrically as a genuine male to female transsexual” (Littleton 3). Eventually, Christie married a man named Jonathon Mark Littleton, in Kentucky, but they moved to Texas later on. When Jonathon died, Christie tried to file a medical malpractice suit. The doctor she tried to sue challenged Christie’s right to sue for wrongful death because he believed that she was really a man and therefore, could not be the surviving spouse of another man.

Of course to resolve this issue, the question that needs to be answered is “is a transsexual still the same sex after a sex-reassignment operation as before the operation” (4). The Texas Appeals Court decided that transsexuals are, in fact, considered the same sex that they were before they had sex-reassignment surgery. The concluded that Christie was born anatomically and genetically a male, as it is clearly stated on her birth certificate, and therefore she is still a male. The rest follows that as a male, Christie cannot legally be married to another male, so she “cannot bring a cause of action as Jonathon’s surviving spouse” (9).

This court case and others like it bring the idea of “true sex” to one’s attention. This is the idea that hidden underneath everybody’s emotions, clothing, and sometimes ambiguous genitalia, there lies a secret truth, the truth of sex, the truth of male or female.
As Foucault describes, this notion has not always been around, but today it is very important, even if it is unfounded. If there is such a thing as true sex, what defines it? Is it determined by the genitals one was born with? Or the genitals one currently possesses? Is it determined by the chromosomes found in one’s genes? Is it something found in the brain? Is sex something totally socially constructed? Or is sex really a mixture of all these things? Many people have proposed different ways of determining someone’s “true sex,” however; I believe that sex is a very complicated matter, and that none of these arguments fully encompass all variations of sex to adequately create a theory for determining someone’s “true sex.” I argue that since all of these theories fail to produce a comprehensible way to distinguish true sex, there actually is no such thing as true sex.

According to Michel Foucault, true sex hasn’t always been an issue. It wasn’t until recently, when the medical and legal communities started normalizing human beings that true sex became important. It became imperative to define each person as either male or female in order for everyone to be normal. “For centuries, it was quite simply agreed that hermaphrodites had two” sexes (vii). In the middle ages, when a hermaphroditic child was born, it was up to the father or godfather to decide which sex the child should be, but when the child reached adulthood it could choose either sex as long as he/she didn’t change sex again at a later time. With the introduction of biological theories of sexuality, the freedom hermaphrodites had to choose their sex became limited because it became increasingly important that everyone was to have one, single true sex. Everybody has “his or her primary, profound, determined and determining sexual identity” (viii). Thus, it became the job of doctors to decipher the true sex of hermaphrodites that was hidden and confused by “anatomical deceptions” (viii).
If true sex is so important, there must be a way to determine it. The most common way someone’s sex is determined, is by looking at the genitals at the time of birth. Most mothers can remember giving birth and the first question asked after the baby was born. Most of the time that question is: is it a boy or a girl? It seems simple; the doctor looks at the baby’s genitals, and if there is a penis it is a boy, and if there is a vagina, or a lack of a penis really, then it is a girl. Sometimes this isn’t so simple though. What if a baby is born and the genitals are ambiguous? What if it’s sort of a girl and sort of a boy? According to Franke, it becomes a social emergency, and the doctor has a very serious job of “managing” this intersex baby by determining its true sex and “curing” it through reconstructive surgery (1). Even when a baby is born with ambiguous genitalia, it is still one aspect of the genitalia that decides the sex. Doctors look at the size of the phallus; if it is shorter than one centimeter, it is a clitoris and the baby is female, and if it is more than 2.5 centimeters then it is a penis and the baby is male. However, when the phallus length lies somewhere in between these two dimensions the sex of the baby is harder to define. Most often these babies are deemed female and the genitals are constructed accordingly. If the phallus is not long enough for the child to urinate standing up or for the child to eventually participate in heterosexual penile-vagina penetration, then the child is reasoned to be a girl (6-7).

It is obvious that one’s “true sex” cannot be determined solely on the basis of the genitals one is born with. Sometimes the genitals one is born with are not clearly male or female. In this case, it is up to the doctor to figure out what the child’s sex is, and to fix the error in the genitals. Nine out of ten of the children with ambiguous genitalia are deemed to be females, and they are subsequently medically treated to appear as females.
Most of these intersex babies never know their intersex status until they are adults. According to Rosario, Cheryl Chase is one such woman. She was raised as a girl, and discovered her hermaphroditic past when she was in her twenties. She was outraged at what had been done to her, and even attempted suicide after uncovering her past. However, instead she founded the Intersex Society of North America (2). According to the ISNA website, they advocate that intersex babies should not be forced to undergo “normalizing surgery” and that the genitals are not a good way of determining the sex of a child.

Genitals present at birth are clearly not a good way to determine someone’s sex, but is it any better to determine sex based on someone’s current genitals? A court case in New Jersey is the only case that upheld the validity of a marriage involving a transsexual. A male to female transsexual brought her husband to court for “support and maintenance” (Littleton 6). Her husband asserted that their marriage was void because his wife was really a man and therefore he didn’t owe her any money. The court decided that a transsexual who had irreversible genital surgery was considered the new sex, and therefore the marriage was valid.

Although sex was based on current genitals in this case, it is actually another flawed way of determining true sex. In a study by Kessler and McKenna, subjects were shown images of people either clothed or naked. The people had different combinations of female and male cues, such as short or long hair, breasts or a flat chest, and a penis or a vagina. The subjects were asked to make a distinction of whether each image was a male or a female. Focusing only on the results from the naked pictures, Kessler and McKenna found that a penis is clearly associated with a male but a vagina is not
necessarily associated with a female. The presence of the penis, regardless of all other
gender attributes, resulted in reports of male 96 percent of the time. However, “one third
of the participants were able to ignore the presence of the vagina as a female cue” (171).
In fact, two other female cues had to be present besides the vagina in order for
participants to declare the picture a woman 95 percent of the time. Additionally, this
only happened in one specific case, when the figure had long hair and breasts. Adding a
third female cue only increased the female gender attribution of the figure in two specific
cases (172). Although the sex attribution of men based solely on the genitals seems to
happen in the minds of many people, they do not attribute the sex of female based on
genitals at the same rate.

Another reason why basing the attribution of sex solely on genitals is the
existence of transgendered people. A transgendered person is someone who’s anatomical
sex does not math their psychological sex. In other words, it is someone who feels as
though he or she is trapped in a body of the wrong sex. One such transgendered person is
Agnes, who was born a male but presented and felt like a female. When she first went to
see a psychiatrist, she dressed like a girl and looked like a girl in every respect, including
fully developed breasts. Agnes had always felt like a girl, and she “insisted that she was,
and was to be treated as, a natural, normal female” (Garfinkel 62). She was so certain she
was female that she had even stolen her mother’s estrogen pills since puberty in order to
develop a feminine figure, however, her psychiatrist didn’t know that part. Agnes, like
other transgendered people, felt so strongly about her “true sex” that she was willing to
do anything to have her genitals “corrected.” Agnes believed so adamantly that she was
female that she was able to convince her psychiatrist that her genitals were a birth defect,
that she was truly a female, and that her penis needed to be removed in order to correct the mistake that nature had made (63). It is clear that genitals are not a convincing identifier of true sex since many people feel that they are truly the opposite sex despite their own genitals.

It is now clear that “true sex” can not be determined through genitals, be it genitals currently possessed by someone, or the genitals someone possessed when he or she was born. A different way proposed to determine true sex is based on chromosomes, such as it was decided in the Littleton v. Prange Case. According to Merriam-Webster’s dictionary online, chromosomes are strands of DNA found in the nucleus of all cells that carry the genetic material of the organism. Each human being usually has 23 pairs of chromosomes, half coming from one parent, and the other half from the other parent. One pair of chromosomes are the sex chromosomes, and if these are both X chromosomes, then the person is a female, but if one of the sex chromosomes is a Y, then the person is a male (Stoller 55). Until the third month of fetal development, females and males are anatomically the same. During the third month, if there is a Y chromosome present, a masculinizing substance is secreted, which initiates the development of male sexual organs. If there is no Y chromosome, nothing is secreted, and the fetus becomes a female.

For women entering the Olympic Games between the years of 1968 and 1998 it was mandatory to undergo a “genetic sex test to prove their female validity” (Wackwitz 553). Testing women for their chromosomal sex was thought of as a way to make sure only “real women” were competing in the women’s categories. To test for their genetic sex, skin cells were scraped from the inside of the athletes’ mouths and analyzed for the
presence of two X chromosomes. Only in that case were the athletes considered true women and suitable to compete (554). After 1998, it wasn’t mandatory for every woman athlete to get tested, it was only “applied on a case-by-case basis to those athletes suspected of being too masculine for women’s competition” (553). Women who are not automatically eligible to compete (if they don’t have XX chromosomes) face “devastating consequences...They are kicked out of the Olympic Games, stripped of their athletic accomplishments, banned from the competition, and denied membership in the category ‘woman.’” (554).

According to Wackwitz, some athletes were unaware of their genetic makeup, and “did not know they were not female until they were told” (558). One athlete, Eva Klobukowska, had passed a visual sex verification test but failed a genetic sex test a year later. She was stripped of all her athletic awards, including two Olympic medals, she was barred from participating in the competition, and was expelled from the category “woman” (556).

Another athlete who failed a sex test and was banished from the competition, Maria Patino, was the first woman to successfully challenge her results. She was found to have XY chromosomes but her body could not produce testosterone, which made her look like a typical woman. She was humiliated in front of the whole world, was abandoned by her friends and boyfriend, and banned from her sport, and her job. She was raised as a female, she had breasts and a vagina, and she stated “I knew I was a woman, in the eyes of medicine, God and most of all, in my own eyes” (556). It doesn’t seem right to exclude some people from the female sex category based on two little chromosomes when these people have grown up their whole lives as females
It would seem as though chromosomes could hold the truth of sex, if only it was as simple as XX and XY. Wackwitz didn’t even talk about people with chromosomes other than XX or XY in her article about genetic testing in the Olympics; however, there are other possibilities of sex chromosomes, such as X0, XXX, XXXX, and XXXY (Stoller 56). According to the Turner Syndrome Society website, someone with only one X chromosome or one X chromosome and part of another X chromosome is genetically XO and has a disease called Turner’s syndrome. People with Turner’s Syndrome look typically female, and are labeled as such when they are born. As they grow older, they only look different in their shorter than normal height. However, when a specialist analyzes the chromosomes, there is only one functional X chromosome. Chromosomally, people with Turner Syndrome are neither male nor female.

According to Wattendorf, a male with an extra X chromosome is genetically XXY, and has Klinefelter Syndrome. People with this genetic disorder look anatomically male although they may have small testes and penises as well as decreased facial and pubic hair. They are usually taller than other males, and “virtually all men with Klinefelter Syndrome are infertile” (1). As babies, they are designated males because of the presence of the penis, and it usually isn’t diagnosed until adulthood when infertility is apparent. Again, people with Klinefelter Syndrome are neither chromosomally male nor female. This is an obvious setback to the theory of true sex based solely on chromosomal makeup.

With the previous information in mind, it is evident that neither genitals at birth, current genitals, nor chromosomes can be used as the basis for determining one’s “true sex.” Another idea about sex is that it is completely socially constructed. In 1996, the
American Academy of Pediatrics stated that “research on children with ambiguous genitalia has shown that sexual identity is a function of social learning through differential responses to multiple individuals in the environment” (Franke 3). Although John Money really claimed that gender identity is malleable before a certain age, it is related to the idea that sex can be successfully changed before a certain age. In the 1950’s Money performed a sex-reassignment surgery on an infant boy who had experienced an accident during circumcision which had removed his penis. Money constructed a vagina for the child and asserted that he could be raised as a girl.

As the child infant grew into childhood as a girl, Money declared the sex-reassignment a success, and that children could be “assigned any gender” as long as they were socialized correctly (2). This was taken for granted for many years until 1997 when the fate of the child was revealed. Money had hidden the results of his famous case because it turns out that the child’s “female gender identity never took hold…and at age 14 resumed his life as a man” (3). It is clear that raising the child as though it were a girl, even with a surgically constructed vagina, and hormonal treatments, was not enough to make the child into a true female. There obviously must be more to true sex than just individual interactions and social construction.

Monique Wittig also believed that the categories of man and woman are socially constructed. Wittig quoted Simone de Beauvoir’s quotation that concisely states her belief: “One is not born but becomes a woman” (103). Wittig believed that the “natural” distinction between men and women was something created by men in order to justify their oppression of women. She tried to prove the unnaturalness of the category women by proving that lesbians are not women. According to Wittig, a woman is someone who
is in a binary relationship with a man (105). Since lesbians are not in a relationship with men, then they are not “real” women, but it is obvious that they are not men either. Thus she argues that the category itself is not natural, and that it is something constructed by society (103-105). Unfortunately, it is plain to see that Wittig’s argument is too simplistic, and one writer, Jacob Hale, outright criticized her definition of a woman.

Jacob Hale criticized Monique Wittig’s argument because he believed there was more to a woman than just her relationship to a man. According to Hale, the most important characteristics which define a woman are the absence of a penis, the presence of breasts, the presence of female reproductive organs, the presence of female hormones and the absence of a Y chromosome (290-291). These are all biological characteristics, none of which have anything to do with social construction. Hale stated other characteristics that define a woman including having a gender identity as a woman, having occupations and leisure activities that are acceptable for a woman, and having the physical expression, behaviors and actions that are gender-appropriate (292-293). Also included in Hale’s list of woman characteristics is the “sexual/affectional relationship with a man.” Hale recognized this as a characteristic of a woman, but not as the sole feature of being a woman (292). Hale saw the “true sex” of a woman not based solely on genitals, chromosomes, or social constructions, but as a mixture of them all. He also asserts that a heterosexual relationship with a man is not “necessary or sufficient for being within the category woman” (292). He believed though, that the biological characteristics were the most important: a strong contradiction of all the other characteristics by a “clear classification” according to the biological traits could exclude the person from the category woman (294). Hale noted that lesbians can satisfy all of the
defining characteristics of a woman except for the one about being heterosexual, and that
some women may not fit all of the other characteristics, but could still be considered
women (294). Although Hale tried to interpret sex as a mixture between many different
traits, he didn’t leave a clear and solid way of defining a man as a man or a woman as a
woman. Again, it seems impossible to define the true sex of an individual.

An alternative to all of the previous definitions of true sex is indicted in the title of
an article by Andy Coghlan: “It may be your brain not your genitals that decides what sex
you really are.” According to new research, our “brains may be hardwired to be male or
female long before we begin to grow testes or ovaries in the womb” (1). A study of mice
showed that there are sex differences in expression of genes in the brain of fetuses, way
before the masculinization or feminization caused by the presence or absence of a Y sex
chromosome. According to Coghlan, seven genes have been discovered to have a sex
difference, with three of them dominant in the female brain and four of them dominant in
the male brain. Although it is clear there is a difference in expression, it may be harder
for scientists to prove that this difference in expression has an effect the sex identity of a
child. It will be even more difficult to prove that the difference exists and has the same
effect in humans as well as just in mice (1).

Coghlan states that “if the findings are confirmed, they could one day yield blood
tests that allow doctors to establish the brain sex of babies born with genitalia that share
features of both sexes” (2). In essence, this research hopes to find a new way to
determine the true sex of an individual, based on the expression of genes in the brain.
Although this sounds like an easy way to find true sex, the research is still in its early
stages, and the genes that are expressed differently in males and females may not have anything to with the sex of the child.

There have been many proposed theories of how to determine someone’s “true sex” that lies hidden underneath layers of deception. Some people believe true sex can be found by looking at the genitals that someone was born with as a baby, while others believe you must look at the genitals one currently possesses. Other people believe that it is the genetic sex that must be looked at and true sex can be determined by examining one’s chromosomes. Some believe that sex is a socially constructed category and that its truth lies in what society thinks. Still other people believe that sex is a mixture of many or all of these different characteristics. And some scientists believe that the truth of sex can actually be distinguished by the types of genes that are expressed in a fetus’s brain. Although these are all interesting ways of looking at true sex, they all have their flaws, and no one can agree on which method is the correct one to use. Is Christie Lee Littlelon a man or a woman? She possesses a vagina, but was born with a penis, she has XY chromosomes, but she identifies as a woman, and no one can test what her brain sex is at this point in time. Some theories would define Christie as “truly” a male, and others would define her as “truly” a female. Some theories would not even know how to classify Christie. It is obvious that there is a lot of disagreement in defining “true sex” and each of the different methods have their own inherent flaws and exceptions. None of the theories can adequately accommodate every type of person that there is, and because of that, I believe there is no such thing as “true sex,” that no one has a “true sex” and that “true sex” is just a pointless concept that should no longer be focused on.
References


www.isna.org/about/chase
www.m-w.com
www.turner-syndrome-us.org/