

# What Is Between Your Legs Shouldn't Matter

By [Peter Singer](#)

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Jenna Talackova reached the finals of Miss Universe Canada last month before being disqualified because she was not a "natural born" female. The tall, beautiful blonde told the media that she had considered herself a female since she was four years old, had begun hormone treatment at 14 and had sex reassignment surgery at 19. Her disqualification raises the question of what it really means to be a "miss."

A question of broader significance was raised by the case of an eight-year-old Los Angeles child who is anatomically female but dresses as — and wants to be considered — a boy. His mother tried unsuccessfully to enroll him in a private school as a boy. Is it really essential that every human being be labeled male or female in accordance with his or her biological sex?

People who cross gender boundaries suffer clear discrimination. Last year, the National Center for Transgender Equality and the National Gay and Lesbian Task Force published a survey that suggested that the unemployment rate among transgender people is double that

of other people. In addition, of those respondents who were employed, 90 percent reported some form of mistreatment at work, such as harassment, ridicule, inappropriate sharing of information about them by supervisors or co-workers, or trouble with access to toilets.

Moreover, transgender people can be subject to physical violence and sexual assault as a result of their sexual identity. According to Trans Murder Monitoring, at least 11 people were murdered in the United States last year for this reason.

Children who do not identify with the sex assigned to them at birth are in an especially awkward position, and their parents face a difficult choice. We do not yet have the means to biologically turn young girls into boys, or vice versa. Even if we could do it, specialists warn against taking irreversible steps to turn them into the sex with which they identify.

Many children display cross-gender behavior or express a wish to be of the opposite sex, but when given the option of sex reassignment, only a tiny fraction undergo the full procedure. The use of hormone blocking agents to delay puberty seems a reasonable option, as it offers both parents and children more time to make up their minds about this life-changing decision.

But the broader problem remains that people who are uncertain about their gender identification, move between genders or have both female and male sexual organs do not fit into the standard male-female dichotomy.

Last year, the Australian government addressed this problem by providing passports with three categories: male, female and indeterminate. The new system also allows people to choose their gender identity, which need not match the sex assigned to them at birth. This break with the usual rigid categorization shows respect for all individuals, and if it becomes widely adopted in other countries, will save many people from the hassle of explaining to immigration officials a discrepancy between their appearance and their sex as recorded in their passport.

Nevertheless, one may wonder whether it is really necessary for us to ask people as often as we do what sex they are. On the Internet, we frequently interact with people without knowing their gender. Some people place high value on controlling what information about them is made public, so why do we force them, in so many situations, to say whether they are male or female?

Is the desire for such information a residue of an era in which women were excluded from a wide range of roles and positions and thus denied the privileges that go with them? Perhaps eliminating the occasions on which this question is asked for no good reason would not only make life easier for those who can't be squeezed into strict categories, but would also help to reduce inequality for women. It could also prevent injustices that occasionally arise for men, for example, in the provision of parental leave.

Imagine further how, wherever homosexual relationships are lawful, the obstacles to gay and lesbian marriage would vanish if the state did not require the spouses to state their sex. The same would apply to adoption. (In fact, there is some evidence that having two lesbians as parents gives a child a better start in life than any other combination.)

Some parents are already resisting the traditional "boy or girl" question by not disclosing the sex of their child after birth. One couple from Sweden explained that they want to avoid their child being forced into "a specific gender mold," saying it is cruel "to bring a child into the world with a blue or pink stamp on their forehead." A Canadian couple wondered why "the whole world must know what is between the baby's legs."

Jane McCreebie, the author of "Making Girls and Boys: Inside the Science of Sex," criticizes these couples for going too far. In the world as it is today, she has a point: Concealing a child's sex will only draw more attention to it. But if such behavior became more common — or even somehow became the norm — would there be anything wrong with it?

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