

# Cognitive Psychology in the Context of Intersex and Trans Identities

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## Abstract

Gender and sexuality are central questions of identity, as they have been throughout history. Non-binary gender communities as well as queer communities have a long history of struggling for recognition and rights. This paper looks specifically at two identities: intersex and transgender. Michel Foucault argues that knowledge is power. Essentially, this argument expounds that knowledge is not objective. Rather, it is produced by the existing system of power and exists in order to perpetuate this existing system. Therefore, the knowledge portrayed as “objective” really exists in such a manner as to reinstate an existing power system and reproduce hierarchy in society. Patriarchy is one of the central power structures prevalent in society today. The knowledge produced as a result, caters to this structure of power. It reasserts a binary gender structure, positing the ‘male’ as the center and the ‘female’ as the periphery. Identities such as intersex and transgender, which exist beyond this binary structure are seen as complete outliers. This paper assessed the power structure explained by Foucault, as reproduced by the methodology of cognitive psychology as a discipline. Most scholars working in the field of cognitive psychology reduces gender and sexuality to fundamentally ‘biological’ and therefore ‘intrinsic’ and ‘objective’ domains. The methodological limits of such a reductionist science do not allow for inclusion of various identities.

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## **Introduction**

In several instances, members of the Lesbian, Gay, Bisexual, Trans, Queer/Questioning, Intersex, Asexuality plus (LGBTQIA+) community have been considered ‘less human’. In the case of Hitler’s genocide or Stalin’s regime, members of these groups have been punished. Even in other communities, they have been ostracized and often their existence is seen as requiring intervention in order to establish normalcy. Practices such as corrective rape have been prevalent throughout history. It was only in 2014 that the trans community was officially recognized by the Indian government. It was as late as 2016 that the USA accorded legal validity to same sex marriages. These communities, beyond fighting for their rights legally, have also had to fight a battle against social stigmas that surround their existence. This social stigma has often been validated by a biological reductionism.

Cognitive psychology has emerged as a discipline that seemingly reinforces this methodology of reductionism. Binary gender distinctions are inadequate in exploring the psychology of any person who does not conform to the binary, either biologically (intersex) or socially (transgender, gender fluid, etc.). The choice of the distinction can therefore, given its roots in history, be seen as reinforcing the gender binary and expounding a system wherein other identities are only understood in relation to the two gender identities – male and female. This methodology, if truly employed, would then posit the ‘male brain’ as the center. All other kinds of cognition, if assumed to have a separate existence, would be understood only in relation to the masculine brain, which is assumed to be the ideal form. Through a comprehensive overview of the history of the discipline, the paper aims to assess the role gender has held as a category of analysis in the field.

Michel Foucault’s (1980) argument regarding power and knowledge and their interrelation is used as a method of criticism. In his text “Power/Knowledge”, he argues that all knowledge, including scientific objective knowledge, is produced in such a manner as to reproduce an existing system of power. The central claim is that knowledge is produced in the same system that operates on power structures in society. The discourse, or set of statements held as knowledge in various fields, therefore, simply exists to perpetuate this system of power within which it operates. Hence, the employment of the category of gender as central to the study of cognitive psychology, especially as the shift towards neuroscience is being made, reinforces the gendered structures of society. It therefore follows that such an analysis will contribute to and perpetuate patriarchy, the central power system surrounding gender and sexual identity.

## **The History of Cognitive Psychology through a Gendered Lens**

One of the main issues that scholars have faced is in defining gender. Gender is often described as “multiple, contestable, and still a matter of debate” (Capdevila & Lazard, 2014, p. 766). It is therefore difficult to discuss a history of a field in relation to gender.

Prior to the 1960s, gender was hardly used as a category in cognitive psychology. However, ideas surrounding our current understanding of gender or similar conceptual frameworks have been a part of psychology since its foundation (Hollway, 1989). Psychologists, since the birth of the discipline, have used gender norms, stereotypes and assumptions to propose theories about the psychological makeup of men and women (Shields, 1975; Shields, 1982; Shields, 2007). This perceived distinction in the abilities of women and men stemmed from other social stigmas. Women were perceived as restricted to the private sphere, while men were seen as occupying the public sphere. This was perceived as indicating an inherent difference between the psychological makeup and cognitive abilities of men and women (Shields, 2007). It was also understood that women and men of other races were inferior to white men of European descent (Daston, 1992; Shields, 1982). This clearly indicates that the categories used for analysis have a bearing on the stereotypes that pervade society, as well as emerging from the same traditions. Methodologically, this becomes an interesting exploration. It raises the question if using the category of gender for analysis not only draws from established norms surrounding gender roles, but also reaffirms them and makes them scientifically valid. Any two groups of people studied would have separate psychological makeups. The attribution of a particular psychological makeup as inherently better has become the basis of divisions of society; whether in the case of race or gender.

Theory of Mind [ToM] offers another crucial example of the methodological tools used to assess gender as a category for analysis. Theory of Mind has also used neuroscience and biological reductionism in its approach. This is important as these tools are often used to make knowledge seem objective and factual, based on the scientific method. Theory of Mind refers to the ability to explain and predict the mental states of others. It is a social cognitive ability in which the predictions are based on a person’s underlying beliefs, feelings and intentions. Simon Baron-Cohen (2010) proposed that women have a more empathizing style, i.e. they can read the emotions of other better and respond appropriately. This conclusion is drawn based on tests which measure the affective dimension of social cognition (McClure, 2010), social sensitivity (Baron-Cohen), empathy (Baron-Cohen) and emotional intelligence (Rivers et al., 2012). Several studies have also attributed the gender distinction in the Theory of Mind to distinctions in the neural framework of males and females, such as the medial prefrontal cortex (Carrington & Bailey, 2009). Two studies have specifically applied brain stimulation in order to assess differences in social cognition between the two binary gender identities (Fumagalli et al., 2010). This methodological reliance on studies surrounding the Theory of Mind upon gender as an operative category for analysis is crucial. It is indicative on the manner in which neuroscience and cognitive psychology in assessing the modes of thinking of people have used biological reductionism as a crucial methodological tool across time and space.

Beyond the methodological tool which relies on an established gender binary, gender identity and sexuality in the history of cognitive psychology has been viewed as an illness. Both major diagnostic manuals of mental illness, the World Health Organization's International Classification of Diseases (ICD) and the American Psychological Association's Diagnostic and Statistical Manual (DSM) have also viewed gender and sexual identity beyond heterosexuality and cis-gender identities as 'abnormal' and have classified these conditions as illnesses.

ICD-6, the first edition of the ICD, published in 1948 only looked at mortality. Given that gender identity or sexual orientation did not impact mortality, these conditions were left out of the initial classifications. These conditions did not appear in ICD-7 (1955) either. In 1965, the ICD-8, given the changing conception of gender and sexuality, classified sexual deviations as illness, but separated it from personality disorders. Transvestitism was one of the first identities to be included in this classification in ICD-8. ICD-9 modified the definition but continued to look at this basic identity and cross-dressing as a mental illness. The ICD-10 in 1990 included a new category of disorders; gender identity disorders (F64). This included five diagnoses: transsexualism, dual-role transvestism, gender identity disorder of childhood, other gender identity disorders, and gender identity disorder.

The World Professional Association for Transgender Health (WPATH) made recommendations for the ICD-11 based on what was enlisted as an illness in ICD-10 in 2013. The ICD-10 category of F64.0 classified transsexualism as 'Gender Incongruence of Adolescence and Adulthood', characterized by 'a marked and persistent incongruence between an individual's experienced gender and the assigned sex'. Further, the F64.2 category classified Gender Identity Disorder of Childhood as '*Gender Incongruence of Childhood*' characterized by 'a marked incongruence between an individual's experienced/expressed gender and the assigned sex in pre-pubertal children'. The category of Gender Incongruence is under Mental and Behavioral Disorders in ICD-10. The F66 category is titled "Psychological and Behavioural Disorders associated with Sexual Development and Orientation". This section includes Sexual Maturation Disorder, Egodystonic Sexual Orientation, and Sexual Relationship Disorder. ICD-10 diagnoses these based on gender identity and sexual orientation.

The DSM has a similar history. DSM-I (1952) and DSM-II (1968) do not consider the question of gender or sexuality. Under DSM-III (1980), transsexualism and Gender Identity Disorder of Childhood are classified as psychosexual conditions. In the revised edition of the same, published in 1987, both these disorders were shifted to the category of disorder usually first evident in infancy, childhood or adolescence. In DSM-IV (1994) they were moved to a new category of sexual and gender identity disorders. Transsexualism was shifted under gender identity disorder in adolescents or adults. These disorders were then classified as paraphilias and sexual dysfunctions.

This sort of classification has led to a lot of opposition. LGBTQIA+ groups, such as WPATH have often raised concerns regarding variations in gender identity and sexual orientation being termed as disorders. One of the main issues that makes it imperative to continue to classify these conditions under these manuals is for access to healthcare. Without a proper classification of the condition, services such as medical and surgical treatment will often be denied. It is therefore that DSM-V and ICD-11 aim to find a balance between stigmatizing these conditions and ensuring access to services (Drescher, 2010).

Cognitive psychology today is beginning to rely more greatly on neuroscience interventions. The issue with neuroscience and its biological reductionist approach is apparent in the ToM study and other methodological tools as mentioned above. The conception of gender in medical history also seems to indicate a trend towards using a scientific methodology to reassert the gender and sex binary. As changes are happening in the DSM and ICD towards a greater inclusion, it is imperative to assess if the same methodological tools which led to discrimination against these sections of the population can be used to develop more inclusive concepts and understandings of gender and sexuality.

This history of the discipline clearly indicates the reliance of cognitive psychology upon an understanding of gender that is fundamentally reductionist. Gender has been used by the field in an understanding and expounding of identities as male and female. There is no great intervention in the field in order to understand more dynamic identities. When gender is assessed, it is in the light of male and female as categories. Interventions have been made in order to understand males and females as having less essentialist cognitions. These two categories have become central to defining gender or sex. However, there is still a lack in understanding of non-cis identities.

### **Michel Foucault: Power/ Knowledge**

Post-structuralist thinker Michel Foucault spoke of discourse. A discourse is a series of statements made about a topic. For example, statements such as ‘lying is bad’ create the discourse surrounding lying and morality. Knowledge production must be evaluated in this light. The claim of Foucault is that discourse produces knowledge, not merely reflects it. Discourse is not simply mimesis, or a reflection; it is a two-way process. It is imperative to look into how authority makes these statements and what the statements are made about. Further, knowledge produced is associated with power. Foucault states that the people who make statements about most topics are those in power. Any individual can make a statement, but for it to contribute to discourse, the person making the statement must be of a certain social position and standing within society. In his work *Discipline and Punish* (1977) he speaks of how power operates at various levels in society. Discipline is the mechanism of power. Discipline operates through

various structures in society that aim to make the individual utilizable and docile. Utilizable bodies are those that the nature of power that exists in society demands, and docile bodies ensure the operation of power is never questioned and the system may be reproduced.

The primary category through which discipline is enforced by the modern state, for Foucault, is sex. Sex operates as a divisive force, segregating the insane, delinquent, hysteric, and homosexual individual. The state developed a regulatory mechanism in order to control people based on the sexed nature of their bodies. The model he proposes is the *biopolitics of the population*. This model holds that the state's attention lies in the reproductive capacities of bodies, their health, mortality and birth. It is through this biopolitics that the state regulates the acts of the individual and inscribes upon the individual a certain manner of performance of their identity as given by the state, based on their sexed body. The state, then, aims to create *docile bodies*.

Patriarchy is the system of power that posits the structural position of the *male* as the central, ideal position. Women, trans, intersex and all other queer or non-binary identities are therefore, the periphery. The woman is understood as what the male is not (Gilbert & Gubar, 1984). The woman is a secondary position. It is essential for patriarchy to also uphold woman as the secondary category of analysis. Other sex and gender positions are not even considered. Rather, they form the periphery of this power structure.

This creation of docile bodies happens through the power systems that exist in society. The power system if enforced in a top-down manner would cause people to rebel against it. However, the manner in which power operates prevents this from happening. One of the mechanisms by which the state production of the sexed body is reinforced is through the process of knowledge creation. Knowledge is created by the discourse surrounding sexed bodies. The reductionism of the gender identity of an individual to their sexed body, therefore, leads to an individual that is produced as passive or docile. The knowledge discourses that use the category of gender reinforce the inevitability of the sexed body and the objective relation it appears to have with gender. It is necessary for such a system of power to uphold gender and sex as having an inevitable, intrinsic relationship. This coupled with the methodology of scientific endeavor has made biological reductionism the most common mode of analysis of gender and sex.

### **Gender as Performance**

The argument for gender as a social construct has come to become the dominant mode of thinking about and conceptualizing gender. This mode of thought views gender as distinct from sex. Sex is seen as biological, while gender is performative, and is socially constructed. Gender, therefore, is a social role which is ascribed to one based on their biological sex. Gender is only a

performance based on the roles ascribed to one based on their sex, rather than an intrinsic or innate tendency to behave or think in particular ways.

Gender is similar to culture in this regard (West & Zimmerman, 1987). It is only upheld by people 'doing gender'. The gendered system becomes so deeply indoctrinated into an individual through the process of socialization, that it is performed without much awareness of what one is doing. Gender construction for children begins at birth. Gender is then, constructed around the genitalia a child is born with. The sex category translates to a gender identity through the process of naming, dress, toys given to the child, and other such indicators. The child is taught to perform their gender (Lorber, 1995). This gender ascription is also replicated in the process of parenting. The father, or male parent, is supposed to fulfil certain roles and duties for the child. The mother, or female parent, has to carry forth certain other duties. Freud's notion of castration anxiety and penis envy also depict how one becomes socialized into gender roles. The child, in the process of socialization, becomes compelled to behave in the same manner as the parent of the same sex. Evidence of this is seen across the history of feminist thought. Simone De Beauvoir in *The Second Sex* argues that temporality must be considered when the question of gender is considered. Temporality is central to an individual's performative gender. Gender is learnt through the process of socialization and is therefore a temporal concept. As Beauvoir (1972) argued, "One is not born, but becomes a woman" (p. 330). Judith Butler reads Beauvoir and reasserts this central claim. Gender is a process of interpreting the body; giving it a cultural form. It is not a realization of a fixed ontological status (Butler, 1986).

The lack of ontological prescriptions and gender as a performance is solidified in evidence of historical matrilineal societies. The influence of Taoism in Shanghai leads to an establishment of gender roles as opposing the roles of Confucian dominant male societies. The male in this society performs the household chores, traditionally those of the private space. He cooks, cleans and performs other domestic duties. The woman, on the other hand, must work (D'Alba, 2012). In Kerala, there has existed a system of *Marumakkathayam*. This system organizes the family structure in opposition to the dominant tradition of patriarchy. Inheritance and succession is seen through the sister's children in the female line. Besides property, the matriarch, or oldest woman holds power and takes important decisions regarding finance and other household matters (Menon, 1998). In this way, we see the manner in which gender historically is a socially ascribed status to one's biological sex. It is assigned at birth and those who refuse to perform their gender as ascribed on birth are then termed as lying outside the gender binary and historically have been classified as *abnormal* (Menon, 1998).

### **The Question of Trans Identity and Intersex**

Trans identity can be understood through two dimensions. Transsexuals are those who have a sex-change surgery. Transvestite refers to someone who dresses in opposite-gender clothing, i.e.,

they perform the gender ascribed to the opposite sex than the one ascribed to them at birth (Lorber, 1995). The UNFE (2017) defines intersex as people born with sex characteristics; gonads, chromosomes, and genitals, that do not fit the gender binary of male and female. It is an umbrella term which includes people that fit a wide range of variations in identity. It is common for people born as intersex to undergo surgery as children in order to make their appearance conform to either male or female.

One of the main ways in which these identities have been theoretically understood can be found in the idea of Social Constructionism. This constructivist idea is similar to the idea in the earlier section that gender is performed. Gender is a role constructed by society and therefore, is performed (Lorber, 1995). It is not intrinsic or innate to individuals, unlike what Freud argued in his earliest conception of gender and sexuality. The issue with this construction as seen above is that the view of gender as simply performative is a negation of the experiences of intersex and trans individuals. If gender is simply a social performance, it implies that one can choose to perform the gender that corresponds to the sex they are born into. While this simplistic view of gender as simply performative is still the dominant understanding of gender, it has been revisited and reworked. The question of gender as the social condition and cognition created by the biological sex one is born into, is questioned by the existence of intersex individuals. If behavior is traced to a particular form of sex characteristics, it leaves no space for those born with variations of these characteristics.

It has been argued that a gender role, therefore, exists neither as simply a biological or social category (Amato, 2016). The relationship between sex and gender therefore, is of a sexed embodiment which constitutes interrelated complex processes which point towards subjectivity in the way an individual experiences their own body. It is a manner in which the individual contextualizes and communicates their own biology (Butler, 1990). The role that sex characteristics play in gender can vary amongst individuals. This is why certain trans individuals may choose to have sex reassignment surgery, while others may prefer not to. Gendered and sexed realities cannot be seen in isolation of a cultural discursive system.

This understanding points toward a completely subjective understanding of gender and the way in which it exists. This would make its reduction to a biological category completely arbitrary. Cognitive psychology using gender as a category of analysis therefore becomes reductionist. A self-report assessment of gender as well would be inadequate. It would be difficult for such a use of gender to indicate the distinction between the sexed body and performed gender. Moreover, if differences in cognition lie in the differences that exist in sex characteristics of bodies, such as hormones, it could not be measured in the case of trans individuals who have not changed their sexed body to their performed gender. The intersex question is even more difficult, as variations in sex characteristics do not allow for a simple correlational understanding of one sexed characteristic as most dominant. Moreover, any method of analysis thus employed has

understood and conceived of trans and intersex identities only in relation to the male and female. The binary has been the primary category of analysis. These identities are seen as combinations of the two 'normal' identities of male and female, as outliers, or other such anomalies. Evidence of this understanding is seen in the classification of these identities as abnormalities in various diagnostic manuals, as seen above.

An understanding of the trans and intersex questions must consider the sexed aspects of an individual body as well as questions of a performed gender. It is an interplay between an individual's gendered reality and sexed body. Forced sex reassignment surgery for intersex individuals leads to a divide between their self-conceived gendered self and the sexed embodiment post-surgery. It is for the same reason that certain members of the trans community may choose not to have surgery and change their sexed body to their performative gender. It is not adequate to conceive of gender or sex in a manner only relational to the binary of male and female.

### **Discussion**

It is important to note that given the manner in which discourse operates in the Foucauldian framework, the methodology of the subject has to be evaluated as part of a larger system. The larger power system of patriarchy depends on maintaining and perpetuating a gender binary and moving all other gender identities and sexual orientations to the margins. Power resides on the basic premise of having one community, or identity as the center and other communities as occupying the periphery.

In its methodology, cognitive psychology has often drawn upon several operative categories for analysis. Gender has been one such category. All of these studies have led to findings that reaffirm core beliefs that certain gender groups are superior to others. The masculine identity has been seen as superior, and the feminine identity as the periphery. The power system can also be expounded as placing masculine and feminine identities of cis-gendered individuals as central. This distinction is only in the light of constructionism, which poses its own problems.

Cognitive psychology as a discipline has historically relied, and even today continues to rely heavily, upon reductionist understandings of sex. Neuroscience is a mode of inquiry that assess brain function and looks at the details of the way in which the brain functions. The ToM approach in modern cognitive psychology rests upon this basic reductionism. Sex is understood by reducing it to the biological organs one is born with. Intersex individuals are often forced into one of the two primary sex identities through forced sexual reassignment surgery. The social constructionist argument for gender has been severely critiqued for its dismissal of trans identity. Constructionism of gender was a product of liberal feminism, which at the time was not intersectional and only aimed at making women at par with men. The idea of constructionism

implies that an individual may simply choose to perform a gender they are born into. This is a dismissal of trans persons' experience. Constructionism became a tool to emancipate only cis-bodied individuals. The manner of knowledge production has therefore been extremely dismissive of trans and intersex identities in cognitive psychology among other disciplines.

With the transgender and intersex community, the issue is slightly more complex. They are beginning to be studied as a separate gender group and the aim is to create knowledge around these groups. In studying these communities, it is imperative to note the difference between social and biological factors. However, studying their cognitive abilities through assessing the brain and its functioning may not always be an accurate representation of these peoples. Cognitive psychology aims to assess all behavior in the light of brain function and cognition. This does not allow for dynamicity as the data is collated to produce coherent views of communities. The community may not be adequately represented in this process. The discourse developed in this manner also tends to perceive these identities as lying in between the male and the female, rather than having their own existence. The existing data is that of male and female and other identities are placed between these two categories that have come to be the two ends of the spectrum, with all other identities being relational to them.

The argument here is that when knowledge about multiple groups is being generated, it is discourse that constructs one group as superior to the others. This occurs because what is being measured and what is viewed as a good quality is dependent on a larger discourse that has already established the central position of the superior group, such as the male in gender discourse. Continuing to use operative categories of gender as groups for study in cognitive psychology is therefore problematic. When qualities are assessed they must not be measured in gender based groups. Gender based distinctions lead to the emergence of certain 'in groups and out groups in society and the knowledge created perpetuates a system of unequal access based on perceived unequal skill. It makes perceived differences seem inherent by using the category of gender as a basis for study. While it can be argued that neuroscience has the potential to produce 'objective' data, this must be critically understood. Data does not lie separate from its interpretation and the interpretation is in the light of these established categories.

### **Conclusion**

It is crucial to note the implications of critical theory for objectively produced knowledge. The methodology of disciplines may be subject to bias. It is crucial to acknowledge this bias and develop newer methods of thinking and producing knowledge. The established strain of thought must be questioned. The methodology of cognitive psychology that depends so fundamentally upon gender distinctions must be questioned. The methodology must move beyond being restricted by the gender binary and only understanding variation in identity in relation to this distinction. Members of the LGBTQ+ community, and specifically of the transgender and

intersex communities have been marginalized and ostracized for several centuries. It is imperative that discourse becomes inclusive and allows all individuals to have knowledge about themselves and their identities.

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