

## Interview with *Maximum Rock and Roll* (excerpts)

by *mimi nguyen*

On Saturday, February 2, 2002 Dean Spade had to pee. So after six hours of protests in the bitter New York City cold outside the World Economic Forum, Dean and his affinity group entered Grand Central station in search of relief. Dean entered the restroom marked “men’s” and was followed by a police officer, who demanded identification. Dean explained that he was in the right restroom, that he is transgender but understood the officer’s confusion, and offered to use the premises quickly and leave. Craig Willse entered the bathroom after his friend and attempted to defuse the situation. When Dean attempted to leave the bathroom, however, the police officer pushed him against the wall and called for back-up. Craig tried to intervene in the arrest and shouted for help. Both were arrested, and while leaving the bathroom another member of their group, Ananda LaVita, attempted to un-arrest Dean. All three were then dragged out of the train station.

The three were held for 23 hours and three different precincts. They were released on their own recognizance to a courtroom packed with friends and allies wearing “Living Trans in Not a Crime” stickers. Among the three of them, they were charged with multiple counts of disorderly conduct, trespassing, resisting arrest, and obstruction of government administration. While all charges were dropped at the following court appearance in March, Dean Spade (who is also a lawyer) and a number of other progressive legal organizations are pursuing the case to highlight the everyday violence of gender enforcement, transphobia and its role in the maintenance of the state and capital. A zine was quickly produced about the arrests called *Piss and Vinegar* and is distributed by the members of the Anti-Capitalist Tranny Brigade. (More details about the arrest are in the zine.) Mimi Nguyen chatted with Dean and Craig about the politics of transgender activism, and about the linkages between gender regulation, the state, and globalization.

**MRR:** The “commonsense” assumption about gender is that it is innate, a metaphysical substance which is hardwired into our genes or hormones or some more ethereal essence. Of course, a closer look would reveal that what counts as “appropriate” gender has always been negotiated and regulated which would suggest that there is nothing “natural” about gender (or sexuality) after all. In the Western nations in the late 1800s it was suggested that education rotted the uterus, in the 1950s it was “obscene” for women to wear pants. What is your understanding of gender, and by extension transgender?

**Dean Spade (DS):** I guess I see gender as a regulatory system—a hierarchical set of mandates that require certain people to do certain things at certain times—that orders the lives of everyone in ways that foreclose everyone’s possibilities for fully inhabiting and self-determining our bodies and minds. As you point out, what those mandates are, and how they work, varies widely on cultural, racial, economic, and historical bases. In any arrangement, though, resources are distributed according to this regulatory system, and it is harshly enforced with consequences ranging from social stigma to death. Transgender, to me, is about disrupting those regulatory systems, and interacting with gender in a way that is specifically aimed at disruption. This means violating the two basic rules of gender: 1) that you can’t change your gender identity and 2) that you have to occupy a single gender category cohesively—meaning fully inhabiting the characteristics associated with “male” or “female.” So, to engage transgender politics is to let go of these two rules, and to allow yourself and other to move within gendered meanings as we wish. It means using the

pronouns people want to be used, calling people by names they want to be called, not telling them how they have to look or talk or act or move in order to conform to gender norms, and supporting changing the world so that the methods of coercion (social, legal, medical, educational) used to regulate gender are eliminated.

**MRR:** And to clarify, what is the relationship between transgender and transsexuality? Where do queer debates about butch/femme, androgyny and drag fit in—or don't?

**DS:** “Transsexual” is a term that is mostly associated with the medical model of understanding people who's gender identities are contrary to the gender they are assigned at birth, and who seek medical intervention in the form of surgery and/or hormones in order to change their gendered characteristics and live in their new gender identity. Many trans people are adverse to this term, or feel it is too constrictive, because it is used in a medical context in which we are pathologized and considered mentally ill. The term transgender has emerged to indicate a broader variety of experiences. Many people use it as an umbrella term (like “queer”) to indicate a variety of genderfucking people: crossdressers, drag kings and queens, genderqueers, transsexuals, FTMs, MTFs, etc. In this way, the term can be used as an organizing tool—a way of calling out to all people who are facing punitive gender norms and subject to gender policing because our gender presentations make people uncomfortable and angry. The term can be used to affirm the experiences and resistances of people living in violation of gender norms.

**CW:** As far as how I use them, I think of “transsexual” and “transgender” as roughly parallel with the terms “homosexual” and “queer.” So, transsexuality and homosexuality reference a pathologized understanding of sex/gender, and both are closed terms—they serve to mark out a small, aberrant group of people from the “general public” against whose normalcy perverts are defined. In contrast, “transgender” (or simply “trans”) and “queer” are more politicized terms that signal an oppositional stance to sex/gender regulation and hierarchy. They are open, not closed, in the sense that a transgender identity is not confined to someone who has surgery, or passes, or feels like they are trapped in the wrong body; and queer is not about fucking someone of the “opposite” gender, but fucking gender and dislocating sex from romanticized, heteronormative constructions. Of course, queer has been used in totally reductive ways as a synonym for “gay” by marketers and mainstream groups, and some trans people call themselves “transsexual” but challenge in their lives and politics medical conceptions of coherent gender. Language is always strategic, so the meaning of these terms shift in different contexts, and any word can take on oppressive weight or liberatory potential.

**MRR:** The assumption is often made that gender or transgender issues are merely “personal” issues with no bearing on larger social forces. Clearly your arrests would suggest otherwise — that public space is a contested site for those who transgress gender norms. As Craig writes in his contribution to *Piss and Vinegar*, “What bodies can travel free of harm through our violently policed cities?” What do you think is the state investment in gender regulation? Why is it explicitly illegal to use the “wrong” restroom?

**DS:** I think this debate about whether one person's gender expression is a “trivial” matter is essential, and actually brings up a lot of old conversations that feminists made public during the

2nd wave. Up to that time, people thought that issues around women being paid less, women being forced to wear restrictive or sexualizing clothing to work, women being systemically harassed in the workplace, and the like were trivial, personal, and individualized. It was only through a lot of organized effort that more and more people came to see that gender hierarchy had deep impacts on all women, and all men as well, restricting everyone's ability to survive, avoid violence, marry or divorce as they wanted, have kids when they wanted, etc. Similarly, when you look at trans issues as being about the narrow issue of whether one person gets to be called by a certain name or use a certain bathroom, it can seem trivial. However, when you look at how all people are subject to extreme regulation on broad scales like the law as well as narrow issues like what we wear and how and who we fuck, you begin to see that a struggle for transliteration and a deregulation of gender is a struggle to end a lot of systemic violence and suffering. I see where a lot of struggles fit into this, like the struggle over low-income women of color being disproportionately tested and then jailed for having drugs in their systems while pregnant, or conversations about compulsory circumcision for male and female babies, or struggles over rights for immigrant domestic workers working independently in wealthy homes for below survival wages. All of these struggles have some part that is about compulsory enforcement of gendered norms onto the bodies of people, to their extreme detriment. They are also intimately connected with racial and economic privilege, and I see that as an essential component of any inquiry into how gender policing occurs, because it does not occur on the same terms for people in different economic, racial or immigration statuses. The state investment in gender, like in hierarchical systems of race, immigration, and income, is that it is a regulating opportunity whereby the regulation itself becomes invisible or assumed to be natural, when in reality it is an artificial condition of oppression.

**CW:** I think one aspect of the state's investment in gender regulation stems from a keen interest (to put it mildly) in the maintenance and reproduction of capitalism. Gender regulation is big business. Normative gender regimes create and multiply consumer needs—clothes, make-up, gym memberships, sports cars—that are marketed along gendered lines. Why sell just one kind of deodorant when you could sell two—one strong enough for a man, but made for a woman! People in the U.S. grow up believing their gender presentation will never be good enough, but it can be made better through shopping. Men's and women's magazines, men's and women's watches, men's and women's entertainment—these commodities don't simply meet a consumer need, they create and perpetuate gendered consumer markets. We grow into the shapes that markets trace.

**MRR:** What does it take to be good trans allies?

**DS:** Good trans allies do more than use the right terms or come to a drag show. Being a good trans ally, like being a good activist in general, involves thinking personally about ideas and applying them to your own life in an intimate way. It means being as invested in transliteration as you think a trans person is, and working as closely to uncover how you participate in gender regulation as you can. So much of gender policing occurs in ways that seem trivial or personal, and it requires each of us to really take apart our minds and find the locations of these norms in order to create safe spaces for new gender actualizations to thrive.

**CW:** In my efforts to be a good trans ally, I've tried to start out by being honest about what buttons of mine trans issues push. And I've tried to interrogate those hot spots on my own, without



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projecting them on to trans people or asking trans people to guide me through my learning process. Don't ask trans people if they've had surgery, what their families say, how they expect to get a job-if a trans person trusts you and thinks they will get something out of that conversation, they will start that dialogue. I've also tried to share some of the burdens that trans people deal with as far as educating and challenging non-trans people. If I invite someone to me and Dean's home, I let them know before they come that we live in a trans and transpositive house, and we expect people's politics to meet those standards. I talk to people who fuck up pronouns. In group settings, I make an extra effort to use lots of gendered terms when referring to trans people present, so new people in the crowd will have an example to follow and won't use "wrong" pronouns because they're making incorrect assumptions about someone's gender. I also don't think I've figured it all out, I expect to make mistakes and though I won't beat myself up for not being perfect, I demand of myself a commitment to doing hard work.

And I think being a good trans ally means simply taking these issues seriously. Think of every moment of every day that someone addresses you by your gender, and think how easy and comfortable that feels. Think about giving that comfort up. If that doesn't seem like a big deal to you, recognize how many lives you are conveniently dismissing.

**MRR:** What was the general response to your arrests?

**DS:** We received hundreds of emails from all over the world from people who were shocked by what happened and pledged their support for our case. The emails varied, some from trans people, some from cops, some from queers, and some from anti-capitalists who had never thought about trans issues before but were seeing the connections between their work and trans struggles for the first time. There were also some responses that were negative. Some people wrote to message boards that they thought the arrest was my fault for refusing to show I.D. and that I should have complied with the cop's (illegal) requirements. Others wrote that it was my fault for not passing as a man more, and that I shouldn't use the mens' room if I wasn't going to pass. Of course, this is a ridiculous position because I have been kicked out of both men's and women's restrooms, so the only answer I guess would be to never use restrooms since I don't look enough like a man or a woman to fit in either room all the time. These negative responses were very hard to hear, of course it always sucks to have something violent and awful happen to you and then be told its your fault, but the positive and supportive responses far outweighed the negative. Also, the negative responses created a great opportunity to start conversations in trans and non-trans spaces about what it means to resist police state practices and how we can work to have a broad view of transliberation that includes rights for all trans people, not just those who 'pass' as non-trans men or women.

the full version of this interview is available online at <http://www.makezine.org/mimi4.html>