

Biological Sex and Gender in the United States ^[1]

By: Schnebly, Risa Aria Keywords: [Sexual dimorphism](#) ^[2] [Biological essentialism](#) ^[3] [Transphobia](#) ^[4] [LGBTQIA+](#) ^[5] [Queer history](#) ^[6]

In the United States, most people are assigned both a biological sex and gender at birth based on their chromosomes and reproductive organs. However, there is an important distinction between [biological sex](#) ^[7] and gender. Biological sex, such as male, female, or intersex, commonly refers to physical characteristics. Gender refers to the socially constructed roles, behaviors, and actions people take on, usually in relation to expectations of masculinity or femininity. As of 2022, many different groups continue to debate the specific relationship between sex and gender. No matter the relationship, people's biological sex and gender greatly influence the way they understand themselves, as well as how others treat them and how they interact with society. Moreover, some people's gender differs from what they were assigned at birth, and they face discrimination, harassment, and violence. Evolving understandings of gender and sex in the US have created more ways for people to live and express their gender identities.

In the US, most people are assigned a gender at birth according to their biological sex. People who are male at birth are usually assigned and raised according to stereotypical expectations of men, while people who are female at birth are usually assigned and raised to act according to stereotypical expectations of women. People who feel comfortable living as the gender they were assigned at birth are cisgender. People who do not feel comfortable living as the gender they were assigned at birth are transgender. In 2016, the University of California, Los Angeles, in Los Angeles, California, conducted a study showing that up to 1.4 million people in the US, or 0.6 percent of the total population, were transgender. For some people who were born intersex, or people whose bodies do not conform with stereotypical expectations of males or females at birth, a gender that is often chosen for them at birth may not feel accurate for them later in life.

Additionally, many people who were born male or female may also feel that their label as either a man or a woman is not accurate to their identities or experiences, either. As a consequence, they may identify as a different gender than what they were assigned at birth. A person's gender identity has to do with their internal sense of their own gender, whereas their gender expression has to do with how they present their gender to the world. Many people who identify as or express a gender other than the one they were assigned at birth fall under the umbrella term gender diverse, which encompasses gender identities other than cisgender, such as transgender. Transgender is often defined as an umbrella term similar to gender diverse. Because gender comes from social expectations rather than people's biology, it is able to change throughout a person's life. However, in the United States, that [conception](#) ^[8] of gender only began to gain recognition during the second half of the twentieth century.

A person's biological sex usually refers to their status as female, male, or intersex depending on their chromosomes, reproductive organs, and other characteristics. Chromosomes are tightly packed DNA, or molecules that contain the genetic instructions for the development and functioning of all living things. Humans typically have forty-six chromosomes. Two of those are [sex chromosomes](#) ^[9] that contain instructions for the development and functioning of characteristics related to biological sex, such as reproductive organs. There are two kinds of human sex chromosomes, X and Y. Individuals identified as males tend to have one X and one Y chromosome, while those identified as females tend to have two X chromosomes. However, other people are born with other chromosome combinations, such as XXY, that lead them to develop a mix of characteristics. People who fit that description are often referred to as intersex, a category meaning that they are not born as strictly biologically male or female.

While gender is often conflated with biological sex, a person is not born with gender. Rather, people learn to act in accordance with the socially constructed expectations of their gender as they grow up. Social constructs are ideas that [humans](#) ^[10] originally invented and continue to perpetuate over time rather than being innate roles that exist in nature. People implicitly and explicitly learn how someone of their gender should act as they grow up by the people around them and by popular media. However, those expectations do not always fit with how people act. Gender-specific expectations often come from stereotypes. Stereotypes include widely held beliefs about a certain group of people based on oversimplified or prejudiced ideas. Some stereotypical expectations of men in the US include that they are supposed to be stoic and competitive, large and muscular, and financially provide for their household. In contrast, some common expectations of women in the US include that they are supposed to be polite and nurturing, slim and petite, and are expected to take on domestic work like raising children and running the household to societal standards.

Expectations of men and women can also vary by culture. The culture of the US may expect women to look and act differently than women in Saudi Arabia or Japan, for example. Moreover, different cultures might even recognize a different number of genders. While many cultures see just man or woman, other cultures have three, five, or more genders. Thus, rather than being universal to biological males, females, or intersex people, each human society uniquely determines the genders and gender roles within it.

Early uses of the word gender in reference to men or women tended to view it as one and the same as biological sex. According to The Oxford English Dictionary, the word gender had been used as early as the 1300s to describe categories of people. The Oxford English Dictionary's earliest record of using the word to specifically refer to men or women, though, did not occur until 1474, when someone used it in a letter to describe what the writer refers to as the masculine gender. Over the next centuries, when gender was used to refer to men or women, it was often synonymous with biological sex. However, according to the Merriam-Webster Dictionary, during the early twentieth century, the word sex became more associated with [sexual intercourse](#) ^[11]. As discussions of [sexual intercourse](#) ^[11] are largely taboo in the US, people began to use the word gender in its place to refer to a person's status as a male or female by the end of the twentieth century, a practice that is still largely common as of 2022. However, in the 1950s, gender psychologists who studied differences between the sexes began to reframe gender as something entirely separate from biological sex.

In 1955, John Money, a researcher who studied psychology, gender, and sex differences throughout the twentieth century, was one of the first people to use the word gender to mean something separate from biological sex outside of the context of grammar. In his article "Hermaphroditism, Gender and Precocity in Hyperadrenocorticism: Psychologic findings," Money first introduced the concept of a gender role. He defined a gender role as all the ways a person discloses themselves as being a man or woman. Money used the term gender role throughout several other papers that he published during the same year. Money asserted that people learn gender roles and that anatomy does not determine a person's gender, though he conceded that, in most cases, a person's gender roles align with their biological sex.

Money stated that he used the word gender rather than sex to be able to write about the psychology and behavior of intersex people, but his work was often controversial. For example, the intersex advocacy [organization](#)^[12], Intersex Society of North America, or ISNA, has criticized Money's role in the [John/Joan case](#)^[13] in the 1960s. In the case, Money encouraged a couple to raise their biologically male son as a girl after he lost his penis in a medical accident as an infant in 1966. Money asserted that learned gender was more important than biology. However, the patient involved in that case, David Reimer, reported that he was uncomfortable with his parents raising him as a girl.

The ISNA reported that when Reimer spoke out about the way Money treated him when he grew up, some used Reimer's story to argue that biology determines gender. Those opponents of dividing gender and sex argued that changing a person's gender from what they were assigned at birth was unnatural. However, the ISNA maintains that Reimer's experiences were the result of medical malpractice and Money's irresponsibility, as Reimer would not have identified as a girl on his own accord. The ISNA maintains that Reimer's case does not reflect the average transgender person's relationship with gender and should not justify the condemnation of transgender individuals. Nonetheless, in spite of Money's controversial tactics, which the ISNA labelled as irresponsible, his introduction of the idea of gender as separate from biological sex pushed other researchers to continue talking about the topic over the following decades.

In 1964, Robert Stoller, who researched psychiatry at the University of California, Los Angeles, or UCLA, in Los Angeles, California, reinforced Money's concept of gender as something separate from biological sex. Stoller asserted that cultures determine gender rather than biology. Additionally, in 1964, Stoller and Ralph Greenson, who also practiced psychiatry at UCLA, introduced the term gender identity at the 23rd International Psycho-Analytical Congress in Stockholm, Sweden, where psychiatric researchers from different parts of the world met to discuss their research. Stoller and Greenson defined gender identity as a person's internal sense that they belong to one biological sex and not the other. In contrast, they defined gender role as the behavior one exhibits in society around other people. Like Money, Stoller's use of the word gender often stemmed from studying people who were transgender or intersex and who needed distinctions between biological characteristics and psychological ones.

In the late 1960s and early 1970s, feminists, or people who advocate for equal rights between men and women, began to adopt the distinction between gender and sex that psychologists like Money and Stoller had put forth in the US. Feminist scholars like Harriet Holter, Jessie Bernard, and Ann Oakley explicitly cited Stoller and Money's ideas about gender in their works arguing for women to have access to the same opportunities as men. Those scholars used the concept of gender to argue against ideas that women held less power in society due to biological inferiority. Instead, they argued that rather than having biological differences, the differences between men and women were predominantly the result of culture and able to be changed. One scholar who utilized the idea of gender in that way was Gayle Rubin. In 1975, Rubin described gender as a socially imposed division of the sexes used to oppress women. However, since society constructs gender, Rubin argued that it was mutable and could be reformed to end women's oppression. Thus, many feminists of the time conceded that biological sex differences were real, with some even viewing biological sex as fixed, but framed gender as separate from biological sex and able to change throughout a person's life.

However, many arguments for gender equality that feminists in the US during the twentieth century put forth largely focused on the experiences of white, middle-class women. In the 1980s, other US feminists, and specifically feminists of color, called for more inclusive accounts of womanhood as feminists began using more complex definitions of gender. For instance, Elizabeth Spelman, who has researched and written on race feminism throughout the twentieth and twenty-first centuries, argued in 1988 that many feminists had mistakenly put forth that all women have relatively similar experiences because of their gender. However, Spelman asserted that women have vastly different notions of what it means to be a woman due to factors like race and class as well, and that putting forth one notion of womanhood mostly based on the experience of white middle class women was exclusionary and harmful to women outside of that group.

Though the 1980s brought some more recognition to experiences of gender from the perspectives of people of different races and socioeconomic classes, mainstream feminists and other activists in the US largely did not consider the experiences of LGBTQ+ people until the 1990s. LGBTQ+ is an acronym that stands for lesbian, gay, bisexual, transgender, and queer or questioning people, among other labels that describe people whose sexuality or gender differ from social norms. LGBTQ+ people had been fighting discrimination for decades, but their stories only became prominent toward the end of the twentieth century. The recognition of LGBTQ+ people at large came with increasing exposure for gender diverse people, including transgender, intersex, and gender non-conforming people, whose recognition pushed society to rethink their concepts of biological sex and gender. But even though recognition of some gender diverse people increased, intolerance against LGBTQ+ people was still pervasive through the end of the twentieth century in the US. A US poll from 1999 showed that sixty-two percent of respondents did not think that marriages between same-sex couples were valid.

In the 1990s, a greater variety of gender diverse experiences further developed the idea that gender also exists as a spectrum rather than a binary, and that a person's gender is not fixed at birth. Transgender and gender non-conforming authors like Kate Bornstein and Leslie Feinberg brought transgender and gender non-conforming stories to wider audiences through works of fiction like *Stone Butch Blues*, which Feinberg published in 1993, and *Gender Outlaw*, which Bornstein published in 1994. Both books followed main characters whose struggles with gender largely defined their experiences. Feinberg also helped popularize the word transgender in her 1996 non-fiction book *Transgender Warriors*, where she broadly defined transgender as a label that included anyone that crossed the boundaries of gender. According the American Psychological Association, increased recognition of such issues helped push feminists and gender studies scholars to be more inclusive of transgender and gender non-conforming people.

Since the 2000s, people often use the word transgender to specifically refer to people who identify as the opposite gender, though organizations like the National Center for Transgender Equality define it as an umbrella term to describe all gender diverse people. For instance, a person who was assigned to be a man at birth may later identify as a woman, or vice versa. People who fit that description are commonly called transgender men and transgender women. Some transgender men and transgender women undergo procedures called gender affirmation surgeries. Those surgeries can give them body parts that may better align with their gender identity and can make them more comfortable expressing their gender the way they choose. Some transgender men and transgender women who undergo a gender affirmation surgery may choose to identify as transsexual to reflect that their bodies have changed. However, not everyone who fits that description uses the term transsexual, as many consider it outdated. Additionally, not all transgender men and transgender women undergo gender affirmation surgery. They may not be able to afford or have the opportunity to undergo gender affirmation surgery, and many transgender people may not want it. Because gender identity does not come from a person's body, people can identify as transgender men or transgender women without undergoing gender affirmation surgery.

Transgender stories in the 1990s also paved the way for other gender diverse people to speak up, find communities, and create new vocabulary to capture their experiences. In 1995, the activist Riki Anne Wilchins was one of the first people to use the word genderqueer in their 1995 newsletter "In Your Face" as an umbrella term to describe all people who struggled with the gender they were assigned at birth. Zines, activist flyers, and

publications that LGBTQ+ communities ran quickly adopted the word and spread its use over the coming years.

The 2000s and 2010s saw the creation of such terms as non-binary, agender, and gender fluid to capture different ways people can experience and interact with gender. As of 2022, non-binary is generally used as an umbrella term that describes people who may not feel comfortable strictly identifying as a man or woman. Many non-binary people choose for people to use "they/them" pronouns to refer to them, as opposed to "he/him" or "she/her" to reflect their identity. Non-binary people can further identify as agender, meaning they do not feel comfortable as either a man or a woman at all, and instead feel genderless. On the other hand, some non-binary people are gender fluid. Gender fluid people may identify as a man, woman, or even both at the same time at different points in their life. Since gender relates to a person's identity rather than their biology, it is possible for people to adopt elements of different genders simultaneously or express themselves in ways that carry no gender. Many other labels, or gender identities, exist, and new ones constantly come about to better describe how a person feels about themselves.

As of 2022, more adults than ever before identify as LGBTQ+ and acceptance of LGBTQ+ people is on the rise but only after centuries of fighting against discrimination. LGBTQ+ people at large have been denied rights and actively oppressed in the US for centuries. Sodomy laws enacted in the 1600s that made engaging in homosexual acts illegal, even in the privacy of a person's home, were still in place up until the early 2000s in some states. Same-sex marriage only became legal on a national level in the US in 2015, and though more Americans are accepting of gay rights than ever before, up to thirty percent of gay, lesbian, and bisexual people still face discrimination and harassment every year. Additionally, expressing oneself in ways outside of gender norms was commonly illegal and heavily denounced as immoral. One way it was made illegal was through what have historically been referred to as cross-dressing laws. Those laws were commonly passed in the late nineteenth and early twentieth century and made it illegal for people to wear clothing associated with the gender opposite to what they were assigned at birth. Cross-dressing laws enabled police to specifically target and harass transgender people under the guise of protecting against public-indecency. Transgender men and transgender women, like other LGBTQ+ people, have often been the targets of harassment, violence and discrimination, but laws actually protecting transgender people from actions like discrimination and hate-crimes still do not exist in many US states as of 2022.

Legal recognition of people's gender identities is still lacking in the US as of 2022. It remains difficult in many states for gender diverse people to change their gender identity on legal documents like drivers' licenses or birth certificates. Doing so remains especially difficult in states like Kentucky and Alabama that require a person to undergo gender affirmation surgery and have proof of identity change on their birth certificate before correcting a person's gender identity on their driver's license, or in states like Tennessee and Ohio where it still is not possible for a person to change their sex on a birth certificate. Additionally, in many states, there is no option to identify as a gender other than man or woman.

Beyond restrictions on changing their legal identities, gender diverse people face higher levels of discrimination than any other LGBTQ+ group. A 2020 report showed that over sixty percent of transgender and non-binary people report having faced discrimination in the previous year. Those rates increase for people who are also a part of other oppressed social groups such as women, people of lower socioeconomic status, and people of color, with transgender women of color being the most at risk. Discrimination makes it more difficult for gender diverse people to secure employment. Fifteen percent of transgender people faced unemployment in 2015, three times the national average unemployment rate of five percent at the time. Nearly thirty percent of transgender people also reported having experienced poverty in 2015, which was over twice the national average at the time. In 2020, the US Supreme Court case *Bostock v. Clayton County* (2020) was one of the first cases to rule that discrimination based on gender identity in employment is illegal across the US.

Gender diverse people in the US also face much higher rates of violence throughout their lives than the rest of the population. Forty-six percent of respondents in the 2015 US Transgender Survey reported having been verbally harassed in the year prior to taking the survey, as well as nine percent reporting being physically attacked because they were transgender. During that same period, ten percent of respondents reported having been sexually assaulted, and nearly half of the participants reported having been sexually assaulted at some point in their lifetime. Additionally, since 2013, the number of hate crimes committed against transgender and non-binary people has steadily risen. Forty-four transgender and non-binary people died by violent means in the US in 2020, the highest number of fatal deaths since 2013 according to the Human Rights Campaign, with the majority being Black and Latinx transgender women. Fifty-seven transgender and non-binary people were killed in 2021. Additionally, many deaths likely go unreported.

Thus, even as recognition of gender diverse people is rising, the fear of violence and discrimination is still pervasive among most gender diverse people and can take a serious toll on their mental health according to the Center for American Progress. Nearly forty percent of transgender people surveyed in 2015 reported having attempted suicide at some point in their life, a rate nine times higher than the attempted suicide rate in the US population at large. However, seeking treatment for mental health is difficult for many gender diverse people. Even those who can afford healthcare face other barriers, as over thirty percent of transgender people in 2015 reported mistreatment when seeking healthcare because of their identity. Additionally, as of April 2022, there are twenty-five bills under consideration in US state legislatures that restrict gender-affirming healthcare for transgender youth that has been shown to be vital to many transgender kids' mental health.

Despite so many challenges, gender diverse activists are increasingly gaining recognition and using their platforms to support gender diverse communities and challenge stereotypical expectations of binary gender roles. Actresses like Angelica Ross and Laverne Cox have increased visibility of transgender people through their roles playing transgender characters on popular television shows, as well as working as transgender activists outside of their on-screen performances. Ross also founded an [organization](#)^[12] called TransTech Social Enterprises dedicated to training transgender and other marginalized people with the skills that empower them to overcome poverty. Writers like Alok-Vaid Menon and Tyler Ford challenge binary gender expectations through the stories and perspectives they share. Menon writes extensively about the history of gender norms and sexism through their poetry and book, *Beyond the Gender Binary*, and Ford writes for the popular LGBTQ+ publication *Them*. Organizers like AC Dumlaio, who runs cultural competency workshops at the Transgender Legal Defense & Education Fund, an [organization](#)^[12] dedicated to ending discrimination, share resources to educate gender diverse people and their families, as well as works to connect gender diverse people with lawyers who can help get their name changed. Those are just the names of a few prominent organizers and activists as of 2022, but there are countless more people advocating for the recognition, acceptance, and equality of all people no matter their gender.

Beliefs that gender and biological sex were both binary categories fixed at birth have contributed to the oppression of women and gender diverse people in the US for centuries. However, feminists and LGBTQ+ activists have reframed those concepts, allowing gender and biological sex to be tools for self-expression and defining an individual's identity. As of 2022, biological sex is widely seen as referring to a person's physical characteristics, and various LGBTQ+ activists, medical professionals, and anatomists are pushing for society to understand biological sex itself as a spectrum rather than a binary. Gender is increasingly put forth as a category a person can choose to identify and express themselves as, often in line with adopting certain societal expectations of a gender or rejecting gendered expectations of behaviors and appearances altogether. The definitions of both biological sex and gender remain widely contested as of 2022, though, and likely will continue to evolve into the future.

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In the United States, most people are assigned both a biological sex and gender at birth based on their chromosomes and reproductive organs. However, there is an important distinction between biological sex and gender. Biological sex, such as male, female, or intersex, commonly refers to physical characteristics. Gender refers to the socially constructed roles, behaviors, and actions people take on, usually in relation to expectations of masculinity or femininity. As of 2022, there is disagreement over the relation between sex and gender. People's biological sex and gender greatly influence the way they understand themselves, as well as how others treat them and how they interact with society. Moreover, some people's gender differs from what they were assigned at birth, and they face discrimination, harassment, and violence. Evolving understandings of gender and sex in the US have created more ways for people to live and express their gender identities.

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