**Contextualising Queer Theory: Sex and Gender in the American Philosophy of Judith Butler v. Native American Theory and Cultures**

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In the beginning of the twenty-first century, Indigenous Two-Spirit/GLBTQ people are asserting uniquely Native-centered and tribally specific understandings of gender and sexuality as a way to critique colonialism, queerphobia, racism, and misogyny as part of decolonial struggles

—Qwo-Li Driskill

**Introduction**

In her introduction to *Towards a Native American Critical Theory*, Elvira Pulitano asserts that many theorists are seen to write in ‘a realm safely located within the confines of an imperialistic West’. Indeed, much of Western theory exists in isolation from colonial and global contexts, a trend that is currently being countered by the rise of Two-Spirit theorists, who ‘challenge both white-dominated queer theory and queer of [colour] critique’s near erasure of Native people and nations’, especially the acceptance and reverence of individuals who fall outside of binary categories of sex and gender.

Furthermore, despite the growing focus on gender roles in Native America, ‘virtually no[ne of these] scholars engage queer theory’. In lieu of this erasure, this project intends to challenge the isolation of white, Western queer theory by contextualising its claims in regards to Navajo and Lakota cultures. As Barker writes, ‘Imperialism and colonialism require Indigenous people to fit within the heteronormative archetypes’, erasing and occluding practises that would have helped societies such as those in America and the UK see and articulate queer realities long before 1990. Indeed, by reclaiming and making visible Two-Spirit identities, we can finally see that ‘Native traditions [are] precedents for understanding gender and sexuality’.

Judith Butler’s *Gender Trouble* is situated as a framework for this study due to her ongoing position as a leading theorist in gender/queer studies. Her work has been labelled ground-breaking, which, despite its importance, is not entirely accurate, as Butler’s ideas about gender and sexuality have

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3 Two-Spirit is a translation of the Anishinaabemowin term, *niizh manidoowag*, meaning ‘one who has a masculine and a feminine spirit’. It is often used as an umbrella term for Indigenous peoples who identity as LGBTQ+.

4 Driskill, p. 71.


7 Driskill, p. 73.

been understood and practised in Lakota and Navajo cultures for centuries. This is not to say that Butler knowingly or deliberately excluded Native knowledge from her writing; in no way do I intend this study as an accusation against her or her work. I do not believe Butler was aware of the presence of these views in Indigenous communities prior to her work, as much of the Christian world is not. The object of this study is to help decolonise queer studies, demonstrate the extremity of the suppression of Indigenous cultures and the eradication of Two-Spirit identities, and expose the ‘heteropatriarchal, gender-polarized colonial regimes that attempt to control Native nations’ (note the present tense verb ‘attempt’, demonstrating that the colonial suppression of indigenous sexualities is continuous and ongoing in the present day). The decision to look into both Navajo and Lakota societies was inspired by the Two-Spirit movement, which uses these cultural variations to emphasise the extent of the gender and sexual diversity present in Native America, and thus the fluidity of the concepts themselves. As Akiwenzie-Damm states, ‘To reclaim and express our sexuality is part of the larger path to decolonisation and freedom’.

This study is also interested in the obstacles that arise in attempting to compare Western theory with Native concepts, and these are outlined and discussed throughout the essay. Furthermore, colonisation has meant that some of these beliefs and practises have been lost and not all Lakota and Navajo communities still practise such traditions. However, the Two-Spirit community is vibrant and very much visible today, so although I do not wish to ignore such cultural genocide, I shall insist on talking about these views and cultures in the present tense in order to counter the erasure of these peoples and their traditions. The Two-Spirit movement is very much invested in the reclamations of Indigenous knowledges, and I hope to bring more attention to this crucial movement by speaking of these traditions as ongoing practises.

This study is split into two sections – (1) sex and (2) gender – and will demonstrate that the views and ideas outlined by Butler were already understood and practised in Lakota and Navajo cultures prior to their theorisation in Western society. The first section will demonstrate this regarding the view of sex as multifarious, specifically by examining the understanding of sex as a spectrum and as non-definitive. The second section will show the understanding and practise of gender diversity, specifically by exploring views of gender as a social construct, as independent from sex, derived from character rather than biology, and as variable and fluid. Through these sections, this project aims to contextualise and make contributions towards decolonising queer theory, in order to amplify the Two-Spirit community’s reclamation of rhetorical, intellectual, and erotic sovereignty, and their struggle ‘against the colonial powers that have attempted to dissolve or restrain Native sovereignties’.

### Sex

This section will demonstrate that Navajo and Lakota cultures viewed sex as multifarious for centuries prior to Butler’s discussion of the concept, firstly by examining the notion of sex as a spectrum. Evelyn Blackwood states that Two-Spirit intersex people prove that sex is ‘not binary’ or ‘oppositional’, indicating...

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1. Driskill, p. 69.
4. Driskill, p. 77.
that male and female are not at odds with one another. This view is also present in Paula Gunn Allen’s theory, preceding Butler’s text by four years, which states that many Native American societies ‘distribute power evenly among men, women, and berdaches’. The term ‘berdache’ is now seen to be derogatory and insulting, meaning ‘kept boy’ or ‘male prostitute’ and carrying connotations of ‘catamite’. There are many varying definitions of the term but it was generally used by colonists to describe Native American individuals who did not conform to Western concepts of sex, gender, and heteronormativity. Many of the theories and accounts referenced in this essay, including Allen's text, were written before the adoption of the term ‘Two-Spirit’ as a non-derogatory alternative, hence their use of the word, and I will acknowledge its problematic nature by placing it in quotation marks when its use is necessary. In addition, Allen often conflates ‘woman/man’ with ‘female/male’, and in this instance the former should be read as the latter. With this in mind, Allen’s inclusion of the ‘berdache’ as a third category implies a trilogy of sex, rather than a duality, especially if we consider her statement that some communities ‘literally perceive the berdache as “half-man/half-woman”’. This could be referring to what the West would call ‘non-binary’ (that is, someone’s spirit is that of both man and woman, or of neither man nor woman), but the word ‘literally’ suggests a physicality rather than a spirituality, so could actually refer to intersex. If the latter is assumed, then Allen's statement indicates that sex is neither dual, nor oppositional and fixed. Furthermore, Allen writes that Lakota societies consider ‘a person who is half-man and half-woman, perhaps even a hermaphrodite with both male and female organs [to have] special powers’, showing not only the existence of a third sex in the Lakota culture, but the acceptance and reverence afforded to these people. A further genealogy is presented by examining Navajo origin stories, where intersex people are not only represented, but were some of the first people in the world, were responsible for inventing all the first tools and utensils, and saved humanity from the great flood, playing a crucial role in the Emergence Myth. Furthermore, in Navajo society, a family who ‘had a hermaphrodite child born to them was considered by themselves and everyone else as very fortunate’. Thus, in contrast to Christian and Christianised cultures, whose myths exclude and ignore the presence of such people and where infants are surgically assigned either male or female, many Navajo myths acknowledge their existence and thus demonstrate that the view of sex as a spectrum goes back centuries in their cultures.

16 Sabine Lang, Men as Women, Woman as Men: Changing Gender in Native American Cultures, trans. by John L. Vantine (Austin, Tex.: University of Texas Press, 1998), pp. 6–9.
18 Allen, p. 281.
19 Allen, p. 258.
24 Ibid., p. 274.
25 Thomas, p. 160. Unfortunately, the practise of surgical sex designation on infants was introduced into Native communities by Western colonisers, but the operation was often performed without the parents’ permission (Thomas, p. 160).
Despite the presence of this knowledge in Navajo and Lakota cultures, this view of sex as a spectrum was not properly recognised in Western, Christian societies until Butler’s discussion of the topic in 1990, when she presented this idea by wondering whether there is ‘a genealogy that might expose the binary options as a variable construction’. The language here indicates Butler’s scepticism of the Western belief that there is only male and female, as ‘binary’ denotes a composition of two (opposing) things, ‘expose’ implicates her intention to reveal this conviction as a false assumption, and ‘variable construction’ implicates that sex is fluid rather than polar. Butler does directly mention this third/intersex briefly, as she considers that intersex people occasion ‘a convergence and disorganisation of the rules that govern sex’. Butler focuses on the ability of third/intersexuality to challenge Western convictions and prove her theories as feasible through their very existence. In comparison, ‘Native Two-Spirit/queer people position [themselves] and [their] identities as productive, if not central, to nationalist, decolonial agendas. [It is] a move against the colonial powers that have attempted to dissolve or restrain Native sovereignties’. Indeed, like the Lakota and Navajo’s traditional acceptance of intersex people, the current reclamation of these identities, the growing recognition of intersex people, and the acknowledgement of sex as a spectrum in both LGBTQ+ and scientific communities threatens the beliefs of societies based on Christianity and the ‘rules’ that enforce them, as intersexuality demonstrates a merging of the two supposedly oppositional sides. Butler’s discussion of this, albeit short, was an important moment in Western theory. However, it took until 1990 for a Western scholar to state this (and rather convolutedly, too), whereas Lakota and Navajo cultures knew and lived by this fact for centuries prior.

The view of sex as multifarious can also be seen in terms of the perception of sex as non-definitive. Navajo and Lakota cultures’ easy acceptance of sex and gender diversity comes down to their belief that the ‘physical aspects of a thing or a person [...] are not nearly as important as its spirit’. The prioritisation of character over biology is further seen, as many societies have ‘words used for females and males when sex is either irrelevant or unknown’, emphasising that bodies are not definitive or even important. Furthermore, the terms for male and female are not interchangeable with man and woman in many languages and it is even considered derogatory and insulting to refer to someone by their sex rather than their character (gender). This view is also present in Allen’s writing, as she explains that, in Lakota societies, despite the fact that ‘childbearing meant empowerment’, ‘women who did not have children because of constitutional, personal, or Spirit-directed disinclination had other ways to experience Spirit instruction and stabilisation, to exercise power, and to be mothers’. This flexibility regarding women’s empowerment indicates that their value is not defined solely by their biological use (their sex), and is inclusive of those who are intersex or physically male, as well as those who struggle with infertility. Indeed, adoption by same-sex couples and intersex people is not uncommon.

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27 Ibid., pp. 31–32.
28 Driskill, p. 77.
31 Thomas, p. 157.
32 Thomas, p. 159.
33 Allen, p. 251.
34 Lang, p. 98; Williams, p. 55.
after the colonisers initially attempted to suppress this idea, Butler presents this view in her own writing, as she states that the identification of ‘women’ with ‘female’ ‘is a conflation of the category of women with the ostensibly sexualized features of their bodies’; it is ‘a misogynist gesture of synecdoche, come to take the place of the person, the self-determining cogito’. The term ‘synecdoche’ indicates Butler’s criticism of the way in which ‘women’ is used to mean ‘those with female genitalia’, as it emphasises that to gender someone is to reduce them to their sexual organs, rather than to consider their person. In addition, the term, ‘cogito’, is particularly relevant in this discourse, as it connotes that one’s thoughts are more important than one’s physicality. Thus, we can see numerous examples of the view that sex is not binary or definitive in Lakota and Navajo cultures long before Butler’s discussion of the concept, demonstrating that these ‘new, Western’ ideas of sex as multifarious have in fact been understood for centuries by Lakota and Navajo peoples.

**Gender**

This section will demonstrate that Navajo and Lakota cultures understood and practised the concept of gender diversity prior to Butler’s theorisation of the topic, firstly by examining the view of gender as a cultural and societal construct. Lakota and Navajo cultures view gender as ‘cultural rules, ideologies, and expected behaviours’. For example, in the Lakota language, winkte (a male who is a woman), ‘is composed of win, “woman,” and kte, “would become’’, echoing Simone de Beauvoir’s famous claim that ‘One is not born, but rather becomes, a woman’. This etymology thus exposes the concept of ‘woman’ as a learned behaviour; something one can become, rather than something someone is born as; a role, rather than a fact of being, indicating the potential for gender to be composed differently, specifically as independent of sex. Indeed, ‘man’ and ‘woman’ are understood as unrelated to ‘male’ and ‘female’ in Navajo and Lakota societies, occasioning the visibility and acceptance of what the West would call ‘transgender’ people throughout their histories. The term, ‘transgender’, does not translate into Navajo and Lakota cultures, partly because gender is not assumed to follow from sex. I am yet to come across a compatible term, so I will continue to use ‘transgender’ to refer specifically to people whose gender is not defined by or derived from their sex, but will apply quotation marks in order to recognise the ineffectiveness of transcribing Western concepts onto Native cultures.

Blackwood states that ‘bodies have no relation to gender’, and Allen writes that ‘individuals fit into these roles [of men and women] on the basis of proclivity, inclination, and temperament’. This rejection of physicality as definitive, indicated by the denotations of the nouns, shows that gender is derived from character and personal preference rather than biology. Similarly, the Navajo do not consider ‘a relationship between a female-bodied Nadleeh/masculine female and a woman’ to be a homosexual relationship. This acceptance implicates the discontinuity of sex and gender, as sexualities are based on gender rather than sex. This view of sex as independent from gender can be seen to have existed for centuries in Navajo and Lakota societies, as ‘transgender’ Two-Spirit people are present in ‘over a

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37 Williams, p. 28.
39 Blackwood, p. 292.
40 Allen, p. 196.
41 Thomas, p. 162.
hundred myths’, and many of these, such as the Navajo story of Turquoise Boy and White Shell Girl, explicitly indicate that ‘gender can be transformed independently of biological sex’. These tales show that ‘females have lived as men [and males as women] throughout history and continue to do so’, and Navajo and Lakota cultures believe that ‘such individuals were present from the earliest eras of human existence [...] They were part of the natural order of the universe, with a special contribution to make’. The acceptance of Two-Spirit ‘transgender’ people is further demonstrated by the relation of myths that warn of ‘dire consequences when interference with such a transformation is attempted’, as they suggest that denouncing or disrespecting their ‘transformation’ is to go against nature. Moreover, the Navajo (and many other communities) even have traditional initiation ceremonies to recognise and celebrate a person’s ‘transformation’, and Lame Deer states that, in Lakota culture, ‘a man is what nature, or his dreams, make him. We accept him for what he wants to be’. Thus, this visibility and acceptance of ‘transgender’ Two-Spirit people reveals that the understanding of gender as independent from sex is a traditional view in many communities, and that the variability of gender is appreciated in many cultures. In Western, Christian societies, this view was first recognised by academics and by society more broadly with Butler’s claim that ‘gender is culturally constructed: […] it is neither the causal result of sex nor as seemingly fixed as sex’. The use of ‘constructed’ indicates gender to be a created belief rather than a pre-existing fact, and the specification that it is ‘cultural’ and ‘not fixed’ implies that it is interpretable and thus variable. Butler theorises a ‘radical discontinuity between sexed bodies and culturally constructed genders’ and thus gender ‘cannot be said to follow from sex’, as Navajo and Lakota knowledges could have taught us much sooner.

Butler also wonders whether gender could ‘be constructed differently’ when sex is removed as the primary designator, and by turning to Navajo and Lakota cultures, she would have found the answer to be affirmative. The Navajo have a ‘tradition of gender designation based on dreams’: a female dreaming of weapons becomes a man, a male dreaming of a white buffalo calf becomes a woman, and dreams of the arrowweed [believed to be able to change its sex] means that a female or male would...

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43 Williams, pp. 19–20; It is debated whether the twins are intersex or ‘transgender’, but it is generally agreed that their sex does not align with their gender in the way Western concepts expect.
44 Ibid., p. 22.
46 Williams, p. 19.
47 Ibid., p. 22.
50 Butler, pp. 9–10.
51 Ibid., p. 10.
52 Ibid., p. 11.
53 Allen, p. 196.
54 Ibid.
55 Williams, p. 28.
become a man or woman, respectively.\textsuperscript{56} Similarly, in Lakota and in many other Plains societies, ‘males who have a vision of Double Woman [a moon spirit who symbolises transformation] are presented with female tools. Taking such tools means that the male will become a’ woman.\textsuperscript{57} Gender designation based on dreams is also present in Crow, Hidatsa, Cheyenne, and many other communities.\textsuperscript{58} These traditions suggest that gender is considered a spiritual identity, rather than a physical one, and is based on subconscious disposition as the most natural indicator. These different means of gender designation demonstrate an overarching view that ‘gender identity refers to the inner psychological conviction of an individual’,\textsuperscript{59} and this belief allows fluidity and diversity to be accepted easily within Navajo and Lakota societies.

Indeed, societies such as the Navajo and Lakota have an ‘extremely flexible gender system’,\textsuperscript{60} and the existence of non-binary people is in fact so common and normalised that some societies even ‘assumed that multiple genders were universal’.\textsuperscript{61} This variability can also be seen through the visibility of ‘non-binary/gender fluid’ Two-Spirit people. Hill explains that, in Navajo culture, a ‘boy may act like a girl until he is eighteen or twenty-five; then he may turn into a man or he may not. Girls do the same thing’.\textsuperscript{62} The casualness of this mention suggests the ease with which gender variability as well as transitioning is accepted, as a person appears to be able to change their gender multiple times ‘over the course of their lifetimes’.\textsuperscript{63} This denotes a sense of ongoing fluidity, and thus the ability for an elder as well as a child to ‘transform’, and potentially for people to ‘transform’ more than once without stigma. Furthermore, the Navajo people recognise five genders:\textsuperscript{64} man, woman, masculine female, feminine male, and what the West would call “non-binary” (nadleeh/dilbaa = male-bodied/female-bodied), who ‘ranges somewhere in between the first two categories’ and ‘mixes various aspects of the behaviours, activities, and occupations of both females and males’.\textsuperscript{65} The existence of these terms indicates the traditional acknowledgement of multiple as well as fluid genders.

Once again, such views and practises were suppressed and gender diverse people targeted for elimination by the colonists; their knowledge erased from their own societies in some cases, and never included in Christian narratives, so that it took until 1990 for a Western scholar to discuss such ideas at length. Butler addresses this concept of gender as ‘a free-floating artifice’\textsuperscript{66} and criticises the interpretation of gender as polar and derived from biology, as ‘free-floating’ connotes its fluidity and lack of attachment or relation to sex, and ‘artifice’ implies that this interpretation, or at least the presentation of it as fact, is deceitful. Indeed, the variability of gender is proven by the very existence of what Western cultures call ‘transgender’ and ‘non-binary’ people, and whom many modern Native Americans refer to as Two-Spirit. Therefore, we can see that Butler’s claim that gender can and should be fluid and sovereign

\begin{thebibliography}{99}
\bibitem{56} Ibid., pp. 25–26.
\bibitem{57} Ibid., pp. 28–29.
\bibitem{59} Serena Nanda, Neither Man nor Woman: The Hijras of India (Belmont, Calif.: Wadsworth, 1990), p. 137.
\bibitem{60} Roscoe, p. 14.
\bibitem{61} Ibid., p. 177.
\bibitem{62} Hill, p. 273.
\bibitem{64} Thomas, pp. 156–158.
\bibitem{65} Ibid., pp. 158–159.
\bibitem{66} Butler, p. 10.
\end{thebibliography}
was already the understanding of the Navajo and Lakota peoples. Through the exploration of Butler’s theories and Navajo and Lakota views of gender as a social construct, as independent from sex, derived from character rather than biology, and as variable and fluid, gender diversity can be seen to have been understood and practised prior to Western theory.

**Conclusion**

Butler’s *Gender Trouble*, published in 1990, was the first Western text to explicitly state that gender is a social construct and to intricately outline the idea that gender is a performance. Since its publication, Butler’s concepts and terminology have gradually seeped into mainstream discourse, to the point where teen magazines talk about heteronormativity and popular culture refers to gender performativity, demonstrating the huge impact her theories have had on Western culture. Indeed, some people even credit her for the growing normalisation of gender non-conformity. This growing openness in gender and sexual diversity in Western societies has caused some people to claim it is a ‘new fad’ or ‘trend’, which is why contextualising queer and gender theory is crucial for the fight against queerphobia. Such contextualisation is also crucial to decolonise queer studies and academia more broadly, in order for Two-Spirit and all Indigenous peoples to reclaim their cultural knowledge and individual sovereignty, and to fight against the repression and exclusion of Two-Spirit identities throughout history and in the present day. In addition, so many communities that had Two-Spirit practises have been Christianised and colonised to the point of rejecting these practises, so contextualising gender and sex in this way is also crucial to the decolonisation of these communities’ thinking and thus the return to their traditional values and views of sex and gender.

In this study, I have attempted to combat the exclusion of Two-Spirit identities and indigenous knowledges by demonstrating the presence and acceptance of non-binary sex and gender. The examination of Navajo and Lakota views of sex as a spectrum and as non-definitive alongside Butler’s theory shows that sex has been understood as multifarious for centuries before its articulation in Western theory and expression in Western culture. The exploration of gender as a social construct, as independent from sex, derived from character rather than biology, and as variable and fluid in Navajo and Lakota societies and Butler’s theory, also demonstrates the longevity of the acceptance of gender diversity. Indeed, colonialism can be seen to have erased and occluded practises that would have helped other societies see and articulate queer realities long before 1990. By contextualising Butler’s theory and examining instances of non-binary sex and gender in Navajo and Lakota cultures dating back centuries, this study hopes to amplify the Two-Spirit community, raise awareness of the long history of queerness, and validate their existence as a normal and ongoing part of society.

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67 Fischer.
68 Ibid.
69 Ibid.
70 Janna Barkin, ‘Transgender Youth – Fad or Fact?’, *Huffpost*, 24 December 2017 <https://www.huffpost.com/entry/transgender-youth-fad-or-fact_b_5a3fee20e4b0d0de8b06636> [accessed January 2020].
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