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EXAMINING THE FLAWED PHRASE 'ASSIGNED X AT BIRTH'

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In the past few years, it has become popular to greet each other with pronoun choices and to label oneself as being assigned male or female, even in scientific circles. Tragically, this labeling denies a proper acknowledgement of one's actual sex in favor of a "chosen starting place."¹ Most notably among these statements is the claim that one can be assigned sex at birth. In an insidious way, these currents of thought play on Simon De Beauvoir's dictum that "one is not born, but rather becomes, a woman." Yet many people today misuse this quote, since De Beauvoir never intended to divorce womanhood from the female body and the experiences afforded by that body.² By constantly referencing Beauvoir and her followers—most notably Judith Butler—modern gender theory effectively rests upon a flawed version of a flawed philosophy.

The logic behind the phrase *assigned X (e.g. male or female) at birth* is deeply problematic specifically because it relies on a flawed philosophy of desire. Contrary to this flawed logic, no one is actually assigned sex at birth. I will begin defending this claim with a brief examination of the problematic axioms of modern gender theory, expanding on a critique offered by Kathleen Stock, and explaining how they advance a flawed understanding of desire. I will focus on one axiom in particular for the sake of brevity. After that, I will explore the ordinary way that physicians and families attend to children at birth by clarifying how they recognize the sex of the child through the body's teleology. This recognition is essentially based on the ordinary perception of human nature that underlies a philosophically robust understanding of desire.

Desire as a Problematic Axiom of Modern Gender Theory

Kathleen Stock has offered a thoughtful feminist critique of modern gender theory and paid dearly for it. Her villainization by transgender advocates is entirely unfair and shows failure on the part of modern gender theorists to reckon with the problems of their axioms. Stock identifies four problematic axioms in the transgender movement: First, modern gender theory posits an inner state called gender identity. Second, it posits that this identity rather than sex determines whether someone is a man or a woman. Third, it claims that gender identity can fail to match the sex one is assigned at birth. Fourth, it asserts that there is a moral obligation to protect gender identity over biological sex.³ Stock argues that these axioms emphasize the significance of a felt sense of self over the significance of biology. For the sake of brevity, this essay expands upon the third axiom of her critique.

Modern gender theorists emphasize the significance of a felt sense of self over the significance of biology. Although biology is meaningful for people, it cannot sufficiently explain the felt sense of self that people have. Gayle Salamon, standing for modern gender theorists in general, posits that there is no real body essentially linked to biology. Instead, there is only a felt sense of self based on an autonomous will and its desires. According to Salamon, theories of social construction offer a more accurate "way to understand how that felt sense arises" from lived history and the individual's psychic investment in that history.⁴ In light of the writings of Judith Butler, body and desire project onto each other in a process revealing the vulnerability of the felt sense of self.⁵ The felt sense of self cannot be completely chosen, because culture, history, and society have a way of impressing on the individual an un-chosen starting place—sometimes violently. Despite this imposition, that un-chosen starting place can become a chosen starting place through an ownership of desire. Butler and Salamon's understanding of desire runs counter to the Aristotelian-Thomistic tradition.

From an Aristotelian-Thomistic perspective, desire emerges from one's nature as an inclination towards an objective or subjective good (*Summa theologiae* I.6.2, ad. 2; *ST* I-II.94.2). From a general standpoint, desire refers to the attitudes and behaviors felt by an individual rooted in his or her human nature. The modern concept of desire differs from this basic understanding by its emphasis on desire as an arbitrary, free choice divorced from nature. As Angela Franks explains, "Desire becomes the autonomous agent, replacing the personal subject."⁶ Michele Schumacher has described this understanding of desire as Sartrean, and John Grabowski describes it as Gnostic, while Jake Thibault has been more nuanced to recognize that many different philosophies underlie modern gender theory.⁷ Even the Butlerian understanding, to which gender theorists commonly appeal, is not monolithic. Nevertheless, all of them share the notion of arbitrary, free choice as being at the center of desire. All of them affirm a phenomenological perspective (purportedly at odds with the Aristotelian-Thomistic perspective) as being essential to desire and the felt sense of self.

Following the phenomenology of Maurice Merleau-Ponty and further building upon Butler to explain this phenomenological perspective, Salamon explains that desire transposes onto the body just as the body transposes onto desires.⁸ In other words, an individual's attitudes and behaviors accrue and build up his or her first-person view of himself or herself through the influence of the desires of others. Due to this mutual transposition, it becomes impossible to neatly separate body and desire. Throughout her writings, she speaks about desire as the invisible reality behind the body that people see. According to her, "What appears is always conditioned and made possible by that which does not," in reference to the body and the desires that underlie it. Naturally to her, then, "the real is always circumscribed and realized through the imagined."⁹