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GENDER INHIBITS EMBODIMENT FOR INTERSEXUALITY AND IN TE AO MĀORI

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ABSTRACT: An important worldview in traditional cultures, especially within te ao Māori (the Māori worldview), is that embodiment concerns personhood and relationality, as persons are bodily situated within the environment including in all things between the earth and the heavens. However, the social theories and background of the 1930s–1950s have had a significant impact on the idea and foundations of embodiment. These theories relied on ideas of sexism, though were also linked with racism. Gender was established by medicine as an apparatus of power and control over bodies and beings. Intersexuality was at the heart of the establishment of gender, with its invisibility ensured as a means of maintaining the status quo of the West. Gender was appropriated by Western feminists, disguised as an ahistorical and acultural signifier, to universalise the Western liberal worldview. This article traces the history and purpose of the concept of gender and the way it has been understood and deployed as an apparatus in society. It then illustrates how the deployment of gender has affected the embodiment of intersexuality and te ao Māori (such as on wāhine (women) and takatāpui (sexual diversity)). Lastly, the article sets out the importance of decentring gender to enable a culturally accountable embodiment with a sexuality of dignity that is not limited and disembodied through gender.

Keywords: intersexuality, colonisation, dehumanisation, medicalisation, history of gender, Māori

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Intersex spiritual guardians, we call
The life essence you provide us all
And ensure our social role and place

Society desires only males and females, intersexuality abhor
No social respect: we cannot come beyond the door
Society deems intersex, no space

They attempted to make us the "right" version
The trauma imposed on life, body, and person
Socially born wrong, medically fixed to male or female: intersexuality replace

We do pray for those who have harmed us so
We reclaim recognition, respect so we can grow
Guardians, hear our call to protect our person, our place.

—Rogena Sterling (2023)

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Since the beginning of the Roman Empire, the West has set as the standard that the parameters of sex consist of only male and female, and has often prioritised the male. In any of its territories, Western authorities marginalised anything that disrupted their conceptualisation of sex as a male–female binary (Dreger 1998; Lugones 2016). An example of this was when the Spaniards invaded the Antilles and Louisiana. When they came across "men dressed as women who were respected by their societies[,] [t]hinking they were hermaphrodites, or homosexuals, they slew them" (Guidotto 2007: 50). Referring to Indigenous peoples with various sexual presentations as "hermaphrodites" was a means to dehumanise them as monstrous and class them in the same way that intersexuality had been considered in Western Europe—as pollution of the human population—for several millennia (Foucault 2003; Gilbert 2002; Sharpe 2009).

As the poem at the outset of the article notes, hermaphrodites, now referred to as intersex persons (or holistically intersexuality),[1] have lost their personhood and have been made invisible. The colonisation project, from its early Roman origins, involved the disciplining of bodies not complying with the ideals of the imperial project (Mbembe 2001). The West has considered them as monsters since its birth in the Roman Empire, the latter's imperialisation of Europe and the colonising of the rest of the world (Gilbert 2002; Mowat 2022; Nedobity 2020; Resnick 2019; Sharpe 2009). Sexism socially controls bodies, desires and identities (Behrensen 2021). Paradoxically, although intersexuality has been at the centre of determining the "true" nature of sex roles and what sex can, should or must mean in the West (Dreger 1998), they were at the same time made invisible as part of the imperial project. Intersexuality has been used to shore up the male–female binary through exclusion and invisibility (Behrensen 2021). At best, there has been an enforced assimilation as either male or female that has disembodied any personhood as intersexuality for millennia or sometimes even killed them to eradicate their existence (Gilbert 2002; Mowat 2022; Nedobity 2020; Resnick 2019; Sharpe 2009). Although few use the term "monster" now to refer to intersexuality, they have been completely medicalised, bodies and beings normalised to conform to heterosexuality in the name of humanism. John Money introduced the standardisation of assimilation through medicalisation for intersexuality as male or female (as will be described later), a practice that has now been fully absorbed within society. Assimilation is one of the "humane" tools of the colonial project and embedded in the "isms". Sexism as the exclusion of intersexuality has been core to the West since Roman imperialism and from the time of European colonisation, including in Aotearoa New Zealand, along and in conjunction with racism. Together they are a means of dehumanising and disembodying the other.

Although gender has been equated with bringing equality and portrayed as a neutral social descriptor, the mainstreaming of gender will never overcome the oppression and discrimination of sexism, especially for intersexuality, and its colonising impact on te ao Māori (the Māori worldview). Gender was imbued with sexist and racist Western foundations, and it has become a process of disembodiment and relegating sex to a mechanism outside of who we are as persons. However, not all societies disrespected intersexuality as such. Many have recognised and respected them, even if they did not always name them.

The thin space between heaven and earth, a space of herm-bodiment as we reclaim our relationality and place in this world.

—Rogena Sterling

Herm-bodiment reflects the existence of embodied beings—hermaphrodites as they were once known, or intersexuality—with personhood and dignity. Embodiment indicates the respected relationality as persons (personhood) through the body—the essence—who are connected, functioning and accountable to one another. It situates them within the environment between the earth (Papatūānuku) and the heavens (Ranginui). Such an understanding is familiar for Māori and other traditional societies as it is core to the fabric of te ao Māori.

Western feminists in particular and Rainbow advocacy organisations have embraced gender. They have adopted the concept to explain their relations and place in the world. They conceive of "gender embodiment" as reflecting their being as gendered subjects without presuming either self-mastery or compliance to the other's wishes (Farley and Kennedy 2016). Although intersex and trans persons share a similar medicalised history, this article focuses on the intersexuality perspective and does not unpack from a transgender perspective.

What is forgotten is the history and foundation of the implementation of gender and the effect this has had on intersexuality. Gender continues to render intersexuality invisible and disembody them, as it did when it was established. Furthermore, there is a gap in memory in acknowledging the ways gender enhances a cultural disconnect by conceiving of the body as something within which the self is embedded, a disembodiment.

This article is the story of how sexuality[2] (including the physical, psychosocial and cultural elements combined) could no longer hold a Western conceptualisation of life, especially as a male–female binary, and that "gender" was established as a disembodied form to maintain the Western

ideals of the male–female binary. It outlines how intersexuality was at the very heart of the establishment of gender, but, by the 1980s, its connections had all but been read out of history. Gender became mainstreamed by feminists in the 1980s, taking on a form as "acultural" and "ahistorical". The article aims to highlight the continuing impact of gender on intersexuality and te ao Māori. It aims to decentre gender as a universal (Sterling 2022) and provide a foundation for others to build upon in reclaiming an embodied personhood.

I come to this article as an intersex person, an academic, a human rights expert and a person working in the area of data sovereignty, privacy and personhood. I document how intersexuality is rendered invisible as an inconvenient truth to the imperial project. I have drawn on the historical documentation of intersexuality/hermaphrodites from the early Roman times to the present. The historical contextualisation has enabled the unpacking of the alienation from cultural identity on intersexuality and its personhood. Moreover, I have been able to centre my past and understand my genealogical roots. For me, this work is a recentring of sexuality to reclaim my being and belonging in the world.

HISTORY OF GENDER

Gender has assumed a ubiquitous and universal status and has become so naturalised that few understand it differently (Germon 2009; Repo 2016). It has been attributed to feminism and assumed that it has no history outside of that tradition (Germon 2009; Radačić and Facio 2020; Repo 2016). The United Nations has adopted a truncated view of the history of gender, that is, one that holds that it began with the Western feminists (ECOSOC 1997; Madrigal-Borloz 2021). However, before the 1950s, the concept of gender was nowhere to be found, except in one article on sex roles (Bentley 1945) and its use in philology (linguistics).

Gender has a short and controversial history (Gill-Peterson 2018). Although Western feminists were central to advancing gender into the public sphere in the 1970s–1980s, they did so by appropriating the medical concept of gender from Money and Robert Stoller and applying it to the wider public sphere (Cortez *et al*. 2019; Downing *et al*. 2014; Germon 2009; Repo 2016). Money and Stoller added credibility to the liberal feminist political agenda. The political objectives and the current definitions and usage of sex and gender fail to account for how and why gender came into being. They also fail to account for the impact of gender on other worldviews, such as te ao Māori, and the very population, intersexuality, for whom it was established to render them invisible (Cortez *et al*. 2019; Repo 2016).

The first circle in Figure 1 highlights the social theories and concepts of the 1930s–1950s that were very influential in the establishment and application



Figure 1. History of the establishment of gender as the standard.

of the concept of gender. These theories included behaviourism, structural functionalism, human malleability and social constructionism. *Behaviourism* theorises that humans learn through processes of conditioning (imprinting) rather than knowing through innate truth or embodied experience (Repo 2013: 230). *Structural functionalism* is the socialisation of normative behaviours through social control, including through institutions (like family, education, law and religion), to ensure children are socialised into being productive and reproductive citizens (Dew 2014; Kingsbury and Scanzoni 1993; Repo 2013: 229). *Human malleability* rejects genetic/biological determinism and conceives that the most evolutionary aspect of human beings is their plasticity or malleability (UNESCO 1952). To add to this, a theory developed in the 1950s was *social constructionism*, which suggested that "reality is socially constructed" and does not have any "biological" basis (Berger and Luckmann 1966).

Along with the theoretical concepts, the social and political environment demanded action to maintain Western legitimacy in the liberal world order (Fig. 1, top-left circle). In the early 1950s, society was beginning to reestablish its social, political and economic order after World War II (Repo 2013). While women had increasing freedoms and equality, there was also a decrease in infertility and an increase in divorce rates (Germon 2009; Repo 2016). At the same time, there was a conservative backlash to the changing

liberal world demanding the preservation of social order (Repo 2013). Within such an environment, the continued demand for intersex invisibility had to remain and be enforced (Repo 2013: 240).

Circle 2 of Figure 1 takes us to John Money. Up to the time of Money, transsexuals and hermaphrodites (as they were known) were believed to originate in biology, not psychology, a belief still held by some (Germon 2009; Morland 2014; Repo 2016; Rubin 2012; Stoller 1994). However, Money refuted the early-twentieth-century sexology evidence that sexuality, especially masculinity or femininity, had a bodily origin in terms of a person's sense of self (Money *et al*. 1955; Repo 2013). Furthermore, he believed biological factors were not reliable markers of a person's psychosocial and psychosexual orientation or their "psychological sex" for intersexuality (Germon 2009; Repo 2016; Rubin 2012). Regarding intersexuality, he believed that socialisation as a male or female was key to a successful life and that this should be imprinted before the age of two (Money 1952, 1955, 1995). He borrowed the philological concept of gender to reflect this psychosocial and psychosexual orientation (Money 1985, 1995) and consistency between the assigned sex and the sex role that would be permanently imprinted (Repo 2013).

As intersexuality could undo the structure and stability of male–female dimorphism (Rubin 2012), Money saw gender as a way to conceal the possibility of the existence of intersexuality (Money 1952, 1955, 1995). Although medical treatment had already existed for intersexuality, Money's protocols established a regulatory gesture for intersex medicalisation—surgical, hormonal and psychosocial normalisation—and literally fashioned the "sex" as it was "supposed to be" all along (Repo 2016; Rubin 2012). Money's work medicalised and structured the spatial and temporal logic of human development along the heteronormative and sexually dimorphic ideological biases (Rubin 2012).

Turning to circle 3 of Figure 1, we come to the other main figure in the establishing of gender—Robert Stoller. He is known as the "father of modern American transgender medicine", drawing on Money's notion of gender (Germon 2009; Repo 2016; Stoller 1994). He followed the work of Arrigo Tamassia in 1878 to take the idea of gender identity as the conflict between psychological gender identity and physical sex appearance in his work with transsexual/transgender persons (Rubin 2012). He insisted that gender identity was the psychological, not cultural or biological, sense of knowing what sex one belonged to (Stoller 1994). It was the unalterable sense of "I am male" or "I am female" (Germon 2009). It followed the Cartesian philosophy—"I think, therefore I am". It enabled a nuanced focus on psychological gender and access to a subject's mind and how it formed through experience, familial intimacy and trauma (Repo 2016). For Stoller, gender identity could fluctuate within any given individual irrespective of biology at birth

(Germon 2009). This laid the foundation for the current protocols of US transsexual/transgender medicine (Gill-Peterson 2018) and upheld Money's medical protocols on intersexuality. Money and Stoller set out the formative mechanisms required to discover, examine, cure, placate and also normalise sexual deviancy as "gendered subjects" with stable mental conditions (Repo 2016). Allowing any intersex existence outside such a normativity would risk a bleak existence in society (Germon 2009; Repo 2016).

Stoller's second core contribution was his sex–gender split. The concept was adopted from the nature–nurture split of earlier Western thought. Stoller believed that nurture outweighed any importance of biology and that culture was the regulator of sexual behaviour and a controller of the unconscious and emotional lives of human beings (Repo 2016; Stoller 1994). The gender established, assigned or recognised at birth would be socialised into the person's core gender identity and could account for psychological phenomena without direct biological connotations (Germon 2009; Repo 2016; Stoller 1994). Gender only became dangerous when incorrectly learned and performed by children and adults (Repo 2016), whether intersexuality or transgender. His contribution of the sex–gender split to the gender apparatus continues to influence medicine, feminist studies and public policy (Germon 2009; Repo 2016).

Circle 4 in Figure 1 represents the period from the late 1960s to the beginning of the 1980s, when Western influential feminists including Germaine Greer, Kate Millett, Ann Oakley, Harriet Holter, Jessie Bernard, Rhoda Unger, Nancy Chodorow, Dorothy Dinnerstein, Gayle Rubin and Marilyn Strathern appropriated gender from medicine. The apparatus of gender enabled feminists to focus on changing systems without any biological restrictions (Rubin 2012: 899). Sex was relegated to a passive mechanism, a "raw base" upon which to build gender, and was superfluous except to medical professionals (Germon 2009; Repo 2016). Once stripped of all connotations of sex, gender was ready to be harnessed for its political utility—women's equality with men—by the women's movement (Germon 2009). These feminists were well aware of its origins and history as they introduced the apparatus into the public sphere. Gender became the construction of self and of identity, and the basis of social interaction as an individual and within society. The notion of embodiment was minimised in the acknowledgement, discussion and provision of feminist thought. Moreover, what is left out from much of the history of the feminist introduction of gender is that many postcolonial feminists, scholars and advocates initially rejected gender due to its imprecision, perpetuation of mind–body dualism, biological foundationalism, heterosexism and racial and cultural bias (Repo 2016).

Circle 5 in Figure 1 represents the mainstreaming of gender into public policy, public analysis and international law (Bacchi and Eveline 2010; Daly 2005; Dhamoon 2011; Rees 2006). This continued with the feminist theme

that gender would help achieve equality (Cortez *et al*. 2019; Germon 2009; Repo 2016). At least in theory, gender is free from the constraints of biological determinism (Germon 2009; Gill-Peterson 2018). Feminists argued that the concept of gender could explain and challenge the systematic oppression of women (Radačić and Facio 2020) and could overthrow the patriarchal power of reproduction and revolutionise contemporary life (Germon 2009; Repo 2016). However, structural discrimination and oppression were not because of sex but because of the Western patriarchal, andro-/heterosexual interpretation and its deterministic organising principles (Laqueur 1990; Valdes 1995, 1996). Gender did not break from these organising principles but has only removed the relevance of sex within the structure. It is worth noting that many of the advances in women's rights and equality were due not to gender but rather to the continuing women's organising and advocacy.

Gender has been deployed through a hierarchical, heterosexual binary (male–female, life–nonlife, human–nonhuman world) along with capitalism (Altamirano-Jiménez 2020; Lugones 2007). It takes for granted or as inherent that sexual and racial differences and corporeal qualities fit the universal categories (Price and Shildrick 1999). It cannot be understood outside of its colonial production of sexism and racism (De Chiara 2015). Sexuality outside of the Western worldview has been dealt with through elimination or assimilation (Edenheim 2003; Guidotto 2007). Gender became a means to break down the social bonds and structures (Grey 2004; Mohanty 2003).

Circle 6 of Figure 1 represents the final shift in gender within feminism that occurred from the 1990s onwards, although not fully accepted within wider Western feminism. The focus of the subject changed from women to gender (Butler 2008). Sex reflected the sex characteristics of the sex assigned at birth and had no bearing on identity (Butler 1993). Gender determines how one relates to the masculine and the feminine along with other various qualities; who we are; and how we live as "bodies in the world" (Butler 1993, 2008). The feminists and theorists argued that liberal feminism had lost the capacity to be subversive if women's sexed bodies were viewed as primary sites of agency and attached gender to self-defining acts that confront punitive and exclusionary social conventions (Popa 2021). Gender as performativity was the spearhead of these theories through its social constructionism following on from those before, including Money, Stoller and the Western feminists (Butler 2008). The idea was to break the binary while maintaining the medical and social constructionist foundations upon which gender was established (Butler 2008; Marcus 2005; Thoreson 2009; Vasterling 1999). Gender under this paradigm was individual and self-defined. It has been based on the psychological sense of the self and formed on the body which is mouldable to that of the self. For Butler, gender is a discourse of identity, a way of "existing in one's body", and not a discourse, an apparatus, of itself (Butler 1985: 510). As Jemima Repo argues, Judith Butler "de-historicises

gender as a form of existing in and experiencing the world, whereby we can discursively trace subjectivation as it appears as different kinds of this or that form of identity, this or that mode of existing" (Repo 2014: 75).

The deployment of gender fails to account for the historical and material specificity of traditional/Indigenous being and belonging or identity (Grey 2004: 9). Western feminists feared that "decolonising politics" would hold Indigenous women within the patriarchy (Burman 2011). Gender has had to be shoehorned onto colonised societies and does not reflect them as an organising principle (Oyěwùmí 1997). It does not capture the Indigenous embodiment (Mohanty 2003) and the acceptance of diverse sexuality within their personhood (Epple 1998; Farran 2010; Hill 1935; Kerekere 2017; Opler 1960). Many traditional societies did not force their people to compartmentalise their bodies, desires and experiences—their sexuality (Osorio 2020). The apparatus of gender affects the sense of well-being and disembodiment (Mack-Canty 2004).

While the feminists argued that they were debasing biological determinism, in reality, they only debased the embodiment of being and not determinism itself. What they have done is universalise gender as a social "ahistorical", "acultural" descriptor and disguised its foundations (Germon 2009; Repo 2016). The mainstreaming of gender fails to account for the in-built sexism, along with racism, in the governance of life and individuals (Repo 2013). The apparatus of gender was contested from its introduction into the public sphere as it was appropriated from medicine (Germon 2009; Repo 2016).

While references to intersex were everywhere in the early stages of Anglo-American feminism in the discussion of gender, by the 1980s intersexuality was almost nowhere to be found in the feminist literature (Germon 2009). The denial of intersexuality was not new to Western advocates advancing women's rights. One author, even in advocating women's rights in the 1600s, wrote that hermaphrodites "should come no nearer then the post at my doore", that is, they shall not be part of public life (T.E. 1632: 5–6). The Western feminists were clear on the need to erase sexual diversity—intersexuality and transgender people—as they debased biology (Gill-Peterson 2018). They, like those in medicine, reinforced the view that without medical help, sexual minorities would live unfortunate, miserable lives (Germon 2009; Repo 2016). The tension went unrecognised as, on one hand, they attempted to "dismantle sex" and, on the other, intersex and transgender people were shoehorned into male and female categories (Downing *et al*. 2014; Germon 2009). Universalising gender ensured that a subjectivity as intersexuality remains a non-possibility (Edenheim 2003; Guidotto 2007; Lugones 2016).

As gender replaced sex, it did so as an apparatus with specific intentions. It marked a shift in history. For that reason, it is possible to examine gender before it came into existence in the 1950s (Repo 2013). It has a short history, and a contested one at that (Germon 2009; Repo 2016).

IMPACTS OF GENDER THROUGH DISEMBODIMENT

Human beings are embodied personalities (Grear 2007). Personhood has both individual and dividual modalities or aspects of personhood (LiPuma 1998). A dividual is a socially embedded person who is cultural and sociocentric (as opposed to an individual who is an atomistic, egocentric, autonomous social actor) (Smith 2012), understood through embodiment.

Embodiment includes the innate experience of living in, perceiving and experiencing the world directly from the very specific location of the sex(ual) body. Sexuality here includes the cultural, physical, social and even sexual relations (Shively and De Cecco 1977). Embodiment also encompasses agency (personhood) and dignity in cultural custom (Strathern and Stewart 2011; Tolman *et al*. 2014). The experience does not need cognition to give it meaning because the body is forever entangled with the world (Tolman *et al*. 2014). The body is not just a passive sensory-data receptor that is socially constructed but a dividual, a part of the consciousness and cognition that perceives and experiences the world (Tolman *et al*. 2014). Embodiment recognises that dividuals anywhere experience the world and relations from the location of their bodies that enable agency and dignity in their cultural/spiritual being.

Gender, however, is a disembodied, individual apparatus. It is imprinted onto passive bodies as fragmented sexual objects and disembodied gender identity (Holland *et al*. 1994). It maintains the ideal masculinity or femininity while rejecting any biological basis of sex (Price and Shildrick 1999). It is gender performativity on one hand and a production of identity possibilities on the other (Butler 2008). Gender emphasised the internalised normative mechanisms and discourses that shape our relationality (Mason 2018; Tolman *et al*. 2014). The discourse was made understandable by the sex–gender split deriving from Stoller.

Gender has affected intersexuality through their erasure not only of their physical bodies but also their cultural being, a disembodied being, that is only recognised as an assimilated gendered being—male or female. Though not initially accepted, it has now assimilated within much analysis and discussion of te ao Māori in discussing wahine (woman) and takatāpui (sexual diversity). Sexuality in the broader, unifying basis is a central part of embodiment or whakatinanatanga, even when sexuality, such as intersexuality, is not necessarily named by society.

Intersexuality

Many cultures have treated intersexuality as sacred (Costello 2014). Yet Western society alienated embodiment and personhood from intersexuality. The West has never recognised them in such a way since the beginning of the Roman Empire. It has dehumanised them—considered them as aberrations

of society, monstrous, a breach of nature (Dreger 1998; Karkazis 2008; Meyerowitz 2004; Parsons 1741; Rubin 2012).

As their bodies defy the sex binary (Davis *et al*. 2016; Foucault 1998), they are considered defective socially, and as such they have been forcibly assimilated socially as either male or female, or eliminated (Dreger 1998; Foucault 2003; Reis 2005, 2009). Since the 1900s, their "defective bodies" have been medically rehabilitated through diagnostic, corrective and/or normalising mechanisms of intersexuality into the normativity as males or females (Dreger 1998; Karkazis 2008; Rubin 2012; Topp 2013). The goal of gender was to maintain social order by rehabilitating intersexuality into the heterosexual framework of girlhood/boyhood and womanhood/manhood (Downing *et al*. 2014; Germon 2009; Gill-Peterson 2018).

Gender, as the Western feminists appropriated from medicine, continues to render the intersex body elastic and malleable, and hence, more governable as a site upon which to construct heterosexuality (Repo 2013). It has resulted in unnecessary violence done to intersex bodies based on Western sociocultural imperatives (Arana 2005; Davis 2015; Dreger 1998; Holmes 2016; Karkazis 2008; Knight 2017; Roen 2009; Warne n.d.), violence that is recognised as torture and ill-treatment (Méndez and Human Rights Council 2013).

Gender is a structural system to normalise and coerce intersex bodies and beings and embed it in the foundations of Western, heteronormative society (Adkins 1999). Through biopolitical discourses, practices and technologies of normalisation (Rubin 2012), the gender apparatus results in the denial of agency and disembodies and alienates them from their personhood as intersex people/intersexuality (Breu 2016). It results in the dehumanising disembodiment of the intersexual dividual that challenges the structures by disrupting ideas about sex and gender correlation (Davis *et al*. 2016). For intersexuality, gender is the story of shame, secrecy and coerced bodies, leaving stigma and trauma (Rubin 2012).

New Zealand government processes still enforce the disembodiment and medicalisation of intersexuality. For example, a government discussion document on a regulation change for self-identification defined gender as

> a person's social and personal identity as male, female or another gender, such as "non-binary". A person's gender can be different to their sex. (Department of Internal Affairs 2022: 5)

Their definition of sex was as follows:

> Sex refers to a person's physiological features that characterise people as male, female or intersex. A child's sex is generally assessed by a medical professional who is present at the child's birth and is listed on the child's birth record when they are first registered. (Department of Internal Affairs 2022: 5)

The definitions above acknowledge the existence of individuals as having a gender beyond the male–female binary; however, a critique remains in how the medicalisation of sex, as determined by physiological features, still frames a person's identity within a restrictive system. The assignment of sex at birth embeds an individual's identity within a framework that may not accommodate the complexities required within intersexuality, thus reinforcing a dichotomy through the reliance on a medical basis for identity formation. In that framing, sex is considered a physiological feature of the body and no longer core to a person's identity. Social and personal identity may still be considered by the apparatus of gender as it is defined, sidelining the autonomy of individuals to define their own sex identity beyond medical and institutional boundaries. This is a continuation of the dehumanisation of intersexuality and maintains the medical foundation in the establishment of gender.

Even though there is a growing acceptance of the phrase "innate variation of sex characteristics" (IVSC) as a physical feature for intersexuality, it is still retained within the idea that everyone has a gender (identity)—masculine, feminine, nonbinary—with references to sex characteristics that may include "variation of sex characteristics" or "difference of sex development." Nonbinary here does not mean intersex. It is still the gendered framing as was noted in circle 6 of Figure 1. Under the IVSC notation, it is a physical feature but not core to your embodied being. Those who identify as "intersex", or those reclaiming "hermaphrodite", are minimised or even negated as harmful to the community. There is pushback from intersex activists on anything that could infer a "third" or other sex as it "do[es] not respect our diversity or right to self-determination" (UN Human Rights Office 2019). This continues the disembodiment of intersexuality.

Some transgender advocates believe gender and gender identity are liberating and important for affirmative gender care and for validity for themselves and their communities (Coleman *et al*. 2022; Oliphant *et al*. 2018). This article does not deny them that validity; however, universalising gender (and gender identity) will continue to affect intersexuality under a medicalised concept of being and, at the same time, continues to alienate and disembody them.

Intersexuality embodiment enables dividuals to perceive themselves as their cultural, physical beings, with genealogical roots. Embodiment emphasises resistance and agency (Breu 2016). Human rights enable the development of an embodied life in dignity, that is, with diverse sexuality as part of the embodiment (Sterling 2018).

Te Ao Māori and Whakatinanatanga

Knowing the foundations of gender, it is substandard as an apparatus to explain te ao Māori. Māori are not patriarchal in the Western sense (Hokowhitu 2008). As an apparatus, gender does not enable Māori to

challenge the (Western) category of women and sexuality (Altamirano-Jiménez 2020; Burman 2011; Simmonds 2011). Western patriarchy is a product of colonialism (Burman 2011). Although gender has been portrayed as a contributing key descriptor of Māori society and its roles, in reality, it is an imposition of Western, liberal concepts of social organisation. As such, it has had a reductive, assimilating effect on te ao Māori and its tikanga (ethical principles).

Whakatinanatanga, embodiment, situates the dividual between Papatūānuku (earth mother) and Ranginui (sky father), among the human ancestors, and all within, including mountains, rivers, oceans and the collective (Pihama 2020). It shapes dividuals both individually and collectively (Altamirano-Jiménez 2020). It is embedded through ceremonies, legal and political orders and languages based on their social relationships (Marsden 2003). It is core to various Māori health models such as Mason Durie's Te Whare Tapa Whā (four sides of the house) (Durie 1985) and the late Rose Pere's Te Wheke (octopus) (Love 2004; Pere 1997, 1988).

While sexuality was not always named in te ao Māori, it was respected as something inherited from the ancestors. It was not just biological essentialism or a social construction (Kerekere 2016). As Leonie Pīhama explains:

> Māori perceptions of sexuality were underpinned by the foundational concept of whakapapa [genealogical connections], which connected all living things and which demanded the maintenance of balance between human and atua [god, deity, ancestor], between human and the environment, between male and female, and between the generations living, deceased and unborn. (Pīhama 2015: 7)

Each person carries masculine and feminine qualities, indicating balance, which is recognised by the genderless pronoun "ia" rather than he or she. Carl Mika refers to "ira", an essence or "gene" that embodies what it means to be human and grounded (Mika 2023). Sexuality in its diversity is still embedded within ira through the kaupapa (purpose) and tikanga, and reflected their whakapapa (Aspin and Hutchings 2007; Pīhama 2015).

Mana wahine illuminates and recognises the authority, dignity and power (the mana) of Māori women (Simmonds 2011). It acknowledges what it means to be Māori first and a woman second. Mana wahine indicates a Māori woman's lived and embodied reality (Simmonds 2011). Unlike Western feminism, mana wahine does not situate women against men on an oppositional basis. Mana tāne (male), mana whānau (family), mana whenua (land) and mana atua (gods) are all central to the embodiment of mana wahine (Simmonds 2011). Mana wahine are respected as nurturers and nourishers of the future generations by the family, whānau and hapū (subtribe) and the community (Altamirano-Jiménez 2020; Burman 2011; Chant 2011; Simmonds 2011). Reproduction is viewed with status, as bringing forth

future generations, rather than as a symbol of oppression (Pihama 2020; Simmonds 2011). This notion is also reflected through whānau ora (family well-being) to honour their ancestors (Chant 2011).

Mana takatāpui refers to the authority, dignity and power (the mana) of sexual diversity within te ao Māori. Takatāpui describes non-heterosexual forms of sexual expression deriving from historical Māori society (Aspin and Hutchings 2007). Sexuality was not restricted to a binary view of sex in their communities, where diversity was the norm, not the exception (Kerekere 2017; NZ House of Representatives 2021; Pīhama 2015; Pīhama *et al*. 2015). More recently, Tu Chapman has described ira tangata as part of a reclaiming of intersexuality space within te ao Māori. Tu refers to ira as genes and whakapapa, and tangata to person(hood) (Intersex Aotearoa 2021). It acknowledges that a dividual is Māori first and not defined by any single characteristic or variation. The acceptance of and respect for sexual diversity for Māori is still through whakatinanatanga. As gender denies cultural embodiment, it cannot explain or hold the values and foundations of sexuality or sexual diversity in te ao Māori through whakatinanatanga (Kerekere 2017).

As a result of the universalising of Western, liberal "Rainbow" or "LGBTIQ+" worldviews, traditional understandings of Māori sexuality have become blurred, misinterpreted or lost completely (Aspin and Hutchings 2007: 420). The universalising of gender (identity) since its establishment by medicine has been part of this blurring process deriving from a Western and not a te ao Māori foundation.

Using gender is a disservice to the role of mana wahine and mana takatāpui and relationality within their whānau, hapū and iwi (tribe) (Pihama 2020). Gender does not have the capability to hold the values, ethics and relationality of whakatinanatanga through ira. Gender limits the discussion and understanding of whakatinanatanga in te ao Māori, especially around sexuality. Sexuality is not another identity but simply part of being Māori (Aspin and Hutchings 2007; Pīhama 2015) and was not a concern as long as whakapapa was protected and nurtured (Pīhama 2015).

AN EMBODIED LIFE

As Repo reminds us, "we cannot examine the history of gender before gender itself came into existence" (Repo 2013: 229). Using gender for analysis of societies prior to its introduction simply imposes a Western worldview on different societies. To understand sexuality in historical accounts, they must, as David Halperin, argues, "recover the terms in which the experiences of individuals belonging to past societies were actually constituted, and, second, … measure and assess the differences between those terms and the ones we currently employ" (Halperin 2012: 28–29).

Sexuality in its unitary basis, not biological determinist basis, is more useful in the measuring and assessing of such differences. Attention must be paid to understanding the uses of terms in terms of their cultural meanings (Epple 1998; Halperin 1990).

Although gender is mainstream now, women from the Global South and Asia and Indigenous women from other areas contested the idea of gender (Repo 2016). Western structures have not only continued to dismantle cultural social structures that maintained societies through values but also removed the meaning of relations through erasing or assimilating understandings of social beings such a women or intersexuality into non-definite sites of positioning. Rather than enhancing human rights, this has resulted in advancing the liberal, colonial system and destroying Indigenous and traditional ways of life. Gender continues to perpetuate the mind–body dualism, determinist biological foundationalism, heterosexism and racial and cultural bias (Repo 2016).

While some populations consider gender as explaining their identity (Western feminists and transgender/nonbinary populations), the universalising of it is a continuing colonising project that disembodies cultural identities. While some may find liberty in "gender", for other groups, it leads to further impacts of alienation from their embodied, cultural being.

To overcome oppression and discrimination, it is critical to decentre gender (Sterling 2022), especially for intersexuality, and to avoid further colonisation of te ao Māori for wāhine and takatāpui. Decentring gender enables a recognition of sexuality as an embodied experience in the dividual cultural backgrounds that is equally valid with gender/gender identity. Acknowledging the embodiment of personhood upholds human rights in an inclusive and participatory world (Sterling 2021) and cultural rights (UNDRIP 2007).

Reclaiming these particular traditional understandings enables their embodiment and personhood. Embodiment is a symbol of living in, perceiving and experiencing the world from the location of a person's body, including the experiences of agency and dignity in the custom of a particular society.

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NOTES

1. Previously known as hermaphrodites, intersex people (or people with variations of sex characteristics) have sex characteristics that do not fit "typical definitions of male and female"—variations of one or more traits in their chromosomes, genitals, hormones or internal reproductive organs (Pfuntner 2020). Intersexuality is used here to indicate the embodied form rather than a Western-based understanding of sex, gender and sexuality as independent separate, parts of autonomous choice. It is a concept that had been previously used prior to the focus on and popularising of the phrase "variations of sex characteristics".
2. Not all languages have reductionism of sex, gender and sexuality as the liberal notion. For example, "The Finnish language does not have a separate word for 'gender'; rather, the term *sukupuoli* is used to refer to all definitions of sex or gender—biological, socially constructed, and identity based. … [W]here it is clear from the context of a text that reference is being made to *sukupuoli-identiteetti*, the equivalent of 'gender identity', or to self-identification or sense of self, it has been translated as 'gender' or 'gender identity' for the sake of clarity" (Repo 2019: 87).

GLOSSARY

The terms in this glossary are te reo Māori.

atua	god, deity, ancestor
hapū	subtribe
ira	essence, gene
iwi	tribe
kaupapa	purpose
mana	authority, dignity, power
mana wahine	authority, dignity, power of being a female
tangata	person(hood)
takatāpui	nonheterosexual forms of sexual expression
tāne	male
te ao Māori	the Māori worldview
tikanga	ethical principles
wahine	female
whakapapa	genealogical connections
whakatinanatanga	embodiment
whānau	family
whānau ora	family well-being
whenua	land

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