

FOR AN INCLUSIVE INTERACTION:**DOING GENDER: NORM-RELEVANCY OR PERFORMATIVITY?**

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Abstract

Gender and gender terms are widely discussed in social sciences. Still, in the frame of analytic philosophy, this is much to discuss. One of the most important contributions to this is Jenkins' argument on gender identity. Jenkins defends that "the norm-relevancy account" is a good candidate for the target concept of gender identity as it meets some specific desiderata argued. (Jenkins 2018) (P1) Nevertheless, Jenkins' norm-relevancy account creates a suspicion on its account as it does not sufficiently meet all desiderata as it appears. The tension does not end here. In this paper, based on Jenkins' account, I follow Butler's (1999) account of the performativity of gender for a wider space of gender identity. In the scope of this paper, Butler's account of performativity (O1) constructs the main objection route toward Jenkins' norm-relevancy account of gender. So long as Jenkins' account of gender identity preserves norm-relevancy account as the target concept; it seems that doing gender as a process and the recognition of non-binary and some specific identities are not sufficiently met according to relevant social ontology. This also matters for interaction among people

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and for the question about how they apply their interaction standards for daily lives in relevant public domains.

Introduction

Gender and gender terms are elaborately discussed in the studies, especially after the 1990s. Kaypakoglu (2003, p.12-13) mentions that the gender term does not only include biological differences but also social conceptualization of being man and female. Also, the idea recalls Beauvoir's inspiring statements about gender. Beauvoir refers that "one *is not born* but rather becomes, *a woman*." (Beauvoir 1952, p.267) By this statement, Beauvoir addresses the significance of being a woman in her inspiring book: *Second Sex* and she regards being a woman as a process. This statement and idea do not only have a crucial impact on feminist history but still, they have an impact on ongoing feminist studies. With this regard, Erdem (2010, p.266) states that "femininity and masculinity is not a biological, self-proclaimed and intrinsic feature but a "habitus " and construction that is reproduced socially." The discussion does not end here. Nevertheless, Sunderland (2006:28) articulates the use of gender as biological sex and she argues that accounts of gender and biological sex have inseparable relation and for the gender term a "social component of biological sex." Accordingly, this reveals the idea that gender term still requires some sex roles that are valid for biological sex forms which are coded and learned culturally. (Sunderland 2006, p.28) Therefore, the term gender continues to be controversial in its relation to accounts of biological sex.

In this paper, the tension between Jenkins' and Butler's accounts of gender is argued. In the first section, Jenkins' account of gender identity

will be introduced and this will be reformulated. Then, in the second section, Butler's main argument about gender and performativity as a novel concept will be investigated as this has a special objection dimension in the frame of the paper. With the same line of thought, Jenkins' norm-relevancy account will be relevant to the main objection as this account seems to restrict gender with man and woman sex boundaries. Secondly, also this can reveal the exclusion problem of transgenders and mentally disabled transgenders and their performativity of identity. The discussion will end with addressing some possible objections to my account of gender and with possible replies.

1. Jenkins' Account of *Gender Identity*

The concept of gender identity has become relevant in recent years although it is not easy to see why and how an inclusive scope of gender account needs to be built. Also, there is a parallel track here for gender term discussions. According to this, Jenkins states that "even someone who thinks that gender terms should, *in general*, refer to gender identity must, on pain of circularity, allow that *in the context of the definition of gender identity, the idea of having a sense of oneself* 'as a man, woman or some other gender' must be explained without reference to gender identity." (Jenkins 2018, p.714-715) What does Jenkins imply by this and how does this accord with her account of gender identity? The view seems to attribute gender and gender terms to *a normative scope of gender identity*. Secondly, Jenkins (2018: 715) seems to investigate "various possible ways of extending the folk definition" of gender. It is one of Jenkins' main ambitions towards establishing a widespread and substantive understanding of gender identity.

The normative scope of gender identity that Jenkins (2018) argues seems to leave us with *the idea of having a sense of oneself as a man or woman*. For this, Jenkins follows Haslanger's method of ameliorative inquiry and this presents an example of prescriptive analysis of race and gender. (2018: 175) Drawn on this idea and method, Jenkins' aim becomes relevant. This is about the identification of the target concept of gender identity, "given the shared aims of trans rights movements." (Jenkins 2018, p.715) One question might arise here: For a normative scope of gender identity, according to Jenkins, what does the target concept of gender identity look like? Let me follow this question.

Although the question about *the normative scope of gender identity* is challenging, this becomes relevant so long as the position of transgenders is still on the route. Jenkins continues to follow this route. She refers to this endeavor as an "open possibility" and she continues as follows: "No definition exists that can do all the work that trans rights movements need it to do." (Jenkins 2018, p.716) Still, the question is about by which account Jenkins takes the target conception of gender identity to the stage. To reply to this, Jenkins applies i) norm-relevancy account that has a specific position on her account of gender.

To reach her account of norm-relevancy account as the target term for identity, Jenkins follows a basic analytic route. Before investigating this route from three accounts of gender identity and Jenkins' account of gender as a target term, let me introduce her main premise about the concept of gender. Jenkins states that "even someone who thinks that gender terms should, in general, refer to gender identity must, on pain of circularity, allow that in the context of the definition of gender identity, the idea of having a sense of oneself as a man, woman or some other gender' must be

explained without reference to gender identity." (Jenkins 2018, p. 715) This leaves Jenkins with the need to target the concept of gender identity as the resulting circularity in the folk concept of gender identity is a problem from the point of view of trans rights campaigners. If the view is reformulated, the folk concept of gender identity creates a problem from the perspectives of people who attribute gender identity to different terms out of the biological sense of gender. Secondly, it also widens the discussion of gender towards different properties of gender and its affiliation with political and social contexts. This route seems to have much to go beyond it.

For following the route of conceptualization of gender identity, Jenkins articulates six desiderata for the target concept of gender identity and three analytic accounts of gender among which the norm-relevancy account has a specific position as the target term of gender for her. (Jenkins 2018, p.713) Therefore, this shall be investigated in the frame of this paper. In terms of a norm-relevancy account of gender, there is a link between prescriptive *ameliorative inquiry* (Haslanger 2012C) and the "target concept of gender". The question about which account the target concept of gender identity takes it to be is still on the stage for norm-relevancy account as the target concept of gender identity.

Jenkins states that 'ameliorative inquiry seeks to identify which concept (or concepts) would be most helpful for us to use given *political* aims.' (Jenkins 2018, p.715). For this, it needs to be understood as a prescriptive endeavor, and secondly; this kind of inquiry directly presupposes the term 'target concept.' With this regard, any account of the target concept of gender identity needs to be helpful and this is tied to "ameliorative inquiry." Drawn on Jenkins' account; prescriptive

ameliorative inquiry seems to motivate norm-relevancy gender account. Besides, this is prescriptive as there are “multiple target concepts and no one of which would be able to fulfill all the goals of the inquiry itself.” (Jenkins 2018, p.715) This view is plausible as it widens the scope of gender identity, nevertheless, it is still based on a norm-relevancy account.

1.1. On Norm-Relevancy Account

For Jenkins, the "norm-relevancy account allows for trans women to have a full and accurate understanding of the nature of gender classes and gender norms, to desire not to be subordinated, and still to make a rational choice to transition." (Jenkins 2018, p.741) The idea moves beyond the statement, still, it needs to be reformulated within the scope of the paper. The reason why Jenkins seems to consider norm-relevancy account as a target concept of gender identity can be attributed to three main dimensions. These are about meeting *six desiderata, the inclusionary aspect, and the ethical and political implication of the account on cisnormativity based upon cisgender concept*. Let me briefly introduce six desiderata and pick relevant ones that are the most compatible with the political and ethical implications of the account.

Any account of gender identity should meet six desiderata and this is the route toward the target concept of gender identity. (Jenkins 2018, p.713) Jenkins uses six desiderata to assess the target concept of gender identity. Six desiderata for the target concept of gender identity are as follows:

D₁ The definition should render plausible the idea that gender identity is important and deserves respect.

D₂ The definition should be compatible with a norm of FPA.

D₃ The definition should be compatible with the idea that some trans people need transition-related healthcare that is based on their gender identity.

D₄ The definition should be clear and non-circular.

D₅ The definition should apply equally well to binary and non-binary identities.

D₆ The definition should combine well with broader critiques of current gender norms and social structures. (Jenkins 2018, p.723-724)

Due to the limitation of the paper, according to the aim, D₂ needs to be taken into center. Note that, all desiderata shown have overlapping relations towards the target concept of gender identity. To the extent that it is respect to gender identity, Bettcher argues an ethical norm of FPA and this has a "serious epistemic advantage" for a person. (Bettcher 2009, p.100) According to Jenkins, the self-identification account proposed by Bettcher is compatible with ethical FPA." Drawn on this argument, "nothing in the account weighs against a practice of people's declarations of their gender as authoritative- quite the reverse." (Jenkins 2018, p.727) For this end, Jenkins considers this also opens an epistemic demand of FPA that meets D₅ and D₆. In other words, self-identification account seems to be "applicable to non-binary identities" and to "critical stances towards gender norms." (Jenkins, *ibid*) This appeals to access of identities, any "practice of treating people's declarations of their gender as authoritative." (Jenkins 2018, p.727) Besides, the self-identification account prioritizes *justificatory narratives of the people about their gender as authority* and this makes sense. The view does not end here, still, Jenkins' concern about self-identification account is on the stage.

Nevertheless, for Jenkins, the self-identification account has some challenges. Also, it is weak to reveal why gender identity is important and deserves respect. Drawn on Jenkins' objection, this self-identification account of gender identity is equated with a disposition to make certain kinds of assertion and this makes gender identity seem trivial. This is highly problematic for Jenkins and her objection enlarges upon this statement: "Insofar as we care about gender identity we seem intuitively care about it is *whatever it is that makes people want to utter those sentences, or whatever it is that they express when they do utter them.*" (Jenkins 2018, p.728) Accordingly, for Jenkins, this is not restricted to self-identification account as this account is weak to demonstrate and to say more about how gender identity is important. Jenkins' objection towards self-identification widens the discussion of the target concept of gender identity and I shall continue this route.

For Jenkins, any target concept of gender identity is still highly demanding on its account, and a self-identification account is not sufficient for this as it does not say much about how gender identity important is and deserves respect. (Jenkins 2018, p.726) Though self-identification seems to meet the norm of FPA, it is not privileged ethical access to gender identity but privileged epistemic access. Drawn on Jenkins' objection, a compatible account of gender identity with ethical and epistemic access is a compatible map and picture with some norms. This opens the "embodied map" metaphor. (Jenkins 2018, p.728) This is a parallel line to Jenkins's view arguing that "someone experiences those norms as relevant to them". (Jenkins 2018, p.728) In other words, the norm relevancy account for Jenkins reveals the idea that someone has a female gender identity is to say that she experiences the norms that are associated with women in her social

context as relevant to her. To strengthen this idea using the embodied map, she gives the example as follows:

“Suppose that a woman, a man, and a non-binary person all work in the same building, and each is given a map of that building and asked to annotate it in ways that indicate how they experience different spaces. The woman's map might have the female toilets marked as a space where she can go and the male toilets marked as a space where she is not able to go; the man's map might be the opposite way around; and (assuming, as is sadly common, that the building lacks gender-neutral toilets) the non-binary person's map might have *all* toilets marked as uncomfortable places fraught with stress and danger.” (Jenkins 2018, p.729)

The observatory clarification about the binary gender map, which Jenkins shows, has a special position for her account of gender. Besides, Jenkins is highly aware that any target concept of gender identity fulfills all the goals of the inquiry by itself. (Jenkins 2018, p.715) Still, for her, a gender map is a good route to follow. With this regard, she adds that "gender map need not correspond to the way one is seen by others; a person might know that other people judge their behavior by reference to norms of (say) masculinity." (Jenkins 2018, p. 729) This idea recalls the importance of gender identity and draws on Jenkins's example about women in the workplace; "talked over or ignored women" can find themselves to be marked as "somewhere I am not supposed to speak much." (Jenkins 2018, p.729) This is based on the woman's map for Jenkins' account. (Jenkins *ibid*) In the next section, I shall argue some relevant objections about these two cases of gender identity.

This tension between social spaces and gender identity reveals a *tacit* map, (Jenkins 2018, p.729) furthermore properties of gender can conflict with some social norms, spaces as seen in the example of the toilet. The concept of gender identity is assumed to be "S has a gender identity of X if S's internal 'map' is formed to guide someone classed as a member of X gender through the social or material realities that are,..." and this is related to the corresponding context and "characteristic of Xs as class." (Jenkins 2016, 410) For Jenkins, it seems that if we consider this concept in terms of *toilet* example; a non-binary person or a transgender can find themselves in the gender position of assumed X gender. Even the tension in the workplace among women and male directors seems to be restricted by social space and norm-relevancy account attributed to gender itself. This creates a restriction over the concept of gender identity that I am not satisfied with. Besides, a wider space for any target concept of gender identity is still the question. For this question, two examples can be enlarged upon two other dimensions and these are in the frame of *performativity of gender and justificatory narratives of the people about their genders*. It is assumed that two dimensions can broaden Jenkins' discussion of the target concept of gender identity from different aspects. To broaden this view, for the next section, Butler's account of gender will be introduced.

2. Butler On the Account of *Performativity of Gender*

It is not easy to reveal which accounts gender identity takes to be. In the last section, this has been reformulated and questioned using Jenkins' account of *gender identity* and its relevant terms. Also, based on Jenkins' account, it is argued that "epistemic FPA requires that no one can be wrong about their own gender identity, the norm-relevancy account would not be

able to meet such a revised desideratum." (Jenkins 2018, p.738) Secondly, Jenkins suggests norm-relevancy account "*as a solution to the "inclusion problem" and this is the inclusion problem towards gendered subjects.* (Jenkins, *ibid*) Nevertheless, the recognition of genders using norm-relevancy is still challenging. If two examples about gender shown by Jenkins are recalled, (examples of toilet and workplace) norm-relevancy account does not seem to open a wider space for the gender identity problem and it does not seem to meet D_2 D_5 and compatible desideratum D_6 . Here, within this line of thought, I shall draw a line toward Butler's account of gender to open a wider and inclusive space for the account of gender identity.

Let me follow this section with a primary question. According to Butler, what does the idea of performativity imply? Does the idea of *performativity* accord with Butler's account of *gender identity*? In the Preface of *Gender Trouble* book, Butler states that "performativity is not a singular act, but a repetition and a ritual, which achieves its effects through its naturalization in the context of a body, understood, in part, as a culturally sustained temporal duration." (Butler 1999, p.15) At first sight, it is not easy to understand what performativity calls or does not call for. Still, it gives a sense to the idea of repetition or ritual and its direct link to the idea of body, communication, and cultural domains. Therefore, the notions of ritual, and repetition seem to be dimensions of performativity and I shall draw a line to these dimensions a bit later.

Secondly, Butler's idea about performativity opens a door for the idea of gender terms. Probably, Butler would hesitate to call this a *gender term*. Furthermore, in terms of performativity, Butler states that **“gender proves to be performance— that is, constituting the identity it is purported to**

be. In this sense, gender is always a doing, though not a doing by a subject who might be said to pre-exist the deed" (GT:25) The idea evokes that performativity is something not unreal but real and this seems to be about doing gender. Also, the doing gender seems to be rescued from any biological and binary gender roles, or attachments. This also permits that notions of "man and woman" can be considered out of biological attachments and these two gender categories are "compulsory heterosexuality" and relevant central protagonists. (Butler 1999, p. 187) The applied term of performativity is an applied standard of doing gender that leads performativity of gender to be the main domain for Butler's account of gender. The idea of performativity is grounded on "acts." (Butler 1999, p.187), and "gender is, thus, a construction that regularly conceals its genesis; the tacit collective agreement to perform.." (Butler 1999, p. 177) Compared to Jenkins's account of gender identity, Butler's view about gender seems to open a wider space for gender account due to two main reasons. Using performativity of gender; Butler's account seems to present a wider space for some gendered individuals that can be considered out of two sex binaries such as "man" or "woman." Secondly, Butler's idea of gender performativity can create a more inclusive space for justificatory narratives of people about their gender identity. This is relevant to the account of *self-identification* of narrators about their gender identities which Jenkins seems to be suspicious about. Besides, this is not restricted to norm-relevancy accounts. Still, there is a relevant track here for the norm-relevancy account discussed by Jenkins.

In the first part, it has been reformulated that Jenkins' account of gender argues that norm relevance accounts for the target concept of gender identity. Nevertheless, for Butler, the picture of gender identity is not the

same to which Jenkins appeals. Both philosophers have different standards in terms of their application for their account of gender identity. Accordingly, for Butler, any point of view of gender needs to be considered in terms of "constructed identities." (Butler 1999, p.179-187) Thereby, for Butler, "the loss of gender norm would have the effect of proliferating gender configurations, destabilizing substantive identity." (Butler 1999, p.187) This idea can also open the door for the substantive account of gender identity that needs to be discussed outside of "naturalizing narratives" of compulsory and binary heterosexuality. From this aspect, the effect of proliferating gender configurations; transgenders, or some non-binary gender groups can be recognizable. Secondly, compared to Jenkins' norm-relevancy account; Butler's account of the performativity of gender more substantively meets some desiderata and these are D₁, D₅, and D₆. In parallel with these desiderata, Butler's account of gender is more inclusive than Jenkins' account in terms of *respect for gender, the recognition of non-binary identities, and critique of current norms and social structures*. To this end, let me clarify these divergences between Jenkins' and Butler's accounts of gender identity using some observatory clarifications. Then, I shall discuss Jenkins' possible objection to my account of gender identity.

2.1. An Argument On Performativity of Gender As Norm-Breaker

For this section, firstly keep that the gender identity is a doing that is about "acts" and justificatory narratives for Butler. Besides, compared to Jenkins' account, Butler's account opens a wider space for transgenders and other non-binary genders. Secondly, this is not only in terms of ontological aspects but also of the political expression way of gender identity. Also, this is meaningful about the affirmation of gender identity out of two

biological sex categories. Within this line of thought, Parker mentions that Butler regards gender identity as affirmation of performatives of gender and, "such performatives ought to be automatically taken as credible, as human, as gender per se, instead of defining gender in terms of coercive social roles" (Parker 2021, p.111) Parker's reformulation is very compatible what i try to reveal within the scope of the paper and drawn on Butler's argument of gender, this signifies the constructed identities by doing gender. Now, let me recall Jenkins's two cases about *toilets and women in the workplace*. A woman in the corresponding workplace can break the dominant discursive language directed to her and she can justify her narrative towards her male director. For the second case, drawn on Butler's route, if the toilet was marked out of a binary person's map; a non-binary person's map might not "have all toilets marked as uncomfortable places fraught with stress and danger." Even, this also might meet some other identities' map that leads to a wider space for identities in social places. For this, a toilet example in Tokyo, Japan is very inclusive and promising and for concretizing this, please see the picture as follows :



Picture 1: "Toilet for anyone" in Japan.²

² Jenkins, A. (March 2, 2017). ["Toilets for All Genders Are Coming to the Olympics in Japan"](#). *The Times*. Retrieved April 27, 2017.

There can be many other examples of social spaces. Still, contrary to what Jenkins demonstrates, these relevant examples can be reversely shown. Also, it needs to be kept in mind that analytic accounts of gender identity which analytic philosophers discuss are in the scope of "tremendous ethical and political significance." (Jenkins 2018, p.742) With this regard, Jenkins argues that for ameliorative projects motivated by the desiderata; a norm-relevancy account is the best candidate for the target to better accommodate non-binary gender identities. Secondly, this is the best candidate for some "political aims that are guided to project." (Jenkins 2018 p.717) Nevertheless, this can lead to some worries about non-binary genders' self-recognition using their justificatory narratives and their performativity of gender. And this can be met with some objections towards Jenkins' account of gender and its restriction over transgenders' identities. In other words, Jenkins' account of gender identity is still in the frame of cisgender (also discussed by Andler, 2017) as long as it prioritizes the norm-relevancy account of gender. This reveals the exclusion problem again. I have tried to show this through some desiderata stated by Jenkins and their incompatibility with her norm-relevancy account. Especially, D₅ reveals the significance of recognition of non-binary gender identities although Jenkins' relevant considerations do not fare relative to this desiderata. Probably, Jenkins would disagree with this. Furthermore, she might object to this by considering that her norm-relevancy account of gender identity accords with these desiderata. Also, Jenkins might not sufficiently consider that the "self-parody", and "self-criticism" (emp. by Butler 187) aspects of revealing gender identity can be also political. In other words, the performativity of gender can break the

norm-relevancy account of the cisgender frame. For this track, take this example for clarification. In some transgender protests, trans individuals dress very exaggeratedly which might be regarded as "absurd". Or, in daily life practices, these individuals can make up themselves exaggeratedly and this is a route for very "phantasmatic status" (Butler 1999, p.181) of gender. This is also very parallel to what Butler mentions by "very exaggeration of performativity." (Butler 1999, p. 187) In a parallel line of thought, this also opens the way for Andersen's consideration of gender. This needs to shortly take place here. If Andersen's relevant view about gender is shortly interpreted to follow my account; this is as follows: The constructive function of gender is especially revealed when individuals motivate social gender roles. In this way, individuals can develop a method of resistance against traditional, social gender forms and they can mock and create parody out of specific stereotypes. (Andersen 1997, p.59) Besides, this can be interpreted as a norm-breaker function of performativity of gender. According to Andersen's view, the notion of social gender is not a stable and fixed concept; therefore it seems to apply to transgenders' or non-binary genders' self-reflection. This opens a much wider space for the process of "gendering" and my critical engagement with gender. In the parallel way of Butler's thought; Andersen's account seems to be more inclusive of both ontological and political aspects of gender. These accounts could more substantively meet D₁, D₅, and D₆ desiderata in terms of *respect for gender, the recognition of non-binary identities, and critique of current norms and social structures.*

Concluding Remarks

In this paper, the gender account for a more inclusive account of gender identity is problematized and the question about on which standards this

needs to be grounded is followed. For this, Jenkins's norm-relevancy account as the target concept of gender identity is investigated. Although Jenkins is highly aware that there is no specific definition of gender that is valid for all; the norm relevancy account proposed by Jenkins still creates suspicion on its account. Contrary to Jenkins' claim, Jenkins' account does not sufficiently meet D₁, D₅ and D₆ desiderata and these are the criteria as follows: *respect for gender, the recognition of non-binary identities, and critique of current norms and social structures*. This reveals the exclusion problem for non-binary genders and transgenders. Nevertheless, Butler's account of the performativity of gender is more inclusive in recognizing non-binary identities and their social ontology. This leaves us with the question of a wider space for the application of the scope of gender identity. With this regard, in the end, it is defended that recognition of people from their perspectives requires *the recognition of gender as doing and the process of being from people's perspectives*. For this, the idea of the target concept for gender identity needs to be widened using the following ongoing gender and analytical philosophy discussions.

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