

Table of contents

<i>Preface</i>	1
Introduction and objectives	5
THEORETICAL AND METHODOLOGICAL SECTION	17
Chapter 1. The binary opposition between women and men and its transgression: Certifying the legal sex and defining the (gendered) worker subject	19
1.1. Definition of the research problem	19
1.1.1. On ‘sex’ and ‘gender’: The social construction of sex/gender categories	19
1.1.2. Women and men: The (unequal) organisation of society	23
1.1.3. ‘Trans*’ people: The construction of ‘normality’ and the punishment of transgression	28
1.2. Description of the cases	34
1.2.1. The legal certification of sex in Belgium	34
1.2.2. The definition of the (gendered) worker subject	42
Chapter 2. Conceptualisations of exclusion and discrimination against trans* people	51
2.1. ‘Trans*’ terminology and definitions	56
2.2. Definitions of the problem	60
2.3. Locations of the problem	64
2.4. Theoretical perspectives and notions	68
2.4.1. Attitudinal studies	68
2.4.2. Discursive studies	71
2.5. Critical discussion of the literature	76
Conclusion	81
Chapter 3. Methodology, method and procedure	83
3.1. Theoretical-methodological framework: Discursive psychology	83
3.1.1. DP core principles and theoretical notions	83
3.1.2. DP analytical methodology	87
3.1.3. Adequacy between methodology and research objectives	93
3.2. Research design, method and procedure	98
3.2.1. Documentary study	99
3.2.1.1. Legislative corpus: search strategy	99

3.2.1.2. Data analysis	112
3.2.2. Interview study	117
3.2.2.1. Producing workers' accounts	117
3.2.2.2. Data analysis	140
3.2.3. Method overview	145
EMPIRICAL SECTION I	147
Chapter 4. Discursive practices constructing the binary opposition in Belgian 'trans* legislation': From 'overt pathologisation' to 'covert psychologisation'	149
4.1. <i>Loi relative à la transsexualité</i> (2007)	150
4.1.1. Description of the bill	150
4.1.2. Discursive practices	154
4.1.2.1. The mind-body dichotomy and related metaphors: a distinction of notions	154
4.1.2.2. Medical rhetoric: transsexuality as a mental disorder	163
4.1.2.3. The notion of ethics	171
4.1.3. Changes incorporated in the final text of the Act	173
4.2. <i>Loi transgenre</i> (2017)	174
4.2.1. Description of the bill	174
4.2.2. Discursive practices	178
4.2.2.1. Human rights argument and the reversal of the mind-body distinction	178
4.2.2.2. The notion of self-determination	188
4.2.2.3. The notions of ' <i>fraude</i> ' and ' <i>changement irréfléchi</i> '	195
4.2.3. Changes incorporated in the final text of the Act	199
4.3. Variability and effects	199
Conclusion	209
Chapter 5. Legislation certifying sex in Belgium over time: Medicalising sex at birth and psychologising its modification	211
5.1. Legislative developments: from the 'Napoleonic Code' to alleged self-determination	212
5.1.1. ' <i>Code Napoléon</i> ' (1804)	213
5.1.2. ' <i>Loi modifiant l'article 55</i> ' (1961)	215
5.1.4. ' <i>Loi relative à la transsexualité</i> ' (2007)	217

5.1.5.	<i>Loi concernant l'ambiguïté sexuelle</i> ' (2007)	219
5.1.6.	<i>Loi réduction de la charge de travail en justice</i> ' (2013)	221
5.1.7.	<i>Loi transgenre</i> ' (2017)	221
5.2.	Variability across Acts and effects	227
	Conclusion	237
	EMPIRICAL SECTION II	239
	Chapter 6. The production of sex/gender categories in workers accounts: normative and trans* categories	241
6.1.	Sex/gender categories in use	243
6.1.1.	The use of gendered grammar: <i>elle</i> or <i>il</i> ?	243
6.1.2.	The avoidance of gendered grammar	246
6.1.3.	Misgendering	248
6.2.	The description of sex/gender categories	250
6.2.1.	Distinction of notions: mind-body and appearance-reality	250
6.2.2.	The name of a part to refer to the whole (synecdoche): ' <i>sexe</i> '	258
6.2.3.	The argument of authority: the natural science rhetoric	262
6.2.4.	Dead metaphors: ' <i>homme habillé en femme</i> ', ' <i>femme qui joue le rôle de l'homme</i> '	266
6.2.5.	The socio-cultural argument	272
6.3.	Variability and functions	274
	Conclusion	280
	Chapter 7. Workers' definition of the (gendered) worker subject: Indifference, positive diversity and problematic difference	283
7.1.	The construction of gender (and sexual) indifference	284
7.1.1.	The use of epicene nouns and ' <i>je-m'en-foutisme</i> '	285
7.1.2.	The notion of skills (' <i>compétences</i> ')	289
7.1.3.	The private/public dichotomy	296
7.1.4.	The notion of 'respect' I	298
7.1.5.	Use of disclaimers: 'I'm not prejudiced'	301
7.2.	The construction of useful diversity	304
7.2.1.	Natural(ised) differences	304
7.2.2.	The notions of ' <i>équilibre</i> ' and ' <i>complémentarité</i> '	308
7.3.	The construction of the problematic difference	315

7.3.1. The notion of respect II	315
7.3.2. Humour and jokes	319
7.3.3. The avoidance of ‘misunderstandings’	325
7.3.4. Inversion of the subject responsible for the action	328
7.3.5. Use of disclaimers: ‘Fear of the different’	332
7.4. Variability and effects	337
Conclusion	353
<i>Addendum. Becoming aware of the binary opposition: Questioning one’s own practices</i>	355
CONCLUSIONS AND DISCUSSION	367
On critical thinking and social change: Collective responsibility and the embracement of contradictions	369
List of references	405