

A Woman's Place is Standing Her Ground

As some of you may know, I have had to stand my ground publicly on a number of occasions since the publication, with my colleague Michele Moore, of our co-edited book in 2018: [Transgender Children and Young People: Born in Your Own Body](#)

In fact, the necessity to stand my ground about transgenderism had already been pressed upon me on two previous occasions. It is these events, two years apart, that I would like to discuss here. In particular I want to describe their significance in the development of my own thought about the consequences for women and children of the proposed reform of The Gender Recognition Act (GRA) 2004. This reform would enshrine in law the fiction that transgender women *are* female.

The Academy and Freedom of Speech

The first event of standing my ground was in 2015. Unlike some other feminist philosophers, sociologists, and historians I had never written or even thought about transgenderism. I now find this curious, since at that time I was a research fellow at the University of Leicester, writing and teaching the philosophy of sex, gender, politics and medicine. As it happens, I also had a male transsexual friend who identifies as a woman and with whom I was and still am close. If someone had asked me for a view of Alice¹ it would have been embedded in ideas about equality and diversity. I would have ferociously argued, and still do, that he has the absolute right, protected by law, to identify as a woman, to dress as a woman, and to surgically alter his body to make it match his inner feeling that he is indeed a woman. I would have also argued that Alice belongs to a small minority of persons, and that his decision to live as a woman, and the similar decisions made by other transgender/transsexual women, could have no impact on the rights of women and children.

At that time I wrote an [article](#) about an iconic front cover of *Vanity Fair* where Bruce Jenner 'came out' as a woman. Jenner was a father in the (in)famous Kardashian family, partook in their reality TV show, and is a one-time Olympic gold medallist. In the photograph, he performed hyper-'femininity': he wore a basque which pinched in his waist and tucked in his genitals; he held his large hands out of sight; he wore a wig and lots of make-up. In 'transitioning' from Bruce to Caitlyn he had chosen to have reconstructive facial surgery, a trachea shave, female hormones, breast implants but no genital surgery. The visual representation of Jenner as a woman was accompanied by an article where he declared he had always been a woman, including when he had fathered six children and had successfully competed against other male-bodied athletes. He confessed that it was only in his mid-60s that he finally found the courage to tell his truth. Jenner said: "you can be born a woman with male genitalia, just as you can be born a man with female genitalia".

¹ Alice is not my friend's real name.

In order to analyse the cultural meanings of Jenner's 'femininity' and his claim that he was born female, I used the theoretical framework I had done countless times previously. My academic background is in continental philosophy, or what some people might understand as poststructuralism. In this framework, many of the truths about the body, sex and gender are understood as the product of language and discourse rather than nature. The philosopher Jacques Derrida describes the way language is made up of binary opposites: 'femininity' only makes sense in relation to 'masculinity'; 'masculinity' only makes sense in relation to 'femininity'. The philosopher Michel Foucault describes how the moment we are born – either male or female – society invests biological sex with discursive meaning and in that cultural investment hierarchical sexed and gendered 'truths' and power relations come into play. For example, heterosexuality has been historically privileged over homosexuality; men's sexuality has been lauded, women's sexuality has been controlled and disciplined; 'masculinity' is coded as active in contrast to 'femininity' coded as passive; heterosexual men's bodies have been thought of as neutral, without meaning, whereas women's bodies have either been pathologized (e.g. with regard to their reproductive functions – the menarche, menstruation, childbirth, the menopause) or sexually objectified. The philosopher Simone De Beauvoir demonstrates how historically Man has been constituted as the Norm and Woman his imperfect Other. She encapsulates the social construction of femininity thus: "One is not born, but rather becomes a woman".

Collectively, these theorists provide a means to understand how patriarchy gets 'into our heads'. We perform gender *as if* it is inherent, and in our iterative performance we on the one hand experience our designated gender as founded in nature and on the other hand struggle to achieve it since none of us, however orthodox, can fully comply with its restrictive norms. From this philosophical point of view, the ideology, philosophy and political strategies of transgenderism which promise gender fluidity and liberation from heteronormativity inevitably fail. In describing gender as inherent they reproduce the very patriarchal ideas of 'femininity' and 'masculinity' from which we are allegedly released. The alternative political solution is to work towards dismantling gender, for example accepting and embracing the range of human abilities and emotions in each person, regardless of their biological sex. In doing so we can all – women and men – be released from the heteronormative constraints of 'femininity' and 'masculinity' and this would help create a more equitable society.

In reflecting about Jenner's performance of 'femininity' my intellectual focus was not him as a person (I was actually indifferent to his personal choices) but on how the simulacrum of 'femininity' *stands in* culturally for biological sex and how this simulacrum was taken up with alacrity by an audience quick to receive Jenner as a 'true' woman, despite his male body. I duly posted my article on a forum called *Think-Leicester* where academics share ideas internally. I was extremely disconcerted to discover that a transwoman academic from outside my institution wrote a letter of complaint alleging my

ideas breached the Equality Act 2010. He proposed that transgender students and staff at Leicester University, including the thousands not taught by me, would feel unsafe by my presence and that as a member of staff with such offensive views my tenured position could reasonably be reviewed. Needless to say, I was intimidated and frightened about losing my job. The offending article was duly taken down, sent to the university's lawyers, and for the first time in my 25-year academic career I waited for 48 hours in trepidation at what disciplinary procedures might be applied for expressing ideas. It is to the University's credit that in establishing my article was not in breach of the law, and indeed that it fully complied with scholarly criteria, it was immediately reinstated. My only 'punishment' was that the university requested I reply individually to the handful of mothers who had also written to insist my article was tantamount to a personal attack on them for transgenering their children.

At that time, I did not fully comprehend the reasons why I had offended transgender sensibilities. Since the 1990s and alleged post-feminism, if a feminist academic had come under fire it was usually from neo-liberal academics, quick to correct her muddled, irrational, bigoted, 'man-hating' proposition that patriarchy still exists! My critics were not challenging me on that ideological front; not only did they concede patriarchy's existence but they described Jenner as a heroine who could help defeat it! Over the years I have come to understand my crime. I had not accepted as incontrovertible proof Jenner's inner conviction he is a woman as evidence that he *actually* is a woman. Since I do not locate gender identity as an inherent property, by implication I had placed Jenner's feeling of being a woman as a desire emerging out of a psycho-social context.

At that time, unbeknownst to me, two different models of transgenderism were competing with each other for dominance: one asserted that transgenderism is a psychological condition; the other asserted that transgenderism is a natural condition. Without realising it, I had put myself on the psychological side of the divide, and by implication called into question the central moral case for reform of the GRA 2004 – the claim that trans people are trans 'by nature'. Intense political lobbying was taking place for a revision of the law so that those over 18 wishing to change their legally recognized sex would only need to make a statutory declaration they intend to live as their chosen sex until death. A man's self-affirmation as female (no psychological counselling, no change in body or lifestyle, or any period of living 'as a woman') will be sufficient for him to be legally designated female and have his birth certificate changed to register his having been born female.

It was the response to my article about Jenner that first put transgenderism on my theoretical and political radar. [Anonymous posts](#) on social media described me as a TERF (Trans Exclusive Radical Feminist), a bigot and a transphobe. In contrast, I received personal emails from individuals within academia and the media thanking me for my bravery at speaking out. I also received an email from Canadian midwives alerting me to the statutory

change to permitted language in Canada. No longer could they talk about their patients as pregnant women but ‘pregnant people’, since to use the word women had been deemed discriminatory and exclusionary of transmen giving birth. An academic colleague warned: “don’t analyse transgenderism – you will be sucked into a vortex from which you’ll never escape”.

I did not heed my colleague’s advice. I was becoming aware that the ideology, philosophy and political strategies of transgenderism were crucially reshaping what it means to be a woman. There was thus a need for feminists to critically address the politics of meaning-making: Who gets to make meaning? Whose meaning-making is valorised? Who gets to do the valorising?

The Women’s Equality Party (WEP)

Two years later in September 2017, the same month that WPUK was formed, I found myself in London. At that time, I was a spokeswoman for the WEP policy on sexual violence against women and girls. I was participating in a committee meeting with staff where I suggested I publicly speak out, in my WEP capacity, about the proposed reforms of the GRA 2004. I was told ‘We accept everyone into WEP’ and the Chair immediately closed down any discussion. But my point had not been about who should or should not be a party member. I had hoped that as a party – the only party – dedicated to rectifying women’s inequality we would find it important to ensure women’s voices were heard in a debate around legislative change which could directly impact women. Citing the social fact of male sexual violence against women and children, women were increasingly anxious about the proposed reform which would allow men to enter women’s legally protected safe spaces ‘as women’ and this could possibly impact on women’s sexed based rights and protections.

The response to my suggestion alerted me for the first time that the WEP might concur with new trans truths about women. My view was later confirmed. The WEP [view](#) is that women are a sex class sub-divided into two categories: ‘cis’ women whose gender and biological sex ‘match’; transwomen whose true, inherent gender is at odds with their bodies outward sex characteristics. The term ‘cis’ was first coined by transgender activists in the 1990s. It found its way very quickly into popular discourse, and by 2015 into the Oxford English Dictionary. Language change is powerful: it shapes thought, it constructs truths, and truths have material effects. This new truth has been imperialistic: ‘Cis’ has effectively drowned out any other conceptual framework for understanding the politics of gender. Nowadays children and young people have no other lens through which to make sense of their gender experiences. Institutions and organisations deploy the terms ‘cis’ and trans on the assumption they have a foundational basis, empirically evidenced. The new trans truth is that ‘cis’ women and transwomen are both sub-categories of ‘women’ such that no differentiation should be made between either group with regard to their womanhood. In effect, ‘cis’ sets up a hierarchy where biological women are often attributed

as having unfair privilege *over* transwomen. Since ‘identity’ is more materially real than the sexed body in this view, then ‘cis’ women and transwomen are both oppressed by patriarchy, but transwomen are doubly oppressed because of transphobia.

The meeting itself evidenced the material consequences of these ideas for women and children. I had effectively been asked to empathically identify more with WEP transwomen members who might not feel welcome if the possible consequences of the GRA 2004 were discussed, or whose sense of themselves *as* women might be challenged, than with *all* women who were potentially vulnerable to the changing paradigm that law reform might endorse. The WEP later formally objected to my use of the term transgenderism describing it as having “negative connotations for transgender people, to the extent that it denotes an ideology, philosophy or political strategy and is felt to therefore delegitimize their feelings”.

I argue the WEP displayed extreme political naivety: all social movements, including, for example, the women’s movement itself, have an ideology, philosophy and a political strategy. The WEP also displayed a dangerous lack of consciousness about its own ideological location, imagining that it was neutral, and thus risking potential harm to women and children. In my view, the braver and more politically sophisticated approach would have been to open up debate, to encourage dialogue about women’s concerns, to unpack the different languages and concepts of transgenderism and the political stakes involved, and to try to find constructive ways forward.

The Silencing of Dissenting Voices

Even before any reform of the GRA 2004, the new paradigm of womanhood has effectively been institutionalised and lauded as progressive and inclusive. The slur TERF is deployed to great rhetorical effect in policing any dissent from this mode of understanding. It strategically frames the new paradigm of thought about women as liberatory and any objections as arising from a tiny minority of hateful, bigoted, old-fashioned radical feminists who can’t appreciate the liberatory effects of the ‘queering’ of gender. Some academics also use this slur to denigrate their gender critical colleagues. They accuse us of ‘transphobia’, locating us as heretics of the new transgender social order. Since I assume the definition of transphobia is a hatred of trans people simply because they are trans, founded in disgust or some other negative emotion, or as arising from rigid ideas that women and men should conform to gender stereo-types, then I am guilty of none of these charges.

Firstly, the reason I do not concede that transwomen *are* women is because I find the proposition intellectually incoherent. There is no evidence that gender identity is inherent, pre-social or pre-linguistic. In the absence of demonstrable foundational truths, the proposition that transwomen *are* women and that their gender is inherent (located where?) has become an article of faith akin to a belief in the ‘soul’. Moreover, there is a disturbing

religious-type zeal in the insistence that the ‘feeling’ of being a woman means a man *is* a woman. The name-calling of dissenters achieves no other purpose in my own life than to make me even more resistant to faith conversion. To keep my head down, to accede to ideas I don’t believe in out of fear of stepping out of line with the current trans orthodoxy, would be a terrible abdication of my intellectual integrity.

Secondly, I do not concede that transwomen *are* women because this ideology mobilises a new form of masculine authority and male entitlement for the 21st century. The idea of ‘equality in diversity’ – Jeremy Corbyn’s current sloganized vision of a democratic future also embraced by the right – typically invests the voices of men as authorities on womanhood and denigrates the voices of women. The simulacrum of womanhood (make-up, hair extensions, depilated bodies, silicone breasts) available to both men and women and often performed very successfully by men, has taken its place in certain parts of the cultural imagination as a more authentic form of femininity than the possession of the female body. Jenner evidences this perfectly: he has male genitals, he has undergone masculine socialization since childhood, he experienced male privilege in his previous gender identity, yet these facts are not regarded as an impediment to an authority to define a woman – “you can be born a woman with male genitalia” – but rather its qualification. Transwomen fashion models, transwomen journalists, and transwomen TV personalities are now given public platforms to define *for* women what we can and cannot say about being a woman, including censoring our assertion, on the grounds of discrimination against them, that being a woman involves the possession of female genitalia.

There are shocking sustained attempts to silence the voices of people who dissent from trans orthodoxy: Women who are labelled transphobic for simply maintaining that transwomen’s claims about womanhood should be open for dialogue and disagreement; Women who are ejected from the Labour Party because they object to transwomen taking up places on all-women shortlists; Transwomen and transsexual women allies who do not claim to be actual women and who are consequently treated as traitors to the LGBT cause; Lesbians who have maintained for years that as women they have little sense of inclusion in LGBT; Girls and boys who don’t conform to gender stereotypes but who are given few alternatives, particularly by trans affirming children’s organisations, than to adopt the narrative that their bodies might need medical intervention at pre-puberty to align them with their ‘true’ sex; Gender critical [organisations](#) which analyse children’s gender identities not as inherent but as formed in psychological and social contexts are deemed so educationally dangerous that their views should be officially silenced for the purposes of child-protection!

In conclusion, if the fiction that transgender women *are* sexed female is enshrined in law I have grave concerns about even further erosion of women and children’s rights. My concerns are not assuaged by trans corporate branding: sparkly unicorns (the new symbol of trans for children) and

rainbow flags proclaiming the happy coalition of diverse groups. To censor myself from speaking out about the deep ruptures and the conflicts of rights behind this brand image, to silence my reasoned ideas and moral convictions, would be to conspire in the diminution of my own humanity. My moral sense of the equal value of everyone prohibits any desire to minimise or demean the feelings of transwomen, as my friendship group testifies. I work towards a just society where all of us can be freed from patriarchal oppression. I will continue to firmly stand my ground and assert: 'Transgender women are *not* women' and 'Girls and boys are born in their own bodies'