

Cardiff University - School of Law & Politics

'It's just common sense': A Critical Exploration of
Contemporary Trans-Exclusionary Feminism

By

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Abstract

This thesis examines the contemporary resurgence of trans-exclusion within certain forms of feminist practice. I explore how contemporary trans-exclusionary feminism is situated within the history of feminist trans-exclusion, and how it is situated within local and transnational contexts. I also explore how trans-exclusionary feminist arguments are promulgated and reproduced. Through this exploration I uncover how this resurgence has occurred and detail its varied manifestations and effects. I employ a multi-method approach to this research. This includes working with feminist frameworks of gender and sex as well as theories of emotion and common sense to interrogate my research curiosities. This approach renders theoretically visible the work of emotion in sustaining and entrenching feminist trans-exclusionary positions, and the work of 'common sense' in popularising exclusionary arguments. I also activate the concept of 'transantagonistic architecture' – the incorporeal structures that are fortified and extended through trans-exclusionary rhetoric – to explain how trans-exclusionary positions are reproduced, and how these positions can seem to easily assimilate into dominant narratives. To explore and illustrate the workings and impacts of feminist trans-exclusion, I include a case study of trans-exclusionary feminism in the UK, an analysis of social media posts, and flash auto-ethnographies. This constellation of theoretical and methodological frameworks facilitates a comprehensive exploration and mapping of contemporary trans-exclusionary feminism since 2016, including identifying and analysing the discursive pivot in contemporary feminist trans-exclusion from being 'anti-trans' to 'pro-women'. Finally, this thesis situates trans-exclusionary feminism firmly within the transnational anti-gender movement through

centring the view of sex as stable and binary. It does so by tracking the ideological matrices that bring together this single-issue feminism and the ultraconservative and populist anti-gender actors.

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Introduction

The research

The entry point for this research is the mid-2010s surge of trans-exclusion within certain forms of feminist practice, with a particular focus on the United Kingdom (UK). This thesis examines how and why this surge has occurred and its implications and indications, including those for/about contemporary politics. Working with feminist frameworks of gender and sex in the context of trans recognition, the thesis explores the theoretical threads forging the logic of trans-exclusionary feminism. This thesis further considers the role emotion plays in trans-inclusion/exclusion, and how high emotion permeates public and academic discourse about trans people and their rights. Tracing a history of feminist trans-exclusion reveals similarities and differences between iterations of trans-exclusionary feminism. This tracing also illustrates how an exclusionary position remains, for many, a 'common sense' position. Noting the primacy of 'common sense' in exclusionary arguments, this thesis interrogates the work of 'common-sense'. In part, this is achieved by activating the concept of 'transantagonistic architecture' (Bey 2022) to illustrate how deployments of 'common sense' have fuelled the ready promulgation of narratives of trans-exclusion. A further exploration of the factors that have driven the popularity of trans-exclusionary feminist positions and practices in the UK, leads me to interrogate the wider political landscape. Over much the same period that trans-exclusionary feminism has flourished both in the UK and elsewhere, nationalism, populism and anti-gender campaigns have also found footholds in many countries, to the detriment of women's and LGBTQ+ rights (Corrêa and Parker 2020; Graff and Korolczuk 2021). All are often accompanied by the valorisation of a

traditional family unit, and all also rely on constructions of 'us and 'them' as a political framework (Singh 2021). It is important to situate trans-exclusionary feminism within this wider context because, as chapter 6 illustrates, it is often viewed as 'apart' from other anti-gender campaigns, and therefore not subject to the same scrutiny and critique, thus obscuring the threat trans-exclusionary feminism poses to wider social justice issues.

The motivation for the work of the thesis

This research project started out differently. I had initially wanted to examine the continued criminalisation of homosexuality around the world, but as I immersed myself in the literature on the mechanisms and impacts of heteronormativity and coloniality, some in my friendship group were telling me that there was a new and urgent issue. What was urgent, increasingly so it seemed, was an apparent threat posed by trans people to women in the UK. I was being told by people I knew and by certain media (social and traditional), that trans people are predators, that they threaten to erase women and gay people and that they are either manipulative or deluded. Yet as a (cis queer) woman, I had never felt threatened by the existence of trans people, existentially or otherwise. I had never experienced or imagined trans people as having the power I was now being told they held.

The increasingly negative rhetoric about and towards trans people left me feeling deeply uncomfortable. It struck me as a social injustice towards a minoritized group, but I also had a more selfish concern. Understanding the co-construction or inter-relatedness of gender and sexuality, I considered how the policing and demonisation of the trans community could

negatively impact other 'others', be they queer, gay or women. James Baldwin's words to Angela Davies resonated, 'If we know, then we must fight for your life as though it were our own - which it is - ... For, if they take you in the morning, they will be coming for us at night' (quoted in Davis 1971, p.17). Yet, it seemed that for some people I knew, them being a woman and/or a lesbian was central to why they held trans-exclusionary views. For me however, these things, or at least my journey as a queer woman, were the reasons I did not. My experiences returned me to a different starting point. Entering adulthood in the 1990s, I recalled similar narratives recited against gay and lesbian people. Was it not the case that queer women like me were once considered a threat to women, men, children, and to the 'traditional' family unit? For me, my queerness dictated I did not assume the malevolence of another group simply because of their gender or sexuality. As a woman, I was curious about the trans-exclusionary framing. Feminism had taught me that womanhood could not be distilled to body-parts and their utility, nor was it about 'womanhood' as a singular experience, denying the myriad of intersecting characteristics that influence an individual's life. Yet, here were people I respected telling me that they knew what constituted womanhood and what did not. They too were feminists, which further confused me. It was this surprise and upset that motivated me to concentrate on the feminist element of trans-exclusion. It was intriguing that the 'alarm raisers' against a marginalised group, were not who I expected.

After coming out in the 2000s I had been involved in various women's and gay social scenes. As far as I can recall, no one I knew had previously voiced concerns about trans people, including those now telling me this was *the* urgent matter. For me, trans people were not an

especially visible or discussed part of the late 2000s 'scenes' that I was a part of. I was undoubtedly unknowledgeable about trans lives and was reacting on 'feeling' or 'gut' to what seemed to be a growing concern. On speaking to people in favour of trans-exclusion I noted that this trans 'threat' sat with trans women particularly, and a specific gendered logic to the argument began to emerge. It went something like, 'If trans women are men and men are a threat, then trans women are a threat'. Unable to fully and articulately unpack the doubly-reductiveness of this argument, I struggled to explain my thoughts. I certainly did not seem to sway theirs. I could appreciate the simple internal logic of their argument and I could see the 'common sense' that could be read from it. Still though, with everything that was urgent in the world, talk of threat from a small and marginalised group, sounded an alarm in me. It left me with an uneasy feeling. I was unable to reconcile what the/my social world was telling me with what I had experienced. Was this gap my privilege insulating me from the threat of trans people? Or perhaps this feeling represented something important about the politics of this time? I knew it was important in some significant way. I could not articulate it then, but this was my first, and by no means last, experience of affective dissonance (Hemmings 2012) in relation to this topic. Paying attention to this dissonance piqued my interest and motivated me to educate myself on the issues; to immerse myself in the literature and shift my research curiosities to the ones that ultimately formed the basis of this PhD.

Around the time as I was experiencing this dissonance, two significant events took place. Firstly, by coincidence, my partner started a job which involved working with trans people and she subsequently became more involved with the local queer community. Through her,

I socialised with and befriended people who were experiencing the sharp end of exclusionary talk and practices. These relationships and subsequent discussions about the impact of trans-exclusionary feminism on peoples' lived experiences have kept the everyday impacts of trans-exclusionary rhetoric at the forefront of my mind during this project.

Secondly, I took part in a 3-day workshop with Jack Halberstam in Lund, Sweden.

Halberstam is a professor of gender studies and queer theorist who has written extensively on trans* (the asterix applied by Halberstam to open up the term, 'it holds open the meaning of the term "trans" and refuses to deliver certainty through the act of naming' (Halberstam 2018, p.3)). Halberstam has also written much about queer subcultures, notably female masculinity (1998). I was intending to include a case study in my PhD around the emerging anti-trans narratives in the UK, but Jack encouraged me to make this the focus of my research. On returning from this trip and after further discussions with my supervisor, trans-exclusionary feminism became the subject of this project. This is where my gut had been telling me to focus for months, and I knew this was the right project for me to undertake at this time.

In retrospect, the ease of this decision was naïve. Although I knew then that feelings amongst certain groups were running high and the subject of trans-exclusion was becoming more volatile, I did not appreciate the heights this would reach or the impact this would have on me as a researcher. In 2017/2018, I did not envisage that these very issues would escalate to threaten devolution in the UK (Thurlow 2023b) or be the subject on which the Conservative Party deputy chairman believes his party should fight the next election (Forrest 2023). Neither did I imagine the slew of 'trans bans' (Davis 2022; Factora 2022) or the

influence of Harry Potter author J.K. Rowling on public opinion of trans people (Swerling and Butcher 2023). I did not imagine that in trans-exclusionary rhetoric, feminist gender theorists would be equated with rapists (Hemmings 2023). I did not imagine the embrace of trans-exclusionary feminism by the UK media to the extent that newspapers now publish thousands of negative articles about trans people per year (Baker 2019; IPSO 2020). Nor did I envisage the extensive co-optation to fit the narrative of trans-exclusion – from suffragette colours to claims on the terms ‘feminist’ and ‘lesbian’ (Thurlow 2023a), to rights discourse, post-colonial discourse (Evang 2022) and much more. I certainly did not imagine that UK politicians would routinely be asked if a woman can have a penis (Somerville 2023). These results of exclusionary activism would have seemed quite inconceivable to me in 2016.

Many of the most aggressive and extreme arguments around trans exclusion have played out on social media, particularly on the platform Twitter (now named ‘X’, but for consistency I use ‘Twitter’ throughout this thesis). As part of this research, I have monitored developments closely by following the most visible actors and paying attention to each incident or flashpoint as it arose. As a researcher this became a difficult task. It required being immersed in circles of negativity, hate and aggression. This was particularly difficult during the height of the Covid-19 pandemic where the usual support structures of friendship and distraction were placed at a distance. However, social media has also been the source of support and an excellent repository of knowledge-making information. This was especially important in the context of a contemporaneous phenomenon that was yet to yield peer reviewed academic output. However, as time went on, a growing academic interest in the contemporary trans-exclusionary movement became inspiring and sustaining.

The lag between events and the publication of academic analysis meant that for a while I felt very alone in this task. As publications and think pieces began to appear, they validated the importance of this research topic and informed my thinking. Ultimately, understanding what could be termed 'reactionary politics' with the aim of furthering social justice is what has sustained and motivated me in what has been, at times, difficult research.

Research curiosities

As discussed above, my first encounter with the topic of feminist trans-exclusion left me with feelings of confusion and unease. It further left me curious to understand what was happening, and why and how it was happening. This curiosity fuelled this research. The questions generated by an attention to the confusion and unease I felt, are better described as curiosities to reflect the inquisitiveness of encountering something new and unexpected, which is how I experienced the mid-2010s surge of trans exclusionary feminism. I therefore refer to my 'research curiosities' rather than my 'research questions'. My research curiosities are as follows:

1. How is contemporary trans-exclusionary feminism situated:
 - (i) within a history of trans-exclusionary feminist practice?
by following the genealogies and demarcating current iterations
 - (ii) within the United Kingdom?
by investigating the UK as site of prominence of contemporary feminist trans-exclusion
 - (iii) within transnational anti-gender movements?

*by probing the ideological matrices that bring together some feminists
and other 'anti-gender' actors*

2. How are feminist trans-exclusionary positions promulgated and reproduced?

*by activating the concept of 'transantagonistic architecture' to explore how
trans-exclusionary positions are readily reproduced*

by exploring the work and functions of 'common sense'

by exploring the work and functions of emotion

As indicated by these curiosities, and as will be discussed in detail in the following chapter, I addressed my need to understand why and how trans-inclusion is seemingly so divisive, by centring the situation and reproduction of trans-exclusionary feminism. Addressing these curiosities via the methodologies employed - also outlined in the following chapter - led to the contributions of this thesis to knowledge across a range of literature, which I now discuss.

The original contributions of this thesis

By addressing the above research curiosities, this thesis offers the following original contributions:

1. Mapping the post-2016 evolution of contemporary trans-exclusionary feminism.

Stretching over the course of six years between 2017-2023, this project represents a comprehensive mapping and tracing of current trans-exclusionary feminism (across all chapters, but this is particularly addressed in Chapter 3 and 4). This timespan and

multifaceted investigation are unmatched in the literature. This work is telling, informative, and exposing, but it also provides a basis from which further research can build. This mapping attempts to analytically isolate the feminist push for trans-exclusion from the other forms such as right-wing or religious arguments, helping to differentiate the groups of actors in what is a confusing and often undifferentiated field of anti-trans campaigning. Isolating feminist elements exposes the differences in practice and presentation between older iterations of feminist trans-exclusion and current iterations, most notably a discursive pivot from being 'anti-trans' to being 'pro-woman'. This sits in contrast to the underlying substance of current trans-exclusionary arguments which - this work shows - remain uncompromisingly anti-trans.

2. Activating the concept of 'transantagonistic architecture' to explain the ease of mainstream assimilation and the reproduction of transphobic rhetoric.

This thesis furthers and expands the concept of 'transantagonistic architecture'. This phrase was introduced by Marquis Bey (2022) as a way to describe the incorporeal structures that scaffold normative understandings that produce and sustain transphobia. In Chapter 5 I develop this concept and illustrate how this 'architecture' constructs the 'trans person' by shaping how a person, group or society imagines them to be. Using the interventions of J.K. Rowling as an example, this thesis demonstrates how trans-exclusionary feminism both results from, and contributes to, transantagonistic architecture. This project does so by following the journey of Rowling's words from Twitter and interrogating how they apply beyond social media. This exercise shows how transantagonistic architectures makes the trans life unliveable.

3. Situating trans-exclusionary feminism within the transnational anti-gender movement.

This thesis offers an overview of how the transnational anti-gender movement (outlined in chapter 6) is currently conceptualised and explores how trans-exclusionary feminism is positioned in relation to this movement. Deviating from the existing feminist and gender studies literature, this thesis firmly situates trans-exclusionary feminism as part of the transnational anti-gender movement. Noting that anti-gender campaigns manifest differently in different national contexts, this research explains how trans-exclusionary feminism is a component of the anti-gender movement, as adapted for local socio-political conditions. This work moves discussion beyond an all-encompassing focus on populist, right-wing male actors, and instead centres opposition to so-called 'gender ideology' by anti-gender actors. Circling back to where this thesis began by looking at feminist frameworks of gender and sex, this centring of an opposition to so-called 'gender ideology' makes clear the shared commitment of trans-exclusionary feminists and other anti-gender actors to certain theories of gender and sex; namely those founded on a binary and stable 'sex'.

Multi-disciplinary in nature, this thesis contributes to a range of literatures. Firstly, the work contributes to gender and sexuality studies literature, specifically the nascent literatures on the recent surge of trans-exclusionary feminism and the current anti-gender movement. Secondly, this research contributes to literature on feminist theories of gender by exploring contemporary ideas of trans-exclusion within a feminist framework. Further, by treating trans-exclusionary feminism *as* feminism, this thesis also contributes to feminist literature

on feminism, specifically, the contested discussions about what constitutes feminist practice. Thirdly, the activation of the concept of ‘transantagonistic architecture’ contributes to trans studies and, more generally, queer studies literature, by illustrating how non-normative lives are shaped and constricted. Finally, through situating the events and movements under discussion in this thesis within a current transnational political moment, this work contributes to politics and international relations literatures.

The chapters of this thesis

In addition to the introduction and conclusion, this thesis comprises six chapters which I outline below.

Chapter 1 – Methodology

This chapter provides an explanation of how the theoretical framing and methodological decisions of the research were made, and how these decisions enabled me to address the research curiosities of the thesis. It further describes the multi-method approach taken.

Chapter 2 – Exploring Gender and Sex

This chapter sets out the main theoretical framework for this thesis¹ - theories of gender - and reveals how the many conceptualisations of gender are complex, varied and often

¹ While this chapter sets out the main theoretical framework, the complexities of theorising gender require the researcher to draw on strands from overlapping or related theories to present a comprehensive picture of how gender is constructed. In the case of this project, I turned to queer

conflicting. Mapping this contested terrain is crucial to understanding the epistemological underpinnings of trans-exclusion/inclusion and makes clear how oppositional feminist positions can arise.

Chapter 3 – *Trans-Exclusionary Feminism*

In this chapter I introduce how I define trans-exclusionary feminism and discuss the history of trans-exclusion in feminist practice and the mid-2010s surge of these practices. This involves an analysis of the similarities but also of the differences between what I call the ‘TERF position’ and the newer ‘gender critical position’. The differences include a discursive pivot away from ‘anti-trans’ to ‘pro-woman’, which is shown to have been critical to the recent prominence of trans-exclusionary feminism.

Chapter 4 – *TERF Island*

This chapter is a case study of contemporary trans-exclusionary feminism in the UK. It outlines the history and development of trans rights in the UK and notes the few instances where these came into conflict with some feminists. Acknowledging that the UK has been at the forefront of the latest surge of trans-exclusionary feminism, I explore why this might be so, considering factors such as the media, the history of UK feminism, and contemporary UK politics. It therefore maps the transantagonistic architecture of the UK. The chapter

theory, intersectionality, theories of affect and post-colonial studies, amongst others, at various points to augment theories of gender. These will be discussed as they arise.

illustrates how a perfect storm of national, international, and transnational factors that have contributed to the creation of 'TERF Island'.

Chapter 5 - *Transantagonistic Architecture and the example of J.K. Rowling*

This chapter activates Marquis Bey's concept 'transantagonistic architecture' to explain how anti-trans rhetoric can be seamlessly embraced into mainstream media and politics. Using the interventions of J.K. Rowling as a jumping off point, I illustrate how trans-exclusionary feminism contributes to, and benefits from, this architecture. The chapter further illustrates the disconnect between the 'common sense' of trans-exclusionary words (here Rowling's) and the violence of their consequences.

Chapter 6 – *Trans-Exclusionary Feminism and the Anti-Gender Movement*

This chapter grapples with the relationship of trans-exclusionary feminism to the transnational anti-gender movement. Via an exploration of how the anti-gender movement has been conceptualised thus far, this chapter notes that most feminist and gender studies academics have been reluctant to situate trans-exclusionary feminism firmly within the anti-gender movement, preferring instead to speak of 'overlaps' and 'connections' between the two. This chapter goes on to argue that by centring a hyper-investment in a stable 'sex', which is the cornerstone of oppositions to so-called 'gender ideology', trans-exclusionary feminism becomes yet another locally adapted strand of the anti-gender movement. Conceptualising it as such makes clear the threat trans-exclusionary feminism poses to progressive causes beyond trans rights.

Why is this work important?

This thesis demonstrates how epistemological differences are far from simply abstract but are instead deeply consequential to lives. It does so through an interlacing of theories of gender with case studies and examples. As this work shows, gender is refracted in many directions through differing epistemological approaches. The intensity of emotion that arises from these differences are testament to gender's fundamental role in making sense of the world. This being so, to be seen as doing gender 'wrong', to be outside the sanctioned lines, continues to be the justification for pain, violence and even death. In other words, far from the extraneous subject it is often taken to be, gender and the policing of it, is a matter of life and death. For people who do not conform to gendered expectations, existing in the world is oppressive and discriminatory. Taken from a feminist viewpoint, there appears a glaring juxtaposition between feminism as emancipatory and feminism as policing and exclusionary. While this thesis deals with issue of transgender, this also applies to anyone transgressing the rules of dominant understandings of gender; something that has, of course, often worked to oppress women. Ultimately then, this thesis is important because it adds to a necessary resistance against regressive forces that threaten many of us and as such is concerned with social justice and freedom of expression. While much of the resistance is correctly aimed towards the influence of conservative, authoritarian and right-wing actors, this thesis attempts to explore the less obvious and more complex threat posed by certain forms of feminist practice.

1. Methodology

This chapter will introduce and discuss the multi-methodological approach I take in this thesis. It will also outline the feminist ethos I work with, how I arrived at my research curiosities, the theoretical frameworks employed, the methods used, and my consideration of being a cisgender researcher writing about trans gender. This chapter outlines the lens through which the research is approached, and the research curiosities are addressed; it therefore aids comprehension of the chapters that follow. Firstly, I want to briefly address the inquiry paradigm within which this research was undertaken, because this broad framework informs all the methodological decisions of this thesis.

1.1 Inquiry paradigm

An inquiry paradigm is an analytical lens. It provides a framework with which to understand experience (Kuhn 2012). It therefore provides a way of understanding the world/our worlds. The inquiry paradigm incorporates the philosophical and methodological approach(es) I take to my research curiosities. I work with the term 'inquiry paradigm' to help simplify a bewildering array of terms researchers use to describe method, methodology, and research philosophy. The abundance of terms is further complicated by their inconsistent and contradictory usage (Ellingson 2009; Crotty 2020). The inquiry paradigm I work with covers two fundamental elements of the research approach – what is the nature of reality (ontology) and what are the processes of meaning and knowledge making (methodology

and epistemology). The decisions that flow from these elements – the theories and methods used to address the research curiosities – will be outlined in later sections of this chapter.

1.1.1 The nature of reality

On questions of the nature of reality, my starting point presupposes that there is no ‘permanent, ahistorical matrix or framework to which we can ultimately appeal in determining the nature of rationality, knowledge, truth, reality, goodness or rightness’ (Bernstein 1983, p.8). My approach therefore ‘reject[s] appeals to a basic ground or foundation of knowledge’ (Bevir 2009, p.116). Instead, my starting position presupposes that reality is socially constructed (read broadly, this will be explored in detail in Chapter 2). Consequently, reality is locally and specifically constructed and co-constructed through, for example, social, political, cultural, economic, ethnic and gender factors, as well as discourse. This aligns with a wide range of anti-foundational literature (for example Derrida 1976; Michel Foucault 1980; Michel Foucault 1980). Foundational and anti-foundational approaches will be discussed at length in the next chapter but are concerned with the question of whether there is an external reality that can be accessed (foundational) or not (anti-foundational).

1.1.2 The processes of meaning- and knowledge-making

The approach I take to the processes of meaning- and knowledge-making follows from my approach to the nature of reality – i.e., that there is no recourse to a stable foundation of ‘truth’ and ‘reality’ for the purposes of meaning- and knowledge-making. From this position

I am interested in interrogating essentialising and totalising concepts that *do* appeal to a stable foundation of 'truth' and 'reality' and how, in doing so, they perpetuate dominant power relations. My approach to this task is broadly, deconstructionist. To take a deconstructionist approach is to be concerned with critically and closely examining and dismantling discourse. In doing so, binary oppositions and conventional boundaries can be broken down, and marginalised meanings unearthed. The close examination of discourse exposes how and why certain knowledge is dominant and how it can then appear as 'natural' (Elam 1994; Zalewski 2000). The approach of deconstruction is commonly linked to the work of Jacques Derrida (1976) and closely aligns with poststructuralism and postmodernism - all anti-foundational and representing an epistemology of 'unmaking' (Wolin 1992, p.206). Against essentialising and totalising, deconstruction instead highlights difference and 'other'. Regarding this research project, a deconstructionist approach to address my research curiosities offers an interrogation of the underpinnings and discourses of contemporary trans-exclusionary feminism to unearth how it is popularised and reproduced, and how it is situated within broader contexts.

An anti-foundational view of knowledge-making denotes there is no meaning outside of a subject's creating of it; making endless meanings possible. Importantly, noting that something is without foundation does not make it any less real than the (stable, external, ahistoric, acultural) reality of a foundational position. For example, if identity is said to be socially constructed (read broadly), identity is nonetheless a subject's reality. One might say that scholars relying on foundationalist theories 'see the same real thing' as anti-

foundationalists, but both have vastly different views of how that 'real' comes 'to be'. This matters and has effects at all levels across the personal/political spectrum.

As discussed in the introduction this research is ultimately motivated by social justice concerns and prioritising this leads me to also take a pragmatic view. Pragmatism dictates a focus on problem solving; understanding is the means, but change is the aim. Applying this to the thesis, I am concerned with responding to and countering regressive moves which harm anyone failing cis-heteronormativity. This means my concern in this research lies with the current malignment of trans people rather than the differing views on gender/sex, albeit tackling the former necessitates exploring and challenging the latter. Having outlined my inquiry paradigm, I now move on to discuss the theory and methods choices of this PhD, beginning with taking a feminist approach.

1.2 Feminist approaches to methodology

I take a broad feminist approach to this research. While there is no singular feminist method ('technique for gathering evidence' (Harding 1987, p.23)) or methodology ('a theory and analysis' of how research should proceed (Harding 1987, p.24)), Sandra Harding (1988) does present three characteristics that she claims distinguish the most illuminating examples of feminist research. Firstly, the centring of a critical analysis of gender and its consequences. Secondly, the generating of problematics from the perspective of women's experiences. Thirdly, reflexive practice whereby the situation of the researcher is considered regarding their influence and impact on participants, research processes and results (1988, pp.6–10).

These early thoughts on the characteristics of feminist methodologies, if read broadly and generously, still capture much of what is understood to underpin feminist research. For example, others have articulated the leitmotif of a feminist approach to research as a centring of the analysis of power, and the relationship between power and knowledge (Ramazanoglu 2002; Doucet and Mauthner 2007), yet these can be seen as implicit in Harding's three characteristics. Similarly the observation that feminist research often identifies and challenges a broad range of inequalities within the research process and stresses the importance of intersectional analysis (Naples 2003), is perhaps an updated and more explicit articulation of both reflexivity and the critical analysis of a co-constituted and intersectional gender.

Following these guides, the ethos of this research is feminist. Firstly, a critical analysis of gender and the consequences of 'gender' are at the heart of this research. On Harding's second point – the generating of problematics from the perspective of women's experiences - as the discussions in this thesis will outline, it is problematic to refer the experiences of 'women' without acknowledging that any claim to universalise 'women' or their 'experiences', tends to be normative and exclusionary. However, acknowledging the multiplicity of women and their experiences, the problematics in this research are generated through the functions of, and attachment to, a particular form of gender that in turn impacts the experiences of people gendered female. Thirdly, as I hope is and will be demonstrated, reflexive practice is a part of this research. Harding describes this as 'insisting the researcher be placed in the same critical plane as the overt subject matter' (1987, p.31). As will be discussed in the following chapter, the feminist critiques of traditional scientific

research revealed how the failure of the researcher to take account of their own position (usually as white men), led to bias and unjustifiable universalisation. Thus, reflexivity, helps to avoid these pitfalls. Having outlined my positionality in the introduction, I am committed to remain cognizant of my own role in this project throughout the research process. Feminist views of gender are covered at length in the following chapter. Here, I now turn to outline my multi-methodological approach.

1.3 Multi-methodological approach

This thesis utilises multiple qualitative methods and theoretical frameworks to address the research curiosities. A multi-methodological approach facilitates an exploration of different facets of the topic, in the hope of producing a deeper and richer understanding; building layers of analysis to help create a picture and contextualise events. These layers help to produce a ‘thick description’ which Sarah Tracy describes as ‘in-depth illustration that explicates culturally situated meanings and abundant concrete detail’ (2010, p.843), providing the reader with enough detail to *show* them the research terrain rather than *tell* them about the terrain (Tracy 2010). This approach is in keeping with feminist and gender studies traditions of embracing varied and multiple methodologies (Roof 2012).

To think about the utility of multiple methodologies, I use Laura Ellingson’s idea of ‘crystallization’ as a framework for qualitative research (Ellingson 2009). Crystallisation ‘combines multiple forms of analysis and multiple genres of representation into a coherent text or series of related texts’ (Ellingson 2009, p.4). While one might otherwise turn to

triangulation to consider multiple vantage points to fix a subject, a triangle remains a 'rigid, fixed, two-dimensional' (Richardson 2000, p.934) shape. In contrast to the triangle's fixity, a crystal is a 'central imaginary' that:

combines symmetry and substance with an infinite variety of shapes, substances, transmutations, multi-dimensionality, and angles of approach. Crystals grow, change, alter, but are not amorphous. Crystals are prisms that reflect externalities and refract within themselves, creating different colors, patterns, and arrays, casting off in different directions. What we see depends upon our angle of repose (Richardson 2000, p.934).

Crystallization applied to methodology shares with triangulation the utilisation of multiple methods but its goal is not to provide validity to a single truth, but to 'open up a more complex, in-depth, but still thoroughly partial, understanding of the issue' (Tracy 2010, p.844). Crystallisation was developed within a postmodernist paradigm - particularly drawing on the work of feminist theorists (Ellingson 2009, p.3) - that questions the idea of a universal truth. However, Ellingson is clear that crystallization cuts across binary distinctions such as art/science, realist/impressionist and can incorporate methods from across what she terms the 'qualitative continuum'. In this thesis, I use methods from what Ellingson terms the middle-ground (case studies, narrative analysis) and those she terms art/impressionist (autoethnography) (2009, p.8).

In this thesis, the concept of crystallization is also applied to the reasoning behind the theoretical frameworks employed. While theories of gender frame this research, this is augmented by (amongst others) theories of affect, queer theory, postcolonial theory, feminist deconstruction, and insights from trans studies. This library provides the conceptual building blocks of the thesis. This provides a rich framework that reflects how 'gender' cannot operate in a vacuum and instead is always relational to power dynamics and co-constituted with the multiple intersecting factors that make up human subjectivity. This will be explored further in the next section where I now move to explain the theoretical framework of this research in greater detail.

1.4 Theoretical framework

As noted above, the predominant theoretical framework underpinning this thesis is critical analyses of gender. These analyses - explored at length in Chapter 2 - are fundamental to understanding responses to trans inclusion/exclusion/bodies/rights/recognition, or what might be summarised as responses to the existence of trans people. Theories of gender encompass a broad range of disciplines and scholarship including biology, varied strands of feminism, post-colonial and critical race studies, trans studies, and queer theory. As previously noted, theories of gender cannot be isolated from the context within which they developed or the context within which they are practiced. As Chapter 2 traces, an assumed acultural, apolitical and ahistorical construction of 'science', results in racism and sexism baked into some theories of gender. How this reveals itself in trans-exclusionary practice is discussed in Chapters 3, 4 and 5. For these discussions I turned to the critique and insights offered by post-colonial theory, critical race studies, trans studies, and intersectionality.

These literatures helped me think about difference and othering and have been invaluable in offering ways of thinking about a universalism that is inherent in some theories of gender. These literatures will be discussed further in the later chapters. As the following chapter covers theories of gender, here I wish to discuss the other theoretical frames threaded through this PhD, theories of affect and the work of 'common sense'.

1.4.1 *Theories of affect*

Although termed theories of *affect*, I more often use the term *emotion*. Here I wish to briefly outline why I consider affect and emotion to be two elements of the same phenomena. Theories of affect have often conceptualised affect as different to emotion (Hemmings 2005). Affect has been theorised as a pre/unconscious autonomous state that precedes a more contextual and consciously produced emotion. As several writers have pointed out (Ahmed 2014; Åhäll 2018), the result of theorising affect and emotion as distinct has often been to separate supposedly universalising pre-personal, involuntary 'affect' from personal, subjective and individualised 'emotion'. This produces a binary; a universalised and arguably masculinised 'affect' against a personalised and arguably feminised 'emotion'. In scholarship of affect, this has often led to affect being privileged over emotion as the preferred object of analysis. However, affect and emotion do not need to be conceptualised as separate. Firstly, in line with anti-foundational positions and as argued by Sara Ahmed (2014) and Teresa Brennan (2004), affect is not asocial or ahistorical, as it cannot exist prior to interaction. Affective responses in this reading are contextual not universal, much like emotion. Secondly, because one *can* separate affect from emotion through conceptual distinctions, it does not mean that they *are* separate. Sara Ahmed uses

the example of an egg to make this point; the yolk can be separated from the white but the very fact that they have to be separated shows that they are not separate (Ahmed 2014, p.210). For the purposes of this thesis, and building on the work of Sara Ahmed, affect and emotion are treated as parts of the same phenomena. For consistency, I use the word emotion, unless 'affect' is used by the theorist under discussion, in which case I follow their terminology. In sum, by emotion I mean a broad reading to include bodily sensations and feelings that might otherwise be called 'affect', as well as named feelings - 'sensations that have found a match in words' (Brennan 2004, p.19) - often called 'emotion'.

1.4.1.1 The role of theorising emotion in this thesis

Paying attention to emotion assisted in generating my research curiosities (the process of which I outline below in 1.5) as well as offering a way of addressing those research curiosities. The emotional frisson produced by discussions about trans-inclusion and trans rights is palpable. I have been struck by the intensity of emotions in this context because it is an intensity not easily understood by the supposedly benign facts, figures and data on the impacts of trans-inclusion on cis women (for example, Jones et al. 2017; Hasenbush et al. 2019; Sharpe 2020; Serano 2021). I wished to understand this intensity and theories of affect offered a way of foregrounding and interrogating this 'emotional' aspect. In particular, valuable insights for this research came from considering questions about how emotions shape us, as well as how they shape others for us, and the work this 'surfacing' - as Sara Ahmed articulates this (2004, p.117) - does. Paying attention to the work of emotions also opened-up space to consider how a subject's history of shaping and being shaped by emotion might dictate current emotional responses. It further prompted

consideration of the role of emotion in community-making; how the 'us' of a community is shaped and maintained, and how the 'them' of those outside is shaped and maintained. These questions are of particular interest to this thesis given that discussions of trans exclusion are riven by ideas of who trans people are; perceptions often formed in ways other than actual encounter or experience with trans people (Armbrecht 2017).

Sara Ahmed's work on emotion is instructive for this thesis. Ahmed considers emotion not as an individual psychological state but instead a social and cultural practice (2004; 2014). That is to say that emotions are not feelings that reside inside an individual who then radiates them outwards. Nor are they something that exists outside of the individual, such as in a group or society, that work to penetrate the individuals of that group. Instead, emotions can be understood as forces that circulate through individuals and societies, belonging to no one, and creating as they move the very boundaries of what constitutes the inside and the outside; of 'us' and 'them'. Ahmed describes how through circulation, subjects and emotions become 'sticky' (2014, p.11). This 'stickiness' resulting from 'histories of contact' (2014, p.90) between 'bodies, objects, signs' (2014, p.90), leaving repeated impressions. These 'histories of contact' explain why some emotions 'stick' to particular subjects. Ahmed gives the example of a song heard repeatedly in the same situation. After time the emotion we feel when hearing the song exists not in us but exists in the contact between us and the song. As that contact repeats, meaning and resonances collect creating an 'accumulation of affective value' (2014, p.92), the stickiness.

This is useful in thinking about why some people have strong feelings about trans bodies/people/inclusion. For example, we might consider how histories of certain contacts may shape how a woman defines both her own and others' womanhood and how influential this is in the way she structures her world – what might be seen to her as 'common sense'. This might point to why this woman does or does not readily accept trans women as women. The accumulation of affective value from contacts with, for example, words and tropes encountered about trans people, past encounters with men/women (cis and trans), contacts with feminists and feminist thought etcetera, may shape which emotions stick to her, which signs (as discussed below) stick to the (imagined) figure of a trans person and if these 'surface' an 'us' and 'them'. These contacts might also influence which emotions are experienced by her when her world-making structures are challenged. Why, for example, do some women experience (the idea of) trans-inclusion as catastrophic, while others do not? Which emotions stick where, points to why, as Ahmed phrases it, the subject may feel 'the demise of these structures as a kind of living death.' (2014, p.12).

The boundary forming of 'them' and 'us' and the 'subject' that becomes sticky through circulating emotion can refer to either the individual or the collective. Both are crucial here. Of interest to this project is Ahmed's discussion of her question 'How do emotions work to align some subjects with some others and against other others?' (2004, p.117). The alignment of subjects into collectives and 'shared "communal" visceral response' (2004, p.118) feature prominently in discussions of trans inclusion; whether that is shared visceral responses of those advocating for trans exclusion or inclusion. Ahmed articulates the process of circulating emotions by which subjects are formed and collectives are bound as

'affective economies'; a nod to Marxist theory whereby emotions circulate, much like capital does. The more emotions circulate, the greater affective value they accumulate. In this circulation emotions '*do things* ... they align individuals with communities ... through the very intensity of their attachments' (2004, p.119). Emotion therefore acts as the glue binding figures together and creating the effect of a collective. Ahmed further describes how affective responses connected to a past repressed experience can later attach to a new object/subject, but with the history of the past association concealed. Ahmed refers to this ability of emotions to move as a 'rippling' effect' (2014, p.45). In an example relevant to this thesis, this might see an affective response to a past event 'ripple' through to shape present and future responses to trans inclusion. This again illustrates how history (individual or group) can shape which emotions stick to which subjects as the past leaves its trace in the present.

Ahmed's work shows how the differentiation between 'them' and 'us' is so often imagined through bodies. As Ahmed explains it, certain bodies get 'read' and 'signs' stick to them. Ahmed's examples of the figures of 'stranger' (2014, p.212) or 'asylum seeker' (2014, p.46) as marked through signs such as 'dangerous' or 'hateful' is instructive as it highlights what certain bodies come to 'say' before they even enter a room. The signs also foreshadowing treatment: 'when others become hateful, then actions of hate are directed towards them.' (Ahmed 2014, p.13). There are many parallels with trans bodies. Like 'stranger' and 'asylum seeker', the 'trans person' has become marked to some as a threat. A multi-national study indicates that most people, do not know a trans person (Armbrecht 2017), meaning it is the idea of a trans person – 'what their bodies say before entering a room' – that is often

pertinent. Having outlined how emotion is useful in addressing the research curiosities of this thesis, I will now outline how ideas of 'common sense' are relevant to this thesis.

1.4.2 Common sense

At its most basic, common sense relies on the assertion that there is something that we know (Lemos 2004). Often, but not necessarily as discussed in later chapters, common sense is knowledge about a particular proposition that is deeply and widely held; 'common' (Lemos 2004). What separates common sense knowledge from other forms of knowledge is its 'obviousness' (Pascale 2006, p.4). Common sense knowledge is perceived as self-evident, and as such does not require investigation or external authority because it is always already known; 'the ontological assumptions of commonsense protect it from scrutiny' (Handel 1982, p.56). Common sense therefore comprises 'judgement without reflection' (Vico 2016, p.63). It is the obviousness of common sense that can makes it difficult to apprehend and analyse. It is knowledge that 'passes without notice', and becomes 'naturalized' (Pascale 2006, p.4), forming the unscrutinised background from which subsequent decisions, inquires or propositions are made. How 'common sense' knowledge becomes 'something that we know' has been the subject of philosophical, sociological, and political debate. Some view common sense as a reflection of good judgement, or as a reflection of the natural world². Many others, however, note the world-, meaning-, and structure-making utility of common sense and how common sense functions as an ideology reflecting power dynamics.

² Rene Descartes thought of common sense as 'the power of forming a good judgement and distinguishing true from false' (Descartes 2000, p.3), George Berkeley (1713) called it the ability to recognise self-evident basic truths, Thomas Reid discussed 'certain principles ... that our constitution of our nature leads us to believe' (1764, p.20), Hannah Arendt (1951) wrote that common sense enables democracy and a decline in common sense enables ideological thinking.

Celine-Marie Pascale discusses how common sense has 'extraordinary power to eclipse competing accounts of reality' and how it 'reduces the availability of information that would present contradictions, ambiguities or complications' (2006, p.4). This has utility in shedding the incoherence of potentially infinite interpretations and settling upon one, but this process is also exclusionary. Warren Handel states that common sense 'prepares one to think about the world in particular ways' (1982, p.56) and Antonio Gramsci (1929) explored how these 'particular ways' reflect and maintain the position of the rich and powerful class of society. While Gramsci wrote of a multitude of common senses, each of a societal class, he considered all common senses to be imbued with the views of those at the top of society. He saw potential opportunity in altering and shaping common sense to benefit the masses, but without this critical intervention he understood common sense as a medium to establish hegemonic understandings favouring those with power. This is how common sense can be seen as maintaining a status quo; it leads people 'to believe that what exists today has always existed' (Gramsci 1929, p.58), 'it fulfils the conservative role of preserving, as far as possible, the status quo' (Leach 2023, para.23), 'it is always the hegemonic effect of power that masks the very domination that it articulates ... relations of power become naturalized through commonsense.' (Pascale 2006, p.6).

An analysis of common sense regarding gender and sex - making clear it reflects an ideology that naturalises power relations – is important in addressing my research curiosities. This is because common sense conceptions of gender and sex, and alternative conceptions that might disrupt these, are an integral element of the disagreements over trans-inclusion. In her research based in the USA, Celine-Marie Pascale found that *the* common sense

knowledge of gender and sex is that sex and sexuality are pre-existing, that gender corresponds to, and follows on from, sex, that all people are distinctively women or men, and that gender is self-evident. This being the case, trans people are a living contradiction of common sense and this leaves them open to questions as to the adequacy of their personhood or the adequacy of their account of their personhood (Pascale 2006). Yet common sense knowledge is not ahistorical. The common sense understanding of gender and sex in the USA has a history. Post-colonial and anti-racist literatures are particularly useful in providing insights to this history and the 'world-making' work enacted by concepts of common sense. These literatures offer some of the most developed critiques of 'common sense' - for example the concept of 'colonial common sense' as discussed in Chapter 5. Furthermore, because the colonial project included the dissemination of sanctioned European binary gender relations (Oyěwùmí 1997b; Lugones 2007; Lugones 2008), they are of direct relevance for discussions of 'common sense' in this thesis -as will be discussed further in Chapters 2 and 5. As Gramsci noted there can be many common sense knowledges reflecting the positionality of the holder, but for an understanding to become *the* common sense understanding is to place it in a powerful position. It elevates an understanding into what many perceive as universal truth, as a fact beyond reproach. An analysis of common sense is not an endeavour, if such a thing was possible, to find the truth – 'we do not need to know what is actually "true" – what "really" is the case – we need only to know what is *accountable* as true' (Handel 1982, p.39 emphasis in original) – it is rather to explore the work 'common sense' understandings of gender and sex do in trans-exclusionary feminism.

1.4.3 Transantagonistic Architecture

This research will show how, over a short period of time, a contemporary resurgence of trans-exclusionary feminism has taken place. Its rise in prominence seems to have taken place with relative ease when compared to, for example, the decades-long (and continuing) fight for trans recognition and rights (as discussed in Chapter 4 with reference to the UK). This ease raises questions as to why and how trans-exclusionary arguments seem to flow comparatively easily into dominant narratives, including those on conceptions of human difference, as Marquis Bey notes below. It was while listening to Bey's talk at the Feminist Gender Equality Network conference in London in April 2022, that I found a way to start understanding this ease. Bey is an academic with research interests including black feminist theorising, transgender studies, critical theory, African American literature, abolition and anarchism (Bey 2017; Bey 2020b; Bey 2021). The focus of Bey's speech was a call to take a trans and abolitionist approach to combat transantagonism; where trans is not simply an embodiment but a 'relational and ethical politics of non-normativity with respect to (and sometimes irrespective of) gender' (Bey 2022, para.2). 'Transantagonism' is Marquis Bey's preferred term 'over but not against' (2022, para.1) transphobia. They describe transantagonism as a 'deeply specific reaction' (Bey 2021, p.202) to:

how fracturing the integrity of gender cohesiveness, transgressing gender normativity, and interrogating gender's naturalization threatens the fortress of that hooksian imperialist white supremacist capitalist patriarchy, all of which are shot through with a cisnormative instantiation of personhood. It is more than simply patriarchal requirements for proper gender roles that manifest as misogyny. It cannot be

overlooked that what constitutes the propriety of a gender role is a cisnormative conception of human difference, an added intensity in the very crossing of the binary roles (buttressed by the disallowance, too, of non-assigned-male-at-birth people into manhood and masculinity, implying that it is more than just veneration of the “M” side of the M-F binary), and the instantiation of the immutability and naturalness of gender roles (2021, p.203).

This quote positions transantagonism as a reaction; a reaction to a perceived threat to not only cisnormativity, but also ‘white supremacist capitalist patriarchy’. Bey calling transantagonism a ‘deeply specific’ reaction prompted me to think about the structures that lead to transantagonism specifically, beyond or within the broader structures of gender normativity. For Bey, transantagonism is more than a reflection of misogyny or cisnormativity but is an intense and specific reaction against what is experienced as an assault on the power structures of capitalist/patriarchal societies, which rely on cisgender and binary gender roles. For me, antagonism further suggests elements of anger and provocation. Therefore, the deeply specific reaction of transantagonism highlights an anger towards trans people that transphobia fails to because it foregrounds fear (phobia). A sentence that struck me in Bey’s speech was their claim that harm to trans people perpetuates if an individual’s ‘transantagonistic architectural building’ (2022, para.17) is not interrupted. It is the idea of ‘transantagonistic architecture’ that I want to work with and develop further.

Bey used the term 'transantagonistic architectural building' to denote the ideological building blocks that an individual puts into place to form their views. I want to work with this and suggest that the concept of transantagonistic architecture can be used more widely as a tool to identify and interrogate the factors that allow for transantagonism - and with it, trans-exclusion - to propagate with ease. The 'architecture' of transantagonistic architecture can be thought of as the epistemological and phenomenological structures that form societal norms, boundaries, and dominant narratives, which in turn shape individual political, intellectual and emotion frameworks and practices. As with notions of common sense, the normalisation of these structures makes them appear natural and therefore difficult to critically analyse. *Transantagonistic* architecture refers to those incorporeal phenomenological and epistemological structures that shape attitudes towards, and constructions of, trans people. These structures are epistemological because they are knowledge-making, and phenomenological because for many the resulting imagined trans person comprises their lived experience of trans people. For example, if an individual believes they have never interacted with a trans person, the threat-infused construct produced through the influence of transantagonistic architecture is how the trans person is encountered in that individual's life. Even if an individual has known or interacted with a trans person, that individual may experience the trans person through the lens of these structures; an example of what some bodies say before they enter the room (Ahmed 2014). Furthermore, these structures are architectures that perpetuate their own development by contributing to how individuals are orientated towards trans people, while also being continuously fortified by the actions of such individuals, institutions, or groups. For example, these incorporeal architectures are reflected, erected, and fortified by actual deeds - words, actions, inactions, expressions, etcetera. These interventions may be as large as writing and

implementing a nationwide policy or as small as a (dis)approving facial expression of an individual.

Applying or 'activating' the concept of transantagonistic architecture as a tool to explore trans-exclusionary feminism may illustrate how trans-exclusionary rhetoric proliferates with relative ease. Identifying transantagonistic architecture illustrates the workings of the regime of gender normativity that specifically and directly work to shape attitudes to trans identities, and how feminist trans-exclusionary arguments do not disrupt this, thereby ensuring ease of communication. I particularly use this concept in Chapter 5 to discuss the influence of J.K. Rowling. Having outlined the importance of theories of affect and the concepts of common sense and transantagonistic architecture for this research, I will now move on to describe how I arrived at the research curiosities of this project.

1.5 Arriving at the research curiosities

As describes in the introduction, my initial feelings of unease over trans-exclusion were the beginnings of considering how I could work with emotion in this research project. Yet, these early considerations of working with emotion created their own unease and trepidation. My feelings, gut instincts and experiences did not seem a valid frame for 'proper' research. Even though I knew at some level that research must always begin with an inquiring mind prompted by some sort of affective response to the surrounding world, I worried that to foreground this rather than the processes that might follow would be deemed incorrect. Gratefully, feminist literature led me through this unease. It showed me how emotions are

world-making and addressed how to work with emotion as methodology. For the development of my research curiosities, attention to affective dissonance became key.

I take the term 'affective dissonance' as used by Clare Hemmings in developing her concept of affective solidarity (2012). For Hemmings, affective dissonance is a feeling of unease; that something is 'amiss' (2012, p.150). Similarly Sara Ahmed refers to a 'gut feeling' (2017, p.27), Rachele Chadwick (2021) to a 'politics of discomfort', and Maggie Maclure as affective 'hot-spots' (2022, p.172). For Hemmings, Ahmed, Chadwick, and Maclure, this feeling is the very basis of feminist enquiry. It is necessarily the starting point of feminist politics. This is exemplified by feminist action so often arising from attention being paid to the gap between women's sense of self and the social descriptions of who and what women are expected to be. Affective dissonance, therefore, is a feminist mode of engagement and knowledge-making. As Hemmings details, 'being as a mode of knowing' (2012, p.148) highlights the intertwining relationship between ontology and epistemology. Hemmings draws out how affective dissonance represents an interface between the two, with epistemological understandings of the self jarring with ontological ways the world allows or expects one to be. It is the 'shuttling back and forth between these dimensions' (2012, p.149) that gives rise to feminist inquiry and activity. Hemming's work on affective dissonance draws on Elspeth Probyn's view on feminist reflexivity. Probyn explains feminist reflexivity as 'a negotiation of the difference between whom one feels oneself to be, and the conditions of possibility for a liveable life' (1993, p.16) and calls for attention to be paid to this negotiation.

Hemmings' work (2012) also utilises feminist standpoint epistemology – the view that knowledge stems from social position, and that being so, dominant understandings are not 'objective' but instead reflect the 'standpoint' of those with a social position to produce dominant knowledge. Consequently, in patriarchal environments, women's knowledge and particularly feminist understandings are either undermined or ignored. Standpoint theorists (e.g., Sandra Harding, Patricia Hill Collins, Donna Haraway) argue that knowledge from the margins holds epistemic privilege because marginalised subjects are required to know both the dominant position and the personalised or local position to survive. So while all have a 'partial perspective' and 'situated knowledge' (Haraway 1988), the view from the margins is a more comprehensive starting point for scholarship than the singular 'god's eye view' (Hemmings 2012, p.156) of those producing dominant knowledge. Although there are diverse readings of feminist standpoint, Hemmings highlights a commonality between them as being the centring of difference and struggle; between dominant and marginal voices and between different versions of truth. Acknowledging that feminist standpoint theory has been critiqued for universalising the knowledge and experience of 'women' (Crenshaw 1989; Longino 1993), it is the idea of epistemological and political struggle and the negotiation between dominant and individual or local understandings and knowledge production that Hemmings, and I, find productive.

Research Curiosity 1

It is precisely this negotiation between dominant understandings about trans people and my own view from my own situation that generated my research curiosities. The jarring I felt at being told by friends and the media of the threat of trans people motivated my curiosity.

The two overriding initial questions I had were why are some feminists trans-exclusionary, and why is the topic of trans-inclusion/exclusion so abruptly prominent in the UK? These simple questions led me to explore the history of trans-exclusionary feminism and to explore the contemporaneous political climate (national and international) in which the current iterations arose. This latter point is connected to a further trans-exclusionary argument that was discomfiting to me; the idea that one can be trans-exclusionary and yet not bolster anti-gay, racist, or anti-women agendas. This single-issue position is considered the norm within trans-exclusionary feminism, most strongly illustrated by trans-exclusionary lesbians (e.g., *Get The L Out* (2023), *LGB Alliance* (2023)). Yet thinking about the role that gender expectations play in underpinning transphobia, homophobia, racism, and misogyny, I wondered if it is possible to police trans identities without policing many more (if not all) identities. This point links to the paradox within some contemporary trans-exclusionary feminism; the claim to be left-wing and feminist, while seemingly benefiting from right-wing backing and an ascendant political right, as will be discussed in Chapter 6. This paradox led me to consider the relationship between trans-exclusionary feminism and other anti-gender movements that operate in many countries.

Taking the above queries together - why some feminists are trans-exclusionary, why the topic is suddenly prominent in the UK, how this might relate to the political climate and other anti-gender movements - helped me to formulate my first research curiosity around the 'situatedness' of contemporary trans-exclusionary feminism. Detailing how trans-exclusionary feminism is situated – within a historical context, within a national context and within an international context - enables a comprehensive understanding of the topic. It

further allows for exploration and explanation; to explore and explain how and why current iterations of feminist trans-exclusion are similar/different to past iterations and what this signifies, to explore and explain the prominence of the UK, and to explore and explain if and how trans-exclusionary feminism is connected to right-wing anti-gender movements.

1. How is contemporary trans-exclusionary feminism situated:

(i) within a history of trans-exclusionary feminist practice

by following the genealogies and demarcating current iterations

(ii) within the United Kingdom

by investigating the UK as site of prominence of feminist trans-exclusion

(iii) within transnational anti-gender movements

by probing the ideological matrices that bring together some feminists and other 'anti-gender' actors

Research Curiosity 2

As I explored trans-exclusionary feminism in the UK, I was struck by the speed at which exclusionary arguments were being picked-up and repeated by mainstream commentators, including the media and politicians. I was beginning to understand that arguments for trans-exclusion are grounded in claims of 'common sense' (e.g., Bartosch 2020) despite often reflecting popularised misinformation and being led by emotional responses. Knowing this, the ease with which certain exclusionary arguments were uncritically reproduced filled me with foreboding. An inability or unwillingness to report trans lives through anything other

than the lens of cis-heteronormativity and its corresponding logic, seemed pervasive. This left me with feelings of anger at a perceived injustice, and incredulity from past lessons from the treatment of gay people, not being learned. These events and feelings were the genesis for the second research curiosity outlined below. Later, on hearing Marquis Bey use the term ‘transantagonistic architecture’, it seemed to me to potentially offer an excellent way of framing and explaining the ease of transmission of trans-exclusionary arguments. Deploying and further developing the concept of transantagonistic architecture allowed me to address my foreboding and in doing so illuminate the cis-heteronormative structures that so easily allow trans-exclusionary views to promulgate.

2. How are feminist trans-exclusionary positions promulgated and reproduced?

Applying and extending the concept of ‘transantagonistic architecture’ to explore how trans-exclusionary positions are readily reproduced

Exploring the work and functions of ‘common sense’

Exploring the work and functions of emotion

Both research curiosities originated from feelings of affective dissonance. Being able to articulate and explore these feelings not only produced this project but replaced the confusion I once felt with clarity. Having outlined my route to the research curiosities, I now move to describe and justify the choice of methods used in this PhD.

1.6 Research methods

Throughout this PhD I have moved between the theoretical and the empirical to illustrate how theory and the day-to-day are not detached from one another. This is important because much harm is inflicted in the name of 'gender', and this point can be obscured when reverting 'simply' to discussion on the meaning of 'gender'. Some of this PhD is the result of desk research which enabled me to research the histories and secondary data that was crucial to this research. The empirical methods I employ in this PhD are case study and auto-ethnography. In addition, I also undertake a selective narrative analysis of a small number of J.K Rowling's tweets in Chapter 5. It is 'selective' because I have chosen the tweets for their illustration of common trans-exclusionary rhetoric. It is 'small' because I only require two tweets to do this. In Chapter 3, I also use social media posts to evidence some of the points discussed. The period over which these methods were employed spans mid-2018 to the end of 2022. While 2023 was largely dedicated to 'writing up' this thesis, any relevant new publications or output were incorporated as far as possible at this stage. However, no tweets or auto-ethnographies from after 2022 feature as this was not the focus of my work at that time. I will now address each of the methods employed and how they help me to address the research curiosities.

1.6.1 Case study

Gerring defines a case study as an intensive study of a single unit. Yin (2018) describes a case study as an empirical method that investigates a phenomenon in its real-life context; a method especially useful when understanding the phenomenon is likely to involve important contextual conditions. Regarding case studies in the social sciences, Harvey states

that a case study is 'not an end in itself, rather it is an empirical resource for the exploration of wider questions about the nature of oppressive social structures.' (Harvey, 1990;202). In Chapter 4, 'TERF Island', the intensively studied unit is the UK, which is also the setting and context within which the phenomenon – the popularisation of trans-exclusionary feminism - operates. Through a detailed exploration of the 'contextual conditions' in the UK, the case study will offer an explanation of why and how trans-exclusionary feminism became and remains prominent. This is important in understanding who benefits from exclusionary practices and how and why the issues around trans inclusion are suddenly felt as important. It further seeks to understand the ease with which trans-exclusionary arguments reproduce. The detailed exploration also offers insights into the 'wider questions' posed by a transnational fortification of gender conservatism, as discussed in Chapter 6.

I chose to undertake a case study on the UK because the UK looms large throughout this thesis. This is for two reasons: firstly, it is where I live and where I am immersed in relevant events, and secondly, the UK has been, and continues to be, at the forefront of contemporary trans-exclusionary feminism (Ewans 2020; Hines 2020). A case study of trans-exclusionary feminism in the UK seemed an appropriate method to address my research curiosities. Coming into UK mainstream prominence in 2016/2017, trans-exclusionary feminism and feminists have continued to increase their renown and influence. The UK case study addresses how presentations and practices of trans-exclusionary feminism have developed over this time. The extent to which other countries have seen an increase in prominence and visibility of trans-exclusionary feminism has often been connected to the export of arguments and actors from the UK (Wilson 2018; Cockburn 2019; Greenesmith

2020). The UK is unusual in that its most conspicuous anti-trans actors and rhetoric are that of anti-trans feminists/feminism (Lewis 2019; Ritholtz 2019). Their prominence and influence outweigh that of the conservative right, albeit, as later chapters show, their relationship is often symbiotic. This is the reverse in many other countries, where anti-trans movements are led by the conservative right, with trans-exclusionary feminists being far less prominent (Ackerly et al. 2019; Butler 2019; Corrêa and Parker 2020). Given these aspects of distinctiveness, trans-exclusionary feminism in the UK emerges as an important case study because trans-exclusionary feminist arguments, goals, and consequences are perhaps at their most conspicuous. I work with the case study to better understand how the UK came to be so receptive to trans-exclusionary rhetoric and to offer a starting point for thinking about trans-exclusionary feminism in other countries where actors and arguments may not be so conspicuous.

The role of the UK in the popularisation of contemporary trans-exclusionary feminism means that many of the instances, actors, and examples throughout this PhD come from the UK, even outside of the case study chapter. However, examples are not limited to the UK and there are also discussions that feature other areas of the globe where relevant. This is especially the case in Chapter 6, where the transnational anti-gender movement is considered. The UK case study chapter considers the legal and social developments of trans rights in the UK and outlines contemporaneous feminist reactions to them. It then goes on to consider how and why the UK has become the apparent 'headquarters' of contemporary trans-exclusionary feminism through a consideration of the role of the media, the history of feminism in the UK and the current political environment. These explorations of contextual

conditions illustrate that the case study method is particularly suited to addressing *how* the phenomenon – the popularisation of trans-exclusionary feminism - came to be. This case study contributes to comprehensively addressing research curiosity 1 - How are contemporary trans-exclusionary feminisms situated within the UK? – while also contributing towards addressing how contemporary trans-exclusionary feminisms are situated within a history of feminist trans-exclusion and within the transnational anti-gender movement. The case-study further contributes to addressing Research curiosity 2 – How are feminist trans-exclusionary positions promulgated and reproduced?

1.6.2 Auto-ethnography

Chapters 2-6 begin with an auto-ethnographic story which I describe as flash ethnographies given their brevity. Auto-ethnographies ‘are stories of the self-told through the lens of culture ... [they] are artistic and analytical demonstrations of how we come to know, name and interpret personal and cultural experience’ (Adams et al. 2015, p.1). *Auto-ethnographies* detail the experiences of the ethnographer. This contrasts to ethnographies which involve the ethnographer observing the lives and experiences of others. Part of my reasoning for including auto-ethnography as a research method was a recognition of the limits of scientific knowledge and an appreciation for story, the aesthetic, emotions and the body (Adams et al. 2015). The method of flash ethnography provided another ‘window’ (to use Hartman’s word, below) into the topic. As Saidiya Hartman expresses, the autobiographical example:

is not a personal story that folds onto itself; it's not about navel gazing, it's really about trying to look at historical and social process and one's own formation as a window onto social and historical processes, as an example of them. (In conversation with Saunders 2008, p.5)

Flash ethnography fits this thesis in three ways. Firstly, it proceeds from the understanding that there can be no detached observer and acknowledges the crucial role and situation of the researcher. The flash-ethnographies illustrate my interactions and interpretations; my everyday contacts. They are partial and subjective and as such they form part of the reflexive approach to this research. Secondly, ethnography is a method that values the experiential and the role of emotion - they 'balance intellectual and methodological rigor, emotion and creativity' (Adams et al. 2015, p.2) - in line with the feminist framework of this research. Thirdly the use of auto-ethnography illustrates how theory and day-to-day are not divorced; that theory is 'done' in the day-to-day. Here, I follow the work of Marysia Zalewski who considers theory can be a verb; collapsing the imagined boundary between theory and praxis, the academic and the activist (Zalewski 1996; Prügl 2020). By including the day-to-day in this thesis, I hope to illustrate this.

The flash-ethnographies are a methodological tool that help me better address my research curiosities because their use encouraged me to reflect on my own experiences and interactions (with individuals, groups, organisations, emotions, norms, or in combination) and to make clear the results of trans-exclusionary feminisms both beyond trans people and beyond trans-exclusionary feminists. This feeds into addressing research curiosity 2 – the

promulgation and reproduction of trans-exclusionary feminist positions, particularly with reference to the role of 'common sense' and emotion. I wrote these flash ethnographies throughout the PhD period. Whenever an experience seemed relevant or important, I wrote it down. It was later that I matched them to chapters if they resonated with the work within it. Some did not make the cut because they were difficult to anonymise; others because they did not resonate in ways the chosen vignettes did.

1.6.3 Social media: selective discourse analysis

Much of the conversations, impetus and organising of trans-exclusionary rhetoric and activism during the period of my research has emanated from social media, particularly Twitter. Social media platforms are a vehicle for the rapid and often rabid generation of emotion, and I wanted to reflect on their influence in this research. I began with the idea of displaying tweets throughout this PhD that I felt resonated or illustrated the accompanying text but modified this during the research process to only use them in Chapter 3 on trans-exclusionary feminism and in Chapter 5 on transantagonistic architecture and the interventions of J.K. Rowling. In part, this modification was because the tweets felt most useful in these two chapters, being the two most closely examining the current iteration of trans exclusionary feminism. Less reliance on Twitter output was also a more sustainable approach given that immersing oneself in discussions on social media of a contentious subject can impact wellbeing.

Regarding Chapter 3, it is important to note that the scope of social media is such that one can very likely find a tweet or post to exemplify any point made. In this instance, I chose tweets and posts to exemplify the arguments of this chapter. There is no suggestion that the examples from social media chosen for Chapter 3 can claim anything beyond being an illustration of the argument discussed. The use of social media output in Chapter 3 is therefore deductive as I present an argument and then attempt to exemplify it. I have anonymised the data where it is the content of the tweets and posts, not the identity of the poster, that is important. The situation is reversed in Chapter 5, whereby tweets are used as jumping off points to initiate discussion about underlying assumptions present and their consequences. This is an inductive approach. Here the identity of the tweeter - J. K. Rowling - is important, and so the data is not anonymised. Rowling is important due to the scope of her influence, which in part is what Chapter 5 explores. At the time of writing, Rowling has 14 million followers on Twitter and her main engagement with the platform pertains to the inclusion/exclusion of trans people. It would not be useful or possible to anonymise Rowling's words. For the ethical and legal navigation of these issues I read and spoke with the authors of *Towards an Ethical Framework for Publishing Twitter Data in Social Research* (Williams et al. 2017) and consulted my School's ethics committee. All advised that lesser-known Twitter users should be anonymised, but someone with the following and fame of J.K. Rowling is a public figure who can have no expectation that any content she posts will not be reproduced.

With respect to the inquiry paradigm as outlined at the start of this chapter, I was concerned not to imply that text (here tweets) offers unmediated access to the meaning or

emotions of the tweeter. With Rowling's tweets my intention was to imagine how those words and texts might be met, understood and used by their audience. This work of 'imagining' is supported by theories of affect and by developing the concept of 'transantagonistic architecture' to illustrate the potential impact, affect and effects of these tweets. My aim was not to assume any meaning or intent on Rowling's behalf. I imagined that once 'out in the world' Rowling's words take on a path of their own, which may or may not be reflective of her meaning and intent when writing them. On this point of interpretation, Sara Ahmed refers to the assumption that the feelings of others may be accessed, as being 'a repetition of violence, a way of emptying the place of others by assuming that place' (2014, p.216). There always remains an opacity in this endeavour that cannot be overcome. This inevitably leads to a discomfort and 'epistemic hesitancy' in representing the stories (or tweets) of others. Chadwick (2021), drawing on postcolonial and black feminist work, terms these as issues of 'sticky praxis'; leading to 'interpretative hesitancy and analytical unfinalisability' (2021, p.565). So, texts cannot be assumed to be equivalent to the feelings, experiences or histories that they refer to. Rather, a reading of texts with attention to emotion/norms/power and within theoretical frameworks can hesitantly and unfinalisably suggest the work and consequences of texts.

Ahmed again proved instructive when I was unsure in my thinking about text and emotion. Ahmed refers to 'the emotionality of texts' (2014, p.12). She highlights how texts are important as they generate affective effects. While emotions are not 'in' texts, they are the outcome of emotions being named or performed in text. Therefore, by naming or performing an emotion, a text *does* something. A text is therefore a vehicle in the circulation

of emotions; 'how they move, stick and slide' (Ahmed 2014, p.14). Texts are part of how stories circulate through the public domain and how certain stories come to dominate. They attribute emotions and signs to certain bodies, and in doing so stick figures together and orientate others towards them. In this, text is implicated in the construction of ideals and the shaping of bodies and objects in relation to these ideals. As Ahmed points out, close reading of texts can illustrate the work emotions are doing. These insights proved invaluable when considering tweets in this research, particularly in Chapter 5.

The inclusion of social media posts in Chapter 3 primarily helped to address research curiosity 1 – how are contemporary trans-exclusionary feminisms situated within a history of feminist trans-exclusion? – by illustrating iterations and variations of exclusionary rhetoric and theory. The inclusion of social media posts in Chapter 5 addresses research curiosity 2 – how are feminist trans-exclusionary positions promulgated and reproduced? – by highlighting 'common sense' presentation, the impact of transantagonistic architecture, and role of emotion, which all work to obscure the consequences of reproduction.

I have found the methods employed in this thesis; case study, auto-ethnography, and selective discourse analysis, to be complementary. All fit within the inquiry paradigm outlined at the start of this chapter, and taken together, provide a 'thick description' to discuss and, from which, to draw conclusions. Having now outlined the methods used in this PhD, I will now reflect on my position as a cisgender researcher.

1.7 In consideration of writing about trans gender as a cisgender researcher

As already covered in the Introduction and earlier in this chapter, much of the reflections on doing the research of this thesis revolve around surprise at the mainstream reach and speed of reproduction of trans-exclusionary arguments. Also in the Introduction, I reflected on the personal toll of immersing oneself in a topic that is so emotionally fraught. In this section I wish to highlight a consideration that has remained for the entirety of this process: that of being a cisgender researcher on a topic involving trans people.

This thesis is not about trans people. This is important to say in a history of research by cisgender people about trans people that is pathologizing and voyeuristic (Sennott 2010). This thesis is about how conceptualisations of gender are sanctioned, or not, and the effects/affects resulting from this. It is further about the world-making attachments to these conceptualisations. These points are illustrated through an exploration of the trans-exclusionary views of some feminists. To clarify - this thesis is about the exclusionary views of some feminists, how these views might arise and the consequences of their popularisation. The feminist focus is important because the exclusionary feminist viewpoint is utilised to legitimise trans-exclusion and it complicates assumptions of gender-policing as a male-led right-wing preoccupation. Nonetheless trans people feature in this thesis. Firstly, they feature via trans individuals' scholarship or comment on this topic. Secondly, trans people feature in the flash-ethnographies. Thirdly, trans people feature in discussions of the continuing impact of the popularisation of exclusionary viewpoints. Fourthly, the *figure* of the 'trans person' or 'trans people' feature in discussions of how this figure is imagined/constructed/employed by others.

In light of trans people featuring in this thesis, I have remained mindful of the work of Ben Vincent (2018) and C. Jacob Hale (1997) on cisgender authored work about trans people. While Vincent's article is aimed at trans-focused research, researchers recruiting trans participants or directly working with trans people, their insights remain relevant to this thesis. Vincent outlines six points to help avoid the pitfalls of past research by non-trans researchers. I will discuss four here as two are specific to working with research participants which is not applicable for this project. Firstly, Vincent suggests familiarising oneself with the histories of the 'ethically dubious' (2018, p.103) treatment of trans people in research and the gatekeeping by the medical community. More broadly they suggest familiarisation with the histories of how trans communities have formed and resisted oppression and the complexities and varieties of trans identities. I hope my attention to this issue goes some way to providing evidence for my familiarity with the former. I am particularly aware of not repeating the 'fascination with the exotic' (Hale 1997, pt.3) of past research involving trans people. My position within, and familiarity with, the local queer community and queer culture (albeit acknowledging this is only UK-based) and the research undertaken for this project, have in combination stood me in good stead for the latter. While I claim familiarity with trans histories/identities (foremost, UK-American), my knowledge of trans communities, experiences and identities is always second-hand and always filtered through my own positionality. Hale asks cisgender researchers to approach their topic with humility acknowledging they cannot be the experts on trans people. While trans people are not the 'topic' of this research, to the extent that they feature, I fully acknowledge that point here.

Secondly, Vincent advises to study language carefully. Here Vincent is specifically concerned with how the meaning and usage of words can change over time and how words can be deployed differently by individuals or subgroups of the trans community. As Vincent notes the issue of language is complex and changing, not least because the terrain of gender identities is ever-fluctuating. In this regard it is not possible to futureproof this work. Instead, I have tried to use the English language terminology that is generally settled upon at the time of writing. I have found radical copyeditor's website (Kapitan 2021) helpful in this regard. This has augmented my knowledge from familiarity with the queer community and from immersing myself in relevant literature for this research. Words are particularly important where they have become overtly politicised. For example, trans-exclusionary individuals and groups often use 'transwomen' and 'transmen' as opposed to 'trans women' and 'trans men'. While this may appear incidental, it is indicative of the disagreements pertaining to trans-inclusion and laden with meaning. 'Trans' used as a separate word before (wo)man, modifies the noun much like tall, white and young. Trans(wo)man, one word, points to a different entity altogether, not a type of (wo)man. Similarly laden with meaning, the verb 'transgendered'/'transed' is another term used in trans-exclusionary discourse. It implies something being done to someone. As Vincent points out, applying this to sexual preference, for example 'gayed', shows how jarring this can be. Vincent, here, uses a rule of thumb that I have found useful throughout this research (and beyond). As a queer woman, I have found it helpful to repurpose the words, phrases and arguments used around trans inclusion/exclusion and apply them as if they were about gay people and identities. My own lived experience combined with decades of increasing societal intolerance to overt homophobia, often instantly makes apparent any homophobic meaning. This alerts me to

carefully consider the possibility of a transphobic meaning and to assess the appropriateness of words, phrasing, and arguments.

I will take the last two points together. Thirdly, Vincent suggests drawing upon feminist methodologies because they provide ways of ‘challenging ossified research paradigms that took no issue with power imbalances between ‘researcher’ and ‘researched’, problematising objectification and research paradigms constructed as ‘objective’, and recognition that methods of data production shape the ways data can be interpreted’ (2018, p.108). They refer to standpoint theory (as discussed previously) as a good example. Hale also evokes this, stating ‘ask yourself if you could travel in our trans worlds. If not, you probably don’t get what we’re talking about. Remember we live most of our lives in non-transsexual worlds, so we probably do get what you’re talking about’ (2009, pt.12). Fourthly, Vincent calls on researchers to address intersectionality. Vincent points to De Vries theorisation of intersectionality as a ‘multifaceted prism’ as a reminder of the complicated, refracting and relational construction of identity and social position. This resonates with Ellingson’s use of the prism in crystallisation, a recurrence that points to acknowledging complexities over monolithic interpretations. Vincent’s points on feminist methodologies and intersectionality are linked as they are a call to remain aware of positionality – both mine and of those people or groups discussed in research. Like all identity categories, Vincent reminds us that trans people are far more than their trans status. This can be said to apply both in terms of how trans people live and the multitude of identity characteristics they may embody. Hale relatedly cautions ‘Don’t totalize us, don’t represent us or our discourses as monolithic or univocal’ (1997, pt.6). I endeavour to follow this advice in this research.

1.8 In summary

This chapter has detailed the inquiry paradigm within which this research is undertaken, the feminist ethos followed, theories of affect and the multi-methodological approach employed; it has described how I arrived at my research curiosities and the methods used to address them and considered the issue of writing about transgender as a cisgender researcher. Taken together this information forms the framework of the research and the positions infusing it. This chapter provides the lens through which the following chapters were produced. The next chapter moves on to set-out the predominant theoretical framework: conceptualisation of gender and sex.

2. Exploring Gender and Sex

My notes ... from the lake

It's a warm summer's day and I am spending it with friends and their families down by a lake, picnicking and swimming. I ask my friend to come for a swim in the lake with me. She is questioning her gender identity and is masculine presenting. She says that she wants to swim but is worried about showing her legs as she has stopped shaving them. I point out that lots of people have hairy legs and that no one will care (which is a little disingenuous because her father has already exclaimed to me that his daughter's legs are hairier than his son's). She is worried the kids we are with will say something. 'They won't care', I say 'and if they ask why they are hairy, say because you like it that way and they'll probably reply 'OK' and move on'. My friend changes into her swimming shorts and t-shirt. As she walks out of the house another friend's son, aged 5, looks at her and after a moment says, 'are you a boy or a girl?'. My friend smiles, keeps walking and answers 'It's complicated'. The boy keeps watching, thinking. Ten minutes later we are down at the waters-edge sitting together. Along comes the boy again, 'You didn't answer my question. Are you a boy or a girl?' 'It's changing' my friend replies. The boy looks quizzical but does not ask anything else on the topic.

And, My notes ... from the neighbourhood

Mo came into my life several years ago. He was new to the UK having claimed asylum on the grounds that his life was in danger in his home country for being a trans man. For once the Home Office did not hesitate, his story horrific. Despite this, Mo is best described as a clown, always smiling, joking and fooling around. While walking down the street he might gradually pick up the pace so you end up in a comedy speed walk together or he might send me a picture of a random landmark and invite me to guess where he is. If he hears me swear, he finds it hilarious, and we smile together. Sometimes he asks and I tell him about my research. He is very interested because almost always what I tell him is new to him. He does not know much about trans-exclusionary campaigns, he has not heard too much about attempts to roll back certain trans rights, he has not been impacted by the extra scrutiny single-sex spaces are under. A trans person in the UK, oblivious. This is partly because Mo doesn't keep up with the news but mostly because Mo passes as a man, completely. He walks through the world as if a cis man. He is never subject to transphobic abuse in the street or at work, never stared or pointed at, never tackled about his presence in men's spaces. Racism yes, often. But transphobia or gender policing, never. Not to say that being trans doesn't impact his interactions, his hysterectomy caused some confusion on the 'women's' ward and I'm sure he fears being outed, but he is happily unaccustomed to the scrutiny trans people face and unaware of impacts campaigns for trans-exclusion are having. His sex and gender are judged to be aligned and to be male.

As 'my notes from the lake' and 'my notes from the neighbourhood' illustrate, gender and sex are obvious. Except when they are not. The confused and intrigued reaction of the 5-year-old suggest he has learned that gender and sex are supposed to be obvious. Mo elicits no such bewilderment because his gender and sex is judged to be obvious and aligned. For the 5-year-old, the indicators of gender and sex – what might broadly be termed masculinity and femininity – fail to provide him with one of two answers; male or female. Yet this learned binary represents a simplification of two complex concepts – gender and sex. This chapter will explore the complex and contested terrain of gender and sex to set out the theoretical framework with which to investigate the relationship between theories of gender/sex and perspectives on trans identities. This will provide a foundation with which to address my research curiosities. The first section of this chapter will provide a brief overview of the different and often contradictory ways the word gender is used, both popularly and in academic work. The second section will introduce a series of theoretical explications of contemporary understandings of gender under the headings of (i) biological essentialism (ii) gender as a social role and (iii) beyond the universal. The discussion of biological essentialism also includes an exploration of gender's main referent: sex. I have chosen these categories as they cover much of the literature on gender, albeit imperfectly due to complexities and overlap. 'Biological essentialism' captures the long-standing and traditional view of gender as being a natural part of sex. 'Gender as a social role' captures the view of gender as expectation and socialisation. 'Beyond the universal' explores intersectional and anti-foundational approaches to gender, including poststructural scholarship. As will be discussed, the meaning of gender and sex continue to be amorphous and disputed. Further, the line between the two is at times difficult to decipher, particularly in theories of biological essentialism and poststructural feminism where some discussions of gender

inevitably blur into discussions of sex and vice versa. By structuring this chapter through the frames mentioned above, I want to reflect and explore this complexity. This does mean that depending on the demands of the frame under discussion, gender and sex are at times taken together, and at others taken separately; a lack of clarity indicative of the terms under discussion.

2.1 Gender: A brief Introduction to a shifting concept

Gender has always been a shifting concept. Before delving into the complexities of gender, I will offer an overview of these shifting understandings to provide a useful basis for the detailed discussions that follow. Employing the word 'gender' in the ways discussed in this chapter is relatively new. Until the mid-20th century 'gender' was a linguistic term that referred to grammatical categories of nouns, for example *le* and *la* in French, although some languages contain over 20 genders (Curzan 2003). From the mid-20th century onwards, gender began to take on two new meanings in the English language that are recognisable today. Firstly, as a synonym for sex (male/female, noun) because the word 'sex' was increasingly used to mean sexual intercourse, as first referenced in the Oxford English Dictionary in 1921 (OED Online 2020). Secondly, psychologists, psychiatrists, and sexologists, looking to describe the social distinctions between men and women that had previously been noted but not collectively named, appropriated the word 'gender' for this purpose (for example Stoller 1968). The first known published use of the term 'gender' as meaning social distinctions between men and women appeared in the American Journal of Psychology in 1945 (Cameron 2016a). These two uses of 'gender', one supposedly denoting something biological and one supposedly denoting something social, foreshadow the contradictory

uses and understandings that continue today. 'Gender' is still used, uncritically, as both a synonym for 'sex' *and* for an entirely separate social phenomena by policy makers, neoliberal institutions and in popular discourse.

Yet, as this chapter will show, the naming of gender also created space for theorising, and this in turn complicated definitions by pushing beyond simplistic understandings. Academics - predominantly feminists - have written, explored, unpacked and critiqued 'gender' and in doing so illuminated a concept that Marysia Zalewski describes as 'unsettled, troubled and troubling' (2019, p.13) and prompted Sally Haslanger to write:

What began as an effort to note that men and women differ socially as well as anatomically has prompted an explosion of different uses of the term 'gender'. But not only is it unclear what gender is and how we should go about understanding it, but whether it is anything at all. (2000, p.32)

In an attempt to make sense of this explosion, I begin by exploring biological explanation of gender and gender's ever-present referent or co-constitute: sex.

2.2 Biological Essentialism

Biological essentialism is the view that gender is tethered to sex because it has a basis in 'the biological subject' (Fuss 2013, p.3). The 'biological subject' refers to human anatomical

biology, both macro (the structures and forms visible with the naked eye) and micro (cells and molecules). 'Essentialism' refers to 'a belief in true essence – that which is most irreducible, unchanging and therefore constitutive of a given person or thing' (Fuss 2013, p.2). The 'essence' is understood to cause the behaviour of the object and provides the criteria for classification of the object (Witt 1995, p.321). Therefore, biological essentialism applied to gender - that which might be termed femininity and masculinity - is the result of biological factors which precede cultural or social influences, and set predetermined limits to the effects of those influences (DeCecco and Elia 1993). If gender is biologically determined, the implication is that femininity is hardwired into women and masculinity is hardwired into men. Essentialism may also be defined by what it is not: constructionism. All other theories covered in the later sections of this chapter – gender as a social role, and beyond the universal – are in some sense constructionist, albeit in different forms. Constructionists 'take the refusal of essence as the inaugural moment of their own projects and proceed to demonstrate the way previously assumed self-evident kinds ... are in fact effects of complicated discursive practices' (Fuss 2013, p.2).

As discussed later in this chapter, the biological essentialist position underpins the work of philosopher's including Aristotle, Plato, Descartes, Rousseau and Kant, and scientists including Francis Galton, Havelock Ellis, and Charles Darwin. Given the influence of such works in informing modern Western societies and beyond through colonisation, it is not surprising that this view remains pervasive. It is reproduced by 'an immense array of historical, religious, medical and scientific work, along with myriad layers of intricate cultural and everyday practices' (Zalewski 2019, p.15). Despite already being woven into the fabric

of many societies, forthright reassertions of essentialist understandings of gender are a feature of contemporary politics. By the end of 2020, Hungary, Romania and Poland had all implemented a ban on gender studies in universities. Spokesperson to Hungarian Prime Minister Victor Orbán explained that, 'The government's standpoint is that people are born either male or female, and we do not consider it acceptable for us to talk about socially constructed genders rather than biological sexes' (Kent and Tapfumaneyi 2018). This is also the logic deployed by the Brazilian government led by Jair Bolsonaro when they criminalised the dissemination of 'gender ideology' in schools, and in the USA when the Donald Trump administration decided to reintroduce 'the plain meaning of the word "sex" as male or female and as determined by biology' (Department of Health & Human Services 2020, para.4). These examples illustrate how biological essentialist positions are often articulated through recourse to 'sex' and a rejection of the word 'gender'. Indeed, in the essentialist understanding the term gender is perhaps superfluous as it signifies a component of binary sex. This 'plain' - or alternatively put, 'common sense' - understanding of the word 'sex' suggests that 'sex' is a fact of biology and one that is both binary and obvious - much like the 5-year-old at the lake has learned. It is this 'common sense' understanding that underpins biological essentialist positions on gender.

While much of this chapter's focus is on the work by feminists to challenge and destabilise essentialist viewpoints, it is important to note that essentialism also appears in certain feminist theorising and praxis. In a broad sense (and arguably, as discussed in section 2.4.2) essentialism features because to advocate for the group 'women' can imply that there is a shared essence that defines this group. More particularly, essentialism features in certain

articulations of 'difference' feminisms, which precede from the point that men and women are fundamentally different - for example, the work of Mary Daly³. Essentialism within feminist work will be further discussed in later chapters of this thesis to illustrate how it features in contemporary trans-exclusion.

As discussed above, gender is a component of sex in essentialist views. This approach therefore implies, and rests upon, a certainty of knowledge of what 'sex' is. Before moving on to arguments around a biological basis to gender, the next section will interrogate 'sex' to test the stability of this basis. An interrogation of sex will also prove useful more widely for this chapter because, as will be discussed, theories of gender include an implicit or explicit representation of sex.

2.2.1 Sex

It is perhaps unsurprising that common understandings of sex as binary and immutable have remained steadfastly mainstream when Western societies and others, under the dominant epistemological authorities of religion and science, have divided people into male and female for a period so indeterminable that it is best described as simply 'a long time' (Sanz 2017, p.1). When Judith Butler asks 'does sex have a history?' (1990, p.10) they challenge the idea that sex is ahistorical. While Butler's challenge is issued from an anti-foundational poststructural position, which will be discussed later in this chapter, some of the following critique demonstrates that even from within the paradigm of a foundational position (that

³ However it is also argued that Daly's work is not essentialist, for example Suhonen (2000).

sex exists independently of human interpretation) the answer to Butler's question can still be 'yes'. The following sections will illustrate, through exploration of a layered approach to sex and a critique of the science of sex determination, that the 'common sense' understanding of sex as binary and stable belies its complexities and obscures the point that sex is not a category of easily definable substance.

2.2.1.1 Beyond humans

Issues of sex determination are not unique to humans. The idea of what sex is and how it develops is unsettled by even a cursory look at other animals. A tendency toward anthropomorphism often permeates understanding (Epley et al. 2007), but the human experience is far from universal. While a majority of animals are said to have a genetic sex determination, sex determination for others depends on environmental factors (Hake and O'Connor 2008). For example, in some turtles and in all crocodiles, the temperature of the egg-nest will determine the sex of the hatchling. In some worms, sex is determined arbitrarily by the type of ground the larvae land on. Some fish will change sex during their lifetime to suit the environment and situation, and for some species of ant, bee and wasp, sex is decided on whether the egg is fertilized. Certain lizard have only one sex and reproduce clones of themselves, while the female embryos of some (supposedly genetically sex-determined) fish become male when incubated at high temperature. Moreover sex determining systems are not immutable in any animal and can change over time (Bachtrog et al. 2014). This diversity is further expanded when considering the sex-determining and reproductive systems of the plant world (Dorken et al. 2017). In sum, there is no such thing as 'normal' or 'common sense' understandings in nature.

2.2.1.2 Layer upon layer

Regarding humans, Dr. John Money (1921–2006) was the first person to develop a ‘layered’ explanation of sex - which he called ‘sexual variables’ - to account for the various processes and stages that can be said to build an individual’s sex profile. Anne Fausto-Sterling similarly uses descriptors of layers which for her are - chromosomal sex, gonadal sex, hormonal sex, internal reproductive sex, genital sex, brain sex, (post-birth) gender fortification, and (teen) pubertal hormonal sex (2012, pp.10–11). Here each layer of sex contributes to an individual’s sex profile. Jacob Hale (1996) proposes 13 defining characteristics of ‘woman’, covering biological and social factors. Yet such is the complexity of defining sex, Hale adds that none of the characteristics identified are necessary or sufficient. Such approaches suggest that assigning sex by the presentation of genitalia at birth – or any given ‘layer’ - is reductive.

The description of sex as layers is useful to elucidate why the idea of a binary sex – male or female- is complex. Definitions of sex can differ according to the emphasis placed on layers, for example privileging chromosomal sex or genital sex as the arbiter or proxy of *true* sex. Feminist science studies scholars have shown that which layer is privileged has changed over time and across disciplines (e.g. Schiebinger 2004 (anatomy); Jordan-Young 2010 (brain); Richardson 2013 (genes)). To unsettle these biological categorisations further, some of the layers can alter over a lifespan. Using Fausto-Sterling’s layers for example, hormonal sex can alter through illness, ageing, or medical intervention; and gonadal, reproductive, and genital sex can alter via surgery. Crucially, layers of sex are not necessarily sequential

points along a track to 'male' or 'female'; each layer can develop as not 'male' nor 'female'. Taking chromosomal sex as an example, it is possible to have a chromosome which is neither 'male' nor 'female' (X, XXX, XXY, XYY) along with a variety of bodily development. It is also possible to have a 'male' chromosome (XY) and 'female' genitals and body development, 'female' chromosome (XX) and 'male' genitals and body development, or have either a XX or XY chromosome and a body with both 'female' and 'male' characteristics (NHS 2017). Further, the layers do not necessarily develop concurrently nor are they settled by a particular age. Studies on mice have shown that ovaries and testes need constant maintenance to keep their form, with deactivation of certain maintenance genes causing ovary cells to transform into testes cells and vice versa (Ainsworth 2015).

In a western culture that is 'deeply committed to the idea that there are only two sexes' (Fausto-Sterling 1993, p.20), deviations such as those described above are regarded as outliers and anomalies. They are classified under the umbrella term 'intersex' - a term that relies on a belief in discrete sexes - or 'differences in sex development' (DSD) - a term that makes sense only with reference to a norm. Accurately estimating the number of 'outlying' individuals is difficult because it depends how DSD is defined and if qualifying differences are detected. Further, there is no agreement on the parameters of 'female' or 'male' for each layer - for example, what counts as a 'male' level of oestrogen will differ depending on the association, laboratory or country guidance referred to (Lazarou et al. 2006). Sex delineation of continuums are not only found in laboratories; Suzanne Kessler (1998) amalgamated normative scales used by physicians to sex babies born with ambiguous genitalia and found that genitals measuring less than 9mm are deemed to represent a

clitoris and therefore girl, genitals over 25mm are deemed to represent a penis and therefore boy, and a measurement in-between is deemed neither, the latter often 'rectified' by "'normalizing" genital surgery' (Liao and Baratz 2023, p.51). However, despite these complexities, attempts to estimate the number of DSD individuals have been made. Initial studies on the prevalence of DSD tended to refer only to those born with ambiguous genitalia and is often estimated at 0.05% of the population (Intersex Society of North America, 2008). However, using a more expansive view of DSD and reviewing studies over a 45-year period, Blackless et al. (2000) concluded a more accurate figure could be as high as 2% of the population. For context, this is a similar level to the proportion of people with red hair (Hilda 2015).

It is also possible, indeed likely, for an individual to have more than one chromosomal pattern. Looking more closely at 'chromosomal sex', researchers have identified what some consider another layer of sex – 'cell sex'. As cells contain chromosomes, it would seem reasonable to assume that a chromosomal 'female'/'male' individual always has a matching cell sex. However, the process of chimera – a term taken from a mythological creature with traits of lion, goat and dragon – allows the cells of one individual to be incorporated into another (Yan et al. 2005). This makes it possible, common even, for a woman to have some 'male' DNA (i.e. XY cells) as well as XX cells, and for men to have some 'female' DNA (i.e. XX cells) as well as XY cells. This phenomenon is linked to pregnancy, where the placenta is breached by cells of either the birthing parent or baby and become incorporated into the other person. A study by Chan et al. (2012) demonstrated that 60% of women tested had some 'male' DNA within their brain tissue, while another study (Yan et al. 2005) illustrated

that even in women who have not had male children, 'male' DNA is commonly found (21%). This is thought to occur either due to a uterus containing 'male' DNA from an older male sibling, or from a male twin who did not survive.

While the above offers only a selection of examples challenging the assumed binary of sex, each layer of sex, for example hormonal sex or brain sex, could also be subjected to analysis that destabilises the binary distinctions. A layered approach to sex emphasises the scale of potential combinations and how considering this, sex might not be well-suited to the binary idea of male or female imposed upon it. Instead, sex could be more accurately portrayed as an amalgamation of layers, each of which is not necessarily binary. This is why Fausto-Sterling has stated 'labeling someone a man or a woman is a social decision' (Fausto-Sterling 2000, p.3). The following section looks at how despite there being more information on the processes of sex determination, the science of sex continues to confirm a binary.

2.2.1.3 The binary and the science of sex

Sanz (2017) argues that relying on science to dismantle the dominant view of the sex binary will likely be in vain. In her paper entitled *No Way Out of the Binary*, she argues that scientific research into sex - despite illustrating the complexities of it - will always work to reinscribe the binary. For Sanz this is because Western science developed with an assumption; 'that sex is binary was never questioned because it was never a hypothesis: it was the taken-for-granted starting point' (2017, p. 20). This re-inscription is evidenced by a history of discovering or exploring another layer of sex difference once a previously feted

'sex-determining' layer fails to confirm a binary. The story of sex determination via chromosomes and genes illustrates this. After earlier attempts to define sex by gonads and then by hormones (Hausman 1999), in the early twentieth century sex was said to be determined by the X chromosome. This idea prevailed until it was superseded later in the century by the view that the Y chromosome determined sex (Richardson 2012). When this failed to explain sex difference clearly enough, scientists searched for the specific gene on the Y chromosome that was responsible. In 1990, and to great fanfare, this 'master gene' (Sanz 2017, p.11), named SRY (Sex-determining Region Y), was discovered. The gene was said to initiate testicular development, but cases of testicular development without the SRY gene soon emerged, along with evidence of other genes involved in sex development (Vilian et al. 1991). By the early 2000s, models of sexual development had abandoned the master gene thesis and instead described the cumulative impact of many different genes. The existence of 'female' initiating genes also started to be recognised - as opposed to the hitherto assumption that female sex development simply reflected a paucity of male genes (Sanz 2017). However, the quest for a genetic explanation of sex difference became so complex and impenetrable that binary interpretations were difficult to maintain. Yet technological advances have once again opened an alternative route for identifying binary sex through a newly identified layer – genomic sex. The Human Genome Project (*The Human Genome Project* 2020) moves the focus from the individual to the human species by identifying and mapping the position and frequency of all human genes and also their patterns of activation and expression. This emerging field has been used to reinscribe a sex binary. Carroll and Willard (2005) go so far as to suggest two human genomes – male and female – rather than one; a move coined the 'sexome' (Arnold and Lusia 2012), which seeks to infuse binary sex difference into every cell of the body.

These historical failures, and yet ongoing efforts, to definitively identify a) what sex is, and b) that it is binary, obscures the process of what Bernice Hausman has referred to as both 'semiotic transposition' and 'synecdochal' (1999, p.169). This is where signifiers such as 'female' and 'male' are applied to items that do not qualify as such. She argues that while 'female' and 'male' can apply to entire organisms, terms such as 'the fe/male sex hormone', describe a chemical molecule incapable of being sexed, being designated as such. As Evelyn Fox Keller notes, this illustrates how the sexing of objects can shape knowledge, because 'the same properties that have been ascribed to the whole are then attributed to the subcategories of, or processes associated with, these bodies' (2001, p.87). As well as hormones, the same phenomenon has been noted with gametes (Martin 1991) and chromosomes (Richardson 2012). For Sanz (2017), this move between the micro and macro, along with an inability to contain sex within a specific definition, perpetuates the idea of a binary in the field of science. The following section briefly considers what the myriad complexities of sex determination and definition, mean for the concept of 'sex'.

2.2.1.4 Sex?

'Common sense' understandings of sex, such as those restated in recent times by several governments (as detailed earlier), assert that sex is obvious and binary. Yet applying a layered framework to sex demonstrates a complex, and not obvious meaning. Despite a stubborn attachment to the contrary, the obviousness of sex has long been questioned. In 1939 Frank Lille wrote 'There is no such biological entity as sex...sex is not a force that produces these [female and male] contrasts; it is merely a name for our total impression of

the differences' (1939, pp.3–4). Therefore, understandings of sex as obvious hide a 'tautological network' (Sanz 2017, p.23) that allows sex to be both the result and causation of itself, with no clear origin (Hausman 1999). If the meaning of sex is unclear and undecidable, so it follows that the notion that sex manifests in binary form must also be. Yet the wealth of evidence of the complexity of sex does little to shift the perception of sex as stable and binary; this raises questions about why this is the case and who benefits from this lack of critical analysis.

The above exploration of sex is not to deny the material reality of the body. Rather, it is to note that how bodies are classified and regulated cannot be uncritically taken as biological fact nor as apolitical or ahistorical. Variations within, and similarities across, imposed categories makes identifying defining characteristics of those categories a complex task. Sex matters in theories of gender because it is so often the referent; a referent that appears stable and unquestioned amongst messy discussions of gender. Having destabilised understandings of sex, the following section returns to biological essentialist approaches to gender to illustrate that by not questioning the stability of sex, these approaches conceptualise gender as biological and produce a gender hierarchy.

2.2.2 The biological basis for gendered traits and behaviours

When Evelyn Fox Keller (1987) asks, 'is sex to gender as nature is to science?', the answer for essentialists is yes. In this approach, sex provides the basis for gender, i.e. gender is the result of sex. This view necessitates not only the assumption that sex is readily knowable

and that it comes in two forms, but also that gendered traits and behaviours - typically referred to as femininity and masculinity - flow from a matched sex. This assumption that traits and behaviours are inherent to women or men has a long history and an ongoing durability. As will be discussed, biological essentialism normalises not only gendered traits and behaviours, but also the social and political structures that position men and women in different and hierarchical roles. By rejecting (sex or) gender as social or cultural, biological essentialism allows little scope for variation from the binary it sanctions. While this section concentrates on the historical structures that make the gendered traits of femininity and masculinity appear natural, the continuation of this framing is quotidian. Taking just one arena, governmental politics, illustrates this through the enduring idea that men are 'natural' leaders and women are 'natural' nurturers. According to the United Nations, of the 193 UN member states, only 17 have a woman head of state and only 19 have a woman head of government. Globally, women make up 22.8% of cabinet ministers and, tellingly, their most commonly held portfolios are: women and gender equality, family and children affairs, social inclusion and development, social protection and social security, and indigenous and minority affairs (UN Women 2023). The following section further explores these points by discussing the embedding of biological essentialist views of gender in the institutions of society and how this has led to the naturalisation and normative hegemony of essentialised gender. It will also highlight feminist work that challenges this view.

2.2.2.1 Embedded essentialism

In *Paradoxes of Gender*, Judith Lorber writes:

Talking about gender for most people is the equivalent of fish talking about water. Gender is so much the routine ground of everyday activities that questioning its taken-for-granted assumptions and presuppositions is like thinking about whether the sun will come up. Gender is so pervasive that in our society we assume it is bred into our genes (1994, p.13).

Feminist scholars like Lorber have been at the fore in highlighting how gender in ‘our society’⁴ is essentialised to biology within a binary sex framework and how this view has been developed and sanctioned through the influential institutions of society. For example, philosophy (see below), science (see below), religion (e.g. Sa’dāwī 1980; Beauvoir 2011) and law (e.g. Crenshaw 1989; MacKinnon 1989; MacKinnon 2005)) all create and perpetuate gender as biologically determined. Such institutional embeddedness is for Lorber ‘the enormous weight of history’ (Lorber 1994, p.8). Here I will take two such institutions - philosophy and science - as exemplars of how essentialised ideas of gender are embedded and normalised. The role of religion in fortifying these traditional understandings of gender will be discussed in Chapter 6 when I explore the meaning of ‘gender ideology’.

2.2.2.1.1. Philosophy

Ancient Greek philosophy, and later, the philosophy of the Enlightenment period (late 17th century – early 19th century), are often credited as the foundation of ‘Western’ or European societies. This is why Susan Okin notes that analysis of the work of past figures ‘is not an

⁴ Lorber talks from the US perspective, but this can be taken to mean a broadly ‘western’ society

arcane academic pursuit, but an important means of comprehending and laying bare the assumptions behind deeply rooted modes of thought that continue to affect people's lives in major ways.' (2013, p.3). It is also why Andrea Nye considers the modern day lack of equality for women as something 'inherited from the great philosopher revolutionaries' (2004, p.54) of the Enlightenment period.

With regard to ancient Greek philosophy - taking Aristotle and Plato as illustrative examples - feminist scholars such as Witt (2010), Spelman (1988; 2003), Okin (2013) and Tuana (1993; 1994) detail how they explicitly positioned women as inferior/deformed/deficient versions of (free, white) men (Aristotle positioned male slaves similarly to women (Spelman 1994)). Aristotle stated, 'The female is, as it were, a mutilated male' (Generation of Animals, 2.3.737a27-28). This approach has been called the 'one-sex model' (Laqueur 1992, p.8), as women are seen as deficient forms of men, rather than as separate to them. In this model, woman is an inverted man: the ovaries are inferior testes and the vagina is an inside-out penis (Laqueur 1992). This inferiority manifests in traits and behaviours as well as bodily differences. To Aristotle, women in comparison to men are 'more compassionate, more easily moved to tears ... more prone to envy, grumbling, criticising, aggression depression, pessimism, deceit, trickery, resentment...Men are braver than women, and more ready to help others' (History of Animals Vol IX). If Aristotle was particularly egregious in his writings on women, Plato was inconsistent. Susan Okin (2013) discusses how Plato at least explores ideas of expanding women's education and social roles, while also asserting that women are made from the souls of the most wicked and irrational men, and that a man is worth two women.

With the development of modern science, a paradigm shift occurred whereby the view of women as inferior and inverted versions of men was replaced by the 'two-sex' model. It was at this time that 'sex as we know it was invented' (Laqueur 1992, p.149). In this new iteration, the vagina was no longer an inverted penis, and the ovaries no longer ill-functioning testes; instead, women became entirely different, yet complementary, to men. While nominally replacing inequality with difference, as Susanne Lettow (2017) notes it instead allowed for a 'hierarchical model of gender complementarity' (p. 95). She describes how in *Emile*, Rousseau classes femininity as meaning women are 'naturally' (p.95) inclined to please men. Similarly, and despite his work being formulated on developing 'moral egalitarian principles' (Kleingeld 2019, p.3), Kant consistently wrote of the 'natural' superiority of men and the passivity of women. Reviewing his writings on women, Kleingeld (2019) lists how Kant refers to the virtue of women as 'beautiful' and virtue of men as 'noble', that a husband has the right to command his wife, that women should have 'passive citizenship' (i.e. no right to vote), and that a woman's vocation is to do their womanly duties in the home. Kant added that any woman who excelled outside of the home was an aberration and that in general 'nature has put something into the man for which one will look for in vain in a woman' (as cited in Kleingeld 2019, p.6). As Laqueur noted, 'two-sexes...were invented as a new foundation for gender' (1992, p.150), but the newer 'two-sex' model again offered a natural justification for male authority and the denial of women's autonomy. It is this model that dominates most cultures today.

Feminist theorists have highlighted several gendered and hierarchical dualisms in the traditional canon of philosophy that support a natural order of male superiority and female subordination. Firstly, form and matter: Aristotle credited women with providing reproductive 'matter' via menstrual blood and men with providing reproductive 'form' via semen, thus giving men the superior ability to turn matter into form (Tuana 1994). Secondly, body and mind: Plato detailed a body/mind distinction that denigrates the material body and venerates the mind. He sees the body as susceptible and unreliable (traits gendered female) as compared to the durable mind (Spelman 1982). As Judith Butler notes the ontological distinction between the mind (culturally associated with masculinity) and the body (culturally associated with femininity) invariably supports women's political and psychic subordination (Butler 1990). Thirdly, and perhaps the most prominent dualism to feature in feminist critiques of the traditional canon of philosophy is that of emotion and reason. For example, Phyllis Rooney notes that western philosophy has all too often excluded women from 'the excellence of reason' (p.4), while Lloyd (1993) and Bordo (1987) argue that the history of philosophy has gendered reason as a male trait, with emotion gendered female. Rooney notes how this view continues with women discouraged in myriad ways from 'the academy, halls of government, law and commerce' (1994, p.4). The dualism also sets a feminised emotion apart from a masculinised reason, foreclosing the possibility of emotion in reason and reason in emotion; an understanding impacting the epistemic adequacy in the development of modern science, as will now be discussed.

2.2.2.1.2. Science

The two-sex model of human compatibility, in combination with advances in science and medicine during Europe's Enlightenment period gave rise to the codification of sex difference and saw gendered traits and behaviours again explained through the body. The veneration of scientific method along with ideas of 'reason' and the concept of progress fed into the science of biology. Studies of the body turned sex differences into facts, figures, and observations. This era therefore saw the *creation* of sex difference as scientists searched for it in 'every bone, muscle, nerve and vein' (Schiebinger 1986, p.42). The search for difference, combined with the continuing assumption of binary sex and the superiority of (white) men, further naturalised biological understandings of gender.

Biological essentialist ideas of gender can be seen in the work of many prominent thinkers and scientists of the time through their reading of gender stereotypes into biological hypotheses and assertions. An exemplar text is *The Evolution of Sex* by Geddes and Thomson (1889), which asserted that the supposed superior activity of male cells made men eager, energetic and passionate, as opposed to the lethargy of female cells that led to women being passive and sluggish. Other enthusiastic chroniclers of sex difference include Francis Galton (1822-1911), founding figure of behavioural genetics and eugenics, who believed women to be inferior in every way; and sexologist Havelock Ellis (1859-1939) who declared greater physical and intellectual variability (and consequently superiority) amongst men (Shields 1982). For Ellis, complementarity was key:

‘The progressive and divergent energies of men call out and satisfy the twin instincts of women to accept and follow a leader ... And in women men find beings who have not wondered so far as they have from the typical life of earths creatures; women are for men the human embodiments of the restful responsiveness of Nature.’ (1934, p.371).

Charles Darwin’s (1809 – 1882) evolutionary theories of natural selection and sexual selection also promoted essentialist views by stating that traits deemed masculine (e.g. courage, aggression, competition, strength, and independence) have, over time through inheritance, been hardwired into the genes of men, and traits deemed feminine (e.g. nurturing, dependence, sensitivity, and empathy) into the genes of women. Evolutionary theories of gender can be said to represent a hybrid of constructionist and biological explanations of gender because expedient social roles become ‘biological’ through generational repetition. However, when considering that despite thousands of years of cultural and environmental change, the features and masculinity and femininity remain strikingly consistent, it seems the fixity of gender takes precedence, thus rendering the hybrid point moot.

Feminist interrogations of the science behind such arguments have centred around the epistemic adequacy of the view that science produces objective knowledge: knowledge that is apolitical, acultural and ahistorical. The perception of objectivity allows ‘scientific knowledge a greater claim on legitimacy than that possessed by other forms of knowledge’ (Bowden 2001, p.77). Much of the feminist scholarship on science focuses on the role of values and assumptions in the scientific process and how this fuels essentialist conclusions.

In pointing out that the making of science is a social process, Ruth Hubbard asks 'as people move through the world, how do we sort those aspects of it that we permit to become facts from those that we relegate to being fiction' (1988, p.5). Sandra Harding notes that 'science is politics' (2016, p.10) meaning that those in control of science benefit from the influence it has. Relatedly, it is 'socially situated' (2016, p.11), reflecting the conditions and culture in which scientific knowledge is generated. Consequently, while such knowledge may be accurate to some (usual white and male), to others it appears absurd to regard science as 'value free, disinterested, impartial' (2016, p.10). Hubbard (1988) and Evelyn Fox Keller (1985) also discuss the consequences of a system of knowledge production led predominantly by university educated white men, and others point out that gendered assumption underpinning the development of science means that scientific knowledge created by women can also assume and perpetuate gender stereotypes (e.g. Weaver and Fehr 2017).

Helen Longino (1990, p.86) lists five ways in which values can impact scientific research; 1. Practices – for example the potential influence of commerce and profit seeking in science; 2. Questions – namely, which ones are asked, and which are not; 3. Data – what information is selected, and which value-laden terms are used to describe the data; 4. Specific assumptions – topic-specific inferences facilitated by assumptions; 5. Global assumptions – 'frameworklike' (Longino 1990, p.86) assumptions underpinning entire fields of research. When applying these specifically to research on sex difference, Longino highlights the pervasiveness of 'patriarchal values' (1990, p.129) of androcentrism, dimorphism and essentialism. Other examples of androcentrism include Donna Haraway's (1978) argument

that evolutionary theory presents evolution as only acting on men, with competition between men being its main driver, and Ruth Bleier (1978) highlighting the research focus on the designated 'male' hormone testosterone, to the detriment of an understanding of oestrogen. Androcentrism is underpinned by the pervasive assumption in biology of female and feminisation as passive actors and processes (Cohen-Bendahan et al. 2005). This view persists despite growing volumes of confounding research; examples being Dyble et al. (2015) challenging evolutionary explanations of the division of labour and Gowaty et al. (2002) dismissing the 'long-held view' (Gowaty et al. 2002, p.2537) that males solicit sex more actively and indiscriminately than females. The study by Patricia Gowaty et al. recreated Angus Bateman's famous 1948 experiment involving fruit flies, the findings of which are now 'received wisdom' (Gowaty et al. 2002, p.2537) of greater male promiscuity. This form of reductionism - whereby observations in other, often simpler organisms, are presented as sufficient explanation for human behaviour - is common in work underpinning understandings of sex difference. Hubbard points out the issue of universalising attributes based on 'questionable experimental results obtained with animals (primarily that prototypic human, the white laboratory rat)' (1988, p.10). Extrapolation and universalisation are examples of how and where scientific process can accommodate values and assumptions.

Blending assumptions into scientific practice has the effect of elevating hypothesis to scientific fact. For example, intellectual superiority among males was assumed to such a degree, that early leading experts in the field stated that such a finding 'is a sign of the trustworthiness of the data' (Shields 1982, p.782). Assumptions also lead to value-laden

decisions about causation and are perhaps most noticeably expressed in the language employed. For example, as Hoffman and Bluhm (2016) point out, any statement of difference between male and female already relies on the assumed existence of two clear and mutually exclusive categories, which, as outlined previously in this chapter, is contested. In addition to the inappropriateness of sexing hormones and other biological components, words and labels used to describe social observations are also problematic. Examples such as 'tomboy' (Longino 1990, p.131) or references to 'male/female-typical' behaviour in studies of sex difference (e.g. Cohen-Bendahan et al. 2005) reveal value-laden assumptions. Issues of language are further complicated when applying descriptors of supposed universal sex differences to non-Western cultures. As biological essentialism is grounded in European philosophy and further embedded by the Enlightenment's focus on producing strict taxonomies, it has been criticised for imposing a Western paradigm and failing to recognise configurations of sex and gender outside of the European experience. This point will be further discussed in section 2.4.

This section has outlined biological essentialism as a theory of gender. It has explained how and why a biological understanding of gender remains a dominant and influential view. This section has also applied feminist theory to outline the many critiques of biological essentialism. Biological essentialist views on gender are an important part of the theoretical framework of this thesis precisely because essentialist theories are so pervasive. They position gender in, and dependent upon, the sexed body, and accusations of gender essentialism are often used pejoratively in debates of trans recognition (as will be discussed

in chapter 3). The next section will explore a view of gender developed through and by feminism, that of gender as a social role.

2.3 Gender as a social role

While explanations of gender as biology position it as a component or consequence of sex, explanations of gender as a social role position gender as a separate concept. Here, gender is divorced from sex but reliant upon it because it is only comprehensible when assigned to, expected of, and performed by a particular sex. As will be discussed, sex in social roles theories is generally assumed natural, biological, binary, and fixed, much as in essentialist arguments. The important disruption created through social roles theories, is that gender is socially produced rather than biologically produced. I use the term 'role' broadly to mean expected behaviours associated with a status, as dictated by societal norms (Lindsey 2015). I include under 'gender as a social role' what Kate Millet refers to as a socialisation of 'temperament' (1970, p.26), which is the formation of feminine or masculinity personality/sexuality along sexed stereotypes due to interaction with society. Therefore, gender in this framework refers to temperament, expectations, rules, behaviours, and standards associated with the 'status' of being a woman or man. As I will discuss, the mechanisms driving this process is disputed, but social role theorists share the view that gender has a social and not biological origin. This wide reading of 'role' might otherwise and elsewhere be referred to as 'social construction'. I use the phrase 'gender as social roles' as opposed to 'gender as a social construct' to clearly differentiate this section from the final section of this chapter which discusses gender as constructed in the anti-foundational poststructural sense. As Sally Haslanger notes, the meaning of social construction is 'often

unclear' (2017, p.157) and has multiple applications and it is for this reason I do not use it here.

I explore gender as a social role for several reasons. Firstly, it is the often-employed alternative or challenge to explanations of gender as biological and is therefore an important element of the theoretical framework of this thesis. Secondly, social roles theory is often implicitly or explicitly employed by trans-exclusionary feminists as a rationale for their position. This point will be discussed further in Chapter 3.

2.3.1 Social role theories

The theoretical distinction between 'sex as biological' and 'gender as a social role' chimed with the aims of the women's liberation movement (in the West) of the 1960s and 1970s, when women were voicing their frustration at their prescribed and limited life options. Theorists of this time tended to employ what Linda Nicholson calls the 'coatrack' (1994, p.81) view of self-identity, whereby the sexed body is taken to be the foundation (the rack) onto which 'cultural artefacts' (1994, p.81) such as gendered personality and behaviours are hung. For example, Ann Oakley stated, "Sex' is a word that refers to the biological differences between male and female: the visible differences of genitalia, the related differences of procreative function. 'Gender' however is a matter of culture: it refers to the social classification into masculine and feminine' (1972, pp.21–22). Gender as a socially imposed role gave rise to the possibility of agency and change, concepts rendered impossible by biological notions of gender. In this reading, cultural or societal changes

would/could result in changes to expectations and possibilities for women and men. Under biological theory, the immutability of biology made such changes impossible.

Despite the commonality of theorising 'gender as social' across strands of feminism, the mechanisms for acquiring the 'cultural artefacts' (in this case gender) differed between theorists and feminist strands. For Gayle Rubin gender is 'a socially-imposed division of the sexes...a product of the social relations of sexuality' (1975, p.40), and results from 'a systemic social apparatus which takes up females as raw materials and fashions domesticated women as products, (1975, p.158). Kate Millet instead draws on social learning theory to explain gender, reflecting:

Because of our social circumstances, male and female are really two cultures and their life experiences are utterly different – and this is crucial. Implicit in all the gender identity development which takes place through childhood is the sum total of the parents', the peers', and the culture's notions of what is appropriate to each gender by way of temperament, character, interests, status, worth, gesture, and expression. (1970, p.31)

Drawing on Freudian psychoanalytical theory, Nancy Chodorow (1978) focuses on the parent-child, or specifically mother-child, relationship to explain the development of gender as feminine and masculine personalities. Chodorow believes it is because the mother is often the primary caregiver that these gendered personalities develop; the mother

unconsciously encouraging a son to differentiate from her in a way she does not with a daughter, creating gendered personality traits that ultimately reinforce the oppression of women. To remedy this, Chodorow suggests equal parenting between mother and father. Using socialisation but moving away from social learning theory, Catherine MacKinnon (1989) states that socialisation reflects a power imbalance whereby a patriarchal structure causes sexuality and desire to be conditioned from a male perspective. Men are positioned as sexually dominant and women as sexually submissive. This dominance-submission relationship and the sexual objectification of women defines and creates gender. Betty Friedan (1965) instead saw gender as functioning through the domestic arrangements of housekeeping and child-rearing responsibilities placed on women and, Mary Daly (1978) through oppression and domination caused by patriarchal power.

Although the above discussion illustrates how theorizing of gender and sex proliferated during and after the women's liberation movement in the West, the socialised aspect of being a woman had previously been articulated in 1949 when Simone de Beauvoir famously wrote 'One is not born, but rather becomes, woman' (2011, p.294). She added 'No biological, physical or economic destiny defines the figure that the human female takes on in society, it is civilisation as a whole that elaborates this intermediary product between male and the eunuch that is called feminine' (2011, p.294). Without the language of gender de Beauvoir had captured the idea that what might be called femininity, occurs after birth - and throughout life - via interaction with society.

2.3.1.1 Paradoxes

Two paradoxes lie at the heart of a theory of gender as a social role, namely biological foundationalism and essentialised gender. The former is a critique of the main claim of theories of gender as a social role - that they remove the idea that biology dictates destiny. Prima facie, theories of gender as a social role, work to remove the yoke connecting biology and destiny by separating gender from the sexed body and positing a social causation. Further, as an outcome of socialisation rather than a reflection of innate traits, 'gender as a social role' represents something that can be changed, resisted, or even abolished. With this possibility of change also comes the implication of choice, agency and individual subversion. However on deeper reflection, claims of gender as a social role tend to circle back to what Nicholson termed 'biological foundationalism' (1994, p.82), whereby there remains an acceptance that real biological phenomena differentiating women and men exist *and* these are used universally in similar ways to generate female/male distinctions. Put another way, the uninterrogated concept of binary biological sex remains the foundation onto which gender is constructed and without which gender could not function. For example in Gayle Rubin's statement that 'society transforms biological sexuality into products of human activity' (1975, p.159), the sexed body remains the site of gender without which gender cannot exist. This illustrates how even when theories of gender as a social role aim to undermine the biological, they always and necessarily invoke it. Ultimately this biological foundationalism serves to undermine the claim that the link between destiny and biology can be severed.

The second paradox within social role theories is the issue of essentialised gender. Elizabeth Spelman (1988) and Judith Butler (1990) both caution that any attempt to reduce gender to a specific constitutive part or origin repeats the mistake of biological essentialism, by suggesting a common criterion of *all* women which differs from the common criteria of *all* men. For example, if the common condition of all women is, as in Catherine MacKinnon's theory of gender, sexual objectification, what then of the woman who is not sexually objectified? Is she not a woman? Furthermore, while theories of gender as a social role should more easily allow for historical and cultural variation in gender than biological explanations through embracing social context, by suggesting all women experience womanhood through the prism of gender, social roles theories work to neglect the impact of other identity categories such race, class and sexuality. Spelman (1988) points out that gender cannot be constructed independently of these factors and all shape how womanhood is experienced. Any acknowledgement of the history of racist representations of sexuality in black women reveals how sexual objectification cannot be said to be experienced the same by all women (Harris 1990). And, as bell hooks (2000) noted, an understanding that poorer women have always had to work outside the home, immediately highlights the limitations of positioning domesticity (as in Friedan's thinking) as what Spelman has termed the shared 'nugget of womaness' (1988, p.159). Others have focused on the inherent implication within essentialised gender that there is a correct way to be a woman. As Butler states, 'identity categories are never merely descriptive, but always normative, and as such, exclusionary' (1991, p.160). In the context of 'gender as a social role' this process presents the experiences of white, cisgender, heterosexual, middle-class, Western women (being those with relative power and privilege) as the 'metaphysical truth' (Spelman 1988, p.180) that 'normalise specific forms of femininity' (Stone 2004, p.135) and

‘operates as a policing force which generates and legitimizes certain practices, experiences, etc., and curtails and delegitimizes others’ (Nicholson 2017, p.293). Social roles theories paradoxically work to both illuminate the essentialism within biological views of gender and the conditioning role of society, while also being essentialist and contributing to that conditioning.

The following section will explore intersectional views of gender in which identity is always co-constituted, and anti-foundational feminist positions on gender which take the view that the essentialist-constructionist dichotomy has ‘outlived its usefulness’ (Heyes 2000, p.35).

2.4 Beyond the universal

Following on from critiques of social roles theories and their perceived universality, a wealth of scholarship emerged on how to render ‘difference’ visible and vital within the category of woman. In this section I divide the scholarship into two sections: intersectional and anti-foundational. I employ the term intersectional specifically to denote those theories that do not accept or assume the normative white, cisgender, heterosexual, non-disabled, middle-class, Western woman to be the essential woman. It is a body of work that in the words of Henrietta Moore has produced ‘affirmation that women have different contexts and histories...and that their situation in the world is the product of differential relations between groups of people – classes, nations, races, ethnic and religious groups, and so on.’ (2000, p.1130). I use anti-foundational to denote theories that ‘reject appeals to a basic ground or foundation of knowledge’ (Bevir 2009, p.116). Regarding gender, and as detailed

below, poststructural feminism and queer theory provide the fullest exploration of anti-foundational views. Together, intersectional and anti-foundationalist arguments work to complicate ideas of what gender is, or if it is anything at all.

2.4.1 Intersectional views of gender

As current discussions of trans identities attest - and as discussed in later chapters of this thesis - feminisms' reckoning with a 'romance with ... the universal category of 'woman'' (Sanz 2017, p.1) remains ongoing. This despite scholarship on Black feminism, LGBT studies, intersectionality, postcolonial feminism, trans studies, trans feminism, queer theory and masculinity studies, and more, which have all contributed to a rich exploration of 'difference'. Underpinning much of this work is intersectionality; the concept that identity categories do not and cannot operate in isolation. Kimberlé Crenshaw (1989) coined the term intersectionality to denote how the experiences of a Black woman cannot be understood through the single axis of either her sex or her race, but must be understood through a unique combination of both. This concept has since been used more broadly to recognise and investigate the effect of embodying multiple identity categories, working to decentre essentialist and hegemonic understandings. For example, in trans studies, C Riley Snorton (2017) has explored the intersections of trans and race, and Viviane Namaste (2009) has detailed the intersections of trans and socioeconomic status. Gender in this reading is contextual and co-constituted. These combined factors mean that gender is shaped by multiple 'power systems' (Zinn and Dill 1996, p.324) and 'a range of interlocking inequalities' (1996 p. 326). I discuss these points further through a closer look at feminisms that disrupt single axis approaches to womanhood.

2.4.1.1 Women of colour feminisms

The issue of 'white solipsism' (Rich 1979) within mainstream feminism has perhaps been the most thoroughly explored of exclusionary tendencies. Black abolitionist Sojourner Truth's 1851 call, 'Ain't I a woman?' (as cited in hooks 2015, p.160), perfectly captures the point of womanhood as premised on whiteness. 'Black feminism' (Collins 1996) has worked to highlight the experiences of women of colour in the Global North. It has challenged dominant feminisms and illustrated how women of colour have been excluded, marginalised or erased from feminist theory and practice. bell hooks and Audre Lorde highlighted feminisms' own sexism and racism in the dismissal of black women; hooks noting the erroneous assumption made by some feminists that, 'identifying oneself as oppressed freed one from being an oppressor' (hooks 2015, p.9), and Lorde commenting at the national Women's Studies Association conference in 1981:

What woman here is so enamoured of her own oppression that she cannot see her heelprint upon another woman's face? What woman's term of oppression have become so precious and necessary to her as a ticket into the fold of the righteous, away from the cold winds of self-scrutiny? (Lorde 1997, p.281)

Black feminism has highlighted that by focusing on the experiences of certain white women, mainstream feminisms have done little to unpack or dispel the stereotypes ascribed to black women. It has been left to black feminists to do this work. Hortense Spiller described how

black female bodies were 'ungendered' through the logic of slavery and captivity. The inhuman treatment of black female slaves proving them not only not to be gendered as white women were, but to have no subject position at all and instead to be 'a thing...becoming *being* for the captor' (1987, p.67). Spillers and C Riley Snorton both point out how 'ungendering' allowed for black female bodies to be utilised for horrific experiments in medical research; Snorton (2017) describing how the history of gynaecology is a history of black suffering. Patricia Hill Collins (2014), describes stereotypes of African American women as the ideological justification for racial oppression and gender subordination. She outlines these stereotypes as 'the mammy' (2014, p.72) (overweight, selflessly looking after white children), 'the matriarch' (2014, p.75) (holding together her own fractured family, emasculating), 'the welfare mother' (2014, p.79) (unwed, lazy) and 'the Jezebel' (2014, p.81) (hypersexual, aggressive).

Observations of stereotypes have also been made by postcolonial feminists and scholars of third world feminism with reference to the infantilising attitudes of coloniser/Western women toward colonised/'third world' women (Mohanty 1991; Pettman 1996). This sentiment can be located in feminist discourse that constructs women of the Global South as a homogenous group that are powerless victims in need of saving while inferring liberty and agency for women of the Global North (Mohanty 1991). Uma Narayan refers to this as 'cultural essentialism' (1998, p.87). This perception of women in the Global South as being in need of 'saving' implicates some feminists in what Gayatri Chakravorty Spivak famously termed the project of 'white men saving brown women from brown men' (Spivak 1994, p.93). Spivak calls for an 'unlearning [of]...one's privilege' (1990, p.42) to counter tendencies

to essentialise and infantilise women of the Global South. Like black feminism, postcolonial feminism understands gender as contextual, particularly with reference to cultural difference. Viewing dominant feminisms as centring knowledge produced in the Global North, postcolonial feminism seeks to highlight 'the gendered and gendering nature of colonial(ist) discourses and practices' (O'Reilly 2012, p.9) and their continuing influence.

Postcolonial feminists have highlighted how, through colonisation in Africa, Asia and the Americas, the binary and hierarchical gender system (the system that developed as discussed in the biological essentialism section) was imposed. Tracing of this imposition, Maria Lugones shows how colonisation enabled the European gender system to become hegemonic worldwide. Far from being an ancillary product of colonialism, Lugones argues that gender enforcement was crucial to the entire colonial project: 'the imposition of this [European] gender system was as constitutive of the coloniality of power as the coloniality of power was constitutive of it.' (2008, p.12). The 'coloniality of power' is Anibal Quijano's term for global Euro-centred capitalist power, which Lugones utilised and adapted for her thesis 'the coloniality of gender'. The imposition of the European system replaced a multitude of differently structured gender systems. Using Yoruba in Africa as an example, Oyèrónké Oyèwùmí (1997a) explored how prior to being colonised Yoruba did not have 'gender' as understood by Europeans, and instead power within society was stratified by relative age. It was the colonial imposition of the category of 'woman' that led to women being excluded from leadership roles. This was contrary to the position before colonial rule, where leadership was not gender-determined. British colonialism also led to taxonomical changes whereby gender and sexuality boundaries were no longer viewed as porous.

Oyèwùmí views the creation of gender and racial categories as the tools of domination employed via colonialism. This is supported by the work of Paula Gunn Allen (1992) who describes the imposition of an imperialist gender system, and with it the decimation of the clan structure, as the means to subdue Native America tribes. She describes how prior to colonial rule, many Native American tribes were matriarchies. Further, many tribes recognised more than two genders, with gender not rooted in biology but in 'proclivity, inclination and temperament' (1992, p.196). Many tribes also embraced what would now be termed homosexuality, something deemed unthinkable - and often criminalised (Sanders 2009) - in the imposition of a binary and hierarchical European gender system premised on heterosexuality and the nuclear family. Similar experiences of a loss of position and power have led Māori women to seek reparations through an ongoing inquiry at the Waitangi Tribunal in New Zealand. The women's claim states that 'degradation for the natural environment, natural resources, health and socio-economic opportunities all have their genesis in the mistreatment of, and injustices to, wāhine [women] māori at the hands of the crown' (Katipo and Ketu 2023, para.9).

2.4.1.2 Trans feminism

In this section, I wish to focus on trans feminism; an area of study and activism which broadens perspectives on gender, sex, and sexuality in the field of feminism. Like the fields of feminism discussed above, it challenges feminisms that are based on single axis of identity, namely a universalised woman.

Trans identities - along with people with DSD - have long featured in feminist work but largely as a tool to elucidate useful insights. For example, Ann Oakley stated that that 'intersex and transsexuality' can 'tell us a great deal about the relative parts played by biology and social rearing: there are a multitude of ways in which it can illuminate the debate about the origins of sex differences' (Oakley 1972, p.116). Reference to, and study of, trans and DSD identities was deemed useful as it circumvented the problem of the invisibility of that which is normalised, namely the (cis)gender and (hetero)sexuality assumed to follow from how a person is sexed at birth. As sociologist Harold Garfinkle put it:

The experiences of these intersexed persons permits an appreciation of these background relevance's that are otherwise easily overlooked or difficult to grasp because of their routinized character and because they are so embedded in a background of relevances that are simply 'there' and taken for granted. (1984, p.118)

However, feminism for and from the perspective of trans people did not emerge as a strand of feminism until the early 2000s. Trans feminism proceeds explicitly from an intersectional analysis that recognises the interplay of sexist and transphobic oppression (Bettcher 2017), sometimes referred to as cissexism (Serano 2011). Preceded by trans studies (Feinberg 1993; Bornstein 1995; Halberstam 1998; e.g. Stone 2022), which itself emerged in response to trans-exclusionary versions of feminism, Emi Koyama's *Transfeminist Manifesto* (2001) is regarded as a foundational text of trans feminism (Bettcher 2017). Koyama envisions trans feminism as 'a movement by and for trans women and beyond' that 'stands up for trans and

non-trans women alike' (p244). Koyama would later modify this to include trans men and non-binary people (2008), and Bettcher has pointed to the work of cisgender women in areas of trans feminism (Bettcher 2017). Julia Serano has referred to trans feminism as 'transgender perspectives on feminism, or feminist perspectives on transgender issues' (2012). Others have expanded the meaning of 'trans' to deploy it in a 'maximally heterogeneous way' (Birns 2008, p.161) to incorporate all identities considered 'transgressive'. While the Transfeminist Manifesto embraces performative understandings of gender (see following section) some have also characterised the development of trans feminism as a reaction to the 'theoretical excesses' (Espineira and Bourcier 2016, p.88) and overly abstract concepts of early poststructuralist queer theory which often drew on the 'theoretical trans' (Espineira and Bourcier 2016). Most trans feminism, then, is grounded in and by the lived experiences of trans people.

By framing sexism in terms of the impact of the gender binary (as opposed to, say, patriarchy), trans feminism offers insights for anyone who fails to conform to the expected sex-gender-sexuality model (Serano 2012). Yet trans feminists, like all feminists, represent a range of views including those on the conceptualisation of 'gender'. Drawing variously on feminist phenomenology, psychoanalytical and poststructural theories of selfhood, some trans writers view gender as an individual expression of a core self (for example Feinberg 1993; Bornstein 1995), whereas others (for example Stryker et al. 2008; Bettcher 2017; Tudor 2019) view gender formation as more complex and relational. This mirrors disputes in gay and lesbian studies about the 'empirical fact or political fiction' (Fuss 2013, p.97) of gay identity. Cressida Heyes describes gender as a 'web of relations in ongoing tension and

negotiation' (2003, p.1112), and Stryker, Currah, and Moore explain gender categories as 'potentially porous and permeable...each capable of supporting rich and rapidly proliferating ecologies of embodied difference.' (2008, p.12). Turning to 'sex', Stryker has argued:

sex, it turns out, is not the foundation of gender ... 'sex' is a mash-up, a story we mix about what the body means, which parts matter most, and how they register in our consciousness or field of vision. (2006, p.9)

Heyes (2003) has criticised individualistic explanation of gender - that every individual has the right to express their gender as they see fit - as eliding the inherent power structures of gender and gendering. Specifically, the logic of an individualist view validates expressions of masculinity that dominate others, show disdain for femininity, and intolerance for gender transgressions. Heyes suggests remaining mindful of the normative and ethical consequences of individualistic approaches that abandon context and relationality. Shotwell and Sangrey (2009) similarly critique an individualistic approach by suggesting that hostility towards trans people is, at least in part, because the relational aspect of gender means 'trans' genders impact the gender identities of non-trans people.

Broadly, and in contrast to some of the previously discussed feminist arguments, trans feminism conceptualises gender as self-identified and prioritises first-person authority. Zimmerman (2017) and Nordmarken (2019) have both noted this move from the attribution of gender to self-definition, and the connected self-determination of pronoun as a new

cultural phenomenon that disrupts gender's hegemonic attribution. Stryker has described this self-determination as resulting from 'a subjective sense of fit with a particular gender category' (2006, p.13). As an example of scholarship incorporating first-person authority approaches to gender, I briefly outline Katharine Jenkins's (2016) modification of Sally Haslanger's ameliorative approach to gender concepts, specifically 'woman'. Haslanger states 'woman' should be defined in such a way that it is most useful to feminism in combatting gender injustice. She proposes that woman should be defined as those who are subordinated due to their perceived female sex. This, Haslanger notes, avoids the exclusion or marginalisation of women due to race, class, age or any other intersecting characteristic. Acknowledging this would create a situation where women who are not subordinated due to the perceived female sex are not women, Haslanger argues that this does not matter as these women are not the concern of feminism or gender injustice. Jenkins points out that Haslanger's ameliorative remains exclusionary as there are various ways in which trans women would not be deemed women (and indeed any woman who is not perceived as the female sex). She suggests rectifying this by widening Haslanger's approach to include a second understanding of woman – 'gender as identity' (2016, p.406). Jenkins notes:

there is a potential gap between the subject position as it is defined by the dominant ideology and the subject position as it is inhabited by an individual. A subject position such as 'woman' comes to exist within the context of a set of practices governed by a dominant ideology, but once it exists it can be lived from within in ways that depart from, and may even run counter to, the logic of the system within which it developed (2016, p.407)

Based on Haslanger's work on racial identity, where she views identity as an embodied phenomenon, Jenkins proposes this should similarly apply to gender. The subjective experience of gender in this view is as equally valid as the conceptualisation of gender as a social class. Jenkins describes them as 'two aspects of the matrix of practices that constitute gender' (p. 408). However, Talia Mae Bettcher (2017) cautions against a focus solely on approaches - such as the ameliorative approach - that centre the question of 'Are trans women, women? And if so, how?' (2017, p.9). To Bettcher these approaches tend to prioritise semantic or conceptual inclusion over real-life inclusion, eliding the everyday experiences of trans women. Instead, she favours 'political' argumentation approaches which centre the questions 'How should we understand and address transphobia? And how might this require a rethinking of feminism?' (2017, p.10).

The intervention of gender as being self-determined is an important one. It further complicates conceptualisations of gender and challenges the dominant thread in feminism of gender as an attributed social class. It has also precipitated a move away from envisioning only binary women/men feminine/masculine, and there has been a growth in non-binary and genderqueer identifications (Cameron 2016a). Self-identification is also an issue at the heart of some of the contemporary arguments around trans inclusion, with the argument that one cannot self-identify as a woman being central to trans-exclusionary feminists' views. Indeed, the very term 'self-ID' has become highly charged. This will be discussed further in Chapter 3.

I have turned to black feminism, postcolonial feminism, and trans feminism to illustrate intersectional approaches to gender by feminists. This work has allowed for difference among women to be made visible and interrogated. It works against the imposition of a normative woman as a universal representative. This scholarship has also highlighted the futility and artificiality of separating any elements of identity construction. In this view, gender does not operate without reference to race or class or any other such category. Gender is always co-constituted or at the very least 'relational' (Haraway 1997, p.28). In the next section, I explore anti-foundational views of gender; views that question the coherence of gender.

2.4.2 Anti-foundational views of gender

An anti-foundational approach broadly refers to the rejection of the idea of underlying truths, or - as Jaggar and Bordo (1989) explain it - questioning metaphysical realism, objectivism, epistemological individualism, rationalism, and empiricism. Poststructuralism is a variety of anti-foundationalism which posits that language and discourse themselves *construct and constitute* reality. It further challenges the idea that individuals are autonomous, and instead views individuals as embedded in complex relational networks. Namaste (1994) states, 'the subject is not something prior to politics or social structures, but is precisely constituted in and through specific sociopolitical arrangements' (p. 221). Poststructuralism contrasts to structuralist approaches developed by theorists such as Saussure (1983) and Levi-Strauss (e.g. 1969) which view language as a means of accessing underlying truth, order and reality. Poststructuralism is an approach which draws heavily on the work of Derrida (for example Derrida 1976) for his critique of binary hierarchies, and

Foucault (see 1972; 1980) for his analysis of history, knowledge, and power. Poststructural feminism, then, is a form of feminism that works with and develops poststructuralism⁵.

Below, I highlight the main implications for gender in poststructural scholarship. I start by exploring gender as a verb, before discussing the gender/sex relationship and finally outlining the challenges for feminism that poststructural approaches bring.

2.4.2.1 *Gender as a verb*

Within poststructuralist thought, gender is not something an individual is, or has imposed upon them, but is instead something they *do*. As Judith Roof puts it, 'gender is a verb' (2016, p.1). For Roof, this refers to a complex and multifaceted operation of conscious and unconscious processes (2016). For Candace West and Don Zimmerman (1987), the 'doing' (p.126) of gender is achieved through recurring and routine accomplishments. For Judith Butler, gender is 'instituted through a *stylized repetition of acts*' (1988, p.519 emphasis in original). Most influential in positioning and theorising gender as a verb, is the scholarship of Judith Butler, and specifically the concept of performativity. For Butler, identity is retroactively created by the enacting of it. Butler asserts that discursive practices (widely defined, for example speech, idea, action, practice, belief and embodiment) go beyond signification or description and 'enact or produces that which it names' (1993, p.13). Gender, therefore, has no corporeal, psychic or societal origin, but is only real to the extent that it is performatively produced. Gender, in this reading, is not a stable constant. It follows that the potentially infinite acts and iterations to produce gender should constitute an

⁵ Poststructural ideas also inform other areas of relevant scholarship, meaning that scholars mentioned in this section do not necessarily refer to their work as specifically poststructural feminist – notably queer theorists such as Judith Butler.

infinite array of genders. Yet, the story of two persists. Butler explains this as a result of the heterosexual matrix; a sex-gender-sexuality regime that renders 'culturally intelligible' (Butler 1990, p.195) only either a male-sexed, masculine-gendered, woman-attracted man or a female-sexed, feminine-gendered, man-attracted women. Some form of this normative regulation has been regularly discussed in feminist theory (e.g. Rich 1980; Wittig 1980; Rubin 1984) and was subsequently termed heteronormativity (Warner 1991). Butler ultimately sees the upholding of heterosexuality – the proper outcome of the heterosexual matrix - as the goal of this normative regulation (also see Sedgwick 1990).

Butler's use of performativity has proven divisive - not least with respect to trans gender - where some have interpreted it to suggest a performance (Prosser 1998; Namaste 2000; Schep 2012). Butler has clarified that performativity does not equate to a performance as a voluntary or playful exercise, rather that performativity is a pre-condition of the subject coming into being (Butler 1993). While a fiction, experiences and consequences of gender remain real. Butler also emphasises that gender performativity applies to all and not just those who appear outside of the sanctioned matrix, although it is those outside the matrix who appear 'unintelligible' and therefore visible (Butler 1990). It is also the case that performative conceptions of gender have been adopted by many trans feminists, Emi Koyama stating in the Transfeminist Manifesto:

Transfeminism believes that we construct our own gender identities based on what feels genuine, comfortable and sincere to us as we live and relate to others within given social and cultural constraint. (2001, p.87, first published 2001)

It is within the understanding of gender as a verb that proponents of 'doing' gender see potential for change. By subverting the doing of gender, the unfaithful repetition of acts, individuals can make clear the illusion of gender as binary that exists to maintain prevalent power structures.

2.4.2.2 Gendersex, sexgender?

Butler takes her formulations further by questioning the very distinction between gender and sex; a distinction that is the basis of the gender as social role framework. Applying the same logic to sex as to gender, Butler asserts that the performativity of gender affects people so materially that perception of bodily difference becomes a social convention. This inverts the dominant idea that sex produces gender. Sex, then:

is an ideal construct which is forcibly materialized through time. It is not a simple fact or static condition of a body, but a process whereby regulatory norms materialize 'sex' and achieve this materialization through a forcible reiteration of those norms (Butler 1993, p.2).

For example, a medical professional proclaiming 'it's a girl!' as a new-born is first held, is imposing a subjectivity of girl-ness on an infant that is not a natural fact of the body. It is rather that reference to the body forms understanding of the body. Such a proclamation starts the process of 'girling' (Butler 1993, p.232).

Butler further states 'gender is...the discursive/cultural means by which 'sexed nature' of 'natural sex' is produced' (1990, p.10). A refusal to delineate or separate gender and sex is far from confined to the work of Butler, or even to poststructural feminists. The term 'gender/sex' (Anders & Dunn 2009, Fausto-Sterling 2019) or 'sex/gender' (Fausto-Sterling 2012, Pitts-Taylor 2013) or 'sexgender' (Stern & Zalewski 2009) have all been used to signal the view that the two concepts are not discrete. This is also reflected in Thomas Laqueur's research into conceptions of sexuality through time that 'almost everything one wants to say about sex - however sex is understood - already has in it a claim about gender' (1992, p.11). The point is also made by trans feminists, 'the distinction between sex and gender is artificially drawn as a matter of convenience' (Koyama 2001, p.86), presumably the convenience of those with power to shape conveniences. Furthermore, an artificial delineation is highlighted by some new materialist feminists (Grosz 1994; Barad 2007; Haraway 2008), whose focus on corporeality describes the body not as biological bedrock but as, in part, constituted and reconstituted by social and cultural structures.

2.4.2.3 Can Poststructural approaches to feminism be feminist?

Theorists, such as Butler who take an anti-foundational approach, embrace the discursive and contingent constitution of gender and sex. They challenge damaging binaries and question the utility and validity of 'category' and 'identity'. These approaches to gender also pose difficult questions for some key projects of feminism which implicitly rest on an identifiable category of 'woman/women'. If categories of gender and sex cannot be defined, then who is the subject of feminism? For Butler, identity categories are always normative.

Therefore, any attempt to define 'woman' or presuppose the subject of feminism will be exclusionary by inherently prescribing a correct - and incorrect - way to be. By this view, some feminisms undermine an emancipatory vision by forever being caught in a foundationalist conundrum of simultaneously denying any nugget of womanhood while claiming knowledge of who 'woman' represents. This core problem has long been noted:

Feminism was a protest against women's political exclusion: its goal was to eliminate "sexual difference" in politics, but it had to make its claims on behalf of "women" (who were discursively produced through "sexual difference"). To the extent that it acted for "women," feminism produced the "sexual difference" it sought to eliminate. (Scott 1996, pp.3-4)

This concern with identity-based politics, led to several gender theorists taking an anti-recognition stance. This is termed post-identity politics (McNay 2010). The unifying concern of post-identity theorists is that a focus on identity reifies social difference. The work of theorists such as Elizabeth Grosz, Bobby Nobel, and Rosi Braidotti urge feminism to give up a preoccupation with gender as identity and the quest to define membership, and thereby create space in feminist praxis and theory to 'attend to a wider politics of diversity where difference is understood as a resource rather than an end in itself' (McNay 2010, p.513). Grosz replaces a politics of recognition with a 'politics of imperceptibility' (2002; 2005), Nobel with 'a political deployment of contradiction and incoherence' (2006, p.3), and Braidotti with the idea of 'becoming nomadic' (2002, p.84). All are different articulations of a shared view of subjectivity as always in flux and always incoherent. Although sharing

Butler's anti-foundational position, some post-identity approaches to gender are viewed as more 'radical' (McQueen 2016) than Butler's. Linda Zerilli, for example, criticises Butler's approach. In her view, even as Butler's theory of performativity works to undo identity, it does so within the structures of feminist preoccupation with subjectivity and in reference to ever-present norms (heterosexual matrix) that must be subverted. Zerilli alternatively suggests feminist practice and theory must be future orientated and not foreclose the possibility of as-yet unimaginable modes of being.

However, in societies structured by and through categories, an antifoundational or anti-recognition position is difficult to apply against such hegemonic normative understandings, articulated as common sense. Consequently, some poststructuralists acknowledge the pragmatic need to sacrifice 'theoretical purity' and instead to act based on a shared identity (e.g., 'women') to achieve political goals. Gayatri Spivak (1990) referred to this as 'strategic essentialism' – and in doing so recognised the real effects of being designated an identity, even if that identity is itself unstable. Strategic essentialism simultaneously refutes essentialism and recognises the need for some commonality for the sake of political action. Butler also understands the need to strategically use identity categories but cautions that, 'it is one thing to use the term and know its ontological insufficiency and quite another to articulate a normative vision for feminist theory which celebrates or emancipates an essence, a nature, or a shared cultural reality' (1988, p.529). This aligns with a broader and contested criticism of queer theory and poststructuralist work that it - and Butler's work in particular - pays too little attention to the material reality of the body, and is consequently removed from lived reality and elitist (for example Prosser 1998). This critique includes

those who welcome and embrace poststructural insight but caution against ignoring the impact of the material body (for example hooks 1990; Biddy Martin 1994) and those like Iris Marion Young who view an anti-foundational stance as damaging feminism; Young argues that unless there is 'some sense in which 'woman' is the name of a social collective [that feminism represents], there is nothing specific to feminist politics' (1997, p13). Post-identity theory has also been critiqued for its detachment from everyday experiences, and this includes ignoring the attachment of individuals to identity('s) and an inattention to processes of agency (McQueen 2016). This has led to Lois McNay referring to the 'social weightlessness' (2014, p.28) of post-identity theories.

2.5 In summary

In this chapter, I set out to map the theoretical terrain with which I will address my research curiosities. It is clear from this exploration that 'gender' has multiple meanings, explanations, and applications. It is also clear that 'sex' is far from the plain and obvious relation of gender as it is so often portrayed. The chapter demonstrates how biological essentialist approaches to gender have a long and dominant history; one that has positioned women as either the inferior version of men, or as the lesser in a complementary and hierarchical structure. I discussed how the explication of social role theories of gender were revolutionary for women and feminism. They provided an escape from biological determinism and a lens with which to challenge discrimination and oppression. Yet the relative acceptance in social roles theories of binary sex along with their essentialising and, consequently, exclusionary tendencies, has worked to limit their potential for change. The chapter closed with a review of intersectional approaches which position gender as a

contextual and co-constituted phenomenon, and anti-foundational approaches which question whether any category (gender or sex) can be said to exist in a pre-given way. Anti-foundational approaches focus on the discursive or performative enactment of identity and view as artificial any distinction between the processes of 'gender' and 'sex'. While these latter approaches to gender tackle issues of exclusion, they raise questions for solidarity and political action by wilfully undermining notions of group membership. In sum, this exploration has illustrated the complexity of gender and how the greater the search for its root, the less 'graspable' gender seems to become. While intentionally offering little suggestion of what gender actually 'is', this chapter starts to illustrate how gender has been and remains a powerful, utilised, and deeply consequential concept. This analysis begins to illuminate how and why gender is important and why, as will be discussed in the following chapters, *trans* gender elicits strong reactions. The following chapter will focus on trans-exclusionary iterations of feminism and the approaches to gender and sex that underpin them, with the aim of understanding the exclusionary position.

3. Trans-Exclusionary Feminism

My notes ... from Snowdonia 2017

For most of the lung busting ascent to the peak of Cadair Idris, my body is holding out for the relief of a downward trajectory; yet when it comes, I realise that while my lungs might have found some respite, my knees and hips are now in the firing line. True relief won't be had until I'm sat on the sofa of our holiday cottage with tea and cake in hand. Somehow though, this experience full of unending pain is magical. The scenery is spectacular: a green and blue of rugged delight. The late May sun is warm and comforting and shimmers from the nearby lakes and far away sea. Snowdonia in the sunshine is a kind of paradise. The company matches the surroundings; four friends and three dogs on another adventure. These friendships have been long forged by shared experiences, shared interests and a similar outlook. Each of these women has held the others hand through tough times and shared in the riotous joy of the good times. Life makes a little more sense and seems a little easier in their company.

Back at the holiday cottage with that tea and cake on its way, I turn on the television and it silently flickers in the corner. On it appears Munroe Bergdorf, a model, actor and trans woman. I drop exhaustedly onto the sofa. Angie wanders in from the kitchen with mugs of much-needed tea. Looking over at the television for a moment, she mutters 'Narcissist' as she places a cup in front of me. 'Sorry?' I say. 'He's a narcissist', she gestures towards Munroe. 'Do you know her?' I enquire. 'I don't have to' comes the sharp response.

This short exchange and the heated discussion that followed act as a microcosm of the fracturing of once solid relationships. Politically we had never been opposed or even moderately at odds; all believing in the rights of women and the rights of gay people, all deploring the structural inequalities all around us. All grateful and admiring of the women who had come before us who had made our lives easier. In all the years of friendship I do not recall us even having cause or prompt to discuss trans identities. It was not something that impinged on our lives. Yet with increased community visibility, media attention, and not to mention a doctor amongst us who had begun training in trans healthcare, it was only a matter of time.

Four friends; two viewing trans identities as a threat to women and girls, and two viewing them as a marginalised group in need of allyship. Two seeing trans as a threat to all they had worked and hoped for, and two seeing trans folks as leading lights against gender norms and the latest victims of dog whistle politics. All four convinced they are right and finding very little middle ground.

The events of Snowdonia are my story, but I have witnessed similar fracturing of friendships taking place since the re-emergence of trans-exclusionary feminism; along with the sadness and anger accompanying such fracturing. To begin to explore the seemingly divisive and emotional contentions around trans rights, this chapter will introduce and discuss trans-exclusionary feminism. I will begin by outlining my reasons for using the term 'trans-exclusionary feminism'. Then, by sketching a history of trans-exclusion within feminism, this chapter illustrates the types of theory and practice that the term 'trans-exclusionary feminism' relies on. Working with this history, I highlight differences between what I term the trans-exclusionary radical feminist/feminism (TERF) position and the gender critical feminist/feminism position. The chapter then investigates the substance of these differences - firstly, identifying a discursive pivot from 'anti-trans' to 'pro-women', and secondly, an unfolding divergence in how concepts of gender and sex are utilised - and how and why these matter. Throughout, I will begin to highlight the work of emotion where I find it. This chapter contributes to this thesis by situating contemporary trans-exclusionary feminism within a history of trans-exclusionary feminist practice and begins to explore how exclusionary arguments are promulgated and reproduced; both being important in understanding contemporary trans-exclusionary feminism.

3.1. The term 'trans-exclusionary feminism'

Neither the feminist and LGBTQ+ academic literatures, nor the popular media offer a widely recognised term for the feminist approach to trans inclusion this chapter attempts to work with. The terms most in use in these forums, trans-exclusionary radical feminism (TERF) and gender critical feminism are too specific to be utilised as an umbrella term in this research,

the reasons for which I will outline in this chapter. I therefore choose to use the term ‘trans-exclusionary feminism’ to act as an umbrella term that most clearly articulates the feminism under discussion. This term is useful when taking the different iterations of feminisms that are hostile to trans identities, together. I do not use the term TERF as an umbrella term because not all trans-exclusionary feminists are radical feminists and, as will be shown, I use the word TERF to signify a specific articulation of concerns. I do not use the term gender critical feminism/feminists as an umbrella term because, like TERF, I present this as a specific iteration of trans-exclusionary feminism. I also find this label a confusing and misleading descriptor, as ‘gender critical feminism’ is something of a tautology; as explored in the previous chapter, feminism almost always critiques ‘gender’. For these reasons, I refer to ‘trans-exclusionary feminism’ and proponents of trans-exclusionary feminism as ‘trans-exclusionary feminists’.

3.1.1. A note on ‘exclusionary’

I include the word ‘exclusionary’ as it is commonly associated with opposition to trans rights/trans acceptance. It seems to be used in-line with its dictionary definition - ‘causing someone or something not to be allowed to take part in an activity or enter a place’ (Cambridge Dictionary [no date]). As will be discussed, in the case of trans people, the ‘not allowed’ activity or place includes the single-sex spaces and single-sex activities matching an individual’s gender. Yet these specifics are a function of a fundamental exclusion - from womanhood for trans women, manhood for trans men and being non-binary for non-binary people. In this sense ‘exclusionary’ does not seem to satisfactorily convey the strength of feeling which emanates from these strands of feminism. ‘Anti-trans feminism’ would seem a

more accurate descriptor to convey this fundamental exclusion. As will be explored, however, a feature of contemporary trans-exclusionary feminism is the view that it is not anti-trans. It is with this point in mind, and the common contemporary association of the word 'exclusionary' with discussions of trans people, that I have decided to use the term 'trans-exclusionary feminism'.

3.1.2. A note on 'feminism'

As will be touched upon in later chapters, there are debates over whether trans-exclusionary feminism is, or can be, feminism. For example, Sally Hines (2019) and Sara Ahmed (2017) have suggested it is not or cannot be feminism. They view it instead as gender conservatism, the rationale for which is the topic of later chapters in this thesis. For now, it is sufficient to recognise that not all feminists view trans-exclusionary feminism as feminism. However, I agree with Sophie Lewis and Asa Seresin (2022) that to not accept trans-exclusionary feminism as feminism is an unhelpful effort to purify feminism and to exempt it from critique. They point to a history of '*fascisant* themes within Anglophone feminism' (p. 463, emphasis in original) - which contemporarily manifest in trans-exclusionary feminism - and argue that to deny this weakens the ability to resist such practices. I argue that denying trans-exclusionary feminism is feminism is also unhelpful because it confuses the assemblage of trans-exclusionary actors and leads to feminist actors being overlooked and therefore subject to less scrutiny. I would further argue that it is unhelpful to police what feminism can be, particularly as trans-exclusionary feminism arguably represents a women-led concern for women and girls. Therefore, even if trans-exclusionary feminism *can also* be viewed as anti-feminist from other feminist viewpoints, it

remains feminism and will be understood as such in this thesis. Having explained why I use the term trans-exclusionary feminism, I will now sketch a history of trans-exclusion within feminism.

3.2 Trans-exclusionary feminism: the beginnings

It was not until the 1970s with the activism of the women's liberation movement in the West and feminist grappings with the newly conceptualised idea of gender that some feminists identified the trans subject as worthy of concern. Then, as now, a prominent and influential text for trans-exclusionary feminism is Janice Raymond's *The Transsexual Empire: The Making of a She-Male*. Published in 1979 (with a second edition in 1994), it was one of the first texts dedicated to the relationship between trans, cis women, and feminism. The book sets out the arguments as to why trans identities are deemed to pose a threat to cis women. Raymond was herself influenced by her thesis supervisor; the prominent radical feminist and theologian, Mary Daly. Daly had also written about threat of 'the transsexual' (1978). The arguments presented in *The Transsexual Empire* have been, and continue to be, followed to some degree by the majority of trans-exclusionary feminists (Connell 2012), so I use the book's arguments to outline some of their concerns.

The 'Empire' to which Raymond refers, is the patriarchal medical-psychiatric model and resultant industries that Raymond believes prey on people who do not conform to prescribed gender norms. She spends some time analogising this model with the medical experimentations of the Nazis ('Learning from the Nazi Experience', (1994, p.148)), and yet

later employs the language of eugenics, 'I contend the problem of transsexualism would best be served by morally mandating it out of existence' (1994, p.178). For Raymond, eradication is best achieved through what would now be termed conversion therapy, as opposed to affirmation via medicalisation. Raymond argues that pathologizing 'transsexualism' obscures what transsexualism really is for her – a form of patriarchal control relying on men being (superior) men and women being (subordinate) women. In this telling, gender non-conforming individuals are deemed trans by the medical-psychiatric 'empire' and transformed into stereotyped gender binaries through transition because non-conformity is imagined as a threat to patriarchy. For Raymond, trans identities serve only the patriarchal motive of women's oppression.

Trans women in Raymond's view represent stereotyped parodies of 'real' women and are presented as the ultimate extension of women's bodies being made available to men. Trans, for Raymond, is not 'real' and to believe otherwise is to 'collude in the falsification of reality' (1994, p.xxiii). Trans women in her view - similarly to breast augmentation surgery, hormone replacement therapy and fertility medicine - represent the medical construction of women by men. Raymond's language to describe transition and trans people is often lurid. For example a sentence like, 'All transsexuals rape women's bodies by reducing the real female form to an artefact, appropriating this body for themselves' (1994, p.104) illustrates a strength of feeling; evoking threat, loss, anger and imagined scenarios of imposition and sexual violence.

Raymond's explorations of 'transsexualism' revolve around men transitioning to women. Raymond, who describes only male-to-female and female-to-male binaries, explains a perceived predominance of trans women over trans men as a result of feminism offering women a way out of 'sex-role rigidification' (1994, p.xiv), which avoids the need to transition. Men, in Raymond's view, lack a similar escape. This lack of escape is then compounded by men having the means and autonomy to seek out the interventions needed. In fact, Raymond considers 'transsexualism' to be limited to people assigned male at birth and maintains that 'female-to-constricted-male' (1994, p.27) (i.e. trans men) are simply dupes who provide the 'token' (Raymond 1994, p.27) of universalism that the medical empire needs to distract from its male-centric, patriarchal objectives. This dismissal of trans men reflected/informed early trans-exclusionary feminism, where discussion of trans masculine identities is largely absent. By the time of the second edition of her book in 1994, Raymond includes in the introduction a section on 'the transgendered lesbian' (1994, p.xxix), now framing trans men as butch lesbians put under pressure to turn their gender non-conformity into conformity by becoming men. Nonbinary identities - as they are understood today - do not feature in Raymond's work.

Lesbians are featured in Raymond's original work but in a different context to her later concern for butch lesbians. It is in the chapter 'Sappho by Surgery', about trans women who identify as lesbian-feminists,⁶ that Raymond serves her harshest critique. Given her view

⁶ By lesbian-feminist Raymond is referring to a politicised identity: "Lesbian-feminists have spent a great deal of energy in attempting to communicate that the self-definition of lesbian, informed by feminism, is much more than just a sexual choice. It is a total perspective on life in a patriarchal society representing a primal commitment to women on all levels of existence and challenging the bulwark of a sexist society—that is, heterosexism. Thus it is not a mere sexual alternative to men,

that the femininity of trans women is a parody, it is curious that one of her main concerns about trans lesbian-feminists is how they, in Raymond's view, reject femininity and display their masculinity. Raymond characterises this as a double deception: firstly she wonders how they 'passed' the requirements of femininity to gain access to the medical procedures she assumes they have undergone (1994, p.104); and secondly, she argues that by foregoing femininity, the transsexual lesbian-feminist may appear to be on the side of feminists, but this obscures that they are actually embodiments of patriarchy penetrating the inner sanctum of true womanhood. This is exemplified in the following comment; 'The transsexually constructed lesbian-feminist feeds off woman's true energy source, i.e., her woman-identified self' (1994, p.108). Again, the language is evocative, imagining woman/womanhood as being devoured.

Raymond's work became the blueprint from which other trans-exclusionary feminists took their cue. In the 1980s and early 1990s UK, it was writers such as Germaine Greer and Sheila Jeffreys who brought this feminist concern about trans people to mainstream media and academic attention (and both women featured in the early stages of a UK resurgence of trans-exclusionary feminism of the late 2010s). In 1989, writing for *The Independent Magazine* with a piece entitled 'Why Sex Change is a Lie' Greer offered:

which is characterized simply by sexually relating to women instead of men, but a way of being in the world that challenges the male possession of women at perhaps its most intimate and sensitive level." (1994, p.101)

On the day that *The Female Eunuch* was issued in America, a person in flapping draperies rushed up to me and grabbed my hand. “Thank you” it breathed hoarsely, “Thank you so much for all you've done for us girls!” I smirked and nodded and stepped backwards, trying to extricate my hand from the enormous, knuckly, hairy, be-ringed paw that clutched it ... Against the bony ribs that could be counted through its flimsy scarf dress swung a polished steel women's liberation emblem. I should have said, ‘You’re a man. The Female Eunuch has done less than nothing for you. Piss off.’ The transvestite held me in a rapist's grip (Greer 1989, paras.1–2).

Greer’s words align with many of Raymond’s arguments; that trans is about trans women, that trans is not ‘real’, that trans women are violators and penetrators, of space, or bodies, or true womanhood. The feeling of threat - how she ‘stepped backwards’ to ‘extricate’ - and the language of sexual violence - ‘rapist’s grip’ - are similarly shared by Raymond and Greer.

Sheila Jeffreys also articulates similar views as Raymond and Greer but, perhaps more overtly than some other trans-exclusionary feminists, centres sexual perversion as laying at the heart of transition. For Jeffreys, ‘transgenderism’ or ‘womanface’ (Jeffreys 2022, sec.10:04) - an attempt to equate transgender to the racism of ‘blackface’ performers⁷ - is a men’s sexual rights movement. In this context, desiring access to women’s spaces is about the sexual excitement felt at violating such spaces; ‘They need to express their sexual rights in women’s toilets by getting erections’ (Jeffreys 2017, sec.1:23). Trans individuals,

⁷ Relatedly, the task of equating/differentiating/exploring transgender and so called transracial has been undertaken by trans-exclusionary feminists and race and gender scholars alike (Brubaker 2016; Anderson 2017; Bey 2020a; Forstater 2021).

according to Jeffreys, are also self-centred and often psychologically abusive to the women in their lives (2014, pp.83, 86). She describes the fight against trans inclusion or acceptance as a 'political war of a very very serious kind ... of the ability to call ourselves women at all' (Jeffreys 2017, sec.1). This sentence exemplifies an existential fear of erasure at the heart of some trans-exclusionary arguments.

3.2.1. Political tensions

While in the 1970s and 1980s, a relatively small number of feminist academics began to explore what they saw as the 'threat' of trans women, this reflected political tensions playing out in women-only spaces that had been brewing for some time. These were fuelled by the rise of radical feminism in the US and how, for some, this led to a trans-exclusionary viewpoint linked to the differing workings of patriarchy on those assigned male or female from birth, and the goal of gender abolition. As with modern iterations, debates of trans inclusion were polarising, and this was clearly illustrated in 1973 when San Francisco held two gay prides; one that accepted drag queens and transsexuals and one that did not (Stryker 2008). Also in 1973, the case of Beth Elliott, a trans lesbian singer, would 'become the basis for one of the most pernicious and persistent characterizations of transgender people to be found in all of feminism' (Stryker 2008, p.103) - the characterisation of trans individuals as a sexual threat. Having been removed from the lesbian organisation 'Daughters of Bilitis' on the grounds that she was not 'really' a woman, Elliot was due to perform at the West Coast Lesbian Feminist Conference where she also served on the organising committee. The 'Gutter Dykes', a lesbian separatist collective, leafletted the conference to protest the presence of a 'man' and lamented, 'a new trend of men that are

invading and draining our lesbian communities ... men with XY chromosomes and 'normal' male hormones who decide they are actually women' (The Lesbian Tide 1973).

The 'Gutter Dykes' also alleged that years earlier, Elliott had sexually harassed one of their members, an allegation vigorously denied by Elliott. A subsequent vote amongst conference attendees supported Elliott's inclusion at the conference (although she chose to leave due to her upset), but keynote speaker Robin Morgan continued to take issue with Elliott, and at the last moment changed her speech 'Lesbian and Feminism: Synonyms or Contradictions' to voice her disapproval. Morgan stated, 'I charge him as an opportunist, an infiltrator, and a destroyer – with the mentality of a rapist' (quoted in Stryker, 2008, p. 105). Susan Stryker considers this an important moment in the development of the 'trans as sexual predator' trope, as the speaker was influential, the audience large and it was the first encounter with the issue for many of the attendees (2008, p.105).

In the context of situating feminist trans-exclusion within wider society and trans-exclusion within feminism, it is important to note that the subject of trans inclusion was not the first inclusion debate within feminism. In 1969, a decade prior to the publication of *The Transsexual Empire*, Betty Freidan, author of *Feminine Mystique* and President of the 'National Organization for Women' (NOW) in the US, spoke of the threat she felt lesbians posed to the goals of feminism. She articulated this as the 'lavender menace' (quoted in Gilmore and Kaminski 2007, p.96), arguing that lesbians have very little in common with heterosexual women. For Freidan, lesbians portrayed a wrong type of female aesthetic, in contrast to the 'respectable' women she felt she represented. Lesbians also faced suspicion

from some feminists for apparently mimicking patriarchal gender norms by presenting as either butch (manly) or femme (womanly). This suspicion was also evident within lesbian feminism which aspired to androgyny (Stryker 2008). While ultimately Freidan was outvoted in NOW and lesbians were largely accepted into feminist institutions, it is of note that the points against lesbian inclusion mirror some of those against trans inclusion; acceptable aesthetic and a supposed mimicking of gender norms.

It is feminists holding views about trans people of the type discussed in this section that I term 'TERF' (this is different to how the media often uses the term as discussed in section 3.3.1). As described, TERFs plainly express disgust, fear, and anger towards trans people/identities (predominantly trans women), and this hostility is regularly and clearly articulated in TERF arguments. The prominence of emotion in the TERF position is rendered understandable when articulations of concerns revolve around existential fears of men replacing women, or 'trans' as a plot to maintain male control over women, or equating trans with sexual predator. The latter is, as Stryker recognises, the persistent concern and accusation. How this emotionality translates into a constructing of 'us' and 'them' is addressed in section 3.6. TERFs, in the sense I use the term, are often associated with earlier trans-exclusionary theory and practice, but still contribute to the trans-exclusionary assemblage today, albeit not as prominently as so-called gender-critical feminists. In the next section, I will describe and explore the current iterations of trans-exclusionary feminism. This will illustrate divergences between the TERF position and trans-exclusionary feminism in current iterations.

3.3 Current Trans-Exclusionary Feminism

Trans-exclusionary feminists continued to write about, and protest, trans-inclusion throughout the 1990s and 2000s (examples being Hausman 1995; Greer 1999; Jeffreys 2003). Political tension around events also continued sporadically, perhaps most notably with the trans exclusionary Michigan Womyn's Music Festival (1976-2015) and accompanying protest demonstration, Camp Trans (Currans 2020). However, as the political, social, and legal landscape began to improve for trans people (as outlined with regard to the UK in Chapter 5), the TERF viewpoint became increasingly marginalised within feminist discourse. Those committed to trans-exclusion noted these changes unfolding around them, with Sheila Jeffreys stating in 1997 that what she saw as the deeply conservative phenomena of transsexualism was now being rendered progressive by queer and postmodern theory (1997). Then, in the mid-2010s, just as trans acceptance was being lauded (for example Steinmetz 2014), trans-exclusionary viewpoints once again began to find more space and following. While trans exclusionary discussions increasingly percolated online and occasionally made their way into mainstream media (for example Bindel 2004; Bindel 2013; Sweney 2013), it was the UK government's 2017 announcement of plans to simplify the process of obtaining a gender recognition certificate under the Gender Recognition Act of 2004 (GRA) (as discussed in Chapter 5), which brought trans-exclusionary feminism back into the mainstream and to such an extent that it has become arguably the 'de facto face of feminism in the UK' (Burns 2019).

Initial opposition to GRA reform revolved around the argument that trans women are men and are therefore a danger in women's spaces – reviving the Raymond/Jeffreys/Greer/Daly

(e.g., TERF) idea of trans women being a threat to cis women, and evoking the ‘rapist’ trope. However, this argument failed to gain much public support (Whittle and Simkiss 2020, p.212) so was adapted to suggest that the legal gender recognition process could be abused by cis men to gain access to women’s spaces for nefarious purposes. This suggestion did garner attention, and the government received a petition with almost 13,000 signatures outlining the ‘concerns of women’ (*Consult with women on proposals to enshrine “gender identity” in law* 2018). As will be discussed in greater detail in section 3.4, this strategy of a pivot away from being ‘anti-trans’ (because, in this example, it is not trans people per se that are said to be the threat), and the accompanying palatability to a society no longer open to such overt transphobia, became a mainstay of a movement now referring to itself as ‘gender critical feminism’. Despite the UK government’s response to the petition pointing out that proposed changes to the GRA would not impact upon the existing legal position on access to women-only spaces (as will be further discussed in Chapter 5) the ball was rolling on a new and, at the time, UK-specific iteration of trans-exclusionary feminism, bringing together long-time trans-exclusionary figures and newly concerned individuals.

This single-issue trans-exclusionary movement quickly gave rise to several campaign groups⁸. The trans-exclusionary cause also found supporters in columnists, media figures, politicians, peers, social media users and mainstream publications⁹. A few academics from

⁸ Trans-exclusionary organisation Sex Matters currently lists 27 other trans-exclusionary groups and organisations that ‘defend sex-based rights’, including Women’s Place UK, Fair Play for Women, Transgender Trend, Standing for Women, LGB Alliance, and Women’s Rights Network (Sex Matters 2023a).

⁹ Notable examples being The Times and The Sunday Times newspapers whose reporting on trans people/issues increased six-fold between 2012 and 2019 (Baker 2019), contributing to the British press publishing 34 articles a day (Stokoe et al. 2022) about trans people (<1% pop) by 2022.

across disciplines, but most often sociology and philosophy, began to add their voices to the gender critical refrain. At the time of writing the views of gender critical academics mainly feature in blogs and opinion pieces, along with a small but increasing number of books. Very few articles are yet to appear in peer reviewed journals.

So, in part, gender critical feminism constitutes a late 2010s renaming of feminism that is trans-exclusionary. The original label of trans exclusionary radical feminist (TERF) was itself only coined in 2008 but was taken to retrospectively apply to all trans-exclusionary feminists (for example Raymond, Jeffreys, Greer). The term is credited to writer Viv Smythe (2018) who wanted a shorthand way to differentiate between trans-inclusive radical feminists like herself, and radical feminists who did not accept trans women as women. However, over time, the meaning of 'TERF' (as opposed to its longhand, trans-exclusionary radical feminist, which remains accurate to a subset of trans-exclusionary feminism) has morphed from its intention as a descriptive name into being perceived by some as a pejorative term akin to being labelled a bigot (Cameron 2016b). This prompted many advocates of trans-exclusionary feminism to reject 'TERF' in favour of the term 'gender critical'. In section 3.4 onwards, I outline the similarities and differences between the gender critical position and the TERF position.

3.3.1 The popularised use of 'TERF' and 'gender critical'

TERF and gender critical feminism share a single primary defining element – that treating a trans woman as a cis woman is a threat to cis women¹⁰. However, beyond this defining element there is variability in approach; this despite the terms being used interchangeably and to refer to a diverse mix of groups and individuals. For example, as Viv Smyth recognised, being a radical feminist was never synonymous with being trans-exclusionary (see work of Andrea Dworkin¹¹ and Catherine McKinnon¹² for examples). Conversely, being a liberal or socialist feminist is not synonymous with trans-inclusion; for example Woman's Place UK claims to have its origins in trade unionism and socialism (*Woman's Place UK* 2023). Once the label 'TERF' was popularised, its use in traditional and social media came to signify trans-exclusionary views more generally and therefore was also not synonymous with being a radical feminist (despite the 'RF'). Furthermore, being trans-exclusionary, and therefore liable to being labelled a TERF, did not necessitate being a feminist of any variant. For example, in 2023, right-of-centre UK journalist Andrew Neil, not known for his feminism, wrote an article entitled 'Why I'm proud to be a TERF' (2023). Due to an overlap in views on trans identities between trans-exclusionary feminists and some on the religious/right, a degree of collaboration exists between these otherwise seemingly disparate positions. This manifests explicitly – in the US the trans-exclusionary organisation 'Hands Across the Aisle'

¹⁰ To note, while most trans-exclusionary feminists concern themselves with what they see as a threat to women generally, some focus instead on what they see as the threat to children of trans-inclusion (examples include Sarah Dittus, 2016a; 2016b, many Mumsnet forums (see Pedersen 2020)), and others focus specifically on the impact of trans-inclusion on gay identities, commonly lesbian identities (for example the work of Angela Wild, Get the L Out, LGB Alliance).

¹¹ 'Transsexuality can be defined as one particular formation of our general multisexuality which is unable to achieve its natural development because of extremely adverse social conditions...every transsexual has the right to survival on his/her own terms.' Dworkin (1976, p.186)

¹² 'I always thought I don't care how someone becomes a woman or a man; it does not matter to me. It's just part of their specificity, their uniqueness like, everyone else's. Anyone who identifies as a woman, wants to be a woman, is going around being a woman, as far as I'm concerned, is a woman.' MacKinnon (2015, para.29)

brings together 'radical feminists, lesbians, Christians and conservatives' to fight 'gender identity legislation' (Hands Across the Aisle 2021) - or less explicitly - as outlined by suspicions of right-wing funding of trans-exclusionary feminist organisations (Lovenduski 2022). These links to anti-feminist groups and individuals are explored further in Chapter 6.

In sum, the popularised use of 'TERF' or 'gender critical' can refer to a range of people and views centred around an understanding of men and women that rejects trans identities. Like TERF, gender critical can refer to individuals, groups, activists, academics, theories, or viewpoints. Yet as I have begun to demonstrate, I view TERF and gender critical as distinct and I will now interrogate these differences.

3.4. From TERF to gender critical: a discursive pivot from 'anti-trans' to 'pro-women'

Whilst in part a renaming due to the complexities and history of the term TERF, I hope to show that the adoption of the term 'gender critical' also constitutes a modification to a new iteration of trans-exclusionary feminism. A change of name has allowed for the discursive focus to move away from being anti-trans and instead promote the gender critical position as pro-women. I use the term 'pivot' to describe this move in focus because it conveys a sharp turn around a fixed central point. In my usage, the fixed central point is trans-exclusion, and the sharp turn is the rejection of 'anti-trans' and the embrace of 'pro-women' as a justification for trans-exclusion. To further obscure the point, 'trans-exclusionary' has been replaced in the gender critical lexicon with reference to the protections of 'sex-based rights' (e.g., 'We defend sex-based rights' - Fair Play for Women 2021, para.6). However, 'trans-exclusion' remains implicated as it is how the gender critical position calls for so-

called 'sex-based rights' to be defended. This discursive pivot perhaps reflects societal changes in the UK, and beyond, since previous iterations of trans-exclusionary feminism enjoyed popular recognition during the 1970s and 1980s. Since this time, trans people have gained legal protection in many countries (Williamson 2023). This has often happened alongside increased mainstream acceptance and prominence, seemingly reaching a height in the early 2010s (Steinmetz 2014). These societal changes mean that decades-old trans-exclusionary rhetoric, now observed through the prism of greater trans acceptance, display moments of overt transphobia no longer widely tolerated, for example trans as perversion (as with Jeffreys) or comparisons to Frankenstein's monster (Daly 1978, p.70). The move to rebrand 'anti-trans' as 'pro-women' is accompanied by those publicly supporting trans rights being labelled as 'trans rights activists' (often shortened in trans-exclusionary circles to 'TRAs') or the 'trans lobby'. Use of the term 'trans rights activist', 'TRAs' and 'trans lobby' work to conjure the idea of an oppositional trans person who is vocally supportive of trans rights in contrast to reasonable trans people, who trans-exclusionary feminists can claim not to have issue with (for example see Hayton 2019).

For gender critical feminists, stating that they reject transphobia and support trans people has become an essential part of their rhetoric, for example, 'We support trans rights' (Fair Play for Women 2021), and 'Trans people deserve lives free from fear. They deserve laws and policies that properly protect them from discrimination and violence' (Stock 2020a, p.10). This development is perhaps at its starkest when observed in feminists who span the decades of these discussions, for example Julie Bindel. In 2021, Bindel stated that, 'None of us are transphobic except for some of those women who aren't in the women's movement,

that aren't feminists, that aren't on the left' (Cambridge Radical Feminist Network 2021a). This is in contrast to Bindel's earlier comments on trans people that, 'They are extremely privileged upper middle class born namby-pamby little twats' (2016), and 'fuck-me shoes and birds-nest hair for the boys; beards, muscles and tattoos for the girls. Think about a world inhabited just by transsexuals. It would look like the set of Grease' (Bindel 2004). These moves to appeal to mainstream media and ensure academic palatability have also created fault lines in trans-exclusionary feminism between those preferring the more uncompromising position of the past and those embracing a supposedly more moderate rhetoric. This often crystallises around the subject of language. For example, TERF Julia Long writes:

...it is strange that the British gender critical movement has shown very little willingness to reject wholesale the pernicious language of transgenderism. High-profile groups such as A Woman's Place UK (WPUK) and Fair Play for Women insist that they are in favour of the rights of 'trans people', habitually use the terms 'trans woman' or 'transwoman', and use 'she' pronouns for men who demand it.

Paradoxically then, much of what is written and spoken in the name of British gender critical feminism in fact does the ideological work of transgenderists for them, promulgating their fictions as legitimate and valid through speaking their language ...

It is striking that while gender critical feminists correctly insist that it is not possible to change sex, many breezily continue to use the term 'transsexual' or 'transwoman' as if such a change *were* possible and as if such individuals exist. This oddly contradictory position is thoroughly normalised – mandated, even – at events

held by groups like WPUK and Filia, and in the writings and speeches of media feminists like Julie Bindel and Sarah Ditum and academics such as Kathleen Stock and Selina Todd. (Long 2020, paras.4 & 5)

'Oddly contradictory' is an accurate descriptor. It is often the case that alongside or behind seemingly softer gender critical language sits many of the arguments associated with the TERF position. For example, Fair Play for Women published a piece on their website entitled '*Pronouns are Rohypnol*' about the dangers of acquiescing to pronoun preference. The reference to 'Rohypnol', a drug associated with drug-facilitated sexual violence (Drug Enforcement Administration 2017), once again evokes the 'trans as rapist' trope. Even the most extreme discourse around 'elimination' continues, with the trans-exclusionary organisation Women's Human Rights Campaign UK stating that a UN pledge to eliminate prejudices and customs based on stereotyped roles for men and women should apply to 'the practice of transgenderism' (Women's Human Rights Campaign UK 2020, para.3). It is noteworthy that this organisation is headed by, amongst others, Heather Brunskill-Evans; someone who is a trustee of Filia and has spoken at Women's Place UK events, organisations reprimanded by Long for doing 'the ideological work of transgenderists'. Julie Bindel who disavowed transphobia in March 2021, refers to a 'trans-Taliban' in June of the same year (Bindel 2021, para.1). This is illustrative of how contemporary trans-exclusionary feminism is bound up and intertwines with its past, despite efforts to distance 'TERF' from gender critical.

Despite the opposition to trans rights being their single reason for forming, the discursive pivot from 'anti-trans' to 'pro-women' means that some gender critical groups rarely mention trans identities in their literature. One example is the prominent gender critical feminist campaigning group, 'Woman's Place UK'. Its extensive website, WomansplaceUK.org, has few references to trans or transgender. Instead, it relies on the understanding by the reader that 'woman' has a trans-exclusionary definition. Without this understanding the organisation's tagline would seem uncontroversial in many feminist settings: 'Violence against women and sex discrimination still exists, women need reserved places, separate spaces and distinct services.' (*Woman's Place UK* 2023). The same can be said of the six sections of its manifesto (2019) – 1. economic status, 2. an end to violence, 3. an end to harassment and abuse of women and girls, 4. improved access to healthcare, 5. education and training, 6. reformed law and criminal justice system. Yet Woman's Place UK is controversial, exemplified by being named a 'hate group' by a UK Labour Party trans rights pledge signed by prominent party members and MPs (Labour Campaign for Trans Rights. 2020, pt.9).

The changes in approach to trans-exclusion around being 'pro-women' as opposed to 'anti-trans', align with moving between being what Julia Serano calls 'trans-antagonistic' (here the term is employed differently to how Marquis Bey and I use it elsewhere in this thesis) to what she terms 'trans-suspicious' (Serano 2016). For Serano, a trans-antagonistic position is held by people who 'do not believe that trans is an authentic experience or identity... [and that] trans people are delusional, wayward and/or mislead people' (Serano 2016, sec.6). In the context of this thesis, this might be viewed as the TERF position. Trans-suspicious is a

position that may appear 'reasonable' (Serano 2016, sec. 6) to the 'trans-unaware' (an uninformed or under-informed position) as it prima facie accepts trans identities are 'real' ('albeit rarely' (see Serano 2016, sec.6)) but interprets greater trans visibility and trans identification as being caused by people who are 'not really' trans being swayed into transition. This fuels the 'cisgender-people-turned-transgender' trope (Serano 2016, sec.6) that Serano suggests underpins nearly all mainstream media opinion pieces. This might, in good faith, be viewed as the gender-critical position. Like the trans-antagonistic position, the trans-suspicious position, according to Serano, is rife with anti-trans bias. It is based on a metaphysical scepticism that perpetually asks trans people to prove they exist. This functions to achieve what the most trans-antagonistic position makes clear – to dismiss trans identities and to restrict healthcare for trans people. In other words, it allows for nominal acceptance of trans people while simultaneously campaigning for trans-exclusion. Further, the argument is premised on the idea that people transitioning is a bad thing; a fundamental assumption that is often overlooked in discussions about trans people. As Serrano points out, 'as long as [people] are happy with their life choices and post-transition lives, why should anyone care?' (2016, sec.6). The fact that people do care, calls attention to the assumption that 'cisgender bodies are valid and valuable, whereas trans people's are invalid and defective' (Serano 2016, sec.6).

The trans-unaware position (those who are uninformed or under-informed regarding trans people) perhaps plays an important role here too. In a society where - despite recent increased visibility - a lack of knowledge around trans lives remains the norm, trans-unaware likely represents the largest grouping. It is also the population whose ignorance on

the subject makes them susceptible to influence, which could be viewed as a motivation for the discursive pivot from anti-trans to pro-women and all that brings in terms of its 'reasonableness'. Arguments that are 'pro-women' might capture the attention of the trans-unaware, all the while making it more difficult for corporations, institutions, and organisations to pick through the carefully worded concerns of gender critical activism. When Kathleen Stock was chided by Julia Long as quoted previously, her response on Twitter was telling: 'I'm not going to be entering the radfem wars anytime soon. Me? I've got a book to sell to the mainstream about multiple harms of gender identity ideology. I am absolutely clear what my mission is' (Stock 2021b). Given that Stock is inferring to issues connected to what I have called the discursive pivot, her response is indicative of a 'mission' to recast a marginal position as a 'mainstream' moderate concern through a pro-woman reframing.

This section has illustrated that despite a 'pro-women' framing to appeal to a mainstream, the popularisation of the gender critical view has also seen a reversion to trans individuals being positioned as a threat. This is illustrated through the examples given in the above section, particularly around ideas of sexual threat. This shared fundamental concern that trans people threaten cis women brings into question whether there is any difference in substance - as opposed to presentation - between the anti-trans and pro-women viewpoints; being the 'TERF' and 'gender critical' stance respectively. It further offers an explanation as to why, despite efforts to calmly articulate 'common sense' and 'reasonable concerns of women', the topic remains infused with high emotion; reverted as it does to

issues of sexual threat and the subordination of women. I next move on to discuss theoretical modifications in trans-exclusionary feminism.

3.5 From TERF to Gender Critical: theoretical modifications

A rebranding to gender critical also involves some, if minimal, theoretical modifications to previous trans-exclusionary feminisms. At the heart of controversies over trans acceptance and inclusion lies the question of who counts as 'woman'. This is an area of debate and scholarship that has been much enriched during trans-exclusionary feminisms' two periods of greatest prominence, namely the 1970s and late 2010s. Black feminism, lesbian feminism, intersectionality, postmodernism and queer theory have all contributed to a critique of the dominant biological and patriarchal view of who constitutes 'woman' (Lorde 1984; Butler 1990; Wittig 1992; Butler 1993). During this same period, a more complex and nuanced understanding of biological sex began to emerge, challenging the dominant dimorphic model (Fausto-Sterling 1993; Blackless et al. 2000). Unlike the earliest iterations of trans-exclusionary feminism, some contemporary gender critical academics attempt to engage with, dispute or incorporate some of these points concerning who constitutes 'woman'. Moreover, the rise in people openly identifying as non-binary or genderqueer (Wilson and Meyer 2021) has prompted a limited engagement from trans-exclusionary feminists, as well as increased yet still minimal attention to trans men. Trans-exclusionary feminists' engagements with the complexities of scholarship on gender and sex remain minimal. Talia Mae Bettcher has pointed out that gender critical feminists often operate as if these literatures do not exist and/or that they are bringing questions of womanhood and trans identities to the fore for the first time (2018); yet the minimal engagements are illuminating.

I will now work through the views of gender and sex in trans-exclusionary feminism to explore these engagements.

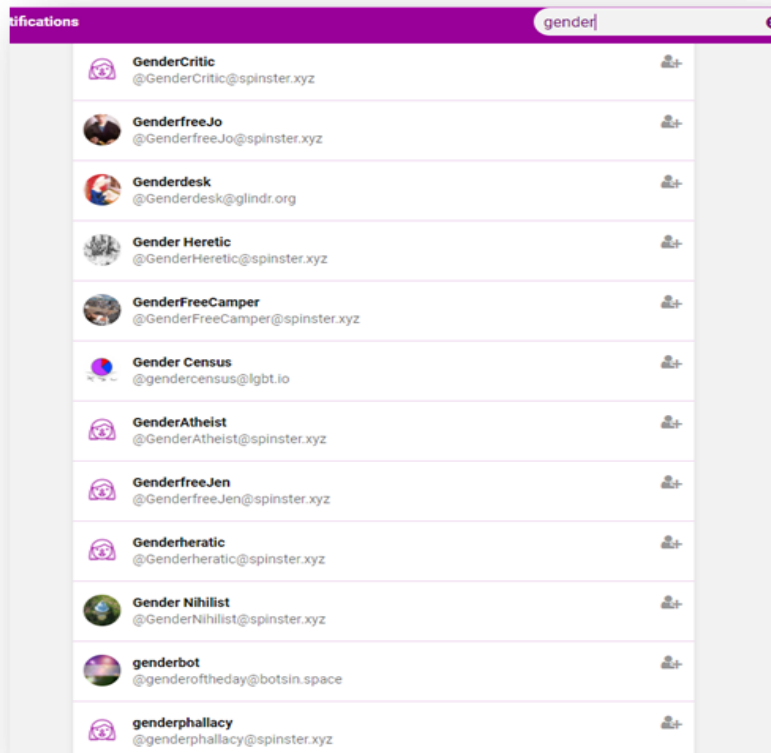
3.5.1 Gender and sex in trans-exclusionary feminism: gender and sex as distinct

Raymond's writings (1979), which are representative of early trans-exclusionary feminist views, are premised on a clear understanding of sex as binary and immutable. Biological sex is understood as distinct from gender. Gender is understood as that which is imposed on, and expected of either sex, what she terms the patriarchal/cultural/social 'norms of masculinity and femininity' (1994, p.44). For Raymond, gender amounts to these stereotypes, and in the context of who is a woman, 'sex' is the only pertinent factor.

Raymond acknowledges different understandings of biological sex, but her arguments rely heavily on chromosomal sex as determining sex (i.e., the most static of sex characteristics). With this meaning of sex outlined, Raymond focuses on a critical examination of 'gender'. She asserts the abolition of gender as the mode of achieving escape from patriarchal hierarchies and, in particular, one of its alleged manifestations, 'transsexualism'. Allied with this view of sex and gender is the understanding of trans as stereotype; a parody of 'sex roles', and a deception. For Raymond, 'transsexualism goes to the heart of what gender is... [it] reinforces gender stereotyping in a role-defined society' (1994, p.xviii).

These basic tenets of Raymond's position remain the basis of arguments put forward by many contemporary trans-exclusionary feminists. This is the case regardless of whether individuals or organisations have made the discursive pivot from anti-trans to pro-women

and the linguistic and framing changes that come with it. Hashtags and online names are illustrative of this. The popularity of hashtags and choice of online names offer an interesting snapshot of views, because they often attempt to distil a point into a few words. One example is #sexnotgender, a gender critical rallying cry on social media. Analyses has been carried out showing which hashtags are most often used alongside #sexnotgender on Instagram (best-hashtag.com 2022). These include #sexbasedrights #sexisreal #genderisntreal #transwomenaremen #gendercritical #radfem. The graphic below, from a social media platform popular with trans-exclusionary feminists called 'Spinster' ('a women-centric website created to provide a platform for feminist dialogue' (2020)), shows a selection of usernames which include the word 'gender'. They include 'Genderfree', 'Gender Heretic', 'Gender Atheist', 'Gender Nihilist'. Both examples give an insight into trans-exclusionary feminists' views of 'gender' and 'sex'.



A sharp separation between gender and sex remains crucial to the coherence of trans-exclusionary feminist arguments. Heather Brunskell-Evans notes ‘When you separate out gender and sex, then gender as a social product and the politics of gender identity become much more clear’ (2018). Brunskell-Evans seems to be suggesting that if the consequences of a supposedly discrete sex are put aside, ‘gender’ as socially produced and its link to ‘gender identity’ are no longer obscured. Sheila Jeffreys, an academic whose work spans the two periods of trans-exclusionary feminisms’ prominence in the UK, is also representative of trans-exclusionary feminist academics who maintain a sharp distinction between sex and gender; the primacy of sex, a goal of gender abolition and a characterisation of trans as deception. She makes the link between ‘gender’ and ‘transgender’ in the following quote,

illustrating how reliant such a conceptualisation of transgender is on a discrete and superficial gender:

Radical feminist theory rejects the notion of transgenderism since it requires the acceptance of 'gender' as a useful category. If the notion of 'gender' is rejected then the transgenderism does not make sense (Jeffreys 2008, p.338).

As illustrated in Chapter 2, a sharp distinction between gender and sex is not unique to trans-exclusionary positions, because this needs to be coupled with a view of trans identities as threat and/or as a parody. However, the sharp distinction is important for most trans-exclusionary feminists. Having outlined the importance of a distinction between gender and sex for trans-exclusionary feminists, I will firstly take 'sex' and then 'gender' and explore how each is theorised in trans-exclusionary feminism.

3.5.2 Gender and sex in trans-exclusionary feminism: sex

As will be discussed in the following section, not all the above positions on gender are shared by all proponents of the current iteration of trans-exclusionary feminism. However, the primacy and knowability of a binary sex is enduring amongst them. This includes Kathleen Stock, a prominent contemporary trans-exclusionary feminist academic who has offered one of the most clearly articulated trans-exclusionary feminist positions on who can claim membership of womanhood (Stock 2020a). She is rare amongst trans-exclusionary feminist because she engages with some of the critiques of earlier trans-exclusionary

feminism which arose from later theories of sex and gender. However, she remains resolute in her stated desire to re-establish a biological definition of 'woman' based solely on a pre-given sex. Stock cites the work of feminists from some decades ago to carve out 'women' as socially constructed rather than a biological group to be one of the most detrimental moves for feminism and as 'potentially catastrophic' (Stock 2021a, para.14). She blames this work on poststructuralism, but also lesbian/radical feminists like Monique Wittig who wished to destroy the category of sex, as initiating 'a chain of destruction' (2020a, p.17). She accuses them of creating a world that 'makes no sense' (2021a, para.23), i.e. no common sense as she sees it. As is usual in contemporary trans-exclusionary feminist rhetoric, Stock acknowledges the existence of people with differences of sex development (DSD). She argues that her stance does not infer that category boundaries do not have 'fuzziness' (Stock 2021a, para.18) at their edges. She states that categories can account for indeterminate cases, stating 'You don't need to possess all of the "female" sex characteristics to count as female. However, you do still need to possess some of them' (2019); she does not say which. It can be inferred that Stock's 'fuzziness' relates only to physical attributes at birth, therefore being able to exclude any 'fuzziness' that might incorporate transgender. Having acknowledged DSD, Stock nonetheless opines that the level and importance of DSD variations is overplayed and that it should not be employed as a challenge to the validity of sex as binary (e.g. Stock 2020a, chap.2).

Stock also disputes that a biological definition of 'woman' is necessarily essentialising. She argues there exists a useful differentiation between what is essential to membership of a kind - in this case woman - and what counts as essential to the identity of individual

members of that kind (Stock 2020a). So, Stock seems to be saying that while some 'female sex characteristics' (undefined) are necessary to belong to the category 'woman', for individual women within this category these characteristics might not be essential to their identity. It is unclear to me how this avoids essentialising the category of women to biology. Furthermore, if Stock means to say that some members of the group do not think that female sex characteristics are essential for their identity *as women* - which is unclear - then it leaves open the question of who is defining womanhood here? Relatedly, Stock argues that it is an extrapolation too far to suggest that a biological understanding of woman necessitates a belief in biological determinism of traits and behaviours, a matter she takes no position on (as outlined below in the discussion of gender in trans-exclusionary feminism).

A rare variation on the trans-exclusionary feminist view that 'woman' is a biological class comes from philosophy scholar Rebecca Reilly-Cooper (2015). In contrast to Stock, she argues that while 'female' refers to a sex class tied specifically to reproductive organs (2015), 'woman' is the social category that arises from being perceived, and therefore gendered, female. Reilly-Cooper agrees that, in some cases, this view allows for people assigned male at birth to be women. However, she rejects gender identity as relevant on the grounds that it is a 'subjective mental state' (2015, para.35) unknowable to others unless somehow expressed, and it is this expression, rather than any mental state, that leads to others' perception. In any event, she states that 'none of this alters the underlying biological fact of their femaleness or maleness' (2015, para.18) or that it is the 'material reality of biological sex' (2015, para.32) that acts as an axis of oppression. Therefore 'females' deserve

the right to single-sex spaces. This argument, although taking a different route, again arrives at the primacy of 'biology'. The question to what sex 'is' for trans-exclusionary feminists often links to reproductive capacity, as Reilly-Cooper exemplifies. Defining woman as 'someone who can produce a large gamete' (Sex Matters 2021a) or someone 'that is born with a body organised to supply the large gamete' (Holyoake 2023) is a popular articulation of this.

Reilly-Cooper exemplifies how the terms 'female' and 'male' are always used to denote 'biological' types in trans-exclusionary feminist discussion, and this remains the case whether 'woman' is treated as a synonym for 'female' or not. It also perhaps explains why 'female' is often used over 'woman' in trans-exclusionary discourse. It removes perceived ambiguity and makes clear the prioritising of biology. This represents a meaning of 'female' asserted by trans-exclusionary feminists but is not necessarily how the terms 'female' and 'male' are used elsewhere. For example, if a female person can be said to be a woman, or female can be a gender identity, then trans women can be said to be female. Equally, and as noted in the previous chapter, it is possible for certain biological characteristics to change; so even if female retains a biological meaning, trans women can be said to be female.

Sociologist Ruth Pearce succinctly sums up this point about language, when, in response to the increasing use of 'female' instead of, or as distinct from, 'woman', she tweeted 'Trans women are female, pass it on' (see below), adding 'the claim that trans women are 'male' runs contrary not only to how we understand ourselves, but also to the way we're treated socially, and often to the physical reality of our bodies' (Pearce 2020). This provides another example of the contested nature of gendered concepts.



3.5.2.1 Trans-exclusionary feminist views on the destabilisation of sex

The above discussion illustrates that trans exclusionary feminists take a foundationalist position on sex, whereby sex is presented as existing a priori; it exists prior to socialisation and discourse. This leads to a shared rejection of anti-foundational arguments by trans-exclusionary feminists, who criticise postmodernism, poststructuralism and, most vociferously, queer theory. As discussed in the previous chapter this is not surprising as these positions question or destabilise the very categories of female/male/woman/man, and by extension homosexual/heterosexual, that trans-exclusionary feminism relies upon. Trans-exclusionary feminist Professor Alice Sullivan describes 'trans ideology' as 'anti-intellectual, postmodernist' and argues 'postmodernism is the post-truth of the left' (Cambridge Radical Feminist Network 2019). Sheila Jeffreys admonishes queer theory for 'weakening feminist theory' and leading to claims 'that there is no such thing as a 'woman'' (2014, p.35). She also credits it with being a 'force in the construction of transgenderism'

(2014, p.35) and adds that the most dangerous legacy of queer theory is ‘the way in which it paved the way for the politics of transgenderism, by creating the notion that transposing gender is somehow revolutionary’ (2014, p.44). Social theorist and trans-exclusionary feminist Helen Brunskell-Evans also pits 1990s poststructuralism and queer theory against feminism, by stating the approaches of the former took social construction beyond the ‘feminist materialist intention’ to ‘dispense with any notion of the body whatsoever’ (2018). As one of the most prominent and influential scholars on the queering of sex and gender, Judith Butler is often the focal point for such criticism; ‘she seems proudly unconcerned with what women face’ (Murphy 2020, para.19).

While rejection of the postmodern/poststructuralist/queer is emphatic in contemporary trans-exclusionary feminism, there is also a less vociferous suspicion of intersectionality. As Alison Phipps (2020a) notes, ‘If you want the focus solely on gendered oppression, then intersectionality becomes a threat’. As noted already, for many trans-exclusionary feminists, biological sex and patriarchal abuse of this, is at the root of women’s oppression and a focus on other axes of oppression can detract from this. Intersectionality also falls under suspicion because taking an intersectional approach can lead to trans inclusion, as trans becomes an axis of identity meaning ‘trans women cannot be segregated off from feminism any more than any other subset of women can be’ (Morrison 2020, p.5). For writer, researcher and trans-exclusionary feminist Raquel Rosario Sanchez, this is ‘intersectionality hijacked’ and amounts to ‘intersectionality without females’ (2021, para.7). Warding off criticism that a sole focus on women as a sex class elides other axis of oppression and inevitably leads to understandings of ‘woman’ based on selective experiences (e.g. those of white, cis, middle-

class, able-bodies, heterosexual, Western women), Kathleen Stock argues instead that the position of woman as a sex class enables humans to 'non-evaluatively categorise' (2020b, p.15) a class of people. This suggests that 'women' can be a neutral category, avoiding both internal hierarchies of women and external subordination to the category of men. The latter point seemingly defying the lived experience of many women and suggesting feminism is unnecessary. On the former point of internal hierarchies in the category women, Stock thinks it is an illogical extrapolation to suggest that a biological definition of woman brings with it the 'inclusion problem' (Jenkins 2016, p.394). Along with attempts to categorise women as a *social* class, Stock argues that feminism made a detrimental mistake when some feminists (mostly black and global majority feminists as outlined in Chapter 2) agreed that it was legitimate to challenge 'women' as an insufficiently inclusive (2020b, p.1). Again, this point seems to deny the lived experience of many women. In this section, I have illustrated the ways in which trans-exclusionary arguments rest on a reading of sex as primary, immutable, and binary. I will now move to discuss trans-exclusionary conceptualisations of gender.

3.5.3 Gender and sex in trans-exclusionary feminism: gender

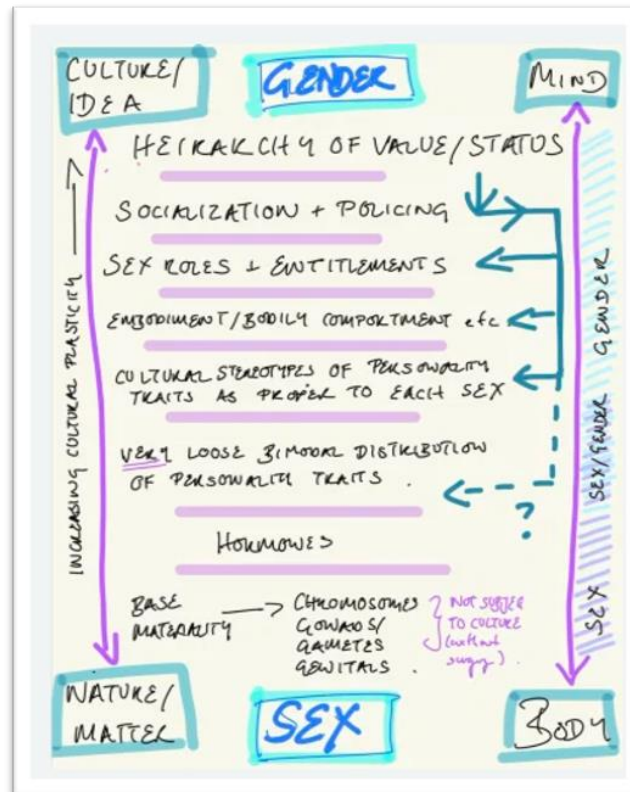
The view among trans-exclusionary feminists of sex as being material and real, contrasts sharply with dominant trans-exclusionary feminist conceptualisation of gender as being immaterial and unreal. Many radical feminists – both trans inclusive and exclusive - position gender as the foundation of male domination in a patriarchal system. Catherine MacKinnon writes that 'hierarchy is always done through gender' (2005, p.273). For Sheila Jeffreys, gender 'ascribes skirts, high heels and a love of unpaid domestic labour to those with female

biology, and comfortable clothing, enterprise and initiative to those with male biology' (2014, p.1). Trans-inclusive views as interpreted by many trans-exclusionary feminists, suggests these ascriptions form the 'essence' (Jeffreys 2014, p.1) of being a woman or man and the essence 'is seen to lose its sense of direction and end up in the minds and bodies of persons with inappropriate body parts that need to be corrected' (Jeffreys 2014, p.2). This interpretation is at odds with a trans-exclusionary view of gender as stereotypes. In this view, trans is interpreted as an imitation of these gender stereotypes. Jeffreys adds, 'all forms of transgenderism are equally problematic from the point of view of feminist theorists. They all give oxygen to a concept, gender' (2014, p.8). Consequently, many trans-exclusionary feminists argue that gender should be abolished and that this would bring an end not only to 'transgenderism' but sex-based oppression (Lawford-Smith 2020).

While the abolition of gender - and with it transgender - is a longstanding trans-exclusionary feminist argument, there have been some recent challenges to this orthodoxy. Kathleen Stock offers one such alternative. She acknowledges that the term gender is employed in a variety of different ways (Stock 2019). In a talk entitled 'Gender abolition as a radical feminist goal' (Cambridge Radical Feminist Network 2021b), Stock outlines why the abolition of gender (being different cultural practices for men and women) and gender (being sex-associated social norms) should not be a feminist goal. She premises her arguments on gender by outlining four basic assumptions: humans are sexually dimorphic, humans reproduce sexually, males and females have distinctive body types, and that heterosexuality has adaptive value for human species because 'without widespread heterosexuality the species would die out' (2021b, pt.8:49). Thus, she finds that gender (as differing cultural

practices for men and women) is impossible to abolish because these practices often arise from bodily differences. She further states that even if it were possible, 'feminine and masculine cultures' should not be abolished due to the meaning and identity they provide to an individual (2021b, pt.19:00). On gender (as social norms), Stock posits that not only would this be impossible to abolish due to what she believes is an innate human tendency to generate norms, but it should not be abolished even if it were possible. Stock argues that some norms are beneficial to women, examples given include single-sex spaces or the norm that it is dishonourable for a man to hit a woman (2021b, pt.33:40). Thus for Stock, the goal of feminism should be the abolition of only 'sex-associated norms that undermine sexed well-being' (2021b, pt.38:25) – examples of such norms given as women being treated as sexual objects and girls not being educated (2021b, p.39:00).

Setting aside the viability of cherry-picking norms and questions of who decides which norms are good, Stock's position on gender acknowledges, tacitly at least, the difficulties inherent in theorising gender as distinct from sex. Jane Clare Jones, a trans-exclusionary feminist, takes up this point and questions the sharp separation of sex and gender that many trans-exclusionary views depend upon. She illustrates her thoughts through the following diagram.



Jones describes the above diagram as a 'possible way of thinking about the sex/gender distinction/relation' (Jones 2020). It shows a configuration of sex and gender that questions the viability of their complete distinction. While the diagram contrasts 'nature/matter, sex, body' with 'culture/idea, gender, mind', it suggests a continuum or relationship between the two rather than stark separation. It points to the types of social elements often cited in a feminist social role view of gender - 'hierarchy of value/status', 'socialisation and policing', 'sex roles and entitlements', 'embodiment/bodily comportment etc', 'cultural stereotypes of personality traits as proper to each sex' - which emanate from culture or the mind or a combination thereof. These elements contrast with the 'sex' end of the diagram listed as 'base materiality (chromosomes, gonads/gametes, genitals (not subject to change without surgery))' and 'hormones'. However, importantly Jones also suggests a 'very loose bimodal distribution of personality traits' (underscore in original) which she positions as sex/gender.

Acknowledging this meld contradicts much trans-exclusionary feminist argumentation,

Jones explains:

I know the bimodal personality distribution is controversial. But I have been thinking... firstly, absolute blank slatism seems untenable to me; secondly, if we are happy to accept phrases like 'feminine men,' and especially given the arguments we are making about the link between being GNC [gender non-conforming] and homosexuality (which is key to claims we're making about issues with transing kids), then it seems we are accepting that there is something meaningfully understood as 'femininity' at a personality level... which is somewhat distinct from, but interacts with, its patriarchal construction (2020).

The above is in reference to gender critical claims that they have no issue with gender non-conforming men and women¹³. This links to the further claim that trans people are often 'really' gender non-conforming gay men and women who are confused/pressured into transitioning. Jones' point is that this seems to present a contradiction by suggesting femininity in feminine men - by implication, gay men - is authentic ('meaningfully understood ... at a personality level'), yet femininity in a trans woman is inauthentic.

Not only does this stance hold contestable assumptions – that femininity and masculinity can be innate, that they can act as proxy for sexuality, and that being trans is somehow

¹³ 'I'm not saying there's anything wrong with looking or being radically sex nonconforming. Quite the opposite. Personally speaking, I value and celebrate sex nonconformity: Masculine women, feminine men and androgyny' (Stock 2020a, p.176).

related to an individual's level of femininity or masculinity – but crucially neither Jones nor Stock square the circle of questioning the sex/gender distinction *and* relying on gender as a separable and superficial practice in transgender. One way to resolve this is to present a biological essentialist position of gender and state that 'real' femininity is innate to cis (heterosexual?) women and 'real' masculinity innate to cis (heterosexual?) men. This also questions the claim that those advocating for trans-exclusion have no issue with gender non-conforming gay people, as will be discussed further in Chapter 5. Yet, most trans-exclusionary feminists are keen to disavow biological or sex essentialism (see example tweet below), because innate sexed traits are viewed by most as the antithesis of feminism. Stock, however, does nod to this essentialism, stating in her discussion of why gender abolition should not be a goal of feminism:

One way I could obviously go is to say we can't get rid of gender because psychology is sexed ... that there are distinctive hardwired brain innate psychological characteristics typical for members of the female sex and the male sex...however I don't want to assume that, I'm not going to assume either way that there is a sex psychology or there isn't. I'm not particularly frightened of the idea that there is but...we shouldn't decide a priori (Cambridge Radical Feminist Network 2021b, sec.7 mins)

This illustrates how the more thorough the engagement with theories of sex and gender by gender critical feminists, the more an underbelly of essentialism is exposed. Yet essentialism

is roundly denied. Below is an example of a gender critical feminist disavowing biological essentialism and suggesting 'trans rights activists' are the essentialists:



Having outlined the dominant trans-exclusionary view of gender and the modifications that some gender critical feminists are making, I will now consider the gender critical approach to non-binary identities and to trans men.

3.5.4 Gender and sex in trans-exclusionary feminism: non-binary identities

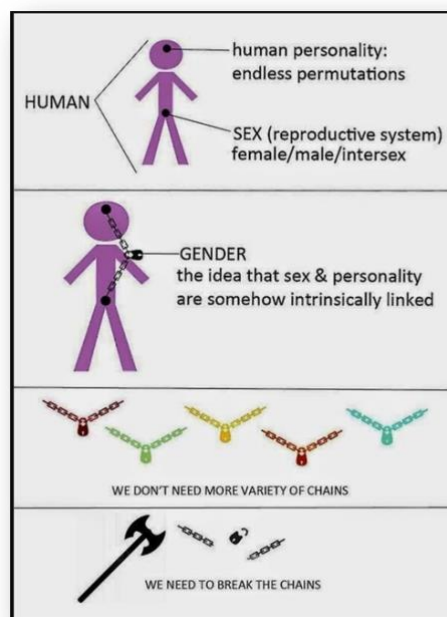
Despite these later interventions into trans-exclusionary feminist conceptions of sex and gender, the position remains most reliant on a stark separation between gender and sex; a binary view of sex, and trans as inauthentic imitation of gendered stereotypes. Non-binary identities, then, pose challenging questions to this framework, because they cannot be said to be an imitation of the 'opposite' sex. If gender is seen as two 'cages' (Frye 1983; Lawford-Smith 2020), non-binary could arguably represent an emancipation. Yet there remains scant discussion by trans-exclusionary feminists of non-binary identities, beyond them being conflated into the discussion of transgender premised on the understandings discussed

above. The minimal level of engagement with this topic by trans-exclusionary feminists tends to be dismissive, often positioning nonbinary as a figure of fun, citing young age and colourful hair, and implying nonbinary is an identity not to be taken seriously (see below).



A more rigorous trans-exclusionary feminist approach to non-binary identities critiques these as reflecting gender revisionism rather than gender abolitionism. Holly Lawford-Smith (2020) understands non-binary as adding further gender cages rather than her preference for either increasing the size of the existing two cages - therefore producing fewer constraints - or dismantling the cages all together. These she asserts would lead to fewer people repudiating their sex as they could not be incongruent with gender norms (2020, p.1022). She further asserts that by understanding gender as a set of norms applied on the basis of sex, non-binary becomes nonsensical because it denies the 'fact' of male or female sex classification (2020, p.1029). Others suggest that nonbinary individuals reinforce a binary gender simply by insisting that it is not what they are (Reilly-Cooper 2016). Susan Cox goes further, suggesting non-binary as being an affront to women, 'a woman coming out as

“non-binary” is a non-statement that declares nothing but common loathing of the female class’ (2016, para.6). Below is a diagram taken from academic and trans-exclusionary feminist Rebecca Reilly-Cooper’s ‘sex and gender: a beginners guide’ (2015) website. This exemplifies trans-exclusionary views of non-binary identities:



3.5.5 Gender and sex in trans-exclusionary feminism: trans men

It remains the case that most of the discourse around trans-exclusion concerns trans women. However, there is increasing attention paid to trans men. This is presented as part of the ‘transsexuality as gay erasure’ (Gilreath 2012, p.277) discourse whereby the concern is that gender non-conforming lesbian women and girls are being coerced into believing they are men/boys through internal and external pressure to conform to gender and sexuality norms. This concern has been articulated through the rise in people assigned

female at birth being referred to gender identity clinics during the 2010s (GIDS 2020). The reason for this rise is contestable and could be linked to increased awareness and acceptance that has allowed trans children to access services previously unavailable to them (Thurlow 2023a). However, the former articulation brings together two strands of trans-exclusionary feminists; those concerned with lesbian erasure, and those concerned with the trans 'contagion' in children. When Elliot Page came out as a trans man, Kathleen Stock (2020c) opined that Page continued to be a lesbian:



Lesbian trans-exclusionary feminists have expressed some of the most adversarial responses to trans-inclusion (see for example *Get the L Out* campaigns). The fear that trans men are in fact confused/manipulated butch lesbians is often articulated through supposed 'borders' - 'border crossing, trespassing, battlegrounds and conquests' (Beemyn and Eliason 2016, p.2). These 'border wars' as described by Halberstam (1998) are not new, with previous incarnations including, as previously mentioned, whether butch/femme presentations ape heterosexual gender norms.

Whereas trans women are often implicitly or explicitly coded as dangerous in trans-exclusionary debates, trans men are almost always positioned as victims. This is a viewpoint summarised by Julie Bindel,

Unfortunately, the door is open now for a handy way out of womanhood and this is how we need to explain it [trans men]. Women who are so abused by patriarchy, by men. And to point the finger at them, it's appalling.

(Cambridge Radical Feminist Network 2021a)

This is related to the other main trans-exclusionary lesbian concern that an inability to define 'woman' and 'man' leads to the inability to define lesbian as 'same-sex attracted woman' and perceived pressure to accept trans women as lesbians and as partners. As exemplified by Stock, the dominant trans-exclusionary feminist understanding of sex also means that trans men attracted to women remain 'lesbians' to most trans exclusionary feminists. Having explored gender and sex as employed in trans-exclusionary feminism, I now explore the work of emotion in trans-exclusionary feminism and why its prominence is illuminating.

3.6 Emotion

The conviction with which trans-exclusionary views are held and expressed, as illustrated in this chapter, suggest something important about how they are experienced. I agree with Luke Armitage that anti-trans sentiment has an important 'emotional component that should not be overlooked' (2020, p.11). I return to the work of Sara Ahmed to explore the forming of 'us' and 'them' through circulating emotions. If the 'us' here is taken to be trans-exclusionary feminists, it is important to note a strong identification with (a particular biological reading of) 'woman', or sometimes, 'lesbian'. These are identifications often cemented through adversity – the fight for women's liberation or acceptance as a lesbian or experiences of gender-based violence, for example. As Ahmed highlights, emotions are linked to histories. This identification and history can explain why a perceived infringement on the boundaries of these categories – from trans people or theories that question categories - can be felt violently and personally; it may feel like an attack on an individual's personhood. Consequently, circulating fear and anger can shape the 'us' of trans-exclusionary feminism and produce a 'shared "communal" visceral response' (Ahmed 2004, p.118). These emotions are clearly articulated in the TERF position but are also revealed in the gender critical position if the softer presentation is interrogated. Turning to the 'them' in this scenario, trans people, the emotions and discourse that circulate continually infuse trans people with 'threat' for the trans-exclusionary feminist. These threats - rapist, pervert, imposter, interloper - hang like signs from them, or from the imagined 'them'. Imagining these imagined trans people renders the hostility towards them intelligible. These factors might justify a turning away from some and towards others; to those who represent a 'safe home' (Ahmed 2014, p.66). This does not mean that to identify strongly with 'woman' or 'lesbian' is to be trans-exclusionary, because the issue of threat needs resolving, but strong identification with a stable category of 'women' and viewing trans as threat (especially an

attachment to an immutable binary sex that always renders trans woman as men) perhaps explains the conviction of trans-exclusionary feminists.

Anger appears to be a dominant emotion around issues of trans-exclusion. As Armitage (2020) notes, trans-exclusionary rhetoric portrays anger. The expression of anger in this context is complicated by the fact that most of the people involved are women, and 'angry women' has connotations of feminised irrationality. It is sufficient to note here that several feminist scholars have countered the 'irrational' trope of women's anger and instead commented on the revelatory power of anger. Marilyn Frye (1983) aptly describes anger as an 'instrument of cartography' (p. 93), reactions to which say much about how the angry subject is viewed by others. The 'feminist snap' (2017), as Ahmed refers to the moments when women have had enough of being demeaned and excluded, have led to transformational change. However, as Alison Phipps (2020b, p.111) notes, we should be aware of whose and which anger is centred in a right-moving world (or anti-gender world, further discussed Chapter 6). In the context of this world, the anger rendered visible is often of those who feel they have lost entitlements to others, or those who feel left behind by progressive change.

While this is often the anger of white men, it can also be the anger of women. To embrace women's anger does not mean to say that all women's anger is uncritically viewed as good, correct, or progressive. For example, Audre Lorde (1997) pointed out how white women's anger can be misdirected towards black women who highlight racism. Similarly, Soraya Chemaly, author of *Rage Becomes Her: The Power of Women's Anger* (2018), while

delivering an overarching message that there is much to gain in harnessing the power of women's anger, adds a cautionary note. She distinguishes between what she terms as past-looking 'resentment anger' and forward-looking 'anger of hope'. Resentment anger is based on the anger of 'looking back, the perceived loss, the aggrieved entitlement' (Chemaly et al. 2019, para.15), whereas the anger of hope is not based on resentment. Chemaly further makes the point that while men's resentment anger can manifest in political power, women tend not to have that power. So, while they can show the same resentment anger, it appears in settings where women can assert their authority. As Chemaly phrases it, 'they are literally policing sidewalks and lemonade stands and gated communities and local pools' (Chemaly et al. 2019, para. 16). The anger of trans-exclusionary feminists revolves around perceived loss of entitlements and, arguably, a longing for a past - or at least an imagined past. These are features of resentment anger. Furthermore, discussions framed as 'women's rights' provides a forum where women can assert their authority.

The shaping of 'us', does not only depend on negative emotions regarding trans people. The emotions of community and belonging are also implicated in the creation of the trans-exclusionary 'us'; love, joy, pleasure. Speaking about trans-exclusionary feminism, writer Laurie Penny acknowledges these factors:

Even when it's misguided, sisterhood is powerful. From the inside, it can be life-saving and life-changing. For women and girls who have grown up being taught to hate their own bodies, who have, like [JK] Rowling, experienced violence and sexual assault, who have struggled to find solidarity and self-esteem outside of abusive

relationships, there is enormous comfort and, energy to be drawn from that sort of protective sisterhood. There's a heady in-group mentality that is very precious to those who are part of it. (2020, para.21)

Within theories of social movements, it has been shown that participation is based just as much on the energy and excitement experienced as on commitment to the movement's stated goals (Jasper 2011). Participation in social movements generates strong feelings of 'collectivity, euphoria and camaraderie' (Gould 2013, p.13) which sustains participation. Sophie Lewis notes the euphoria of trans-exclusionary feminists, describing it as a 'euphoria of the womanhood-as-suffering worldview' that 'verges on the auto-erotic' (2022, p.464). Alyosxa Tudor similarly describes 'terfism' (2020, para.8) as something people do for pleasure, akin to a hobby. A longing for community, belonging and purpose might particularly affect some lesbians who feel in recent decades that 'lesbian' has become depoliticised and lesbian culture and venues have been disappearing (Thurlow 2023a). Trans-exclusionary lesbian groups can (re)create these communities.

While views on sex and gender are instructive, they are so because those views are integral to personhood and worldview for the holder. The emotional responses around trans inclusion can offer evidence for this. Views on gender and sex may be so integral in part because of the belonging they provide. Hostility towards trans inclusion becomes more understandable if for the trans-exclusionary feminist, it represents a threat to one's worldview and all that comes with it, rather than about single-sex toilets and changing

rooms (which may feel integrally linked). Emotions therefore play an important role in trans-exclusionary feminism.

3.7 In summary

This chapter has outlined what trans-exclusionary feminism is, its history, and how newer iterations differ from early incarnations. These differences appear to arise, at least in part, from a need to garner a mainstream following no longer tolerant of overt transphobia. This has seen a powerful and consequential change in narrative from 'anti-trans' (TERF) to 'pro-women' (gender critical). Yet the substance of the gender critical approach, once interrogated, differs little from its antecedents. An engagement with scholarship on womanhood – specifically intersectionality and poststructuralism - that has developed since trans-exclusionary feminism's early incarnation has also somewhat impinged on the work of a few prominent trans-exclusionary feminists. The coherence of the resulting arguments that question the viability of separating out gender from an essentialist understanding of sex but rely on the discreteness of gender in their conceptualisation of transgender, is yet to be demonstrated by those who propose it. Yet coherence can be found if essentialist understandings of 'real' femininity as innate to cis women and 'real' masculinity as innate to cis men, are applied. This chapter has further outlined the role emotion, both negative and positive, plays in trans-exclusionary discourse. A tracking of fear and anger, love and joy, in the context of histories of adversity, suggests why issues of trans inclusion are felt so viscerally and vitally, and how they sustain. This chapter has illustrated how trans-exclusionary feminist's views on gender, sex, and transgender are vital to their worldview. Yet this does not fully address how trans-exclusionary feminist ideas and rhetoric have so

successfully reproduced since their resurgence in the mid-2010s or why the UK is so central to this. To begin to address these points, the following chapter offers a case study of trans exclusionary feminism in the UK.

4. 'TERF Island'

My notes ... from not existing

I undertook my secondary education during a time in the UK when schools were prohibited from 'promoting the teaching of the acceptability of homosexuality as a pretended family relationship'. In practice, this meant that homosexuality was never mentioned: not in sex and relationship education, never in passing, just never. I didn't realise Section 28 (as the prohibitive legislation was called) existed until years later. I was completely oblivious. Like a super injunction – not only did I not know something, I also did not know there was something to know. I didn't knowingly know anyone who was gay, my parents didn't seem to know anyone who was gay, and in my working-class area, no one was out that I can recall. Gay people might as well not have existed in my world. There were no comments made at home about gay people. Just nothing. What I find astounding about this is that I grew up in London, albeit a suburb. London – one of the most diverse cities on the globe. The lack of knowledge seems crazy as I look back.

Of course, I watched TV and read newspapers, so I knew that gay people existed. But this didn't seem to be anything I could be. It was for other people. Still, I was fascinated by any nugget of gayness that pop-culture could offer – a character in a soap opera or an androgenous pop star. The fascination was a concern for me because I knew that what I was fascinated with wasn't available to me. So, I decided I wouldn't be gay, I would just keep it to myself. Simple. Boys were ok, I could have boyfriends. I would just lead a double life. An internal one and an external one. And so that is what I did, for years, until the internal and external started coming apart at the seams. It got to a point where the situation was not sustainable for me or those around me. Slowly, I started to come out and, over time, I became more comfortable with a gay scene, life, existence. Things were better.

But life then presented another problem. I must choose a lane, I thought. After getting to a point where I could be honest with myself and others, I did not know what category of sexuality I fitted into, and I felt like I should know. Everyone knows. What is wrong with me. There is gay and there is straight. I put a lot of pressure on myself to be one thing or another. My world inferred to me that bisexuality wasn't legitimate: 'Bi now, gay later', as the saying went. I hadn't heard of non-binary or pansexual at that stage. So, pick a lane Claire... men or women? But then, so I would reason, if you can pick, why not pick men? That would be easier. Find a husband, have some children. Fit in. Needless to say, more coming apart ensued. Years later when I found the word 'queer', it was such a relief. For the first time I felt comfortable with a description. It was expansive and unforescoring. I could just be. That's the constructive power of recognition.

For a long time, I thought section 28 and my general obliviousness to gay lives hadn't impacted me. I thought that the years of chaos would have happened anyway; that it played out the way it did because I'm bi/queer/pan (depending on when you ask) and that's just how it is. It's easy to look back and think of the pressure as self-inflicted, when really it was socially inflicted by internalising a lifetime of normative expectations. Yet, what if I had heard of queer, if gay relationships were discussed, normalised even, in education? Would the ensuing years have played out as they did? Now I'm sure they would not have. That was the destructive power of erasure for me. It is difficult to be what you can't name and what you can't recognise.

This chapter will investigate why and how the UK became a hub of trans-exclusionary feminism. This will address the research curiosity of the situation of contemporary trans-exclusionary feminism within the UK. As was the case regarding gay people in the time of Section 28, the UK government and UK population seem to be grappling with how much recognition trans people should be given. Consequently, the environment for trans people in the UK has become more hostile (Council of Europe 2021). In the space of 7 years, the UK fell from first place for LGBTI equality in Europe (49 countries), to seventeenth place in 2021 (ILGA Europe 2023). The Council of Europe named the UK - along with Hungary, Poland, Russia, and Turkey - a country of concern for LGBTI rights, stating 'the assembly condemns the highly prejudicial anti-gender, gender-critical and anti-trans narrative' in the UK (Council of Europe Parliamentary Assembly 2022, sec.5). The increased hostility towards trans people is buttressed by women claiming that there is a need to protect women's rights. While many countries have anti-trans factions it was, initially at least, unique to the UK that the most prominent of these defined themselves as feminists. This led to the UK being called 'TERF island' (Philosophy Tube 2021, pt.34:03) and 'the motherland of gender criticism' (Ritholtz 2019 title). In this chapter I will introduce and discuss the influences - historical and current - that may have contributed to the rise and prominence of trans-exclusionary feminism in the UK.

This chapter begins by outlining the legal and social developments of trans rights in the UK - how they occurred, and feminist responses to them - in mostly chronological order. First, I will explore the early legal cases of Ewan Forbes and *Corbett v Corbett*. Then I will outline the organised action of trans pressure groups. Next, I will describe the tentative legal

movement towards legal recognition through the case of *Goodwin & I* and then the introduction of the *Gender Recognition Act 2004* and the role of the anti-discrimination *Equality Act 2010*. Finally, I will trace the *Gender Recognition Act* reform proposals from 2017 onwards. The reasons for including the legal developments are three-fold. Firstly, rights movements often begin with what can be legislated (e.g., women's suffrage) and legal developments can provide a rough proxy for mainstream societal attitudes. Secondly, trans-exclusionary feminism in the UK re-emerged in response to such a development – the proposed reform of the *Gender Recognition Act*. Thirdly, histories of minority groups are difficult to patch together as they are rarely recorded. Following well-documented legal developments helps to identify trans and feminist responses to those events. Having outlined the legal and social developments for trans rights in the UK, the second part of the chapter will concentrate on why trans-exclusionary feminism has become so prominent in the UK in the 2010s and 2020s. This discussion will include examples from the UK media, Britain's colonial history, the specifics of UK feminism, and current UK politics. All these topics can be said to be influenced by and reflect transantagonistic architecture in the UK. As will be illustrated legal developments, media content, coloniality, governing politics and some forms of feminism are shot through with cis-normative understandings and transantagonism. In turn these institutions reinforce a transantagonistic architecture that is influential in shaping norms and understandings that make life more difficult for trans people.

4.1 UK legal and social developments

4.1.1 The beginnings

While gender variance exceeding a binary is a consistent element of human existence (Nanda 1999; Armstrong 2021), the existence of trans people did not trouble the UK law courts until 1968 and the case of Ewan Forbes. It was not until 1994 that the term ‘transsexual’ was uttered in UK parliament for the first time (House of Commons Hansard Debates for 18 May 1994), and not until 1996 that the first bill explicitly related to ‘transsexuals’ was debated (Burns 2013). While state recording of births, deaths, and marriages arose in the 19th century, they did so without an explicit foundation in case law or statute of what legal sex is (Hutton 2017). Consequently, prior to the 1970 case of *Corbett v Corbett* (discussed below), the position of trans individuals within the sex and gender classifications of state officialdom was unclear and ad hoc. While trans people had no formal right to be recognised as anything other than their assigned birth sex, the lack of legal pronouncements on the subject created an environment whereby a word in the ear of a sympathetic official would lead to the alteration of sex identification on birth certificates, passports, and national insurance records (*Corbett v Corbett*. 1970; Burns 2013). One consequence of this is that trans people married in their affirmed gender and not their sex assigned at birth (Burns 2013). In a time of debate over self-ID, it is interesting to note that prior to 1970, and to a limited extent, trans people in the UK already operated in a world of self-identification.

4.1.1.1 1966 - Ewan Forbes

I start with this case as it was the first involving the topic of transgender recognition to reach the UK – more precisely Scottish - courts. It involved Ewan Forbes, who was born in 1912 and assigned female. He lived from the age of 6 as a boy/man with the full support of

his family. His was a wealthy, land-owning, titled family who were able to source newly available synthetic testosterone for him. Ewan later changed his birth certificate to male, married a woman, and became a GP. It was the issue of male primogeniture that would bring him to the court's attention. After the death of his elder brother, Ewan was unexpectedly in line to inherit the family's titles. The law of male-line primogeniture for titles and Crown in the UK is so old that its origins have been lost. At the time of the Forbes case, the primogeniture law not only decided titles and land, but gave holders governing influence through a seat in the House of Lords. Knowing Forbes' trans history, a male cousin objected to him inheriting the titles on the grounds that Ewan could not be considered a man. In the subsequent trial - conducted in private at the request of Forbes - the judge found Forbes not to be a woman. He found Forbes to be intersex; a common understanding of trans people at the time. The courts later confirmed that this meant Forbes was legally a man, as a person must be legally considered either a man or a woman, not 'intersex'. Ewan Forbes therefore inherited his father's titles (Playdon 2021).

The judge in Forbes case created his own method of determining sex based on 'gonads, apparent sex, psychological sex and chromosomal sex'; the latter he deemed to be the 'least valuable of available criteria' (quoted in Playdon 2021, p.201). However, the judge was mindful of what he thought could be 'disastrous consequences' (quoted in Playdon, 2021, p. 201) of the case on male primogeniture if his judgement was applied broadly. He therefore made his judgement very specific to the circumstances of the Forbes case. He also did not place a record of the case in the usual legal repositories and Ewan's influential family were successful in suppressing media coverage. Combined, these two factors meant that very few

people knew of the case. The considerable effort to hide the existence of the Forbes case illustrates that 'trans' is already implicated as a threat and as an agent of 'disastrous consequences'. Ewan Forbes presented a threat to what was taken as the natural order of things, male supremacy via male primogeniture. Official denial of the existence of the Forbes trial continued until 1998, when its threat was rendered redundant due to superseding legislation, and it wasn't until 2021 that the full details emerged (Playdon 2021).

4.1.1.2 Corbett v Corbett

While the Forbes case could not set a precedent for the courts of England and Wales because it was a Scottish case, its similar content meant it should have been a consideration in the judgement of *Corbett v Corbett* which followed just two years later in England in 1970. However, the presiding judge in the Corbett case, Roger Ormrod, was one of the few people to know of the Forbes case and he banned all mention of it. He instructed both legal teams and those giving medical evidence (in many cases the same individuals in both cases) not to refer to it. His intention was to avert the constitutional crisis he believed would follow from any changes to male-primogeniture, and he set out to create a different precedent to the Forbes case (Playdon 2021). Again, the intention was to protect male supremacy from a perceived trans threat. If the Forbes case had not been covered-up, the outcome of the landmark case *Corbett v Corbett*, might have been very different. The significance of *Corbett v Corbett* lies in its declaration that sex is determined at birth through the congruence of chromosomes, gonadal and genital formation (*Corbett v Corbett*. 1970). This declaration of sex as tied to the birth moment is irrespective of any subsequent changes that might occur,

for example through sex reassignment surgery (Sharpe 2002). By disregarding the Forbes judgement, the case set the legal precedent in England and Wales for questions of sex determination (Sharpe 2002). Replacing the hitherto ambiguity, this explicit tethering of sex to what is identified at the moment of birth was to set the scene for English law in the coming decades, proving to be a major obstacle for proponents of trans legal rights.

Corbett v Corbett involved April Ashley (trans woman) and Arthur Corbett (cis man), who married in 1963. Corbett was aware of Ashley's trans status at the time of the marriage. The marriage very quickly floundered and in response to Ashley's request for alimony, Corbett applied to the courts for the marriage to be nullified on the grounds of Ashley being a man - a valid marriage at that time was a union between a man and a woman. Corbett further asked that if the court did not find Ashley to be a man, then the marriage should be void on the grounds it was not consummated. In response, Ashley's counsel argued that she was intersex - much as Forbes' had, and like Forbes there is no evidence Ashley was intersex as understood today - but as the law only recognised male and female, she must be assigned by the court to one of these categories. They argued that due to her circumstances - her history, her presentation - the court should find her to be a woman for the purposes of marriage. They further contended that the marriage was consummated. (*Corbett v Corbett*, 1970).

After extensive and invasive physical examinations of Ashley, and prolonged testimony from several medical practitioners, Judge Ormrod - a medical practitioner himself - ruled that, for the purposes of marriage, sex is to be determined by the congruence of chromosomes,

gonadal and genital formation at birth. He went as far as to suggest genitalia as the primary marker, for individuals where congruence is in doubt. While every physician questioned in the case also posited what was named 'psychological factors' (Corbett v Corbett. 1970, p.14) and some offered 'hormonal sex' as a marker of sex, Judge Ormond rejected these. On his own determination of sex, Ormond ruled Ashley to be a man, and because of this, declared the marriage to be void.

On the then redundant question of consummation, the Judge ruled that whether or not physical relations had taken place, it was not possible that the marriage had been consummated because Ashley's vagina could not be classified as a vagina and therefore the legal criteria for consummation - heterosexual penile penetration of vagina, known in law as 'ordinary and complete intercourse' (Gower 1948) - could not be met. He stated:

I do not think that sexual intercourse, using the completely artificial cavity constructed by Dr Burou, can possibly be described...as 'ordinary and complete intercourse' When such a cavity has been constructed in a male, the difference between sexual intercourse using it, and anal or intra-crural intercourse is, in my judgment, to be measured in centimetres. (Corbett v Corbett. 1970)

Ormond's conflation of homosexuality with transsexualism and his interpretation of the 'naturalness' of vaginas demonstrates both the homophobia ingrained in law and an anxiety that the law reflect what is 'natural' (Sharpe 2002). Ormond himself had a history of 'public

homophobia' (Playdon 2021, p.211). His proclamations on femininity also reflected heteronormative norms; he offered 'Her outward appearance, at first sight, was convincingly feminine, but on closer and longer examination in the witness box, much less so. The voice, manner, gestures and attitude became increasingly reminiscent of the accomplished female impersonator' (Corbett v Corbett. 1970, p.18). Christopher Hutton (2017) has pointed out that Ormrod could have achieved the same outcome if he had simply stated that legal sex reflects the sex given on a birth certificate. This would have avoided the ontological investigation of sex on which he embarked. For Hatton the detailed ontological nature of Ormond's ruling suggested he wanted to produce a ruling that would be influential, including in jurisdictions beyond the UK. Hutton further cites Ormrod's defence of (cis-heterosexual) marriage as an example of the unexamined social and religious intuitions that underpin the decision making of judge's.

Over the ensuing three decades, the *Corbett v Corbett* judgement was taken as the legal definition of sex across all areas of law in England and Wales. This was confirmed by *R v Tan* in 1983, when a trans woman sex worker was prosecuted under the more heavily penalised crime of being a male prostitute (*R v Tan and Others* 1983). This had far-reaching consequences. For example, this narrow reading of sex meant that the rape of a trans woman could not be treated as rape on the grounds that a trans woman a) is man - at the time rape did not apply to men - and b) the person cannot possess a vagina (Burns 2013). This was to remain the case until 1996 (*R versus John Matthews* 1996). The *Corbett v Corbett* judgement was also influential in many jurisdictions outside the UK practicing common law, but was to be superseded far more swiftly in the USA, Australia, and New

Zealand than in the UK. In these jurisdictions, legislation that drew on the Corbett ruling was later replaced by the not unproblematic definition of legal sex as represented by the genital configuration at any given time; thereby offering legal recognition to post-operative trans people (Whittle 2000; Sharpe 2002).

4.1.1.2.1 Germaine Greer on April Ashley

Germaine Greer, In *The Female Eunuch* (1970), utilises the case of April Ashley in her critique of the feminine stereotype. For Greer, Ashley is a stark and grotesque illustration of what she finds most contemptuous - the performance of stereotypical femininity. After stating; 'I am a woman, not a castrate' (Greer 1970, p.62) Greer adds:

April Ashley was born a male. All the information supplied by genes, chromosomes, internal and external sexual organs added up to the same thing. April was a man. But he longed to be a woman. He longed for the stereotype, not to embrace, but to be. He wanted soft fabrics, jewels, furs, make-up, the love and protection of a man ... He became a model, and began to illustrate the feminine stereotype as he was perfectly qualified to do, for he was elegant, voluptuous, beautifully groomed, and in love with his own image (Greer 1970, p.62).

Although approaching the topic from differing positions - one as an establishment upholder of marriage and one as feminist agitator - Ormrod and Greer both evoke the female impersonator and comment on an alleged performance of femininity to assess Ashley's

womanhood. Also similarly to Judge Ormrod, Greer highlighted the artificiality of Ashley's post-operative body: 'He was to be castrated, and his penis used as the lining of a surgically constructed cleft...' (1970, p.72). This is an early example of the crossover between trans-exclusionary feminist and conservative thought, which is discussed elsewhere in this thesis, particularly Chapter 6. Greer's work pre-dates that of Janice Raymond and the early popularising of trans-exclusionary feminism which I outlined in Chapter 3. *The Female Eunuch* was an international bestseller and is an important text in the feminist canon. Consequently, Greer's views on trans people are influential. Although *The Female Eunuch* dates to 1970, Greer was one of the most prominent feminists who came to the fore in the resurgence of trans-exclusionary feminism in the UK in the 2010s.

As was the case for Ewan Forbes, a trans person is viewed as a threat in *Corbett v Corbett*. In the former, a trans person is positioned as a threat to male inheritance, and in the latter as a threat to the sanctity of marriage. Both are pillars of heteronormativity and patriarchy, certainly at the time. These examples show how trans people have been positioned as a threat in law as well as within the context of trans-exclusionary feminism.

4.1.2 *The role of pressure groups*

Following the case of *Corbett v Corbett*, there was little movement in the legal position of trans individuals throughout the 1970s and 1980s beyond a few notable but unsuccessful attempts to bring cases against the UK position (Press For Change n.d.). The early 1990s, however, saw a growth in trans activism in the UK. This fell largely into two categories -

those set up to offer support to trans individuals, and those set up to advocate for trans rights. In 1992, what was to become the most prominent political trans rights group, Press for Change (Pfc), was formed by a small group of people. From its beginnings, its remit was to 'campaign to achieve equal civil rights and liberties for all transsexual people in the U.K. through legislation and social change.' (Pfc website 1997/98 as reproduced in Burns 2013, p.85). It was to become particularly involved in advocating for legislative change. This small founding group included Mark Rees, a trans man, who in 1986 lost a case challenging the *Corbett v Corbett* sex determination principle, having taken it all the way through the domestic courts and on to the European Court of Human Rights (*Rees v The United Kingdom* 1986). Pfc's founding group also included Stephen Whittle, a lawyer and academic specialising in 'transsexualism' and the law. Pfc found political backing from Liberal Democrat MP Alex Carlile and actively sought to gain further support from individuals 'in a position to exert influence or to make changes to policies or laws' (Burns 2013, p.163). In 1993 Christine Burns joined Pfc and put her background in IT consultancy to good effect by developing a Pfc website and helping the group become the first trans advocacy campaigners to utilise the world wide web (Burns 2013, p.169).

Spurred on by their own life experiences, Pfc demanded marriage, adoption, and fostering rights, as well as legal safeguards against the specific discriminations for which trans individuals had no protection – i.e. dismissal from employment due to trans status, access rights to their children, detainment and imprisonment rights, legal recourse in cases of sexual assault, rights to privacy, and to medical and surgical treatment (Burns 2013). They also sought to expand education and research into 'transsexualism', and in 1998 established

the charity Gender Identity Research and Education Society (GIRES) for this purpose (Burns 2014). PfC considered the UK to be in the bottom tier of nations for provisions of legal protection for trans people. As they viewed it, the top tier countries for legislative support included Germany, the USA (most states), Canada, Scandinavia, Netherlands, and Turkey. Second tier countries provided support through the courts system and included France, Switzerland, Belgium, Italy, and Spain. The final tier of countries provided no legal support for trans rights and included the UK and other nations such as Singapore and Ireland (Burns 2013).

It was not until 2015 that the UK's hitherto largest LGB pressure group and charity, Stonewall, would extend its remit to include the 'T' (an exception being Stonewall Scotland who had included trans issues since its inception in 2001). Under the leadership of Ruth Hunt, and after a consultation with 700 trans people, Stonewall produced the report *Trans People and Stonewall* (Hunt and Manji 2015). The report justified maintaining a separation between campaigns around sexual orientation and gender identity during the 1990s and early 2000s. They explained that at that time the public understanding of both gay and trans issues was poor and if campaigned on together, the two issues risked being conflated meaning any differing legislative and social requirements would be lost, most likely to the detriment of the minority group, trans people. The report highlighted that over the years, Stonewall and Press for Change had worked together where necessary and supported each other. It also acknowledged that since 2007, when Press for Change influence began to give way to trans voices campaigning on social media, and public understanding of difference increased, Stonewall had made mistakes on trans issues (Hunt and Manji 2015, p.10). The

report outlines these mistakes as nominating transphobic individuals for awards, using offensive language in an educational campaign, working with companies that used offensive language, and speaking without authority on trans issues or not speaking up when the trans community needed allyship. The report further acknowledged that the continued omission of the 'T', and silence on related issues, was beginning to be perceived by the trans community as deliberate and exclusionary. The decision to make Stonewall an LGBT organisation generated small scale opposition indicative of the marginal trans-exclusionary movement of the time, for example see 'Drop the T' campaign (2015). However, the decision was largely accepted and uncontroversial in a context of most similar organisations already representing all within the LGBTQ+ community. It was this decision, helmed by Ruth Hunt and Stonewall's unwavering stance on trans inclusion since, that has seen it suffer sustained attack from trans exclusionary actors as the issue of trans inclusion and assaults on trans rights grew in prominence from 2017 (Mackay 2021a).

Stonewall shifting from being an LGB to an LGBT organisation in 2015 reflected a period in the early to mid 2010s of greater trans acceptance, and a seemingly waning in fortification of transantagonistic architecture. Given that the timing of the change only marginally predates the emergence of trans-exclusionary feminism to the mainstream, it might also be viewed as one of the events that galvanised trans-exclusionary movements, particularly lesbian trans-exclusionary feminists.

4.1.3 Late 1990s onwards: tentative changes

Due to its membership, the UK's domestic legislation had to be aligned with that of the European Union. Following a case brought to it by a British trans woman claiming discrimination at work, the European Court of Justice deemed that UK legislation was insufficient in protecting trans people against discrimination (Burns 2013). In response, the UK government established the 'Interdepartmental Working Group to consider the legal status of trans people in Britain' in 1998, which led to the UK *Sex Discrimination Act 1975* being extended to cover 'discrimination on the grounds of gender reassignment' in the workplace via *The Sex Discrimination Act (Gender Reassignment) Regulations (1999)* and *The Sex Discrimination Act (Gender Reassignment) Regulations (Northern Ireland) (1999)*.

The issue with this legislative approach was that it allowed for stated 'exceptions' in which discrimination could legally occur – for example barring trans people from working with under-18s - promoting the idea that cis people had something to fear from the trans community (Burns 2014). Under pressure from trans groups, the government dropped this problematic exception, but others made it into legislation including allowing discrimination in roles holding statutory powers to make intimate physical searches (in practice this exempted organisations such as the police force from the remit of the Act) and allowing discrimination against trans people working with 'vulnerable people', although 'vulnerable' was undefined in the legislation. Both exceptions seemingly prefaced on the idea of trans people as predators.

On a more positive note for the trans community, the 1999 legislation introduced the idea of protection not just for those undergoing or having undergone 'gender reassignment', but

also for those who 'intend to undergo' gender reassignment; wording which persisted in subsequent equality legislation. The 1999 Acts also mark the first attempt in legislation to define 'gender reassignment'; here being 'a process which is undertaken under medical supervision for the purpose of reassigning a person's sex by changing physiological or other characteristics of sex, and includes any part of such a process.' (*The Sex Discrimination (Gender Reassignment) Regulations 1999* 1999, pt.2(3)). The inclusion of 'under medical supervision' was dropped in later legislation as understandings of transgender identities evolved.

4.1.4 A cultural turn to trans awareness

These tentative legal and political acknowledgements of trans people did not occur in a vacuum. Evolving ideas of identity and work undertaken by trans organisations to improve visibility throughout the 1990s contributed to a growing public awareness of trans issues beyond the caricatures of earlier years. It is not a coincidence that trans rights, trans activism, and trans visibility, grew in tandem with the expansion of the internet (Stryker and Whittle 2006). The World Wide Web allowed organisation and communication between an often hidden and widely dispersed population. Simultaneously, the rise of Queer and Trans Studies in academia questioned paradigms of heteronormativity. Popular culture also began to reflect these shifts: in 1998, Hayley Patterson, the world's first permanent transgender character in a serialised drama, arrived on the popular soap opera, *Coronation Street* (AlbertaTrans.org, 2008). After initial concerns about how the character was portrayed, the production company brought in advisors from the trans community, resulting in a sympathetic portrayal of a trans woman (Burns 2014). She became a much-loved character,

especially for her romance with Roy Cropper; the episode covering their marriage attracted 18 million viewers (Wallace 2018). It is conceivable that the 16 years that Julie Hesmondhalgh played Hayley did more to lessen the influence of transantagonistic architectures in the UK than any legal ruling. Having a well-liked trans character's day-to-day life followed by millions of viewers certainly aided any political will for pro-trans rights legislation (Burns 2014). A similar point can be made about Nadia Almada; a trans woman who won UK Big Brother in 2004 by public vote. This was a moment that sociologist Sally Hines described as a 'cultural turn to transgender' (2007b, p.2), and a moment that writer and activist Shon Faye has said she cannot imagine happening now, after years of the gender critical movement in the UK (quoted in Joseph 2023, pt.17:00).

4.1.5 *Goodwin & I v UK 2002*

While legal acknowledgement and protection from discrimination of trans people was growing throughout the 1990s, following *Corbett v Corbett* there remained no mechanism for trans individuals to change their legal sex from the one assigned at birth. Several cases had been taken to the European Court of Human Rights to challenge this position on the grounds it contravened Article 8 of the Convention on Human Rights – the right to privacy. Prior to the *Goodwin & I* case in 2002, all had failed.

Christine Goodwin was a trans woman who began to live full time as a woman when she was 48 years old, and at 53 years old underwent gender affirming genital surgery. Six years later, in 1996, Christine started at a new workplace and was required to give her National

Insurance (NI) number. As the law did not allow for her details to be updated, the provision of her NI number allowed her employers to uncover her transition history. Goodwin claimed that the refusal of the UK government to issue her with an updated NI number led to several discriminatory practices against her. It also meant that she was unable to claim her pension at 60 years old - the pensionable age for women at that time. She further argued that the refusal of the UK government to allow her to marry her male partner was a breach of Article 12 of the Convention on Human Rights – the right to marry. ‘I’, who retained anonymity, presented similar evidence around the difficulties they faced due to the UK’s refusal to issue an updated birth certificate (Whittle 2002).

For the first time, the 17 judges in the Grand Chamber of the *European Court of Human Rights* ruled that by not allowing ‘transsexuals’ to change their legal sex, the UK did contravene Articles 8 (the right to privacy), and 12 (the right to marry), of the European Convention on Human Rights. This ruling, in effect, overturned the 30-year dominance of the definition of sex for legal purposes as outlined in *Corbett v Corbett*.

The judges noted:

It is not apparent to the Court that the chromosomal element amongst all the others, must inevitably take on decisive significance for the purposes of legal attribution of gender identity for transsexuals ... The court is not persuaded therefore that the state of medical science or scientific knowledge provides any

determining argument as regards the legal recognition of transsexuals. (European Court of Human Rights 2002, paras.82 & 83)

They further noted:

No concrete or substantial hardship or detriment to the public interest has indeed been demonstrated as likely to flow from any change to the status of transsexuals and, as regards other possible consequences, the Court considers that society may reasonably be expected to tolerate a certain inconvenience to enable individuals to live in dignity and worth in accordance with the sexual identity chosen by them at great personal cost. (European Court of Human Rights 2002, para.71)

The ECHR ruling in the *Goodwin & I* case meant the UK government had to respond to the point that a legal acknowledgement of trans status could not be met by the legal understanding of 'sex' founded in *Corbett v Corbett*. The UK government response was the *Gender Recognition Act 2004*.

4.1.6 Gender Recognition Act 2004

The ECHR ruling forced the UK government's hand and led to the *Gender Recognition Act 2004* (GRA 2004). This Act – still in effect today - outlines the route by which trans people can obtain a gender recognition certificate (GRC). This certificate is akin to a birth certificate

in that it states the holder is 'male' or 'female' and, from the date of issue, is the holder's legal sex for all purposes with limited exceptions. These exceptions are parenthood (e.g., a trans man is listed as the mother of child and a trans woman as the father), sport (only in so far as to secure safety of competitors or fair competition), gender specific offences (if victim/perpetrator can only be a specific sex) and some inheritance consequences (foreshadowed by the Forbes case outlined above). Any complications arising around marriage status due to marriage being then deemed as only between a man and a woman, largely disappeared with the introduction of same-sex marriage in England, Scotland, and Wales in 2014, and Northern Ireland in 2020. However, in the event of a spouse not agreeing to a GRC being obtained, a full GRC will not be issued while that marriage continues. This is known as the spousal veto (Payton 2015). The requirements of the GRA (using language of the Act) were, and still are, that applicants be 18 or over, have a diagnosis of gender dysphoria signed by two medical professionals (one of whom is required to be a practitioner or psychologist specialising in the area), have lived in their acquired gender for two years, and intend to do so for life. This last point must be confirmed through the signing of a statutory declaration. Evidence is sent to a panel consisting of three people who decide if the certificate can be issued. The panel's deliberations and decision-making are not made public and there is no appeal mechanism. (Department for Constitutional Affairs 2004; *Gender Recognition Act 2004* [no date]).

The limited contemporaneous commentary on the Act held it conversely as both conservative and assimilatory *and* potentially radical. It was seen by some as assimilatory in its attempt to contain gender diversity by excluding non-binary identities, embedding ideas

of permanence, retaining a medicalised model, perpetuating a mental illness model of understandings, and, in the context of a country yet to sanction same-sex partnerships, protecting marriage and heterosexuality (Hines 2007a; Sharpe 2007a; Sharpe 2007b; Hines 2010). Sharpe (2007b; 2007a) points to the subtext of the Act being a biological and binary understanding of sex as the underpinning of its assimilatory expectations. Furthermore, Emily Grabham (2010) ties the Act, in particular the permanence clause, to New Labour's efforts at social cohesion whereby threat is neutralised through 'assimilation' and 'tolerance' (p. 120). Here, the idea of a linear development of bodies - from man to woman or woman to man - dovetails with racialised ideas of cultural integration that turn immigrant into British citizen. Both provide a government-controlled process of recognition provided that an individual is, or is willing to be, the 'correct' type of trans person or immigrant. Surya Monro (2003) makes a similar point around the limitations of basing transgender citizenship on the 'neoliberal communitarian' (2003, p. 445) approach of New Labour. Grabham (2010) points out how these analyses position the GRA within Jasbir Puar's theory of homonationalism, whereby 'benevolence towards sexual others is contingent upon ever-narrowing parameters of white racial privilege, consumption capabilities, gender and kinship normativity, and bodily integrity' (Puar 2007, p.xx). With reference to trans people, the phenomenon of conditional acceptance, as seen in GRA with its 'correct way' to be trans, has been termed 'transnormativity' (Johnson 2016).

Beyond these critiques, the GRA was generally viewed as welcome legislation by the trans community and supporters, even if not viewed as ideal (Whittle 2006). It was, after all, the first legal recognition in the UK that was afforded to this group. Some academics even saw

the Act as a potentially radical moment. While noting its assimilatory overtones, Sally Hines still found in the Act some novelty in its shift to understand gender as distinct - if unclear how - from sex (2007a). Similarly cautioning about the Act's attempt to protect and entrench the prevailing binary system from the threat of gender diversity, Ralph Sandland (2005) nonetheless viewed the Act as a welcome disrupter. He argued that it employs a Butlerian reversal, whereby sex is produced by gender, as opposed to the 'gender produced by sex' orthodoxy, '...if the acquired gender is the male gender, the person's sex becomes that of a man...' (*Gender Recognition Act 2004* [no date]). In keeping with this turn away from an entirely biological understanding of sex, the Act does not centre hormonal/surgical treatment as the point of transition. It instead centres what might be called social transition, 'lived in their acquired gender...' (*Gender Recognition Act 2004* [no date]), as the point of transition. In this, Sandland argued that feminists should find an exciting prospect, because recognising 'men with vaginas and women with penises, and indeed a whole range of gendered identities and individual morphologies' (2005, p.61), undermines the oppositional nature and neatness of gender regimes.

While trans recognition via the GRA and associated policy shifts can be seen to mark a dramatic shift in socio-legal attitudes (Hines 2007b), the GRA commanded very little political or cultural attention at the time (Sandland 2005; Hines 2021). During its drafting process, the Act's most vocal opposition were the 'evangelical Christian right' (Whittle 2006, p.268). In sharp contrast to the post-2017 reform attempt, its relevance or otherwise to feminism was not a prominent concern. Sheila Jeffreys noted in 2008 'a dearth of feminist commentary' regarding its introduction (2008, p.328), and it was not until 2009 that Julie

Bindel commented that the GRA 'will have a profoundly negative effect on the human rights of women and children' (2009, para.8). Through a gender abolitionist viewpoint, Jeffreys interpreted this dearth as indicative of 'how deeply ingrained is the belief in gender' (2008, p. 343). Ralph Sandland (2005) posits that this seeming disinterest was because most feminists and other critical theorists of the time saw the GRA as a 'minority issue' (p.44) and as 'other' (p.44) to feminism. Yet Sandland called for greater feminist interest precisely because the legal construction of trans, and with-it ideas of gender, sex, and bodies, is a feminist issue.

Sheila Jeffreys did agree with Hines and Sandland that the Act was 'radical legislation' (2008, p.328) which should be of interest to feminists, but her reasoning was very different.

Foretelling familiar divisions; where Sandland imagined potential for emancipation, Jeffreys imagined only a retrenchment of traditional gender roles. So, while radical, Jeffreys viewed the Act as simultaneously 'profoundly retrogressive' (2008, p.342). Like Sandland, she also saw the influence of queer theory. She recognised a queer imprint in the Act's move away from 'traditional transsexualism' with the implication of surgical and hormonal intervention and binary identification, to a more expansive 'transgenderism' (2008, p.330) where gender is 'performed' (2008, p.330) and 'physical reconstruction' (2008, p.330) is not necessary.

While Jeffreys briefly mentions her concern about the impact on access to women's services, it was not the focus of her concerns. In 2008, her main criticism of the Act was that it should give credence to the idea that gender 'exists' at all. From this view, the potential for gender transgressions offers no real advantage over traditional binary suppositions, both being classed by Jeffreys as a 'gender preservation movement' (2008, p.342).

4.1.6.1. 'Gender' and 'sex' in the Gender Recognition Act 2004

The Act does not outline with any clarity what it means by 'gender' or 'sex'. At face value they appear to be used synonymously, or at least have a causal relationship in which if one changes, so does the other:

Where a full gender recognition certificate is issued to a person, the person's gender becomes for all purposes the acquired gender (so that, if the acquired gender is the male gender, the person's sex becomes that of a man and, if it is the female gender, the person's sex becomes that of a woman). (S9(1) *Gender Recognition Act 2004* [no date])

The relevant parliamentary debates during the Act's drafting offer some insight on this. Lord Tebbit, an opponent of the Bill, stated 'There is a major defect in the bill over its confusing over sex and gender. Is the Bill about a change of sex or change of gender?' (Hansard 2004). Jeffrey's noted the irony of anti-feminist Conservative peers such as Tebbit making arguments about differences between sex and gender that some feminists themselves might make (2008, p.334). Responding on behalf of the government, Lord Filkin suggested that questions of whether the Bill referred to a change of sex or gender were beside the point because not only was it an area lacking in expert consensus but also the Act only dealt with the issue of legal recognition, for which purpose 'there is no stark dichotomy between the meaning of the words' (Hansard 2004). Yet Lord Filkin also added, 'While the meaning of

the word “sex” is not the same as that of “gender”, the word “sex” is increasingly in use in ways that go beyond a narrow biological definition’ (Hansard 2004). These contradictory responses once again illustrate the messiness of meanings of sex and gender. Writing in 2007, Stephen Whittle - influential in the Act’s drafting - acknowledged that the decision to foreground the word ‘gender’ in the Act was an attempt to recognise the complexities of conceptualisations of gender and sex. Relatedly, the decision to also include the word ‘sex’ was to avert challenges to the Act through reference to use of the term being excluded. So, while the wording of the Act points to synonymity between ‘gender’ and ‘sex’, it simultaneously attempts to challenge normative conceptions of both (Whittle and Turner 2007).

These debates are indicative of how, on the one hand, the Act successfully outlines a procedural route for (binary) trans people to obtain a renewed birth certificate, while on the other, it encompasses so many of the contradictions and ‘messiness’ involved in discussions of gender and sex. This includes Jeffrey’s call to overcome gendered roles, yet her seeming preference for ‘traditional transsexuals’ who ‘seek to assimilate seamlessly into mainstream society’ (Jeffrey 2008, pp.329–330), over a fluid and transgressive vision of transgender - a position that seemingly endorses traditional gendered roles. Whether in support or not of the GRA, academics agreed that the Act, while novel, reads as ambiguous and equivocal. Sharpe saw this as a result of an ‘irresolution of contrary legal desires’ (2007b, p.57), Hines as embodying ‘on-going tensions between very different ways of understanding (trans) gender’ (2010, p.87), and Jeffrey as standing ‘awkwardly on the cusp of between ... various interpretations of the phenomena [trans]’ (2008, p.330). Grabham further noted that the

Act demonstrated how ‘critical concepts of gender can be refracted into more normative outcomes through engagement with law reform’ (2010, p.110). Stephen Whittle viewed the equivocation within the Act as a pragmatic outcome of competing interests - specifically trans groups and religion. He concluded that ‘the Act does not intend to be revolutionary but its very construction is Libeskindesque’ (2006, p.271) in reference to the work of deconstructionist postmodern architect Daniel Libeskind (Royal Academy n.d.).

Despite its symbolic significance, fewer than 5,000 people of the estimated 200,000 - 500,000 trans people in the UK have obtained a gender recognition certificate (Government Equalities Office 2018b). This illustrates the lack of day-to-day relevance that holding the certificate has on people’s lives, and how it is viewed as a necessary procedural step in certain circumstances like marriage rather than as a ‘subjective reflection of gender identity’ (Hines 2010 cited in Whittle and Simkiss 2020, p.220). Low numbers also reflect the difficulty and cost of obtaining a GRC. Of far greater practical significance for trans people has been securing legal protection against discrimination on the grounds of gender reassignment, as outlined in the *Equality Act 2010*.

4.1.7 Discrimination – *Equality Act 2010*

The *Gender Recognition Act 2004* concerned legal recognition of trans people but did not cover issues of discrimination. While protection against discrimination in the workplace had existed since 1999 through the *Sex Discrimination (Gender Reassignment) Regulations*, there was no legal protection in other settings. ‘The Yogyakarta Principles’ (2007) outlined how

international human rights law - including the right to equality and non-discrimination - should be applied in relation to sexual orientation and gender identity, and came to be seen as the gold standard for law and policy. Also in 2007, a report commissioned by The Equalities Review (Whittle et al. 2007) was the first government sanctioned study into trans marginalisation in Britain. In 2008, the Sex Discrimination legislation was amended to protect trans people from discrimination in the provision of goods and services (*The Sex Discrimination (Amendment of Legislation) Regulations 2008* [no date]). However, it was the *Equality Act 2010* that consolidated, broadened, and detailed, legal protection for trans people by including what was termed 'gender reassignment' as a protected characteristic; the others being age, sex, race, disability, marriage and civil partnership, pregnancy and maternity, and religion or belief. By 'gender reassignment', the Act means 'a person proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purposes of reassigning the person's sex by changing physiological or other attributes of sex' (*Equality Act 2010* [no date], pt.2 Ch 1 Sec 7). Like the GRA, this legislation did not mandate any hormonal or surgical procedures, 'A personal process ... rather than a medical process' (Equality and Human Rights Commission 2011, p.30), nor did it require a gender recognition certificate to be held. Furthermore, unlike the GRA, non-binary trans people are not excluded from protection under the gender reassignment section of the *Equality Act 2010* (clarified through the courts (2020)).

While the GRA has symbolic significance in allowing legal recognition for trans people, the *Equality Act 2010* has greater day-to-day impact by providing protection from discrimination, harassment, and victimisation when in the workplace, using public services

(e.g. healthcare and schools), transport, engaging with public bodies, using services or goods providers, or as a member of a club or association (*Equality Act 2010* [no date]). This has enshrined in law what had often happened in practice; trans people choosing which sexed spaces are appropriate to them. As with all protected characteristics named in the Act, there are some exceptions to the general rule. For example, trans people can be excluded from single-sex services in very restricted circumstances. The example given in the legislation - using the wording of that legislation - is of a counselling session for female victims of sexual assault whereby it is felt clients would not attend if a transsexual person was present (*Equality Act 2010 (UK) - Explanatory Notes* [no date]). All exceptions must meet the criteria of being a proportionate means of achieving a legitimate aim and assessed on a case-by-case basis with no blanket bans. The exception provision is rarely used, and the legal bar of what meets 'proportionate means' is set high (TransActual n.d.), and yet this clause has increasingly become the subject of debate in the UK. Despite the *Equality Act* seemingly working well for over a decade, under pressure from trans-exclusionary activism (Sex Matters 2023b) and following through on a pledge made in Rishi Sunak's Conservative party leadership campaign, the UK government announced in February 2023 that it was considering a review of the *Equality Act 2010* to see whether the meaning of 'sex' within it needs to be clarified as 'biological sex' (Badenoch 2023). This, in effect, would weaken legal protections for trans people (Wakefield 2022a) as changes could tie them to their sex assigned at birth in some situations, such as bathroom use. The review has yet to be undertaken.

It is of note that no feminist opposition to the addition of gender reassignment as a protected characteristic was submitted during the drafting and consultation process of the *Equality Act 2010*. A small amount of opposition was submitted by religious groups (Government Equalities Office 2008). Yet 'gender reassignment' protection under the *Equality Act* is now one of the prominent concerns of trans-exclusionary feminists.

4.1.8 Gender Recognition Act – 2017 consultation.

As radical (or not) as the *Gender Recognition Act* was in 2004, by 2016, the UK's system of gender recognition was seemingly outmoded as some countries moved towards so-called self-identification or self-declaration. This is the process whereby an individual is taken to be the authority on their gender/sex, dispensing with the need for medical (and in some countries) legal sign-off. In response to increased awareness of self-declaration, in 2016, the Women and Equalities Committee made several recommendations to update gender recognition in the UK. Their report 'Transgender Equality' (2016), called for the recognition of non-binary people, removal of the medical and judicial elements of the GRA, to increase the scope of the Act to 16- and 17-year-olds, and to update the terminology employed from gender reassignment to gender identity. Outside legal recognition, it also called for an 'X' option on passports for non-binary people and a move away from gendered records altogether when such information is not relevant. Unlike submissions received for the original drafting of the *Gender Recognition Act*, a handful of the 208 written submissions to the committee on these proposals did include some of the trans-exclusionary arguments that would become prominent in the coming years: 'Radical Feminist Legal Support Network' wrote of the need to protect women's rights from transgender rights; 'Lesbian

Rights Group' wrote of how lesbian feminists are being 'wiped out', that they dislike the term LGBT and of how there is pressure on young people to transition; 'Campaign to End Rape' wrote that proposals would increase the risk of sexual violence against women; 'Parents Campaigning for Sex Equality' wrote that the very concept of transgender children is reinforcing socially produced sex-stereotype; and 'Women Analysing Policy on Women' argued to keep the medical/judicial gatekeeping of the GRA (House of Commons Women and Equalities Committee 2015). These can be viewed as precursors to the groups discussed in Chapter 3 that would form with the sole aim of advocating for trans exclusion.

Nevertheless, most submissions on the committee's proposals were supportive of the measures, and in the summer of 2017, the Minister for Women and Equalities, Justine Greening, formally announced proposals to streamline and demedicalise the *GRA 2004*. The reform largely mirrored the self-declaration system already adopted in Ireland. The government was clear in stating that it would not be making any changes to the *Equality Act 2010*; the legislation that deals with, among other things, access to spaces and services. In October 2017, the then Prime Minister Theresa May stated that she deemed reform of the *GRA* to be necessary, because 'being trans is not an illness and it shouldn't be treated as such' (Butterworth 2017).

However, in what was to be a consequential decision, the government decided to hold a public consultation on its proposed reform. In Scotland, where gender recognition is a devolved issue and where similar changes were proposed, the consultation was held from November 2017 to March 2018. For the rest of the UK, the consultation ran from July 2018 to October 2018. The opportunity to influence government policy proved popular for people

with increasingly opposing and combatant opinions, that had previously been percolating online. It also inspired the founding of several groups campaigning for trans exclusion (as outlined in chapter 3). Closing first, the Scottish consultation avoided some of the increasingly heated rhetoric. Of the 15,697 respondents in Scotland, 60% supported the idea of self-declaration. Of those who did not support this measure, the most frequently raised issue was the risk to women's safety in single sex spaces (Scottish Government 2018) - this despite the fact that the *Equality Act*, which covered access to single-sex spaces, was to remain unchanged. The consultation for the rest of the UK received 102,818 responses, aided by pro forma templates produced by supporters of reform such as 'Stonewall' (40,500 responses) and the feminist group 'Level Up' (6,810); and those not in support, such as 'Fair Play for Women' (18,370). Although the majority wanted to keep a statutory declaration process, albeit with the permanency clause removed, 64% of respondents thought a diagnosis of gender dysphoria should not be required, 80% were in favour of removing the medical report, and 79% were against people needing to provide evidence that they had lived in their affirmed gender for a stated period. The responses demonstrates a strong show of support for a basis of self-declaration.

However, under increasing pressure from the gender critical movement, neither parliament implemented the reforms they had themselves proposed and which the public consultation responses backed. Not only this, but by June 2020, the UK seemed perilously close to rolling back trans rights already in existence. In a leaked report to the Sunday Times, the Minister responsible, Liz Truss, was said to have decided to bring in new legislation to ban anyone with 'male anatomy' from women-only spaces (Shipman 2020). This would contradict the

Equality Act 2010 and be the first piece of legislation in UK history to actively revoke trans rights. However, by September 2020, when the government announced its much-delayed decision on *GRA* reform, this suggestion had been dropped. There would be no meaningful reform to the *GRA*. While costs involved would be cut and more of the process would be online, the government decided not to implement self-declaration.

In response to the controversy the topic sparked, Scotland decided to undertake a second public consultation to run between December 2019 and March 2020, which drew 17,058 responses. Explaining why the government felt this was necessary, social security secretary Shirley-Anne Somerville, said that since the original consultation the issue had become more polarised and they hoped by explaining again the need for reform this would ‘alleviate...concerns and address misunderstandings’ (Somerville 2019, para.4). Outlining these misunderstandings, Somerville added ‘women’s rights and protections will be as strong under this bill as they are today. That’s because it does not change in any way the exceptions in the *Equality Act 2010*’ (Somerville 2019, para.6). However, proposals were watered down, including introducing the need for a statutory declaration that applicants had lived in their acquired gender for at least 3 months and intended to do so permanently, and a 3-month post-application ‘reflection period’ before a certificate would be issued.

Noting that responses to the second Scottish consultation were highly polarised into ‘one of two overall positions...support for, or opposition to, ‘self-declaration’ or ‘self-identification’ (Scottish Government 2021, para.6), the results of this second consultation showed a smaller majority in support of reform to self-declaration. This included most children and

young people's groups, LGBT and trans groups, Unions or political parties, local authorities, Health and social care partnerships, NHS respondents, and third sector organisations. Those not in favour of reform included the majority of women's groups and religious bodies (Scottish Government 2021).

In December 2022, the proposed reforms to the *Gender Recognition Act 2004* were voted through the Scottish Parliament. In a move not widely anticipated, the UK government applied section 35 of the *Scotland Act 1998* ([no date]) to stop the law from being enacted. This is the first time the powers have ever been used. Section 35 permits the UK government to intervene in the devolved matters of Scotland if the UK government believes the law would have an adverse effect on the operation of UK law. In its reasoning, the UK government stated that the new Scottish Law would interfere with the safe functioning of the *Equality Act 2010* (Equality Hub and UK Government Scotland 2023). This leaves many unanswered questions, not least how this would be the case. Even by the UK government's own admission, any interference with the *Equality Act* would only impact a small number of people (Thurlow 2023b). Lord Falconer commented that the UK government was using 'a nuclear weapon in a minor skirmish' (Falconer 2023). The Scottish government viewed this as an attack on its autonomy and in April 2023 lodged a petition for a judicial review of the UK government's use of Section 35 in this case. The UK government's action and the Scottish government's response have put issues of gender and gender recognition at the heart of a constitutional crisis for the United Kingdom. This is perhaps the best example of how enthralled the UK has become over issues of trans-exclusion.

4.2 How and why has trans-exclusionary feminism become so prominent in the UK?

Having set out a history of social and legal developments for trans people in the UK, the rest of this chapter will investigate why and how trans-exclusionary feminism has become so prominent in the UK. While there has long been small-scale feminist opposition to trans rights, it is since 2017 that this position has been increasingly bolstered and established. Why is it that establishing the *Gender Recognition Act* in 2004 or adding ‘gender reassignment’ to the protected characteristics of the *Equality Act* in 2010 passed largely without comment by feminists, yet the lesser changes of the proposed *Gender Recognition Act* reform garnered such opposition? To explore these questions, I will first consider the role of the press and social media, as this is where much of the so-called debates around trans rights play out. Then I will explore a history of feminism in the UK to address why and how trans-exclusionary feminism has flourished in recent years. Lastly, I will turn to contemporary UK politics to consider the impact of wider factors.

4.2.1 The UK Press and social media

Much of the discussion in popular and academic literature on why the UK has become ‘TERF island’ or ‘the motherland of gender criticism’ has focused on the role of the press. Research has shown that journalists play a key role in constructing what people or practices are viewed as social problems (McNair 2009; Hall 2013). The British press has a history of problematising deviation from cis-heteronormativity; prominent examples include characterising a so-called ‘gay lifestyle’ as dangerous, and stigmatising conditions such as HIV as ‘gay disease’ (Akrivos 2022). This practice of problematisation now extends to the reporting of trans people, and the number of trans-related articles in the British press has

increased considerably. This despite there being no evidence of risk linked to trans people, trans identities, or trans inclusion, and this being a group comprising less than 1% of the UK population (Office for National Statistics 2023). In the 5 years to April 2014, the British press published 34 trans-related articles per month on average. In the 5 years following April 2014, this rose to 176 articles per month on average (Mediatique 2020). This includes 6,400 articles published in the two year period to October 2019 alone (Baker 2019); the period directly following the proposed reform of the GRA. This continues to increase - 1140 articles were published in just the two months of June and July 2022 (Stokoe et al. 2022). The Times and The Sunday Times published over 300 trans-related articles in 2020 (Faye 2021, p.6), and the press industry as a whole has seen a 'crescendo in [trans] story growth' (Mediatique 2020) since the GRA reform was proposed.

It is also clear that this 'crescendo' in reporting is predominantly neither sympathetic nor favourable to the trans community. Baker (2019) noted that while the language employed by the press has become superficially more respectful over the last decade (e.g. less use of terms such as 'tranny'), 'large swathes' (Baker 2019, para.18) of the articles are critical of trans people, painting them as unreasonable and aggressive. Stokoe et al (2022) note that many of the stories 'delegitimise trans people' (para. 1) and portray 'a dizzying degree of moral panicking' (para. 1). Akrivos (2022) refers to the 'negative portrayal of trans people in the press'; 'Hacked Off', a campaign group for an accountable UK press, refers to the denigration, abuse and misrepresentation' of trans people (2019); Montiel-McCann (2022) notes how trans people are dehumanised and othered in press reporting, and Bolzern et al. (2019) note irresponsible press reporting of trans suicidality. This negative narrative is not

limited to the centre-right/right-leaning press. While reporting in the centre-left Guardian newspaper has been less problematic and included some positive reporting (Montiel-McCann 2022), in response to a Guardian editorial in 2018 titled 'where rights collide' about an apparent clash between women's and trans rights, journalists at the US Guardian wrote of their dismay at their UK counterpart's editorial and its promotion of 'transphobic viewpoints' (Levin et al. 2018, para.3).

This willingness to publish critical articles on trans people can perhaps be linked to particularities of UK press: the UK tabloid culture (Beckett 2011), and the small power-base of the UK press (Ponsford 2021). On the former, while the number of articles has increased, it has historically been the case that the UK press have treated the trans community insensitively. The Leveson Inquiry of 2012, an influential report into press standards, noted the press 'fail to treat members of the transgender and intersex community with sufficient dignity and respect' (Lord Justice Leveson 2012, p.668), and found that the press tended to fit stories into the following categories: 'trans as fraud', 'trans as undeserving', 'trans as deviant', 'trans as deserving of parody', and 'the outing of transgender people' (p.666). While the latter two now largely confined to social media, the other characterisations underpin much of the gender critical commentary. Writer Shon Faye argues 'we [the British] come from a tradition of huge national cruelty to trans people in the media' (quoted in Owen Jones 2020, sec.00.38.00). Linking to the point about the UK press having a small power base, Faye suggests that the voice provided by social media to trans people has upset the established social commentators of the press, leading to much of UK media's transphobia boiling down to 'personal gripes' (quoted in Owen Jones 2020, sec.00.38.00).

Writer Laurie Penny agrees, stating that transphobia in the UK media is because, ‘a lot of people know each other, and a lot of it comes down to in-group loyalty and personal drama’ (2020, para.26). It has already been noted in Chapter 3 that some of the most prominent feminist voices on trans-exclusion in the 1980s remain so in 2020s. Yet despite the small number of feminists contributing in the press, feminism itself and its lexicon has been appropriated by mainstream news outlets to further their own political agendas (Montiel-McCann 2022). As discussed in Chapter 3, a misappropriation of feminist lexicon and imagery is also a feature of trans-exclusionary feminism.

Beyond the limited feminist involvement, is the larger issue that the British press lacks diversity - being ‘pale, male, posh’ (Martinson 2018). 94% of journalists in the UK press are white, 55% are men - with women more likely to make up the lower ranks - and 51% of leading journalists and 80% of editors were privately educated (against 7% of general population), with 54% attending either Oxford or Cambridge University (PressPad 2022). This leads to a culture offering little space for women or feminists (even less so if trans) and a small pool of feminist commentators and writers who are used repeatedly. This staleness is also evident in the small power base, whether that be proprietors – News UK (Rupert Murdoch), DMG Media (Jonathan Harmsworth aka Lord Rothermere) and Reach Plc control 90% of the UK national newspapers market (Media Reform Coalition 2021) – or interconnected cliques of power such as the ‘Spectator clique’ encompassing leading press figures and politicians (Mulgan 2021). These factors lead to a cultural hegemony whereby certain views and voices are structurally omitted. The voices of trans people rarely feature. Shon Faye notes ‘We thought visibility meant people will understand us better and they’ll

relate to us better and we'll be accepted. That doesn't happen. We don't have control of the media. The discussion is never on our terms' (quoted in Ewens 2020, para.12). The structural omission of certain voices can be said to result from dominant voices being in line with transantagonistic architecture which allows for continued cis-heteronormative framing. Trans voices, however, work against such architecture and fail to be heard. This allows for trans lives to remain 'fraudulent', 'underserving' and 'deviant' in dominant narratives.

While traditional media exerts influence, the impact of social media in popularising anti-trans feminism has been considerable. It is perhaps the greatest difference between contemporary trans exclusionary activities and any past iterations. While social media has provided a voice and organising platform to trans people, it has similarly fostered trans-exclusionary feminist networks. Groups such as 'Women's Place UK' were established and amplified via their social media presence. The UK site 'Mumsnet', originally a site for parenting advice, exemplifies what some have termed gender critical 'radicalisation'. Since 2016/2017, the feminist discussion boards of Mumsnet have been at the forefront of gender critical discussion and promotion. The demographic of site users is narrow - middle class professional women (McRobbie 2013) - and its founder and CEO, Justine Roberts, is married to Ian Katz, a broadcasting executive whose stints at the Guardian, the BBC and Channel 4 coincided with each outlets rise in anti-trans coverage (Wells 2021). This exemplifies the relatively small but influential core of gender critical feminism. Writing for an American audience, British writer Edie Miller explained 'Mumsnet is to British transphobia ... like what 4Chan is to American Fascism.' 4Chan is a message board site championing free speech and

where contributors post anonymously. It has fostered an alt-right and conspiracy theorist following (Wendling 2018).

As illustrated in Chapter 3, the passion, anger, and righteousness emanating from postings on social media demonstrates how much these issues matter to those involved. They also demonstrate the peculiarities of online interactions. Even early internet scholars observed that users, freed from traditional social norms, engaged in more name-calling and swearing with those they disagreed (Spears and Lea 1992). Twitter specifically has been found to foster a discursive climate that is extreme and polarising (Shepherd et al. 2015) which can then 'ripple' into in-person interactions. It seems that the anonymous and disembodied nature of online discourse makes it an attractive outlet for anger. There is some evidence that a greater percentage of hate crime against trans people relates to online activity when compared to other groups experiencing hate crime (Allen and Zayed 2021). There is also a self-perpetuating 'echo-chamber' effect. Trans-exclusionary feminists have used social media successfully. McLean (2021) terms how the gender critical movement has formed in the UK as an example of 'cognitive radicalisation' (p.8) based around coercion and debate setting. The trans-unaware - to use Julia Serano's term - are presented with seemingly reasonable concerns about women's safety that simultaneously demonise trans people and plant ideas that can lead to extreme views. McLean notes that 'Anglo-Saxon' (2021, p.480) countries tolerate cognitive radicalisation under the auspices of free speech. Former gender-critical feminists have spoken of 'recruitment' tactics and being subject to 'love-bombing' - lavishing with attention or affection to manipulate - in messages and on social

media (for example, Dyess 2021). These tactics play on emotions – fear and love – that, as discussed in Chapter 3, play a crucial role in trans-exclusion.

Social media also lends itself to artificial manipulation. When, in 2022, a group of House of Lords peers attempted to amend the Police, Crime, Sentencing and Courts Bill to legislate for ‘separate, specialist [prison] units’ to house trans women to keep cis women prisoners ‘safe from violence and rape’, it was supported in the preceding days by a popular twitter hashtag #KeepPrisonsSingleSex. Backers of the amendment then read a selection of the tens of thousands of tweets in the House of Lords to evidence support. However, analysis shows that much of the Ttwitter traffic came from automated accounts with the effect of magnifying the popularity of the topic (Muller-Heyndyk and Ondrak 2022). This provides an example of how online discussions - real or automated - along with the emotions that fuel them, can directly influence policy and legislation.

In sum, evidence supports that traditional and online media have made a substantial contribution to the UK becoming ‘TERF island’. However, as influential a factor as this is, it cannot solely explain why anti-trans feminism has flourished in 2010s and 2020s. It neither explains the timing of the upsurge in negative reporting, nor how and why particular voices continue to be valued above others. These points require further analysis. The timing of the upsurge will be explored in section 5.2.3. Next, I turn to which women’s voices are heard by undertaking a historical exploration of feminism in the UK.

4.2.2 UK feminisms

Is there something about feminist practices and activities in the UK that allows for trans-exclusionary prominence? Are the strands of feminism that have dominated the UK women's movement instructive? These are the questions I worked with to explore if the history of feminism within the UK contributes to the contemporary prominence of trans-exclusionary feminism. In the 1970s, the UK women's liberation movement was led by socialist feminists and those on the left - more so than in Europe or the US (Binard 2016). With a strong focus on the workings of class and the material condition under which women live, socialist feminism explicitly includes an understanding of differences between women and decentres biology through framing oppression as related to social role. It further highlights how traditional gender roles are required and policed to uphold capitalism. This understanding of difference with a focus on role over biology, might suggest why trans-exclusionary feminism initially found greater traction in the US, where radical feminism - with a centring of the differences between men and women - dominated. However, caution needs to be taken when drawing these conclusions as there were, and remain, trans-exclusionary feminists who identify as socialist feminists. 'Women's Place UK', for example, claims to be rooted in socialism. Much comes down to socialist feminists' interpretation of a key Marxist concept - materiality - and how this relates to gender identity; it can be argued to be material by some socialist feminists, and dismissed as a 'feeling' by others (Miles 2022). The issue of trans-inclusion cuts across the dominating socialist/radical/liberal feminisms, partly because concepts of gender and sex are so malleable that they can be interpreted widely, and partly because strands of feminisms can have blurred boundaries and individuals can take ideas from more than one strand. As will be considered later in this chapter, what can be said is that feminisms that are inherently trans-inclusive - queer

feminism, trans feminism and (most practices of) intersectional feminism - have not featured as heavily in feminism in the UK as other strands.

While socialist, liberal, and radical feminism all offer varying views on trans identities, there was one branch of feminism, 'uniquely British' (Mackay 2021b, p.56) that was influential in popularising trans-exclusion in 1980s feminism. This was coined as 'revolutionary feminism' after Sheila Jeffreys gave a speech in 1977 bemoaning the rise of liberal feminism at the expense of feminisms' revolutionary aims. Jeffreys casts liberal feminism as lacking the necessary 'anger and hate towards men' (2019, para.5) and dismisses the theories of socialist feminism as requiring acceptance of the unacceptable - a unity of interest with some men (i.e., working class men) (2019, para. 9). She also expresses her disillusionment with radical feminism, arguing that it covers too broad a spectrum of views, and, while initially exciting, women do not go on to 'espouse and expound' (2019, para. 6) radical feminist theory. Like radical feminism, revolutionary feminism emphasised the need for women-only spaces and positioned male violence against women as central to women's oppression (Mackay 2014). The main difference articulated is that revolutionary feminism is more ambitious, more outward looking, and more confrontational. Revolutionary feminist Al Garthwiate states:

I'd never liked the term Radical Feminist, I just thought there was a lot of talking and no action ... At the time it was about separatism, but not as an end in itself. I mean, we were living in an all-women house, but we didn't think that was enough, you thought you had to get out there and be active (quoted in Mackay 2014, p.98)

Revolutionary feminists tended to take an uncompromising position on trans people; characterising trans women as men and carrying all the threat associated with men. For Jeffreys, while differences of class and race can be overcome, differences between women and men cannot. While revolutionary feminism is not a term in use in the contemporary revival of trans-exclusionary feminism, its influence can be noted indirectly in the virulence of those who continue the 'TERF' position as outlined in Chapter 3.

4.2.2.1. Imperialism and Feminism in the UK

While 'feminism' covers a diverse set of theories and practices, and pinning trans-exclusion to particular types of feminism is not accurate, an uncritical reliance on an understanding of sex as binary and immutable can chime more widely with conditions that allows trans-exclusion to dominate. The wider UK context is therefore instructive in exploring the prominence of trans-exclusionary feminism in the UK.

As Lugones (2008), Oyéwùmí (1997a), Snorton (2017) and others have highlighted, the enforcement of a sex/gender binary and of heterosexuality were part of the colonial project. With it, local understandings of gender/sex/sexuality disappeared. Such Eurocentric understandings of gender/sex are closely linked to the philosophies of the Enlightenment period (as discussed in Chapter 2) and its unrelenting focus on taxonomy. As Britain was at the centre of both empire and enlightenment, for UK feminism and issues of (trans)gender, the intertwining of issues of race are particularly relevant. Yet UK feminism's

development within the context of empire is ‘too often and too easily dismissed’ (Jonsson 2021, p.15). Women’s rights activists in the eighteenth, nineteenth, and early twentieth century largely accepted the validity of imperial interventions, and they concerned themselves only with the rights of British white middle class women (Midgley 2007). This illustrates how a sense of racial and national superiority infused feminist movements. Despite the end of (most) formal colonial rule, Britain remains embedded in the colonial logic of supremacy and continues to benefit from past exploitations. It is instructive that when some Irish feminist groups and individuals wrote an open letter to oppose a proposed speaking tour to Ireland by trans-exclusionary feminists, they invoked imperialism. Stating that trans-inclusion has bolstered feminism in Ireland in the struggle for bodily autonomy, they asked:

Do you have any kind of concept of what a feminism in a country shaped by struggle against Empire looks like? Did you consider that ... in assuming you have the right to come here in any position of feminist authority, you are behaving with the arrogance of just that imperialism? We have had enough of colonialism in Ireland without needing more of it from you. (Wilson 2018, para.8)

For Jonsson (2021) there can be no line drawn in the sand between ‘now’ and ‘then’ in relation to imperialism, as the past is the inescapable context in which contemporary UK feminisms are articulated. UK feminisms continue to be dominated by white-centred concerns. Tying this directly to trans-exclusion Horbury and Yao state:

This manifestation of transphobia in the former heart of empire [UK] metastasizes out of fictions of white female vulnerability and institutional ignorance, if not outright suppression, of Black and women of color feminisms. (2020, p.448)

The above quote articulates that black and women of colour feminisms have struggled to find space in the UK. Gail Lewis has discussed how UK black women's feminism and scholarship has been excluded from UK academia (2011). The previous section describes similar dynamics in the press where only certain voices are platformed. Relatedly, Chapter 3 discussed trans-exclusionary feminists' dismissal of intersectionality. The often-used comparator for feminism in the UK is feminism in the USA. Although this implicitly disregards feminist work from the rest of the world, it is useful here as the US represents another dominant anglophone setting and one where trans-exclusionary feminist organising originated. Differences including the UK's involvement in slavery largely taking place overseas rather than at home as with US, have shaped respective reckonings with these links. Women of colour feminisms have a foothold in US academia in a way that they do not in the UK, and the same can be said of trans studies (Horbury and Yao 2020). Furthermore, social movements over recent decades regarding civil rights, police brutality, and abortion rights – and with it issues of bodily autonomy - have not been as present in the UK. As Sophie Lewis points out, 'as a result middle-class and upper-class white feminists have not received the pummelling from black and indigenous feminists that their American counterparts have.' (Lewis 2019, para.14).

Applying this colonial lens, trans-exclusionary feminism becomes the latest incarnation of a white feminism in the UK. Alyosxa Tudor has referred to it as 'white distraction' (Tudor 2020), noting that J.K. Rowling made her gender critical views public at the time of the 'Black Lives Matter' movement and a global pandemic disproportionately killing non-white people. Believing this timing not to be accidental, Tudor adds that Rowling 'chose exactly this moment ... because terfism is an activity people do for pleasure. A luxury because there is no need for other politics for them' (Tudor 2020, para.13). This characterisation of trans-exclusion as something some people do as a hobby, has been noted elsewhere (Lewis and Seresin 2022 as will be discussed in the following chapter) and is an example of where positive emotions are linked to the practice of campaigning for trans-exclusion. Amrou Al-Kadhi also notes the timing of Rowling's interventions calling it 'telling' (2020, para.4) and they link calls for trans-exclusion to 'an obsession with power' (2020, para.15), where, 'transphobia is tethered to the malign structure of white supremacy' (2020, para.5). There are analogies to be drawn between 'race science's' centring of supposedly biological differences to classify humans in a racial hierarchy, and trans-exclusionary feminism's centring of the same to create a hierarchy of womanhood, as pointed out by the 'Institute of Race Relations' (Siddiqui 2021). Similarities have also been drawn between 'white replacement theory' and trans-exclusionary 'erasure of women' concerns (fae 2021) and the undertone of eugenics in racism and transphobia (Horbury and Yao 2020).

A lack of reflection on Britain's colonial history and the success and hegemonic nature of the imposed Eurocentric organising of gender/sex, has served to render the sex/gender binary as natural. This has allowed trans-exclusionary feminists to respond with incredulity to

bodies outside of this reading and turn instead to a defence of 'reason' and 'common sense', as if binary categorisation was a neutral stance. Furthermore, as the colonial binary was racialised - with black women more likely to be considered 'unfeminine' or 'masculine' compared to the 'natural' femininity of white women - it is implicitly white women that trans-exclusionary feminists argue need protecting.

4.2.3 Current UK Politics

While the issues so far discussed in this chapter have explored why trans-exclusion is a prominent topic in UK feminism, I want to move to explain why this issue has only been mainstream since 2017. This becomes clearer when placing the trans-exclusionary feminism into the current wider political environment of the UK where division and conservatism have come to the fore. Some have linked the rise in trans-exclusionary feminism in the UK to the pursuance of austerity policies (Armitage 2020; Penny 2020; Faye 2021). The Conservative government that came power in 2010 (albeit in coalition 2010 – 2015) has pursued an austerity agenda justified as necessary following the financial crisis of the late 2000s. Research by the Women's Budget Group (2017) has shown that austerity measures have disproportionately impacted all women, with black and Asian women, and lone mothers particularly disadvantaged. Between 2010 and 2020, cuts to social security were between £37bn and £59bn per year. Amongst many things, this was implemented through a cap of two children for child allowance purposes, and widespread cuts to housing allowances and benefits. Austerity measures have also meant cuts to school budgets, legal aid, and transport services (Women's Budget Group 2017). By 2017, women's refuges numbered a fifth less than in 2010 (Macleod 2017), and a fifth of those remaining no longer

received local authority funding (Samuel 2021). Overall, the landscape of state support for women has changed dramatically. The subsequent coronavirus pandemic led to government debt and borrowing being considerably higher than at any time in the last 50 years, suggesting that in lieu of a shift in policy, the situation is likely to deteriorate.

Austerity measures can create a perception that trans people are putting further pressure on the already precarious position of women's services and resources, which can in turn perpetuate trans-exclusionary responses. This perception links the very real difficulties that some women face and the campaign for greater trans recognition, protection, and rights. Shon Faye notes how some prominent UK journalists such as Suzanne Moore and Julie Burchill have articulated a supposed divide between working class women and trans people. As Burchill puts it, she is 'part of the minority of working-class women to make it [in journalism] ... and I think this partly contributes to the stand off with the trannies ... we know that everything we have we got for ourselves.' The insinuation is that trans people (implicitly trans women) are privileged interlopers, although this is not borne out in any of the statistics on trans lives (as discussed in the following chapter). Discussions around class again illustrate how issues of trans exclusion morph and cannot be tied down easily or neatly attributed; not only cutting across types of feminisms but also reported as both a hobby of middle-class women and an issue for working class women.

As well as issues of austerity, since 2019, the UK government has been one of nationalist-populism, having moved in that direction since the EU referendum result of 2016. While populism and nationalism are often conflated, they are overlapping yet distinct. Populism is

defined less by its goals and more by its discursive repertoire that aims to disrupt and appeal to ‘the people’ over so-called elites. Nationalism is less set in style but defined by its aim to shore up attachment to a nation. Nationalist-populism combines both (Singh 2021). Importantly, what they share in common is a commitment to ‘us’ and ‘them’ as a political strategy. ‘At the heart of both populism and nationalism beats a boundary – between those who belong to “the people” they claim to represent and those who do not.’ (Singh 2021, p.252). Linking with Ahmed’s work on how emotions shape ‘us’ and ‘them’, the currency of the nationalist-populist approach is emotion (Wirz 2018), and in particular fear (Wodak 2020). This is reflected in the increased focus on so-called ‘culture wars’ within the UK. The use of battlefield terminology is informative, not only in its hyperbole but because ‘culture wars’ is supposed to portray something more than a disagreement. Theorised since the 1990s in the US context, the term was popularised by James Davison Hunter (1992) to capture conflicting deep-seated and polarised worldviews about what is fundamentally right and wrong in society. There are connected themes running through the diverse topics of culture wars, including values, liberties, morality, and identity (Duffy et al. 2021, p.8). These are fundamental underlying themes that tend to evoke emotional responses. Stoking of such ‘wars’ can be political strategy with James Davison Hunter stating:

think of it as a political battle over certain kinds of cultural issues ... the “culture war” is really about the mobilization of political resources – of people and votes and parties – around certain positions on cultural issues ... a culture war is really about politics. (Stanton 2021, para.11)

In the UK, widespread discussion of culture wars only began with the build up to the 2016 EU referendum: pitting 'leavers' against 'remainers'. In the ensuing years, the issues framed as a culture war have expanded, the most common issues being empire, race, slavery (sparked by Black Lives Matter protests and the removal of statues), covid policies, and trans rights (Duffy et al. 2021, p.7). In 2015, there were 21 articles in the UK press referencing UK culture wars; in 2020 there were 534 (Duffy et al. 2021). The topics of the culture wars have become so prominent in UK politics that in 2023, then Conservative party deputy chairman Lee Anderson suggested his party should fight the next general election on 'a mixture of culture wars and trans debate' (Forrest 2023, para.6).

While the 'us' and 'them' of culture wars - including trans inclusion - can be used as political strategy, there is less clarity on how relevant these topics are to the population beyond politicians, press, and social media bubbles. Duffy et al.'s research shows that most people know very little about the phrase 'culture wars' or the key associated phrases such as 'woke', 'white privilege', 'cancel culture', and 'identity politics'. Nor do most people profess to hold strong views on social and cultural change (Duffy et al. 2021, p.12). Yet despite this, 74% of the population think that the UK feels divided, and 51% think it is the most divided it has been during their lifetime (Duffy et al. 2021, pp.10–11). Nevertheless, stoking divisions in the UK political environment does lead to policy decisions and does impact the lives of those framed as subject to the culture wars.

Trans people and their rights becoming a topic of the 'culture wars' has led to questions being put to politicians that would have been unimaginable prior to contemporary trans-

exclusionary activism. From around 2019/2020 (Moore 2020a), ‘Can a woman have a penis?’ and ‘What is a woman?’ have become questions that UK politicians have to routinely navigate. ‘Can a woman have a penis?’ is a reductionist, misleading, and dehumanising inquiry. It is reductionist in its simplistic interpretation of nuanced issues and in its equating of womanhood to genitalia. It is misleading in that the genitalia of an individual are of no consequence to the laws around trans rights or the day-to-day practicalities of using sex-segregated spaces. It is dehumanising in that it not only reduces transness down to genitalia, but it is also humiliating in its intent and tone. ‘What is a woman?’, as the work of this thesis demonstrates, is a complex, contested, and perhaps unanswerable question which academics/feminists have worked with for decades. Yet in the UK, it is set-up as a ‘gotcha’ question to politicians, presented as having a supposedly obvious and common sense answer, and risking ridicule if that answer is not given (O’Neill 2023).

While these questions are ill-informed and reactionary, they are interesting for two reasons. Firstly, their very use illustrates the type of (nationalist-populist) political moment the UK is experiencing. Secondly, mapping the answers given to these questions by politicians is telling; earlier answers tended to avoid the questions or respond by stating that both trans rights and women’s rights are important, presumably to not appear anti-woman or anti-trans, but over time, the rhetoric has become more overtly trans-exclusionary. For example, Prime Minister Rishi Sunak moved his position from declining to answer in 2022 (Julia Hartley-Brewer challenges Rishi Sunak: “Define what a woman is?” 2022), to stating in 2023 ‘when it comes to women’s spaces, women’s prisons, changing rooms, sports, health, I believe that biological sex really matters. I know what a woman is – and I’ll protect women’s

rights and women's spaces' (2023). Opposition leader Keir Starmer moved from committing to reform the *Gender Recognition Act* to allow for self-identification in 2021 and bemoaning the level of narrative on this issue (Sky News 2023), to using a well-known trans-exclusionary phrase, 'woman = adult human female', when asked what a woman is in 2023 (McGrath 2023). These are indications that suggest a drift to normalising trans-exclusionary viewpoints, fortifying transantagonistic architecture, and in doing so shifting the centre ground away from trans rights and trans inclusion.

4.3 In summary

This chapter demonstrates that there are several factors involved in the UK becoming 'TERF Island'. The situation of contemporary trans-exclusionary feminism within the UK is due to historical specificities and the current political environment. UK law has often worked to protect the status quo: male supremacy, heterosexuality, and the 'traditional' family unit. Since the 1990s there has been incremental growth in trans awareness and the introduction of legal protections regarding trans recognition and discrimination. While these have been welcomed by the trans community, they can also be viewed as attempts to control non-normative gender and minimise threat to the status quo. The current period marks the first time that these protections are at risk of being reduced. This position seems to have come about due to a coming together of several factors. The role of the media and the specifics of feminism in the UK are not new and have contributed to trans-exclusionary campaigning at the margins of feminism, for decades. However, these factors in combination with the emergence of nationalist-populism in UK politics has led to the mainstream popularisation of trans-exclusionary narratives. It is the politics of the UK that has been the decisive factor

in allowing trans-exclusionary feminism to flourish. This politics - arguably a politics resulting from the inequalities of UK austerity policies and the divisive referendum on EU membership - requires 'culture wars' to function. The simultaneous timing of the increased visibility of trans lives and rights, and the proposed reform of the *GRA* has helped promote trans lives and rights as a leading topic of the 'culture wars'. Trans-exclusionary feminism in the UK lives in symbiosis with a nationalist-populist politics, each benefiting from the other. While this chapter explored the specificities of UK media, feminism and politics, the next chapter considers further why certain views regarding trans issues are communicated with greater ease than others. The chapter will explain this through further exploring the concept of transantagonistic architecture and exemplifying the architecture's workings by following the influence and implications of some of the words of J.K. Rowling.

5. Transantagonistic Architecture and the example of J.K. Rowling

My notes ... from the High Street

Walking along the high street I pass the framing shop. I have never been inside, it's one of those shops you do not notice until google alerts you to it when you need its services. Except lately I notice this shop every time I walk by. Front and centre of the window display is a large, framed poster - 'Woman. Noun. Adult Human Female'. Black background, white writing, familiar to anyone au fait with trans-exclusionary activism. A phrase popularised by gender-critical groups, for me it represents a dog-whistle - simultaneously a seemingly innocuous dictionary definition and an anti-trans rallying call. Next time, I must do something, I think.

Someone else gets there first. My friend, Ellie. The next time Ellie passes, she enters the shop. She tells me that a 40-something man was standing behind the counter. Any chance that the poster had been innocently displayed by someone not realising its significance is quickly dashed when Ellie shares that a framed photo of J.K. Rowling is propped up against the till. This detail momentarily stuns me. I see it as an indication of the commitment to trans-exclusion this man has. "He has a framed picture of J.K. Rowling by the till?" I say, "Wow".

Ellie asks him to remove the poster in the window, explaining it is offensive and hurtful to some.

"It's only a dictionary definition", he says, clearly knowing exactly what Ellie is referring to.

"It is also offensive and purposefully transphobic. Can you take it down?"

"No. It's my right to think it's unnatural. You can leave my shop." And she does. She tells me how he was defensive, irritated, angry even.

On the way home Ellie passes the local MPs shop-front office. A member of their staff is sitting at a desk inside. She goes in and leaves a message for the MP, explaining the meaning behind the poster and the upset it can cause. She never hears back. However, whether due to actions of the MP or the fact that the shop has been receiving internet reviews highlighting its transphobia, I notice the poster soon disappears. I do not go in to see if the picture of J.K. has been placed under the counter. However, a couple of months later I notice the poster is back in the window. It is still there. An enduring message of exclusion on a local high street. A poster so prominent to some and unnoticed by many.

In Chapter 3, I explored ways in which the rhetoric of trans-exclusionary feminism has changed over recent years, largely to garner wider political and popular appeal. In this chapter I delve deeper to explore how the popularisation and prominence of trans-exclusionary feminism has been further supported through the close alignment of trans-exclusionary beliefs with the dominant ideology structuring many societies. These structures comprise the ideology that shapes the norms, boundaries, and dominant narratives of society. In some cases, this ideology may appear omnipresent and as if not ideological at all. Rather it is presented and experienced as ‘common sense’, as inevitable, as truth. I will discuss how these structures are utilised, reinforced, and developed by trans-exclusionary feminism, and illustrate ways in which these structures are influential in shaping views about trans people. I approach this task by activating the concept of transantagonistic architecture, a concept introduced by Marquis Bey (2022), as outlined in Chapter 1. I use transantagonistic architecture as a tool to make clearer the ideological structures directing attitudes towards trans people. To exemplify the workings of transantagonistic architecture, I use the words of J. K. Rowling who is a best-selling author of the Harry Potter series and a prominent trans-exclusionary feminist, as the above vignette indicates. I interrogate five phrases used by Rowling on Twitter that are indicative of the gender critical viewpoint. These phrases are, ‘if sex isn’t real ...’, ‘Dress however you please’, ‘#ThisIsNotADrill’, ‘It isn’t hate to speak the truth’ and ‘live your best life in peace and security.’ Interrogating these seemingly simple phrases highlights how transantagonistic architecture facilitates the easy use of concepts like ‘common sense’ and ‘free speech’ in the promotion of trans-exclusion to render invisible the range of harms caused by trans-exclusionary narratives. These findings dovetail with the argument detailed in Chapter 3 whereby the discursive pivot to be ‘pro-women’ by gender-critical feminists also works to mask harms; again illustrating that

trans-exclusionary feminist rhetoric has consequence and meaning beyond its presentation. This chapter is important in addressing the research curiosity of how feminist trans-exclusionary positions are promulgated and reproduced. To begin with, I illustrate transantagonistic architecture through the imagined Harry Potter fan.

5.1. Transantagonistic Architecture and the imagined Harry Potter fan

When Marquis Bey spoke at the conference in London mentioned in Chapter 1, they told a fictional vignette about a young Harry Potter fan. Bey imagined that perhaps this person is a teenager in the US, who absorbs the transantagonism of their idol, J.K. Rowling. Bey is referring to Rowling's comments – mostly via social media – on trans people and their rights and the influence those comments have. As I will outline in this chapter, Rowling's words can be read as positioning trans people as a threat. Bey imagines that the teenager then 'lives with and by way of it' ['it' being Rowling's words] (2022, para.17). Years later those views about trans people have become 'unimpeachable truthfulness' (2022, para.17) to that person, impenetrable to doubt. In this sense the views have become the teenager's common sense. Bey wonders if perhaps that teenager goes on to harm trans people, due to a learned disdain or fear or disgust of trans people. That teenager will become an adult with their own sphere of influence and perhaps the affects and effects of transantagonism perpetuate. Bey describes the moving of harm, showing how Rowling's words might both do harm, and precipitate harm from others. For me, this recalls Ahmed's 'rippling' of emotions, travelling as they do through and between individuals, and sticking with particular subjects. Bey wonders if the harm perpetuates because that teenager's 'transantagonistic architectural building' (2022, para.17) was not interrupted.

That Bey describes how their imagined teenager's transantagonistic architectural building was not interrupted, suggests that the structures around that individual did little to promote alternative viewpoints of trans people that may have caused the teenager to re-evaluate Rowling's words. This is a story of how transantagonism complements, or at least does not conflicting with, dominant norms and narratives. For example, Rowling's statements – as are discussed below – pertaining to the importance of maintaining the primacy of binary and immutable understanding of sex dovetail with hegemonic and 'common sense' ideas of sex and gender as discussed previously. These ideas are coded as correct and valid, implicitly coding all outside of this as wrong and invalid. This is not to dismiss individual agency – every queer individual is testament to how things can be – yet this is despite hegemonic understandings of gender that allow transantagonistic architecture to be built and fortified 'uninterrupted'. While I foreground transantagonistic architecture for the purpose of this chapter to explain the 'deeply specific' (Bey 2021, p.202) reaction of transantagonism, I also note that architectures producing various hegemonic understandings – for example race or sexuality - are not mutually exclusive, as later sections of this chapter will demonstrate via the work of critical race and postcolonial theorists. These structures cannot be considered discrete because, as Bey suggests in their description of transantagonism, transantagonistic architecture is a result of, and simultaneously a perpetuator of, the regime of gender normativity and as past chapters illustrate gender cannot be separated from other normative regimes. Bey describes gender normativity as:

a regime that circumscribes how we are possible to ourselves and others: look this way and feel this way about the gender binary, yes, and also, *do* your gender in this way and never that way, ensure that others do their genders in this way too, and if

they do not, punish and discipline them, and if you do not, punish and discipline yourself, and think sensible that others punish and discipline as well. You are only possible, only valid, at the level of a philosophical ontology, if you do gender in these ways sanctioned by centuries of colonialism and white supremacy and heteropatriarchy and what is now understood as cisnormativity. This is the regime of gender normativity, of the gender binary. (2022, para.3)

That gender normativity is ‘sanctioned by... colonialism and white supremacy and heteropatriarchy and ... cisnormativity’, is instructive. The transantagonistic architecture building around the teenager, therefore, may not only influence their ideas about trans people, these structures may also leave their trace in how that teenager thinks and feels about themselves and others, across several intersecting characteristics. However, while recognising the architectures of normative understandings are entwined or co-constituted, it is useful to identify transantagonistic architecture for this research to address how trans-exclusionary feminist arguments have proliferated with ease. I will next outline J.K. Rowling’s involvement with trans-exclusionary campaigning, before moving on to exemplify the workings of transantagonistic architecture by analysing and tracing the impact of narratives of trans-exclusion produced by J.K. Rowling’s tweets.

5.2. J.K. Rowling and gender critical feminism

J.K. Rowling has become an important figure for trans-exclusionary feminist campaigning and is arguably the most famous proponent of gender critical feminism. Given her significance and public standing, the remainder of this chapter explores how her words can have influence and how they might be understood to build and support transantagonistic

architecture and percolate into the transantagonistic worldview of others. My key aim in this chapter is to demonstrate how Rowling's words are taken up by and fortify transantagonistic architecture, and the impact this has. This 'taking up' and impact is distinct from Rowling's thoughts, emotions, and the intended meaning of her words, which can only be known to her. As discussed in the methodology chapter, there is an unbreachable gap between what others mean to express and how what they express is interpreted. However, the work I am trying to achieve in this chapter is to show how it is the interpretations, undertaken by millions of individuals through her social media following, rather than the unknowable intentions of J. K. Rowling, that combine to create impact. Rowling has become a symbol for a movement – as inferred in her photo in a frame on a shop counter or her idolisation by an imagined teenager - has consequence far removed from, but connected to, the writing of her words.

Rowling's views about trans people were first speculated on in March 2018 when she liked a tweet referring to trans women as 'men in dresses' (Indy100 2019). When asked about this, a representative dismissed the endorsement as a mistake, 'a clumsy and middle-aged moment caused by holding her phone incorrectly' (Indy100 2019). As discussed in Chapters 3 and 4, the contemporary mainstreaming of trans-exclusionary views was in its infancy in 2018 and yet to evolve into the gender critical movement. It was not until 21 months later in December 2019 - when the gender critical viewpoint was becoming more established - that Rowling posted her first tweet on the issue (tweet 1, referred to later in this chapter). It was not until June 2020 that Rowling began to regularly post about trans-exclusion. Rowling's tweets at that time attracted growing attention and appeared to precipitate some other high-profile people expressing either their support or disagreement with her views (Lenker

2020). At the time of writing, most of Rowling's current Twitter activity relates to her trans-exclusionary views.

In June 2020, coinciding with her increased social media output on the topic, Rowling wrote a related blog, one of only two longform written comments on the subject, explaining her views on trans people and trans rights. The blog is entitled *J.K. Rowling writes about her reasons for speaking out on sex and gender issues*. Writing that 'it is time to explain myself' (2020b, para.1) and referring to, as she terms it, 'sex and gender issues', Rowling sets out her interest in the topic. She states that she started following the debates in 2017 and has since 'read sundry books, blogs and articles' (2020b, para.3). Rowling says she has been subject to abuse and threats of violence for her views, by people she terms 'trans activists' (2020b, para.4), for her 'wrong think' (2020b, para.4) and claims that she has been cancelled four or five times. She also notes unexpectedly receiving an 'avalanche' (2020b, para.7) of private support from people deeply concerned by the ways in which a 'socio-political concept is influencing politics, medical practice and safeguarding' (2020b, para.7). Rowling opines that institutions and people are being intimidated into silence, fearful of being accused of transphobia or of being a 'TERF' (2020b, para.8). As discussed in Chapter 3, interspersed amongst Rowling's portrayal of trans people and trans activists as a threat to 'biological' (2020b, para.10) women, are a number of statements in support of trans rights and concern for trans people. Along with general statements about hers and others' views not being transphobic, Rowling states that trans people 'need and deserve protection' (2020b, para.35) and offers her 'solidarity and kinship' (2020b, para.34). She goes further by stating 'I believe the majority of trans-identified people pose zero threat to others' (2020b, para.35) and uses the initial gender critical argument (as outlined in Chapter 3) that while

trans people might not be a danger, laws and policies about trans people ‘can provide cover to predators’ (2020b, para.41). She also describes how she knows a ‘transsexual woman’ (2020b, para.26) who she finds it ‘hard to think of her as anything other than a woman’ (2020b, para.26). However, some of the statements of support she offers are couched in caution and qualification. For example, she suggests that her trans friend is the right type of trans person, ‘being older, she went through a long and rigorous process of evaluation, psychotherapy and staged transformation’ (2020b, para.26). Or her statements of support are presented dismissively; ‘It would be so much easier to tweet the approved hashtags because of course trans rights are human rights and of course trans lives matter, scoop up the woke cookies and bask in a virtue-signalling afterglow.’ (2020b, para.39).

In the blog, Rowling lists her five ‘intensely personal’ (2020b, para.3) reasons for taking the stance she does. They can be summarised as:

1. Concern for the work of her charitable trust which supports ‘female’ (2020b, para.13), prisoners and survivors of abuse, and her support of ‘medical research’ (2020b, para.13). Rowling fears harm will be done to these projects if the legal definition of sex is eroded and replaced with ‘gender’.
2. Concern for the impact the ‘trans rights movement’ (2020b, para.14) is having on education and safeguarding. She does not elaborate on what the impact might be.
3. Her wish to defend free speech.
4. The ‘huge explosion’ (2020b, para.16) in young women wishing to transition, and ‘increasing numbers’ (2020b, para.16) of people ‘detransitioning’. Here, Rowling wonders, had she been born 30 years later, if she would have transitioned because ‘the allure of escaping womanhood would have been huge’ (2020b, para.23), and ‘I

believe I could have been persuaded to turn myself into the son my father had openly said he'd have preferred' (2020b, para.23).

5. Her experience of being a survivor of domestic abuse and sexual assault, and her concern for women with a similar history.

Rowling's reasons are indicative of commonly articulated concerns of trans-exclusionary feminists: concern for children (2&4), protection of free speech (3) and concerns for women who might be considered vulnerable (1&5). They also encompass definitions of women (1), and the role of personal experience (4&5). It is also important to note that Rowling's views on this topic, as with any individual, can be viewed as having been honed by her own exposure to, and experiences of, transantagonistic architectures. For example, consider the moments she refers to such as the 'books, blogs and articles' she has read and her personal experiences of, and reactions to, trauma, childhood, and womanhood. These are two possible examples of events encountering transantagonistic architecture around her (of which we cannot specify) or which speak to transantagonistic architecture previously encountered. In such scenarios, the architecture might work to ease these experiences and events along a transantagonistic path, or to refract them through a transantagonistic lens.

In Rowling's case, it is interesting that since her early interventions in 2020, the rhetoric and the narrative she employs have seemingly become more entrenched and/or extreme. In Rowling's only other longform comment to date, a Sunday Times article (2022), opposing the Scottish government's plans to reform legal gender recognition, the language and tone employed is noticeably changed. In the later article, 'trans women' (e.g. 2020b, para.27) are now also referred to as 'trans-identified males' (2022, para.10) and 'men who identify as

women' (2022, para.17), earlier reference to 'cover for predators' (2020b, para.41) is articulated as a specific reference to trans rights leading to 'voyeurism, sexual harassment, assault or rape' (2022, para.18), and significantly less space is given by her to stating sympathy or support for trans people. Rowling also suggests that trans people could be mentally ill allegedly on the grounds that trans-ness is not something that is independently verifiable outside of the person claiming it (2022); something which would seemingly apply to other 'claims', such as sexuality. The later article is accompanied by a picture of Rowling wearing a t-shirt which states 'Nicola Sturgeon [the Scottish First Minister at that time]: Destroyer of Women's Rights'. This seeming entrenchment of position and increased transantagonism, which has been called 'silent radicalisation' (McLean 2021), might also be viewed as a result of the fortification of the transantagonistic architecture around Rowling, as she becomes increasingly involved with - and central to - trans-exclusionary feminism. This could explain the normalisation of increasingly extreme rhetoric.

While a lack of nuance is indicative of Rowling's main medium of public communication, Twitter, her two longform interventions perhaps better demonstrate the entrenchment of her position on issues of trans rights. The 280-character limit of a tweet necessarily restricts the amount of background, context, or explanation a tweeter can offer. For this, Rowling's blog adds useful context for the analysis below. However, Katy Montgomerie (2020a) has written on the inaccuracies and selectiveness of the information presented in Rowling's blog. She highlights Rowling's discussion of the numbers of young trans people seeking support and her statements about how many go on to regret this, as inaccurate (2020a, sec.7,8). An example of selectiveness is Rowling's description of trans-exclusionary feminist Magdalen Berns as 'an immensely brave young feminist and a great believer in the

importance of biological sex.’ (Rowling 2020b, para.5). Montgomerie points out that Burns is better known to some as a person who publicly described trans people as ‘fucking blackface actors with dirty fucking perversions’ (2020a, sec.2). However, accepting that the blog might not be accurate and that the framing functions to make the concerns reasonable (as explored in Chapter 3), Rowling’s blog assists in providing context to her views expressed in her social media output. I will now illustrate the workings of transantagonistic architecture through five phrases taken from two of J.K. Rowling tweets.

5.3. J.K. Rowling and the making and fortifying of transantagonistic architecture

The two tweets from which I take five phrases to explore and analyse are:

Tweet 1



Tweet 2



The two tweets reproduced above represent some of Rowling's first comments pertaining to trans rights. They are indicative of many of Rowling's interventions. They are also indicative of the key tenets of gender critical feminism, both in content and style. For example, both tweets simultaneously convey acceptance and even 'love' for trans people, use ostensibly reasonable language, *and* seek to limit the ability of trans people to exist in their gender. This illustrates the 'oddly contradictory' position noted by trans-exclusionary feminist Julia Long (Chapter 3). The context of *Tweet 1*, Rowling's first substantive comment, is that Rowling is supporting Maya Forstater, a woman who sued her employers when they did not renew her contract due to, according to Forstater, her expressing gender critical views. The initial ruling that her views were not worthy of protection under the *Equality Act*

2010 because of the harm they caused others¹⁴, was overturned on appeal. Furthermore, 'gender critical' views were ruled to represent a philosophical belief that qualified as a protected characteristic under the religion or belief section of the *Equality Act 2010*. *Tweet 2* discusses the 'erasure' of sex by listing presumed consequences of 'If sex isn't real...'. From these tweets I take the phrases 'If sex isn't real...', 'Dress however you please', '#ThisIsNotADrill', 'It isn't hate to speak the truth' and 'Live your best life in peace and security', to illustrate how transantagonistic architecture eases the passage of these words into the mainstream, and show how the words fortify transantagonistic architecture. I will also show how the naturalisation of transantagonism through transantagonistic architecture allows the consequences of these words to be rendered invisible.

5.3.1. 'If sex isn't real...'

Any deployment of the word 'sex' in discussions around trans-exclusion rests on its implied or assumed meaning. As discussed in Chapter 2 the meaning of 'sex' is highly contested, but as further discussed in Chapter 3, trans-exclusionary feminists typically assume a specific meaning. This relies on the belief that sex and gender are boundaried and separate from each other; sex being biological, binary, real and immutable, and gender being socially constructed and reflecting stereotypes and power relations. For trans-exclusionary feminists, sex, in all its apparent solidity and obviousness, is what defines and differentiates

¹⁴ Specifically, the belief must 'be worthy of respect in a democratic society, compatible with human dignity and not conflict with the fundamental human rights of others.' (Equality Act 2010 (UK) - Explanatory Notes, sec.10)

women and men.¹⁵ On this reading the terms female and male are implicitly tethered to this understanding of a biological sex. This understanding of sex reflects the common sense understanding of sex that Pascale's (2006) research identified, as discussed in the methodology chapter. From her interventions (such as Tweet 2), J.K. Rowling appears to adhere to this trans-exclusionary feminist orthodoxy. I therefore read and comprehend the tweets as written from this worldview.

Rowling's concerns about 'If sex isn't real...' (2020a) appear to presuppose two points: the first being that some people are suggesting sex is not 'real', and secondly that an unspecified alternative is dangerous, particularly to women. On the first point, it is simplistic and most often wrong to suggest that trans people or campaigners for trans rights think that sex does not exist and/or that they are attempting to 'erase' it. As discussed in Chapter 2, sex is itself a concept that refers to an amalgamation of characteristics - characteristics that change depending on whose understanding of sex is applied - and as such its realness or otherwise is contested within trans communities and scholarship as much as within feminist communities and scholarship (Nagoshi et al. 2012). The realness or not of sex has more to do with epistemological viewpoint than a view on trans-inclusion per se. It might also be imagined that, in their experiences of campaigning for their identities to be seen as valid, trans people are more aware of the perceived 'realness' of sex than others. These debates can be separated from the 'realness' of sex characteristics (genitals, chromosomes, gonads etc.) which, despite what Rowling might infer, is not denied by any group. In keeping with my earlier explanation, what Rowling logically means by sex being 'real' is that binary and

¹⁵ As outlined in chapter 3 there are occasional instances of trans-exclusionary feminists conceptualising trans women as women (but, importantly, never as female), but this is not the norm.

immutable biological sex as determinant of man or woman, is real. This represents a normative viewpoint embedded in transantagonistic architecture that makes difficult the existence of trans identities. As Montgomerie puts it, 'Trans people, intersex people, feminists, medical professionals and experts across the world are not saying that "sex isn't real" they are saying "sex is more complicated than what they taught you at school"' (2020b, para.4). The suggestion that trans people are simply arguing that 'sex isn't real' and that consequently they are erasing 'the reality of women globally' and 'same-sex attraction' represents a so-called strawman argument, whereby an imagined oppositional argument is employed that can be easily refuted. In this instance, the imagined oppositional argument that sex isn't real is not simply refuted, it is used to suggest catastrophic consequences of that imagined argument.

Accepting 'sex isn't real' comprises a so-called strawman argument and given the diversity of epistemological positions on 'sex' amongst trans-inclusive arguments, the belief in the 'realness' or otherwise of sex is less the point here. The pertinent point to address how feminist trans exclusionary arguments promulgate, is how a position of trans-exclusion emerges from a stance on gender and sex that is so vitally held that any perceived challenge to it is worthy of such reactionary responses. As demonstrated by Rowling's tweets above, it seems the belief in the a priori nature of (a particular understanding of) sex and the binary taxonomy of men and women is so foundational as to be unquestionable. Not only does it appear foundational, the idea of who women are and who men are, emerges as fundamental in structuring their world. *Tweet 1* conveys an incredulity that anyone would think differently, i.e., 'but force women out of a job for stating sex is real?' (Rowling 2019). This same incredulity can be noted in the litigation that Rowling refers to, where Maya

Forstater builds her case on a call to truth and reality. For example, 'I have been told that it is offensive to say "transwomen are men" or that woman means "adult human female". However, since these statements are true I will continue to say them.' (The Employment Tribunals 2022, p.27). The logic here seems to be that statements contradicting these views defy truth and defy common sense. The dominance of this 'common sense' narrative explains how transantagonistic rhetoric moves with ease into the mainstream because it fortifies, not challenges, these structures. The employment of 'common sense' fits into, and reinforces, transantagonistic architecture. The concept of 'common sense' implicitly and explicitly pervades objections to trans identities. A further example is the current UK Prime Minister Rishi Sunak stating, 'we shouldn't be bullied into believing that people can be any sex they want to be. They can't. A man is a man, and a woman is a woman. That's just common sense' (Leeson 2023). Before moving on to discuss other comments from the highlighted tweets, I will explore how 'common sense' is deployed in trans-exclusionary feminist arguments.

5.3.1.1. Common sense in feminist trans-exclusionary arguments

Rowling and Forstater's incredulity seemingly stem from their understanding that what they think and say amounts to common sense. Their common sense tells of two sexes, defined through biology - women and men - and this is the belief from which they proceed. Yet what is missing from this analysis is that, firstly, there can be said to be many more than one 'common sense', and secondly, an appreciation of the transantagonistic architectures which assist a certain version of 'common sense' becoming dominant. In response to Kathleen Stock's comments on what makes a woman, Talia Mae Bettcher - philosopher and trans woman - writes 'I'm not clear why I can't proceed from the common-sense assumptions that

operate within *my* “everyday”. Why should I have to proceed from hers?’ (2018, para.24). Bettcher further makes the point that to settle on a mainstream and dominant ‘common-sense’ is to make a ‘political decision’ (2018, para.25). Therefore, instead of an unassailable truth, Rowling’s ‘common-sense’ stance on sex, can be seen as a particular political stance. Yet Rowling appears to see only trans-inclusive stances as political - ‘a socio-political concept’ (Rowling 2020b, para.7) - juxtaposed to her position as a truth teller. As discussed in Chapters 1 & 2, this ‘common sense’ of two binary sexes is a political stance that developed through a history of colonialism and male supremacy and the championing of ‘truth’ and ‘reason’. The multitude of common senses across groups, cultures, and time - ‘There is not just one common sense, but various common senses - as many as there are groups of living beings with brains.’ (Keeling 2007, p.21) - are rendered invisible to such an extent that, keeping with this example, Rowling cannot conceive that the matter of ‘who is a woman’ could be a political question, rather than biological process. In this sense, Rowling and trans-exclusionary feminist views are sincerely held. For a political position to become the dominant ‘common sense’ is incredibly powerful. The common sense proposition needs no constant justification and instead perpetuates through the everyday performance of dominant social narratives to becomes ‘just so’. This dominant social narrative is part of the transantagonistic architecture. This is because the truth claim that gender and sex are binary, immutable and corresponding runs counter to the lived experiences of trans people, but runs in tandem with transantagonism. This pervasive ‘common sense’, therefore, builds and fortifies transantagonistic architecture and does nothing to disrupt it.

As demonstrated by Rowling’s *Tweet 2*, while trans-exclusionary feminists often profess that there are no conditions of appearance or sexuality on ‘real’ womanhood (‘Dress however

you please, call yourself whatever you like, sleep with any consenting adult who'll have you'), their ultimate reliance on binary and biology brings these claims into question and ties them to European gender ideals. Therefore, the common sense employed by Rowling and what Ann Laura Stoler (2008) has called 'colonial common sense' (discussed below), are not separate. So, while individual trans exclusionary feminists may be anti-racist, and indeed there are non-white trans-exclusionary feminists, their world-making 'common sense' concepts have racial hierarchy baked into their history.

5.3.2 'Dress however you please'

'Dress however you please' is the start of a Rowling tweet (*Tweet 2*) that suggests trans people can and should dress, sleep with, call themselves how/who/whatever they wish, provided that 'sex' is respected as real. Following the logic of this tweet, I will work through an example of Rowling and a stranger encountering each other while using a women's public toilet to demonstrate how this sentiment is, in practice, unrealisable. Rowling has said that women's single-sex spaces should be reserved for people assigned female at birth (BBC News 2022), but how is she to know the assigned sex of the stranger? The stranger's biological markers of womanhood such as genitals and chromosomes that are definitive for Rowling, are unknowable to her in that moment. She therefore must rely on proxies in the form of perceptible signifiers to make her assessment of the person's sex as assigned at birth - perhaps clothing, deportment, shape, hair, or voice. If this person, whether they are cis or trans gender, does not conform to Rowling's gendered expectations, they will automatically fall under suspicion of not being a 'real' woman. Conversely, if this person does conform to expectation, cis or trans gender, they will be read as a 'real' woman. This simple example illustrates how it is often gender expression, rather than trans-inclusion,

which is policed in sexed spaces when biological sex categorisation is privileged. This point is also illustrated in *My notes...from gender conformity* in Chapter 2 whereby a 'passing' trans person is not perceived as trans and a gender-questioning individual is treated with curiosity/suspicion. Rowling's reliance on sex categorisation by biology cannot be separated from judgements on expressions of womanhood, despite the appealing narrative of 'Dress however you please'. Moreover, the referent against which this stranger in the public toilet is to be judged to be 'real' is likely to be an idealised femininity of a white woman due to the colonial and European history of common sense understandings. This problematic issue of policing gender expression as a proxy for supposedly policing 'biological sex', in particular in relation to masculine presenting lesbians in public toilets, is not confined to the recent resurgence of trans-exclusionary feminism (Halberstam 1998; Munt 2001; Browne 2004). However, there is anecdotal evidence that such policing in public spaces in the UK is increasing (Andersson 2021). This can be viewed as being a consequence of the widespread coverage on the subject, including from prominent figures such as Rowling. This coverage can be viewed as further fortifying transantagonistic architecture by promoting two of its central tenets – the norm of a naturalised binary, immutable sex and an imaginary of trans people as a threat. The latter is often an implied point, being the (often) unspoken reason for these interventions. This shows how Rowling's seemingly neutral reliance on biology very easily slips into judgments on types of women.

However, in the above imagined example, perhaps Rowling can avoid the pitfalls of signifiers by using the human ability to tell sexes apart that some trans-exclusionary feminists have proposed. Kathleen Stock has written of the human ability to distinguish between a woman and a man and likened it to the ability to see the difference between a

dog and a cat (2020a). Post-colonial scholarship provides insight into the idea of such abilities regarding categorisation. The colonisers' anxiety over 'natives' who passed as white and might 'fraudulently' be recognised as such, were quelled by a belief in an additional identifying method – 'common sense knowledge of "hidden properties" of human kinds, interior dispositions, of those secreted in their depths' (Stoler 2008, p.353). This effectively meant that even when surface perceptions were unreliable for racial categorisation, undefined innate properties could be affectively experienced by others to identify European from non-European. As Ann Laura Stoler states 'science and reason were never enough' (2008, p.361). Colonial common sense depended on 'a reading of sensibilities more than science' (Stoler 2008, p.352), knowledge from 'affective affiliations' (Stoler 2008, p.361), and 'latent intuitions' (Stoler 2008, p.354). Applying this to the arguments of trans-exclusionary feminists, this critique reveals emotion in what is presented as a purely biological stance on womanhood. The fear that a trans woman might be mistaken for a cis woman, often articulated via anxieties about gender identity 'fraud' (Sharpe 2018), is quelled by the contradictory view of an ability to identify sex. As with reliance on signifiers, this intuition is inseparable from judgements on a correct womanhood. Any sex-recognising ability applied to a stranger encountered in a women's toilets exists in a 'confounded space between reason and sentiment' (Stoler 2008, p.358) and will necessarily be bound by personal experience, dominant norms and the emotional responses these shape. Again, a supposed neutral reliance on biology slips into judgments on types of womanhood. Therefore, Rowling's 'common sense' biological categorisation and the insistence that this carries no stipulations on how to be a woman or man ('dress however you please, call yourself whatever you like, sleep with whatever consenting adult will have you'), fails on interrogation. This leaves trans people in a double bind; being told they are not

discriminated against because trans-exclusionary feminists wish them to 'live their best life in peace and security' yet having their ability to live their best life undermined through application of a particular version of common sense. Further, centering a supposedly neutral biological stance, not only inhibits trans people but anyone who deviates from gendered expectations. However, the people do not suffer those consequences, perhaps like the shop owner with a framed picture of J.K. Rowling, Bey's imagined teenager or J.K. Rowling, might believe that a trans person can still 'live their best life' and trans-exclusionary feminist demands be met. This is because challenging their 'common sense' view jars with dominant ideological architecture and the challenge is not taken up and communicated with such ease.

5.3.3. *'#ThisIsNotADrill'*

We can interpret the phrase 'This is not a drill' as indicating imminent danger and as a call to provoke urgent action. Rowling appears to use this phrase without reflecting on the known outcomes of trans-inclusion. Evidence from countries that employ the policies she opposes demonstrate a benign result from their implementation (Anarte 2022). This point is summarised by Victor Madrigal-Borloz, the UN independent expert on sexual orientation and gender identity, who found no link between self-ID and the abuse of cisgender women:

At the moment 350million people live in systems of legal recognition based on self-determination, and there is not, to my knowledge, one single administrative or judicial finding that this system is actually abused by predatory males ... it's not valid to conflate them [trans women and gender- and sex-based violence] in the way parts of the public debate are trying to (quoted in Middleton 2022, para.7).

Rather, as will be outlined later in this chapter, the danger is being experienced by trans people. Here, the common sense employed by trans-exclusionary feminists can again be seen as analogous with colonial common sense. Stoler's (2008) work on 'colonial common sense' makes clear that, contrary to a portrayal of this form of common sense as reasonable and scientific, adherence to it instead mandates and masks violence. Regarding colonialism, she explains that the sorting of humans into racial taxonomies underwrote the whole colonial project and its many violences. Implicitly, this violence was justified on the grounds that to let the non-white populations revolt or govern or hold power would be catastrophic. Rowling's use of the hashtag #ThisIsNotADrill infers a similar sense of threat and need for urgency of action, but here regarding trans rights. It suggests that something catastrophic will happen if the dominant definitions and boundaries of the binary sexes - women and men - are not reinforced. It is a hashtag to mobilise fear and action based on the portrayal of trans people as a threat. This works to fortify transantagonistic architecture by insisting on the primacy and maintenance of this ideological scaffold to remain safe. The use of the hashtag, in conjunction with the lack of justifying evidence, leads to the question as to why a challenge to J.K. Rowling's (and others who make similar claims), common sense worldview by the existence of trans people is seemingly received as an urgent and existential threat?

To consider this question it is useful to note that trans-exclusionary feminism can be conceptualised as a countermovement. Elizabeth S. Corredor (2019) has theorized anti-genderism - which in Chapter 6 I will situate trans-exclusionary feminism as a part of - as a countermovement. A countermovement is a response to a movement. The movement that

anti-genderism is counter to includes progressive social movements such as feminist and LGBTQ social movements (Corredor 2019, p.614). The articulation of a countermovement against a movement is useful because it shows that there is an imagined baseline that the protagonist of the counter movement wants to return to; a traditional way, perhaps the normal, ordinary, or natural way. In this case, the positioning of trans lives and rights as being against the natural order of things might explain the urgency and primacy of this issue for people such as J.K. Rowling. This imagined attack on a way of life through trans acceptance, props up the enduring idea of trans people as a threat. As Sara Ahmed has noted, the narrative of perceived and unevidenced existential threat by a named other is not extraordinary; rather it reveals 'the production of the ordinary' (2004, p.118). It represents a narrative of the ordinary being under threat - the ordinary as victim - and paves the way for harm against the named other. If the underpinning of trans-exclusion is a perceived attack on a way of life - a way of life normalised via transantagonistic architecture - this might explain why some feel so threatened by trans rights. It also might explain why '#ThisIsNotADrill' appears as an appropriate response, and why the viscosity of emotion sits at odds with the banality of impact of trans-inclusion.

Trans-inclusion understood as an attack on a way of life is an outcome of transantagonistic architecture. The enormity of a way of life being under attack explains the emotions bound-up in the topic of trans-inclusion. Through the building blocks of transantagonistic architecture, the figure of the trans person is created. As demonstrated in Chapter 3, despite denials of transphobia (as seen in Rowling's Blog (2020)), trans-exclusionary feminism sits within an ecosystem of disgust, fear and hate towards trans bodies, trans inclusion, and trans rights. To use Sara Ahmed's terminology, the imagined trans figure

becomes the bogeyman. While Ahmed (2004) uses the bogeyman to denote the imagined bogus asylum seeker who threatens 'the nation' and white supremacy, the imagined trans person as bogeyman is similarly positioned against the natural order of things. The imagined trans person represents invasion and impurity and is perceived as the inflictor of hurt and injury. They bring the ordinary into crisis. As trans-exclusionary campaigner Helen Joyce put it, every trans person is 'a huge problem to a sane world' (quoted in Kelleher 2022). The trans person in this telling becomes a figure representing hate and who is hated. The figure of the trans woman is represented as responsible for the ills of womanhood. Yet this negative attachment (Ahmed 2004, p.118) to the imagined trans person by trans-exclusionary feminists is simultaneously a positive attachment (Ahmed 2004, p.118) to others, namely love towards those sharing trans-exclusionary views. In Ahmed's example the hated figure of the asylum seeker brings together those who believe the white nation is under threat. Ahmed outlines how this group unified by repetition of the signifier 'white'. Perhaps the analogous signifier for trans-exclusionary feminists is 'woman', supposedly pure and endangered. An intensity of feeling bringing and sticking together like-minded individuals, is a notable component of trans-exclusionary feminism. To adapt Ahmed's quote by replacing 'white' with 'woman'; 'It is the love of [woman], or those recognizable as [woman], that supposedly explains this shared communal visceral response of hate. *Together we hate, and this hate is what makes us together.*' (2004, p.118, words in square brackets added, emphasis in original).

As discussed, Rowling's use of #ThisIsNotADrill makes sense in the context of trans inclusion as being catastrophic for a way of life. It illustrates how emotion is central. Despite platitudes to the contrary, exploration of the use of #ThisIsNotADrill further illustrates how

positioning trans people as the bogeyman and cis women as the victim, could put trans people in harm's way. This will be discussed further in section 4.3.5. The next section looks at another claim that positions trans-exclusionary feminists as victims; the claim that they are being silenced.

5.3.4 *'It isn't hate to speak the truth'*

'It isn't hate to speak the truth' is used here by Rowling in the context of her concerns that if sex is not taken to be 'real', the consequences for women will be dire. Section 4.3.1.1 addresses ideas of common sense in trans-exclusionary feminism. This section will explore Rowling's implicit invocation of free speech and of 'being silenced' in her signaling of hate speech. Free speech is one of Rowling's stated reasons for taking the stance she does. In her blog she writes 'as a much-banned author, I'm interested in freedom of speech and have publicly defended it, even unto Donald Trump' (2020b, para.15). With this in mind, Rowling's statement 'It isn't hate to speak the truth', is probably referencing the accusation that some of the rhetoric of trans-exclusionary feminism is hate speech (i.e. transphobic) and that this accusation is used to 'silence' trans-exclusionary feminists (Murphy 2019; Moore 2020b; Watson 2020; Perry 2021; Stock 2021c; Suissa and Sullivan 2021; O'Neill 2022). The continued assertion that Rowling and those who share her views on trans people are simply stating the truth, conveys further incredulity that anyone could consider their words to be hate speech. As trans-exclusionary feminist Meghan Murphy writes, 'We are all aware that what we are saying is not hateful, but is perfectly reasonable' (2019, para.5). Evaluating the impact of Rowling's reference to 'hate speech' and evocation of 'free speech' and 'silencing' requires further interrogation of these terms.

5.3.4.1 *Freedom of speech*

Absolute free speech is ostensibly a simple concept: the right to unabated freedom of expression. It can be perceived as legally or morally mandated and is supported for a variety of reasons - for example the right of individual autonomy, to protect the democratic status of a society, or as necessary for adequately conveying thinking and therefore knowledge production (Howard 2019). It is also implicated in the search for 'truth', where 'freedom of speech creates a marketplace of ideas in which truth ultimately prevails over falsity' (Marshall 2021, p.44). This search for unimpeachable truths traces back to the emergence of free speech as a key factor in the philosophy of the Enlightenment Period in 17th and 18th century Europe. Understood as reflecting enlightenment values of truth and reason, the idea of free speech replaced the enforced religious and patriotic speech of pre-enlightenment Europe (Leigh 2022). However, as discussed in Chapter 2, enlightenment period ideals are gendered and racialised, and the concept of free speech is no different in this regard. Expanding upon what Davina Cooper terms the 'preconditions that make speech possible' (2013, para.6) highlights how free speech is unequally available. Pre-conditions can include the assumptions of a universal understanding of speech as the privileged form of communication, an assumed shared understanding of what defines the political sphere, and an assumed shared understanding of the rules of engagement in debate. Failing to take account of differences in these areas is assumed to create bias. For example, these assumptions around free speech have been cited as being integral in upholding white supremacy in settler colonialism (Leigh 2022) because the factors listed above can differ across cultures and the 'rules of engagement' are on settler terms. Furthermore, access to free speech is dependent on power relations determining who is able to speak and who is not, and the infrastructure to be in place to allow them to speak. Discussing these factors,

Judith Butler said:

If free speech does take precedence over every other constitutional principle and every other community principle, then perhaps we should no longer claim to be weighing or balancing competing principles or values. We should perhaps frankly admit that we have agreed in advance to have our community sundered, racial and sexual minorities demeaned, the dignity of trans people denied, that we are, in effect, willing to be wrecked by this principle of free speech, considered more important than any other value. If so, we should be honest about the bargain we have made: we are willing to be broken by that principle, and that, yes, our commitments to dignity, equality, and non-violence will be, for better or worse, secondary. Is that how we want it to be? Is that how we must be? (2017, para.11)

However, debates about the pre-conditions and bias of free speech are often overshadowed by the assumption that free speech is a public good (Leigh 2022). This understanding limits concerns to 'drawing the line' (Leigh 2022, p.3) between free speech and hate speech, with the former being acceptable speech and the latter being unacceptable. It is into the 'drawing the line' debates that Rowling interjects with the claim that her words do not amount to hate speech.

Although it may or may not meet a criminal threshold, hate speech is often defined and policed through reference to the law. Under the Human Rights Act of 1998 all people in the UK have the right to freedom of expression but subject to certain restrictions. These restrictions include 'to protect health and morals, the reputation and rights of others'

(*Human Rights Act 1998*, art.10). Freedom of expression is further restricted by laws covering hate speech which outlaw speech that is ‘threatening, abusive or insulting or causes harassment, alarm or distress’ (*Criminal Justice and Public Order Act 1994*, sec.154). There is also specific legislation outlawing the use of public electronic communications networks to send grossly offensive or menacing messages (*Communications Act 2003*, sec.127). A linked concept is that of protected characteristics, named in the *Equality Act 2010* as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation (*Equality Act 2010*) - with speech motivated by hostility based on one or more of these characteristics often labelled as ‘hate’. The European Convention on Human Rights similarly sets out a qualified right to freedom of expression (Council of Europe [no date]). The wording of laws restricting free speech allow for a range of interpretations, and their application is contested and controversial. Whether any one of Rowling’s interventions violates caveats to the general rule of freedom of expression is open to debate. That they have caused distress to members of the trans community is not (Gwenffrewi 2022). An impasse is reached, as claims and counter claims rest on the inherently contestable division between freedom of expression (free speech) and hate speech. Of greater interest is what accusations of transphobia, and responses to accusations of transphobia, do. This will be explored in the next section.

5.3.4.2 ‘Silencing’

A common response to accusations of hate or transphobia is that trans-exclusionary feminists are being silenced. Yet making the claim of being silenced across a variety of mainstream and popular outlets - for example, *The Guardian* (Moore 2020b), *New Statesman* (Perry 2021), *BBC (Woman’s Hour. 2021)*, *The Spectator* (Stock 2021c) - suggests

a contradiction. A further contradiction is that by amplifying the claim of being silenced, the accusation of transphobia is also amplified. Without the claim to being silenced, fewer would be aware of the accusations of transphobia. This might logically suggest that those claiming to be silenced do not imagine the accusation of transphobia to be as detrimental as claimed. Conversely, those said to be the reason for the silencing - the trans community and allies - rarely find their voices represented in the media¹⁶. Sara Ahmed has analysed the work of these kinds of contradictions and how they importantly reveal power:

Whenever people keep being given a platform to say they have no platform, or whenever people speak endlessly about being silenced, you not only have a performative contradiction; you are witnessing a mechanism of power. (2015, para.10)

A further contradiction illuminating the power at play is how some trans-exclusionary feminists have become litigious in response to speech that does not align with their views. Some have crowdfunded vast sums for legal action (Savage and Asher-Schapiro 2020). Despite Rowling's stated commitment to the right of free speech, she is among those to threaten legal action where speech is exercised against her. For example, Rowling hired lawyers which led to children's news site, The Day, issuing an apology for an article discussing her views (Waterson 2020), and in another instance tweeted 'unless you want to hear from my lawyers, you might want to rethink that tweet' to a twitter user who suggested Rowling could not be trusted around children given her expressed views in recent

¹⁶ Quantitative research regarding the UK press is lacking, but the point is borne out in American research that shows space is given over to legal/political/scientific/medical experts rather than trans voices (Graber 2018)

years (Lalonde 2020). All those threatened with legal action issued apologies or deleted their words. This arguably illustrates that those being silenced are not the ones who claim to be silenced. It also reflects a mechanism of power. Mary Anne Franks refers to this as an 'Orwellian inversion' (2022, para.12) and comments:

Free speech "absolutists" always turn out to be selective in their absolutism: maximalists when it comes to speech that conforms with their world-view and minimalist towards speech that does not. (2022, para.9)

If claims of being silenced are being made by those not being silenced, what do those claims achieve? Firstly, they position trans-exclusionary feminists as the victims. It becomes the accusation of transphobia rather than the transphobia itself that is seen as wounding. Here, again, there are resonances with the work of racism. As van Dijk asserts 'Accusations of racism tend to be seen as more serious social infractions than racist actions or attitudes themselves.' (1992, p.90). This inverts discrimination and positions those suffering bigotry as 'oversensitive and exaggerating, as intolerant' (1992, p.90). The commonality between van Dijk's example and trans-exclusionary feminist claims of silencing is that they are responses to assertions that push against the normative and hegemonic. Narratives of trans-exclusionary feminist victimhood are narratives that flows with, rather than against, the transantagonistic architecture because it presents their views as correct. This links to the second achievement of claims to having been silenced; that it allows a certain narrative to circulate – that of women with reasonable concerns being unreasonably silenced - while suppressing alternatives such as trans people as 'minorities who are constantly being called upon to defend their right to exist' (Ahmed 2015, para.30). As Ahmed points out, 'A version

can be told quickly when that version is to hand or handy' (2015, para.11). The silencing narrative is 'at hand' because it reproduces and fits within the hegemonic dominant norms of gender and sexuality reflected in and by transantagonistic architecture. Within wider normative architectures, trans-exclusionary feminist ideals of biological and binary sexes are no threat to the existing power structures that rely on such constructions to 'guarantee the dominant position of men and the subordination of women' (Schippers 2007, p.94).

Therefore, the trans-exclusionary feminist version of events already speaks to the 'correct' way of being and its narratives can circulate with ease. The following section further builds on the work of this chapter - which has demonstrated how transantagonistic architecture helps ease Rowling's trans-exclusionary arguments into the mainstream - by interrogating whether Rowling's suggestion to trans people to 'live your best life in peace and security' is possible.

5.3.5 'Live your best life in peace and security'

'Live your best life in peace and security' is Rowling's message for trans people. This may seem contradictory given the discussions above, but it can make sense in the context of trans-exclusionary feminists claiming a 'pro-woman' focus. As outlined in Chapter 3, claims to be pro-women as opposed to anti-trans creates the theoretical space where trans-exclusionary demands can be implemented without damage to the trans community. This supports the claim that trans-exclusionary feminists are not transphobic and positions them as victims when they are accused of transphobia. However, as discussed through Rowling's Twitter output, if the protection of women is the overriding aim of trans-exclusionary feminists, it is only certain women who come under this protection. The pro-women stance appears to embed normative and hegemonic understandings of women and is based on

appearance conformity. This section will interrogate whether a supposed focus on the safety of cis gender women as opposed to an anti-trans position, really can allow trans people to live in peace and security.

As outlined earlier through the examples of Bey's imagined teenager and the High Street shop owner, words can and do escape the bubble of social media and contribute to the building of transantagonistic architecture. This is especially the case when an online account has millions of followers, as J.K. Rowling's has. If these words repeatedly construct a minority community as being unreasonable, as deniers of truth, as skewers of common sense as, in short, 'a huge problem to a sane world' (Kelleher 2022), then this is likely to have impacts on the safety of that community. In the year to March 2017 - roughly when an upsurge in trans-exclusionary rhetoric on transgender people in the UK began - 1,248 hate crimes against trans people in England and Wales were recorded (Home Office 2017). By 2023 this had jumped to 4,732 over the same time period (Home Office 2023). Overall trans people are twice as likely to be the victims of crime as cis gender people (Walker 2020). Furthermore, if trans-exclusionary words and resulting fortifying of transantagonistic architecture make it more difficult for this community to use public facilities like toilets and changing rooms, and make it controversial for them to access gendered support services like hospital wards, hostels, sports clubs and LGB facilities; then it becomes even more difficult 'to live your best life in peace and security'. The impact of how transantagonistic architecture has been bolstered over the last few years is further suggested in various survey results. While British attitude surveys show broadly supportive attitudes towards generic questions of trans rights and trans people - 76% believe prejudice against trans people is always or mostly wrong, 83% believe they are not personally prejudiced against

trans people (National Centre for Social Research 2019), - data on the specific issues on which trans-exclusionary feminists campaign, show waning support. For example, in 2016, 58% agreed that trans people should be able to change the sex marker on their birth certificate. By 2022 that figure had dropped to 32% (National Centre for Social Research 2022). YouGov survey results show that support for trans people and trans rights has diminished across a range of issues since 2018. This includes a fall in the number of people agreeing that trans women are women and trans men are men, a rise in the amount of people believing that trans women pose a threat in women's spaces, and a rise in the amount of people agreeing that trans women and trans men should be excluded from sports, changing rooms, toilets and refuges of their gender (Smith 2022). In many ways, these results mirror the undefined generic claims of support for trans people by trans-exclusionary feminists, while they simultaneously campaign against each specific element that would bolster trans rights. As previously discussed, the trend towards greater gender policing in public spaces also puts cis gender non-conforming women at risk of exclusion because normative gender expression becomes the proxy for womanhood.

In addition to the impact trans-exclusionary campaigning on the day-to-day lives of trans people, is the persistence of the more insidious questioning of trans existence. The idea that trans is not 'real' feeds into ideas of trans people as being either delusional or dangerous. While this allows the rapist trope to continue, it also threatens access for trans people to gender-affirming healthcare and legal protection. In 2018, the UK government announced that it would introduce legislation in England to ban LGBT conversion therapies¹⁷. Trans-exclusionary feminist groups including Fair Play for Women (n.d.) and Sex Matter (2021b)

¹⁷ The picture differs across Northern Ireland, Wales and Scotland (BBC News 2021).

along with some mainstream press (Turner 2021) objected to the ban on the grounds that it would hinder the provision of therapy offered regarding gender identity. In 2022, following a public consultation, the government announced that it was scrapping the proposed ban (Brand 2022). Hours later, in the wake of a backlash from LGBT+, health, psychology, and mental health organisations (for example, Mind 2022), the government announced that it would be moving ahead with a revised version of legislation applying only to LGB conversion therapies. Trans conversion practices would not be banned despite affecting twice as many trans people as gay people (Government Equalities Office 2018a, p.89). The handling of the conversion therapy ban led to the disbanding of the government's LGBT advisory panel after members resigned (Allegretti 2021).

Excluding trans people from protection against conversion therapies and dropping plans to reform the *Gender Recognition Act* are high profile indicators of the impact in the UK of anti-trans rhetoric fortified by the scaffold of transantagonistic architecture. This fortification allows for transantagonism to be normalised. This in turn leads to: the rise in trans-exclusionary rhetoric in the British press (as noted in the Introduction and Chapter 4), UK government ministers openly expressing trans-exclusionary views (Butcher 2022), the spate of policies banning trans participation by sports associations (Davis 2022), the discourse over gendered spaces (Jones and Slater 2020), and NHS policy changes (Rigby 2022). Furthermore, and as outlined in Chapter 3, the continued reference to being 'pro-women' and simply applying 'common sense' gives trans-exclusionary groups legitimacy and obscures their aims from organisations, institutions, and the public alike. This has led to decisions such as the LGB Alliance - a group set up to prevent the 'dissemination of the lie of gender identity' (Gentleman 2022, para.1) - being awarded charity status. These events and

the discussions that surround them feed into building and fortifying transantagonistic architecture, in a similar way to J.K. Rowling's tweets. This can be imagined to add to the burden on trans people, including their view of self. As Bey writes, if you fail the regime of gender normativity that regime requires you to 'punish and discipline yourself, and think sensible that others punish and discipline as well' (Bey 2022, para.3). Shon Faye, author and trans woman, writes of her experiences:

Ever since I was a child, I have had to learn to keep going in a world which signalled to me at every turn that I was mad, bad, sick, deluded, disgusting, a pervert, a danger, unloveable. I still do. I still struggle, at times, to like myself, and there are days I have to remind myself, consciously, that I have done nothing wrong in being trans, being feminine, being a woman. This has left its scars. (2021, p.386)

Faye can be said to be describing her experiences of the work of transantagonistic architectures which reflect and co-create a stigmatising social climate. This is a familiar experience to many minoritized communities and the cause of minority stress (Meyer 2003), which is linked to poor mental health outcomes. This stress is especially acute as trans identities sit in sharp relief to gender conformity norms. The words of trans-exclusionary feminists contribute to this stress. The signalling that Faye describes leads to an internalised transphobia experienced as shame, alienation and a desire to pass as cis gender (Bockting et al. 2020). This represents an internalisation of the emotions (for example, shame and disgust), which Sara Ahmed might describe as having circulated and become 'stuck' to the trans individual (as outlined in Chapter 1). Speaking on internalised racial oppression, Franz Fanon coined the term 'epidermalization of inferiority' (2008, p.4) to explain how oppressed

people relativise themselves against a norm. Fanon explains how a black person taking on the 'white gaze' through repeated experiences of racism, restricts their possibilities of existence through restricting their imagined possibilities for the future. Fanon describes this process as a bodily everyday experience, with the black body 'sealed into that crushing objecthood' (2008, p.82); an explanation that might effortlessly resonate to trans bodies. In summary, what might be called the internalisation of the stigmatised social climate created through transantagonistic architecture is another hindrance for trans people to live their 'best life in peace and security'. The position of trans-exclusionary feminists like J.K. Rowling resonates in the words of Cameron Awkward-Rich, trans person and poet, who describes trans lives lost: 'There is something deeply unsettling, that is, to the insistence that someone ought to be alive in a world that did little to support that life' (2019).

5.4 Transantagonistic architecture and links between feminist and anti-feminist campaigns

It cannot be suggested that J.K. Rowling intends her words to make life more difficult for trans people. She is presumably genuine in her wish that trans people can live in peace and security. However, as Davina Cooper (2013) has discussed in reference to absolute free speech, while a consequence may not be sought or desired, that does not preclude the speaker from bearing some of the weight of responsibility. One such consequence of trans exclusionary feminism is the messy and entangled link between some feminists and anti-feminist movements, organisations and regimes with histories of being anti-women and anti-LGBT. This will be explored in greater depth in Chapter 6, but a precursory example can be drawn again with reference to J.K. Rowling. On 7 June 2020 Rowling tweeted the following:



This tweet contains many of the themes already outlined: explicitly stated support for trans rights, the utilisation of being pro-women, and ideas of free speech. Yet on 10 April 2022, when several large marches took place in the UK to protest the exclusion of trans conversion therapy from the ban on conversion therapy, J.K. Rowling was not marching with them. Instead, she was hosting a lunch for some of the most prominent women in the gender critical movement. Guests included Maya Forstater whose organisation Sex Matters launched their campaign 'Respect My Sex' in The Daily Mail (Forstater 2022b); Alison Bailey whose organisation LGB Alliance has offices at an address which is also home to right-wing think tanks, utilises right-wing media, and has questioned the suitability of gay teachers, LGBT school clubs and gay marriage (Parsons 2020; Stone and Hurley 2022); Helen Joyce who has used eliminationist language when discussing trans people (Kelleher 2022); and Kathleen Stock who finds support in right wing media and works at the unaccredited and 'anti-woke' University of Texas (Place 2021). It seems likely that an embracing of anti-women, anti-LGBTQ and often racist outlets and organisations has negative impacts on

women, on queer people, and on people of colour. A willingness to embrace these organisations, suggests this is viewed as a price worth paying to ensure trans-exclusion. The ease of overlap also suggests that shared views are reflected in transantagonistic architecture. While trans-exclusionary feminists are not the only or largest contributing factor to transantagonistic architecture worldwide, there are links between them and those who are, namely, right-wing and authoritarian contributors. Chapter 6 will demonstrate how these links and synergies continue globally through the transnational anti-gender movement. Indeed, J.K. Rowling received support from Vladimir Putin who admonished the West for 'cancelling' her 'just because she didn't satisfy the demands of gender rights' (Giordano 2022).

5.5 In summary

This chapter has described and demonstrated the concept of transantagonistic architecture. Transantagonistic architecture is a conceptual tool to illuminate transantagonistic epistemological and phenomenological structures. This architecture is fortified by trans-exclusionary feminist arguments while simultaneously working to ease the promulgation and reproduction of transantagonistic messaging. Due to a reliance on a binary and stable understanding of sex transantagonistic architecture accords with wider normative understandings of gender and sex, and protects the status quo. This is at odds with the trans-inclusive arguments that cannot rely on such assisted propagation. The normalisation of transantagonism through transantagonistic architecture can be fortified with a simple poster in a shop window or a tweet by a top-selling author. This normalisation allows transantagonistic views to be 'common sense' which in turn makes the accusation of transphobia worse than the act of transphobia. Free speech that only reinforces the

normative turns calls for trans rights into radical, dangerous, and insane demands. It is an architecture that renders invisible harm and allows trans-exclusionary feminists to claim they support trans rights while simultaneously undermining them and making life more difficult for trans people. Claiming that trans people are free to express themselves however they wish - provided their assigned sex is not denied - belies an ultimate reliance on gender expression and gender conformity which harms cis and trans people alike. This is a gender conformity that props up male supremacy and explains why such seemingly diverse people such as J.K. Rowling and Vladimir Putin may share some views. This point will be explored further in the next chapter which interrogates how trans-exclusionary feminism sits within the transnational 'anti-gender' movement.

6. Trans-Exclusionary Feminism and the Anti-Gender Movement

My notes from ... a pride parade

A beautiful sunny day for a Pride march. I'm marching with the union I belong to. In previous years I have joined the march or watched from the side-lines. In years gone by I've skipped the march and enjoyed the later festivities but not now in fraught political times when the march seems as vital as it ever was. Today, I arrive early at the designated starting point. As usual there is a delay in starting so I take in the marchers around me. There are thousands of people, and the feeling is of joy, love and solidarity. It seems larger than in other years. Plenty of gay allies are holding placards for solidarity with the trans community. The flags of the different sections of queer community are on display, along with solidarity with movements such as striking workers and anti-racism. Once the march gets underway, we slowly navigate the central streets of Cardiff. The route is lined with spectators. There is music, dancing, placards, and flag waving.

At one point our progress slows to a halt. After a few minutes of standstill my phone pings – someone further ahead in the parade is messaging me to tell me there is a disruption. A small group of women are blocking the route. It doesn't come as a surprise. My friend tells me we know two of the women. Again, this is no surprise. I look on Twitter and find a photo of the disturbance. Organised by trans-exclusionary lesbian group 'Get The L Out' and supported by 3 other trans-exclusionary organisations, 8-10 women, dressed all in black, block the pride parade. Between them they hold 4 banners – 'Transactivism erases lesbians', 'the cotton-ceiling is rape', 'Lesbians don't like penises' & 'Lesbian not Queer'. The parade is held up for a short time before the police move them on. I later see video of the incident. Tempers fray. Women from the parade are shouting 'not in my name' at the 'Get The L Out' women and telling them impolitely to move on. Around me, further back in the parade, people are angry that the politics of exclusion should intrude on a day supposedly about inclusivity. The organisers of the parade react by moving a large trans flag to the front of the parade and we continue.

This short interlude has what I assume is the desired effect for 'Get The L Out'. The story makes it into most news sites and newspapers. The head of 'Get the L Out' is interviewed on GB News. The Daily Mail is outraged that lesbians have been removed from pride. The incident makes a splash on Twitter – aided by comment and retweet by famous names such as Martina Navratilova, Suzanne Moore, Boy George and Billy Bragg. Yet it is a small social media post that catches my eye. One of the 'Get The L Out' protesters writes about her shock that it was women who challenged her, that it was women who seemed most angry at her actions. She seems genuinely surprised and saddened by this. I'm shocked that she is surprised. I wonder if it occurs to the protesters that the policing of gender has impact far beyond the trans community, and women tend to take that brunt? It leaves me pondering the feasibility of 'single-issue' in single-issue politics.

As I will argue in this chapter, the anti-gender movement is theorised in gender studies and feminist literature as being anti-trans as part of an also anti-feminist, anti-reproductive rights, and anti-gay effort to shore-up cis-hetero-patriarchal naturalisation. Yet this literature is equivocal or silent on where anti-trans *from a feminist perspective* fits within this, if it does at all. This apparent reluctance to assert if and how trans-exclusionary feminism is part of the transnational anti-gender movement is not surprising because trans-exclusionary feminism complicates the criteria commonly used to define the anti-gender movement. This can be illustrated through a) trans-exclusionary feminism being women-led, whereas anti-gender is generally male-led, b) feminism is understood to sit on the left of the political spectrum, whereas anti-genderism tends to sit on the right and c) trans-exclusionary feminism is a single-issue politics not straightforwardly linked to anti-feminist, anti-reproductive rights and anti-gay efforts and d) trans-exclusionary feminism tends to dominate in countries that are not hotbeds of other forms of 'anti-genderism'.

Notwithstanding these differences between features of trans-exclusionary feminism and the anti-gender movement as currently theorised, this chapter will argue that trans-exclusionary feminism does sit firmly within the wider transnational anti-gender movement. This is not to suggest there is a coordinated anti-gender leadership from which feminists take their lead, rather that the anti-gender movement can also be defined as that which coalesces around opposition to so-called 'gender ideology'. This chapter will show how opposition to 'gender ideology' can be distilled as opposition to challenges to the stability of 'sex' as a category. This chapter will show how foregrounding the opposition to challenges to the stability of sex as a defining element of the anti-gender movement, locates trans-exclusionary feminism firmly within that movement. This foregrounding also makes clear the symbiosis/collaboration between feminist and other anti-gender actors, how trans-

exclusionary feminism makes space for other anti-gender arguments and how they represent emotional reaction to a shared threat. Further, this chapter will detail how it is precisely because trans-exclusionary feminism is women-led and with recourse to a narrative of 'common sense' and because it nominally sits to the left of the political centre, that it dominates in places where more traditional forms of anti-gender have thus far failed to become established. Therefore, trans-exclusionary feminism can be argued to form a strategically crucial part of the anti-gender movement. This illustrates how although transnational, anti-genderism exploits national contexts. This leads me to conclude that in the case of so-called more 'progressive' countries, particularly the anglosphere, trans-exclusionary feminism is the acceptable face of, and a contextual adaptation of, the anti-gender movement.

6.1 Anti-gender: an introduction

'Anti-gender' is a transnational movement which mobilises against 'gender' to oppose a host of issues, including reproductive and sexual rights, equality policies, LGBTQ rights, immigration, sex education and gender studies (Kováts 2017; Kuhar and Paternotte 2017; Graff and Korolczuk 2021). The term anti-gender is mostly used to denote the post-2010 growth of such oppositions. Of course, resistances to these issues pre-date 2010. However, the anti-gender movement is sufficiently novel - in ways that will be discussed at length in this chapter - that it has been labelled 'not just more of the same' (Corrêa and Parker 2020, p.10) and 'A new phase of global struggles around gender equality and sexual democracy' (Graff and Korolczuk 2021, foreword). It has also prompted Judith Butler to state that 'the anti-gender movement is one of the dominant strains of fascism of our times' (quoted in

Parsons 2021). The anti-gender movement is active in all regions of the globe with country-specific campaigns and protests reflecting local cultural and political specificities. While national manifestations of the movement differ, campaigns share discourses, strategies and modes of action (Kuhar and Paternotte 2017). While many actors involved in the movement are explicitly against an idea of 'gender', they might more readily associate with the local manifestation, for example as upholders of European 'traditional values' in Russia (Moss 2017) or campaigns to undermine legitimacy of gender studies in Sweden (Graff and Korolczuk 2021, p.7). Accordingly, there is not a centrally organising 'anti-gender' body as such, but rather various mobilisations that can be said to flow from a clash between, or a challenge to, particular political organising systems.

It is this 'anti-gender' movement that is the focus of this chapter. This is different from, but can be related to, the contested terrain of gender that has long occupied feminists, as outlined in chapter 2. Anti-gender is, like 'gender critical', a term that here represents more than its apparent face value. So, just as it is possible to be critical of/critique gender yet not be 'gender critical' in the trans-exclusionary sense, it is also possible to be anti-gender yet not 'anti-gender' in the sense of the topic of this chapter. I will explain this more fully as the chapter progresses. Acknowledging, but setting aside these differing appropriations, I will now move on to explore the contemporary anti-gender movement. After positioning it as a social movement, this chapter will explore what the anti-gender movement means by 'gender', how the anti-gender movement is currently conceptualised, and the relationship between trans-exclusionary feminism and the anti-gender movement.

6.2 Anti-gender as social movement

This chapter works with the idea of the anti-gender movement as a social movement.

Whereas Graff and Korolczuk refer to the anti-gender movement as a 'political movement' (2018, p.799) to reinforce its political aims, here I prefer the term social movement to convey the breadth of campaigning beyond simply the political sphere narrowly defined. As discussed with reference to trans-exclusionary feminism in Chapter 3, anti-gender mobilisation can further be positioned as a counter-movement (Corredor 2019) to the progressive movements that heralded women's and LGBTQ+ rights. Thus anti-gender mobilisation can be viewed as a reaction to the successes of feminist and queer politics (Graff and Korolczuk 2021). Kuhar and Paternotte (2017), however, refute a framing of the anti-gender movement as only a reaction against past events by pointing out that in some situations, the movement has been a prophylaxis against an imagined future threat rather than as counter to an existing success of progressive movements. Whether 'counter' or not, this does not detract from anti-gender mobilisation being a social movement given that it satisfies the following defining features; a) its actors are engaged in political/cultural conflicts to promote or oppose social change, b) its dense informal networks go beyond collective action with the boundaries of a specific organisation and c) its actors share a common purpose and commitment to a cause (Della Porta and Diani 2020). The social movements literature further shows how emotion is central to social movements.

Collectivity and enthusiasm are forged and maintained through, and with, emotion; with love for the group (Berezin 2001) and hate for the outsider (Mann 2004). The flow of emotions in social movements are so fundamental to their functioning that James Jasper

finds that the emotionally generated energy and excitement 'become[s] a motivation every bit as important as a movement's stated goals' (Jasper 2011, p.296) for participants. Noting how activist movements are 'world-making' and 'meaning-producing' for their participants, Deborah B. Gould describes how they create strong feelings of 'collectivity, euphoria and camaraderie' (Gould 2013, p.13) and how, once experienced, there is a strong desire to continue feeling these. This sustains participation.

Regarding the anti-gender movement, this chapter further refers to 'movement' singular. Here I evoke the work of Sonia Corrêa. Corrêa has described the anti-gender movement as 'a hydra' (2019), a mythical multi-headed monster, in an attempt to convey its reach and diverse presentations. I further develop this idea as I refer to the singular anti-gender movement to reaffirm it as one 'beast'. The 'heads' (e.g., localised iterations), I refer to as campaigns/protests. As noted above, a singular movement does not imply uniformity. Localised iterations can appear different from each other. Taken in isolation any of the multiplicity of 'heads' can seem entirely separate from the next. This dynamic requires moving between the global and local to fully understand the movement. As Corrêa (2019) contends, anti-gender politics represents micropolitics, macropolitics and geopolitics.

6.3 The 'gender' in anti-gender

As outlined in Chapter 2 gender can hold many different meanings. It is therefore important to explore which understandings of 'gender' the anti-gender movement is opposing. This is crucial when 'gender' provides the anti-gender movement with their interpretive frame

(Kuhar and Paternotte 2017) and acts as the ‘symbolic glue’ (Põim and Kováts 2015) holding disparate anti-gender campaigns together. As Kuhar and Paternotte (2017) state, all anti-gender campaigns share a common theoretical root in ‘gender ideology’. The origins of the term ‘gender ideology’ in this context can be traced back to opposition to gains made by the feminist and LGBTQ movements in the 1990s (Corrêa 2017). These gains were reflected in the policies developed and language used at the UN World Conference’s on Women, particularly Beijing 1995. The introduction of the term ‘gender’ in related UN documents was seized upon by US-based right-wing Catholic groups who saw it as an attack on traditional understandings of men and women and who were opposed to progressive movements such as gender mainstreaming policies, reproductive rights, and gay rights (Corrêa 2017). This opposition to ‘gender’ was embraced by the Vatican as a means of defending the stance that women and men are different and complementary (Kuhar and Paternotte 2017). In 2001 Pope John Paul II said that ‘misleading concepts concerning sexuality and the dignity and mission of the woman’ are driven by ‘specific ideologies on ‘gender’’ (as quoted in Corredor 2019). Subsequent popes have continued this opposition with Josef Ratzinger (later Pope Benedict XVI) a driving force behind early 2000s Vatican publications on the dangers of ‘gender ideology’ (Kuhar and Paternotte 2017), and Pope Francis having made several statements against ‘gender ideology’ during his current pontificate. Asked in 2020 where he sees evil at work today, Pope Francis responded ‘gender theory’ with its ‘dangerous’ aim of erasing distinctions between men and women (Wooden 2020). In 2003 the Pontifical Council for the Family published *Lexicon: Ambiguous and Debatable Terms regarding Family Life and Ethical Questions*, devoting a chapter to ‘An Ideology of Gender’ (The Catholic Church 2006). This chapter outlined the perceived dangers, as imagined by the Catholic Church, of accepting that there is no fixed nature of

women and no fixed nature of men. For the church, these dangers included the breakdown of the moral fabric of society, the promotion of homosexuality and the inciting of gender confusion (Wooden 2020).

While the coining and development of the term 'gender ideology' can be traced back to the Catholic Church, use of the term spread far beyond religious settings in the 2010s, often obfuscating its origins. 'Gender Ideology' is now used by the various actors involved in the anti-gender movement to describe both what they oppose and what their opponents practice. Sonia Corrêa (2019) describes a variety of secular groups and individuals from across political and intellectual spectrums now campaign against 'gender ideology' including scientists, psychoanalysts and right- and left-wing politicians. Examples from the political sphere being Donald Trump stating (in reference to trans rights), 'We're going to defeat the cult of gender ideology and reaffirm that God created two genders called man and woman' (quoted in McClure 2023) and campaigns which led to anti-homosexuality laws in Uganda (Okech 2023).

According to proponents of the anti-gender movement, 'gender ideology' places an ethereal or affective 'gender' above the 'reality' of 'sex', allowing a breaking out (or breaking down) of the natural cis-heterosexual family unit where the woman and man take complementary and hierarchical roles. Reflecting the anti-gender movements antipathy towards gender studies, Judith Butler is often labelled as the 'mother' (Kuhar and Paternotte 2017, p.5) of 'gender ideology' by anti-gender actors, a position most starkly illustrated when Butler and partner Wendy Brown were chased in Sao Paulo by protestors screaming 'Paedophile!'

(Miskolci 2018). Mayer and Sauer conclude that use of the term 'gender ideology' represents a 'specific (mis)representation of (de)constructivist feminist and queer theories, which is used as a background story to delegitimize all kinds of progressive policies' (2022, p.3). This background story works as shorthand to evoke fear of an 'unreasonable' and 'unscientific' lobby at odds with 'common sense' who pose an existential threat to society, or as Serena Bassi and Greta LaFleur term it, proponents of 'a currently unfolding anthropological revolution ... to erase all differences between the sexes' (2022a, p.312). 'Gender Ideology' is therefore an emic concept (Gunnarsson Payne and Tornhill 2021, p.3), meaning that the principal concern with the term is how it is used by anti-gender actors themselves, rather than its reference to any existing external scheme.

While it is clear the 'gender' in anti-gender thinking equates to 'gender ideology', it remains unclear exactly what this represents. It seems more easily defined by what it opposes – broadly, 'a denaturalised vision of the gender-related and sexual order' (Garbagnoli and Prearo 2017, cited in Awondo et al. 2021) – than what it stands for. It is a term that 'assumes that gender studies and queer, trans, feminist movements produce an ideology that attacks and opposes the majority of the population, while heterosexuality and stable gender binary are seen as unideological and natural' (Tudor 2021, p.240). Yet exactly what that ideology is remains unclear. 'Gender Ideology' is a phrase 'that eludes all attempts to precisely define the meaning and scope of the term' (Mayer and Sauer 2022, p.23). Herein, in part, lies its utility. The term 'gender ideology' functions as an 'empty signifier' (Laclau 1996, p.36); 'a sign without connection to a particularistic demand' (Laclau 1996, p.40). This allows it to act as a 'rallying cry' in a variety of contexts and across a range of issues. Its

emptiness and malleability allow it to tap into different local fears and anxieties and 'gender ideology' can be shaped to fit local political projects (Corrêa et al. 2018, para.16). Thus, in this localised sense the emptiness of the term can be said to be filled to meet specific narratives. For example, for anti-trans campaigns 'gender ideology' can be an ideology that allows women to be men and men to be women (and thereby defying the 'common sense' of trans-exclusion). Empty signifiers function particularly well in populist discourse as they are signs that help construct the 'we' from the 'other' (Mayer and Sauer 2022, para.13); a feature of anti-gender campaigns. So rather than have a particular meaning, the deployment of the term 'gender ideology' is a discursive tool or a semantic frame (Corrêa 2017, para.6) used to coalesce and mobilise diverse actors against disparate issues and actors – 'here the feminists, there the gays, over there the artists, ahead the academics, elsewhere the trans bodies' (Corrêa 2017, para.7).

Having outlined which aspect of 'gender' the anti-gender movement opposes, namely an amorphous 'gender ideology' that promotes gender confusion and LGBTQ and women's rights; I will now discuss how the anti-gender movement is currently conceptualised by gender studies and feminist academics.

6.4 Current academic understandings of the anti-gender movement

Academic interest in 'anti-gender' campaigning dates to around 2014 (Graff and Korolczuk 2021, p.18), reflecting the early 2010s emergence of the anti-gender movement. The mapping and conceptualising of the anti-gender movement has generally been informed by

the geographical situation or interest of the researcher. This again highlights the locally specific nature of this transnational movement. In this section I will refer mainly to the work of Agnieszka Graff and Elżbieta Korolczuk and Roman Kuhar and David Paternotte for a European perspective, and Sonia Corrêa for a Latin American perspective. The anti-gender movement operating in Africa and Asia has been under-theorised as a singular movement of connected campaigns, instead being particularised as reactions to feminist gains or gender mainstreaming initiatives. However, these locations are important as they illustrate the “gender’ as (neo)colonial imposition’ arguments pursued by certain anti-gender actors, and I will explore this below. As with Africa and Asia, ‘anti-gender’ is under-theorised in the anglosphere. This despite multiple campaigns bearing insignia of anti-gender, for example Donald Trump’s attacks on LGBTQ+ (Human Rights Campaign no date) and reproductive rights (Sullivan 2016). The under-theorising of an anglosphere anti-gender-movement is also despite funds from USA-based organisations and individuals comprising one of the largest funders of the anti-gender movement (European Parliamentary Forum for Sexual and Reproductive Rights 2021). This chapter’s articulation of trans-exclusionary feminists as anti-gender actors in, particularly, the UK begins to redress this gap in the literatures.

Thus far, research into the anti-gender movement tends to have an eastern European or Latin American focus. Below I outline what this existing research highlights as characteristics of the anti-gender movement.

6.4.1 Ultraconservatism and right-wing populism

Most analysts of the anti-gender movement agree that its motif is a combination or merging of ultra-conservative ideology and right-wing populism (Kuhar and Paternotte 2017; Graff and Korolczuk 2021). This goes some way to explain the timing of the emergence of the anti-gender movement. Whereas the discourse of 'gender ideology' was developing by ultra-conservatives as far back as the 1990s and was fully formed by 2003 (Kuhar and Paternotte 2017), it is the post-2010 rise in right-wing populism that can distinguish the anti-gender movement from previous oppositions to progressive change. This combination of conservatism and populism has been described as an 'opportunistic synergy' (Graff and Korolczuk 2021, p.7). Right-wing populists have taken-up the anti-gender discourse as an iteration of the populist mainstay of representing the 'common people' against the elites. Here the elites are often presented as the 'establishment, the academics, and the supranational organisations such as the European Union or United Nations who are said to 'impose' 'gender ideology' against the wishes of the majority. A perceived threat posed by 'gender' also fits the populist nationalistic argument that the majority need protecting from an 'other'. Like the collective imaginary of the stereotypical migrant, the LGBTQ+ person is successfully positioned as the dangerous 'other'. LGBTQ+ people are said to be particularly dangerous as they threaten the cornerstone of society, the nuclear family. Anti-gender discourse, then, fits with the 'populist toolkit' (Kuhar and Paternotte 2017) of turning disadvantaged groups into perpetrators and scapegoats. Importantly, anti-gender is strategic for right-wing populists, who are not necessarily socially conservative (Graff and Korolczuk 2021, p.7) but understand that the galvanising power of fear serves them well in their desire for political power. By coming together both ultra-conservatism and populism expand their reach.

While right-wing populists are strategically anti-gender, it is the ultra-conservatives who are ideologically anti-gender. The ultra-conservative are often representatives, affiliates or followers of the Catholic Church and the Vatican. Sonia Corrêa has described anti-gender ideology as being 'gestated in the Catholic Church' (2019). Having discussed 'gender ideology' and the Catholic Church in sections above, it is of no surprise that countries where the Catholic Church is at its most powerful or most entwined with the state, are also countries where the anti-gender movement has had most success or visibility. These include Latin American and some eastern European states but also the western European states of Italy and Spain. However, Christian fundamentalism more broadly has become an integral factor in some anti-gender campaigns. Ramírez (2020) has pointed out that on issues of 'gender' the Catholic Church is 'politically and culturally allied' (p.20) with evangelical Pentecostalism. This is relevant to the anti-gender movement in sub-Saharan Africa where evangelical Christianity, not Catholicism, exerts influence. Ramírez also indicates that religious anti-gender actors, although ideological in their opposition to 'gender', are maximising the current anti-gender moment in an attempt 'to gain control over the State and its institutions ... and, then, from within impose its social and economic vision on societies.' (2020, p.20). It is of interest to note that conservative Islamic influences are often seen as outside of the anti-gender movement. Consequently, Islamic and Muslim-majority countries of north Africa and Asia are generally not seen as sites of the anti-gender movement. Partly this is because these countries tend not to be sites where progressive politics flourish and partly because anti-gender actors often use the Islamist 'other' to reinforce their position (Graff and Korolczuk 2021).

Explanations of the anti-gender movement as reliant on powerful right-wing and conservative factions, can only go so far. Using a national lens illustrates the adaptability of the anti-gender movement in showing where the right-wing/conservatism description does not quite fit. As Corrêa points out, while it is true that the anti-gender movement is dominant in many countries with a history of authoritarianism and/or social conservatism (for example, ex-soviet states, Catholic states), campaigns also find success in democratic countries with a history of progressive politics and/or less influential religious bodies (for example Sweden, Germany and France). This might reflect an upswing in right-wing populist support in these states but not one significant enough to result in electoral triumph (for example parties currently in power in Sweden, Germany and France all hold the political centre ground). However, the anti-gender successes and popularity in these countries can result in centre and left-wing parties adopting certain anti-gender causes and moving the centre ground rightwards. Perspectives from Latin America further complicate a reliance on right-wing populism as constitutive of anti-gender because anti-gender campaigns flourish where governing populism is sometimes of the left-wing variety (nominally at least). For example, during Rafael Correa's socialist leadership of Ecuador, he stated that 'gender ideology' and gender studies 'are monstrosities that don't resist neither the wider nor the minimal analysis' and that they destroy the family (Viteri 2020, p.105). Whether of left or right, populism employs the same themes and rhetoric, centred around 'the people' (however defined) against an 'other(s)'. The 'other' in left-wing populism is more likely to be large corporations and organisations than specific groups of people, but the anti-gender rhetoric shifts to being about these corporations and organisations imposing their ideas of 'gender', which leads to the targeting the same groups as right-wing populism. Regardless of variations, populism is inherently geared to incite emotion (Wirz 2018), playing on pride and

hope of belonging to 'the people' and anger and fear of an 'other(s)'. This appeal to emotional registers has the effect 'to raise the affects of the people and arouse their immediate feelings' (Lazaridis et al. 2016, p.12). Therefore, the left-wing/right-wing populism distinction with reference to anti-gender is likely moot, with the literature's focus on the right-wing a reflection of the countries/regions of greatest scholarly focus rather than the implication that other forms of populism cannot be anti-gender.

6.2. Anti-gender, neoliberalism and liberal democracy

A number of scholars position the anti-gender movement, at least in Europe, as a right-wing reactionary critique of neoliberalism (Gunnarsson Payne and Tornhill 2021; Graff and Korolczuk 2022). Neoliberalism encompasses values such as individualism, human rights, and gender equality. As a critique of neoliberalism, the anti-gender movement is therefore conceptualised as a crisis of the prevailing global economic order. It is also, therefore, a movement aiming to overturn the prevailing global economic order - a shared aim with many feminist and queer politics. For Graff and Korolczuk, 'feminists and the left' (2022, p.153s) ignore at their peril that they no longer have monopoly of critiques of neoliberalism. However, for some, anti-gender thinking is further about destabilising the connected prevailing political order of liberal democracy (Kováts 2017). Whereas feminist and queer politics contribute to democratisation due to their challenge of domination and exclusion (Verloo and Paternotte 2018), anti-gender has de-democratising practices and aims to legitimise only a narrow band of knowledge and truth. Lombardo and Kantola (2020) state that gender equality is a litmus test for democratic health, with anti-gender attacks equating to attacks on democracy.

For Graff and Korolczuk (2022), the anti-gender movement has grown precisely because it offers to defend ordinary people against neoliberalism - the effects of globalization, rampant individualism, and alienation resulting from consumer culture. They view the movement as a response to a system that promises much but delivers only for a few. This scenario is particularly powerful following the 2007-2008 global economic crisis that produced waves of austerity in Europe and elsewhere, disproportionately impacting the poorest, and growing wealth inequality. Perceived failure in the socio-economic system of neoliberalism results in anxiety, shame, and anger which are harnessed by the anti-gender movement (Graff and Korolczuk 2021). The sleight of hand comes in passing the blame for these genuine hardships onto groups such as feminists, LGBTQ+ people, and immigrants for demanding too much. Exploring the affective workings of anti-gender ideology, Clare Hemmings shows how the disappointments of austerity manifest as rage against these groups as they are perceived to have gained from contemporary global shifts at the expense of 'ordinary families' (2020, p.32). These groups are said to have contributed to the destruction of 'a golden age' (Kuhar and Paternotte 2017, p.14) when the natural order of things prevailed and life was simpler. Individualism and equality - pillars of neoliberalism - give way to retrenchment of ideas of family values, traditional values, and the nuclear family.

6.4.3 The fortification of the 'traditional family'

Anti-gender is a movement about masculinity; a movement that exists to shore-up the dominant status of men, not least as head of the household (Korolczuk and Graff 2018). This

'shoring-up' runs through the points discussed in the sections above; the shared anxieties of patriarchal conservatives and masculinist populists and the concern that neo-liberalism and liberal democracy no longer benefit the 'natural order of things' (i.e., man-led). In this masculinist reading, feminist and queer rights, and postmodern scholarship that deconstruct essentialist assumptions around gender and sexuality, are seen as a threat to the dominance of men and masculinity because they denaturalise male power. With reference to the family unit, 'gender' supposedly threatens societies and 'mankind' by ignoring sexual difference that provides the framework of the 'traditional' family. The anti-gender movement particularly focuses on replacing the neoliberal tenet of the rights of the individuals with the rights of the (male-led) family (Korolczuk and Graff 2018). A focus on reinforcing masculinity and the role of men, should not mask that anti-gender actors are women as well as men. Marguerite Peeters (cited in Kuhar and Paternotte 2017, p.5), a well-known writer on 'gender', states:

... the revolutionary process of gender undermines – culturally, politically and legally – the constitutive identity of man and woman as persons: their identity as spouses, their wonderful complementarity and unity in love, their specific vocation and educational role, masculinity and femininity, marriage and the family, the anthropological structure of any human being ...

The anxieties of those invested in the dominance of men and traditional gender roles has been triggered by the acceptance or increased prominence over the last decades of different family formations. This poses a threat to the so-called natural order of things, the

heterosexual family unit, of which the man is leader. Here, anti-gender rhetoric again encompasses or crosses-over with anti-migration campaigning, with an extreme narrative being a shared conspiracy theory about 'others' wanting the extermination of white, western, Christian populations (Graff and Korolczuk 2021). Anti-gender and anti-immigration movements also share a stated aim of protecting women, the former from anything that might detract women from their natural calling of wife and mother, and the latter from racialised immigrant men. Calls to protect women and children have been termed 'emotional references' (Põim and Kováts 2015, p.33) to elicit support and create moral panic.

As Graff and Korolczuk note, 'In one way or another politics of reproduction, kinship and hierarchy of power between genders are always at the centre of anti-gender campaigns' (2021, p.6). Women's and gay rights are positioned as destroyers of the traditional family unit and hence a source of 'vulnerability' (2021, p.89) to society. Yet how this is communicated depends on the local context. Anti-gender campaigns in countries with more progressive politics have to 'carefully calibrate their discourse' (2021, p.88). For example, in eastern European countries, anti-gender campaigns are often openly homophobic, whereas such a strategy in western Europe would hinder mainstream embrace. Sometimes this calibration involves a focus on issues that can act as euphemism or proxy. This is seen in campaigns that target the teaching of gender studies as being 'unscientific', or by maintaining that 'gender ideology' - said to have been brought about by feminist and queer activism - is dangerous, while also maintaining that homosexuality is acceptable (Graff and Korolczuk 2021).

6.4.4 *'Gender ideology' as neocolonialism*

As noted above, some anti-gender campaigns in Europe position 'gender' as the destroyer of the traditional family unit, which is assumed to be the bedrock of western society. In this telling, the imposition of 'gender' by socially liberal organisations, feminists, and queer populations, is linked to the aim of 'white genocide' (Graff and Korolczuk 2021, p.134) through destroying the norm of the traditional 'Christian' (here as euphemism for 'white') family unit. At odds with this - and exemplifying the fluidity and adaptability of anti-gender arguments to broaden their appeal - anti-gender campaigns in much of Africa position 'gender' as a colonial or neocolonial imposition; a European imposition to destroy a natural African way of life. This naturalised social organisation, now portrayed as African, looks much like the European one, and comprises the heterosexual family unit. The argument that anything other than this is 'un-African' reverses a history of gender and sexuality formations imposed on African states through coloniality, and has been much critiqued (Lugones 2007; Lugones 2008), yet this argument is still reflected, as seen in recent anti-homosexuality laws in Uganda, Ghana, and Kenya (Okech 2023). This reversal allows the anti-gender movement to be positioned as a 'backlash movement' (Awondo et al. 2021, para.1); an anti-racist movement fighting imperialist impositions. At its most potent, the argument that gender is 'un-African' has led to the imposition of the death penalty for homosexuality (Amnesty International 2023). In the African context, associating 'gender ideology' with colonialism is a powerful affective tool that exploits postcolonial tensions to wield broad appeal.

Anti-gender campaigns in Africa have only recently been considered and conceptualised by academics as part of the transnational anti-gender movement. Previously, analyses of actions against women's rights, reproductive rights, and minority rights, have been taken in isolation (Awondo et al. 2021). However, in what can be seen as a precursor to the study of the anti-gender movement in Africa, research has long been undertaken into the role and influence of American evangelic churches on the continent (Wahab 2016). The influence of American churches has been described as part of a culture war whereby US evangelicals have taken their domestic fights against social progressives and the extension of LGBTQ+ rights, to Africa (Kaoma 2009). In sub-Saharan Africa, much of the anti-gender campaigning revolves around issues of abortion and homosexuality on religious grounds. The newer strategy of conservative opposition coalescing around 'gender ideology' as the enemy brings together previously separate issues. Awondo et al. (2021) note that in the African context this creates difficulties in countering anti-gender arguments because feminists often avoid openly supporting sexual minorities due to social stigmatisation.

The construction of the anti-gender movement as being colonial or neo-colonial also pervades anti-gender campaigns in eastern Europe as well as in the global South. So much so that Graff and Korolczuk (2018) state that the appropriation of the anticolonial frame is anti-genderism's key discursive structure. In Eastern Europe, 'gender' is positioned as cultural colonialism – with transnational NGO's and international bodies such as the European Union and the United Nations said to be imposing the will of feminists and the 'homosexual lobby' (Korolczuk and Graff 2018, p.808). For the anti-gender movement in eastern Europe, these bodies represent the populist notion of the 'corrupt elites' (Korolczuk

and Graff 2018, p.808). The idea of imperialist threat is heavily reinforced by the Catholic Church in the region. In 2016, speaking in Kraków, Pope Francis said:

in Europe, America, Latin America, Africa, and in some countries of Asia, there are genuine forms of ideological colonization taking place. And one of these—I will call it clearly by its name—is [the ideology of] ‘gender.’ Today children—children!—are taught in school that everyone can choose his or her sex (San Martín 2016)

This rhetoric feeds into the appeal of the ‘strongman’ leader in eastern Europe as the last bastion of the ‘true European’ culture; one already lost in western Europe. To reinforce the ‘foreignness’ of ‘gender ideology’, the English word ‘gender’ is often used (Kuhar and Paternotte 2017) and ‘gender’ has even been referred to as ‘Ebola from Brussels’ (Korolczuk and Graff 2018). Graff and Korolczuk point out that reference to Ebola - what is commonly understood as an African disease - is not an accidental comparator. It aims to associate gender with mass migration from Africa as the two great threats to (in this instance) the Polish nation. While there are two seemingly contradictory narratives - one of Eastern Europe and Africa as fellow victims of various ‘others’, and a second of Africa as an existential threat to eastern European nations - they converge around nationalist ideals of ‘local rootedness’ (Korolczuk and Graff 2018, p.812) and ethnic homogeneity, as well as vilification of the west.

Having looked at ultra-conservatism and populism, neoliberalism, the role of the 'traditional family' and (neo)colonialism as important aspects of the anti-gender movement as currently conceptualised, I will next explore the relationship of trans-exclusionary feminism to the anti-gender movement.

6.5 Trans-exclusionary feminism and the anti-gender movement

Anti-trans rhetoric is a common element of the anti-gender movement. However, this rhetoric is very rarely presented as a feminist view, instead being bundled-up with anti-gay, anti-reproductive rights, anti-gender studies, and 'traditional family' narratives of right-wing, populist, and religious actors of the anti-gender movement. The feminist anti-trans viewpoint is not often considered in analysis of the anti-gender movement in Latin America, Eastern Europe, or Africa, for example. This points to the fact that trans-exclusionary feminism is not influential, relative to other anti-trans forces, in these regions - which is not to say it is not consequential, for example see Yamada (2022) for impact in Japan and Romero and Mendieta (2022) for impact in Latin America. It also points to how feminism is positioned as the 'answer' or 'antidote' to the anti-gender movement, and how this positioning deters any critical analysis of campaigns or movements labelled 'feminist'. Even in areas where trans-exclusionary feminism is currently at its most visible - broadly the anglosphere and particularly the UK - there is a reluctance to conceptualise the movement as part of the transnational anti-gender movement. At least this is the case in the academic literature; the link appears more straightforward to trans advocacy and activist organisations (for example see GATE 2022). In this section I will examine the relevant

current academic literature and set out how trans-exclusionary feminism can be conceptualised as another 'head' of the anti-gender hydra.

As previously noted, the anti-gender movement is under-theorised in respect to the anglosphere. Within this limited literature, even fewer consider the role of trans-exclusionary feminism. Alyosxa Tudor is one exception and has considered the relationship between trans-exclusionary feminism and the anti-gender movement. Using the example of trans-exclusionary feminism in the UK (referred to by Tudor as lesbian/feminist transphobia), Tudor notes that 'some strands of feminism join the anti-gender choir' (2021, p.241) and describes the 'overlap' (2021, pp.241, 243) between transphobic and anti-gender positions. Tudor further suggests the need to 'draw connections' (2021, p.241) between trans-exclusionary feminism and anti-gender attacks on gender studies. They note that trans-exclusionary feminism and the anti-gender movement use the same vocabulary, logics, and strategies, with feminist transphobia 'a specific conjuncture of anti-genderism' (2021, p.242). Sonja Erikainen argues that the anti-gender movement and the 'TERF or gender critical movement' (as quoted in Fitzgerald 2022, para.11) are 'different' (2022, para.11) but notes they are both 'reactionary responses to recent social and legal developments that have resulted in social reforms around gender' (2022, para.11). Tudor emphasises how both movements are concerned by the alignment of sex/gender (2021, p.243), with this alignment rooted in 'sex' as fundamental and immutable. Erikainen also notes a shared 'need for biological definitions of sex' (Fitzgerald 2022, para.11) and Clare Hemmings further makes this point, noting that by presenting 'sex' as real and 'gender' as fiction, trans-exclusionary feminists 'echo the aggression of anti-'gender-ideology'

arguments' (2020, p.33). Hemmings (2022) suggests a strategy of (re)focusing on a co-constituted sex/gender system, to counter the anti-gender campaigns (Hemmings includes those by trans-exclusionary feminists) insistence on separating sex from gender. The need to contrast gender with sex, also explains a shared disdain by trans-exclusionary feminists and other anti-gender actors for Judith Butler's work, which offers a critical examination of 'woman' as an essential category. This examination is considered a 'threat to humanity for the Catholic Church and a threat to feminism for some feminists' (Tudor 2021, p.244).

Outside of the UK, *Transgender Studies Quarterly* published a special issue entitled 'Trans-exclusionary Feminisms and the Global New Right' (2022). The introduction describes 'two political projects that are simultaneously deploying transphobia ... The trans-exclusionary feminist (TERF) movement ... and the so-called anti-gender movement' (Bassi and LaFleur 2022a, p.313). The authors note that these are movements rarely discussed alongside one another 'even though parallels are multiple' (Bassi and LaFleur 2022a, p.313). Here again, the trans-exclusionary feminism and the anti-gender movement are treated as similar and connected but separate. I will now further these analyses to show how they can be considered as part of the same movement.

6.5.1 How trans-exclusionary feminism and the anti-gender movement differ

Tudor, Erikainen, Hemmings, and the special edition authors offer many valuable insights, yet they stop short of conceptualising trans-exclusionary feminism as an integral part of the transnational anti-gender movement. Applying the defining characteristics of the anti-

gender movement discussed in section 6.4 – particularly the populist and ultra-conservative, and masculinist characteristics, - it is clear why it can be problematic to do so. However, I will now work with these issues to situate trans-exclusionary feminism as part of the transnational anti-gender movement. Most obviously, trans-exclusionary feminism is largely women-led. This stands in contrast to, and complicates, the anti-gender movement as masculinist and largely led by men. This contrast complicates the idea that misogyny, sexism and anti-autonomy sentiment pervades the anti-gender movement. While, as I note, many women support anti-gender campaigns and there are, of course, many women who support traditional notions of the family and sex roles; for a woman to lead an anti-gender campaign is rare and places trans-exclusionary feminism as distinct from other anti-gender campaigns. The relationship of trans-exclusionary feminism and the anti-gender movement is further complicated by the fact that the trans-exclusionary movement is both a women-led movement *and* a feminist movement. This is problematic for current conceptualisations of the anti-gender movement for four reasons. Firstly, it muddles the claim that anti-gender is anti-feminist. Secondly, it complicates the point that anti-gender actors are anti-trans as part of a nexus of anti-trans, anti-gay and anti-women's rights core values. Thirdly, it questions conceptualisation of anti-gender actors as only right-wing. These three claims will be unpacked in the following section, but I first want to address the fourth complication, that feminists cannot be anti-gender actors because feminism is the antidote to the anti-gender movement. I will critique this point in the following section.

Feminist responses to the anti-gender movement comprise a large part of the resistance to it. This is unsurprising, as in various locations women find themselves in a position whereby

‘back then we fought to gain rights; now, we fight against them being taken away’ (Molyneux et al. 2021, p.19). Graff and Korolczuk position feminism and the anti-gender movement as ‘competing forces responding to one another’ (2021, p.141). They understand feminism as *the* resistance to anti-gender. As Graff and Korolczuk outline, the anti-gender movement led to a new wave of feminist organising in response to the anti-women aims of many anti-gender campaigns. Since 2016, this has been witnessed in Argentina, Italy, Poland, Spain, US and Brazil (2021, p.141). For example, the proposed ban on abortion in Poland in 2016 precipitated a ‘feminist revolution’ (2021, p.137) whereby unprecedented numbers of women, many waving feminist banners, took to the streets in protest. These feminist mobilisations are characterised as intersectional, local, and grass roots, yet connected enough to comprise a transnational revolt. They are further characterised by an ‘emotional intensity’ (2021, p.142), much like that of anti-gender actors. In the feminist case, Graff and Korolczuk claim the intensity comes from not just legal challenges to rights but the broader culture of re-masculinisation of the public sphere. Graff and Korolczuk identify this new wave of feminism as turning the tables on populism, whereby women claim to represent ‘the people’ against ‘the elite’ of anti-gender actors. They call this ‘populist feminism’ (2021, p.161); a feminism that captures the ‘logic of populism’ (2021, p.161) but with a progressive agenda. ‘Populist feminism’ employs the characteristics of populism by appealing to ‘ordinary women’, a mobilization of emotions, and the prioritising of embodied knowledge over intellectual projects. As an overall feminist response, these grassroots mobilisations must be situated along with the more established feminist organisations that lobby against the campaigns of the anti-gender movement.

6.5.2. How trans-exclusionary feminism and the anti-gender movement do not differ

The above is an illustration of how feminism is employed as the resistance to anti-gender. While this is credible in many ways, the implied logic is a universalisation of 'feminism' (as a singular) that perhaps forecloses trans-exclusionary feminism as being squarely placed within the anti-gender movement. The idea of feminism as being always anti anti-gender dismisses a line of feminism that is anti-gender, of which the current wave of trans-exclusionary feminism is the latest iteration. In Chapters 2 and 3, I discussed varied manifestations of feminism's conceptualisations of 'women' and relationships to ideas of gender and sex. I made clear that some strands of feminism share the anti-gender commitment to privileging a biological and immutable understanding of sex over gender (and much else including class and race). As part of their mapping of how gender critical feminist arguments 'resonate' (2022, p.139S) with anti-gender arguments, Julian Honkasalo views attacks on 'gender' - whether from feminists or other anti-gender actors - as an attack on the ethics and values of intersectional feminism. For Honkasalo, essentialist and universalising approaches to womanhood cannot account for race, class, ability, or sexuality in the production of multiple gendered subjectivities. In Chapter 3, I outlined trans-exclusionary feminists' suspicion of intersectional analysis and how their arguments can be seen as an iteration of a white/Western/nationalist feminism.

Relatedly, Sophie Lewis and Asa Seresin (2022) explore trans-exclusionary feminism through a history of the fascist themes within Anglophone feminism. They note that instances of 'fascist feminism' (2022, p.463) or fascism by feminists are often dismissed as 'fake' or 'insincere' feminism in an apparent effort to absolve and purify feminists and feminism. They question if these dismissals hamper feminist mobilisation against such instances. As

examples of fascist feminism, they point to the feminist ideology of Klanswomen in the 1920s and the multiple collaborations between suffragettes in the UK and fascist organisations. These forms of feminism might also be captured by what Sara Farris terms 'Femonationalism' (2017) - the convergence of feminist and right-wing rhetoric to advance xenophobic/anti-Islam/anti-immigration politics. Placing trans-exclusionary feminism in this history, Lewis and Seresin criticise attempts to disavow its feminism, instead placing it within the far-right wing of women's rights (whether or not proponents identify as right-wing). Adding to the work of Emi Koyama, Marquis Bey, and Alyoxsa Tudor, they highlight white supremacist reasoning within trans-exclusionary feminism, which they refer to as 'unspoken whiteness' (2022, p.467) (or for Koyama 'unspoken racism' (2020)). White privilege among feminists leads to 'maternalist authoritarianism' (Lewis and Seresin 2022, p.464), and allows trans-exclusionary feminists to bathe in the affective drives of 'the euphoria of the womanhood-as-suffering worldview' (2022, p.464), a 'commitment to misery, to being a 'bloody difficult woman'' (2022, p.464), to having 'a "no-nonsense" fetish' (2022, p.464) and a 'smugness' (2022, p.464) that, in the British context, Lewis and Seresin recognise as a form of 'Unapologetically Englishwomanhood' (2022, p.464). Invoking the 'bloody difficult woman' supports trans-exclusionary feminists claiming victimhood and the concept of 'no-nonsense' (linked to ideas of 'common sense') and a 'smugness' in their own position allows a dismissal of any alternative views. Comparing this approach to the romanticising of The Blitz - and with reference to popular trans-exclusionary hashtags and slogans brandishing wombs, vaginas and breasts - Lewis and Seresin describe this expression of feminism as 'so grandiose it verges on auto-eroticism' (2022, p.464).

The above discussion makes it clear that some forms of feminism can and do promote an agenda that chimes with the ambitions of the anti-gender movement. That many articulations and practices of feminism do challenge and resist anti-gender campaigns should not exclude trans-exclusionary feminism from being conceptualised as part of the anti-gender movement. However, it is also the case that many trans-exclusionary feminists, while being anti-trans, are not anti-gay or anti-woman. Indeed, many would consider themselves 'pro' gay and 'pro' women's rights and some are proudly lesbian (as witnessed with organisations such as Get The L Out (2023), LGB Alliance (2023)). This single-issue agenda is in contrast with most other anti-gender actors who are anti-trans as part of a broader aim of fortifying cis-heteronormativity. However, an analysis of the network of anti-trans organising that trans-exclusionary feminists operate with and within highlights how an attachment to 'anti-trans' above all else, leads to a de-facto promotion of wider anti-gender politics. This renders moot the views of individual feminists and questions the logic of viewing trans-exclusionary feminism as separate from the anti-gender movement on the grounds that it is a single-issue cause.

Research by the European Union shows that hundreds of millions of US dollars have flowed into Europe from Russia and from the religious right of the USA to fund anti-gender campaigns in Europe (European Parliamentary Forum for Sexual and Reproductive Rights 2021). Specific data on funds flowing to trans-exclusionary feminist campaigns is not available except those made public through unregulated and often anonymous crowdfunding donations to mount legal challenges to trans rights (Savage and Asher-Schapiro 2020). However, given that some of the anti-gender funding is known to be used

for anti-trans campaigns, it seems likely that some of this funding has supported trans-exclusionary feminist campaigning. In the UK, feminists - including those who consider themselves left-wing - regularly appear in right-wing and conservative outlets to promote their trans-exclusionary agenda, for example on GN News (Julie Bindel on *GB News* 2023), The Telegraph (Moore 2023) and The Daily Mail (Forstater 2022a). LGB Alliance, a trans-exclusionary group which states it represents lesbian, gay, and bisexual people, is supported by neo-Nazis, homophobes, and anti-abortion organisations (Wakefield 2022b).

Furthermore, LGB Alliance is head-quartered at 55 Tufton Street, London - an address linked to right-wing and populist organisations (Chudy 2022). Despite this, public representatives of LGB Alliance include feminists such as founder Kate Harris (LGB Alliance 2022). In the US, the Hands Across the Aisle Coalition was founded in 2017 to connect radical feminists with right wing religious organisers to oppose trans rights. Radical feminists like Julia Beck from trans-exclusionary feminist organisation WoLF, have appeared at events hosted by the conservative-right Heritage Foundation (Chudy 2022). It is often noted that many trans-exclusionary feminists have little to say about other social justice issues. In their work on 'TERFism' as white distraction, Alyoxsa Tudor notes how J.K. Rowling chose a day of Black Lives Matter protests to focus on issues of trans-exclusion (2020).

In sum, while many individual trans-exclusionary feminists may not support the anti-gay or anti-women actions of the anti-gender movement per se, that becomes an irrelevance if their commitment to trans-exclusion allows them to set these views aside in pursuit of a joint goal. By giving voice to their anti-trans views, they are often, directly or indirectly, giving voice to or platforming the full collection of anti-gender arguments. Put another way,

the normative logic in anti-trans arguments cannot be separated from the normative logic employed more generally around sexuality and gender. As also demonstrated through the rhetoric of J. K. Rowling as outlined in Chapter 5, and whether deliberately or not, arguing for trans-exclusion opens the door to broader conservative gender ideals. Arguably, this is witnessed in the UK with a growing acceptance of anti-abortion discussion and increased influence of anti-abortion activists (Davies 2022). As Corrêa, Paternotte and Kuhar note 'if anti-gender campaigns are so efficient, it is precisely because they amalgamate actors who would not usually work together' (2018, para.22).

This section illustrates that in many ways trans-exclusionary feminism has supported and contributed to the success of the anti-gender movement. Foregrounding the malleability of the anti-gender movement, it is not coincidental that trans-exclusionary feminism is at its most influential in the anglosphere. One practical reason is that given that contemporary trans-exclusionary feminism flourished first in the UK (as discussed in chapter 3 and 4), it has been more easily exported to English-speaking countries. Yet it also flourishes in the anglosphere because these are also nations (broadly) that have a recent history of progressive politics. In this setting the image of the feminist/woman as the presenter of concerns provides an acceptable face for anti-gender campaigning. This, of course, represents a 'face' that might ordinarily not be acceptable to conservative actors, yet here they share their concerns while the image of the feminist/woman also cuts through to organisations and people that conservative actors could not reach. This has the effect of repackaging retrograde aims as a campaign to protect women and as 'common sense'. To this extent, trans-exclusionary feminism simply represents an adaptation to the national

contexts at play. As Erikainen notes, the backlash against progressive gains ‘manifests in different ways in different places ... and in the UK, it is manifested as ‘gender critical feminism’ (Fitzgerald 2022, para.12). This again reveals the utility of a transnational anti-gender movement that is locally adapted. Once presented, the trans-exclusion of feminists seamlessly blends with other forms of trans-exclusion. As Serena Bassi and Greta La Fleur highlight, ‘Trans-exclusionary dogma is the political quicksilver of our moment. Impossibly dynamic, these politics can assume the shape of any container - policies, religious beliefs, nationalist sentiment, laws - they inform. Indeed, it is the deeply mercurial nature of trans-exclusionary perspectives that makes them so pernicious.’ (Bassi and LaFleur 2022b, p.460)

6.6 Trans-exclusionary feminism as anti-gender: centring a hyper-investment in a stable ‘sex’

As has been outlined, anti-gender arguments coalesce around opposition to ‘gender ideology’. Although ‘gender ideology’ is a phrase wielded with ambiguous and malleable meanings, at its core is opposition to views that question the stability of ‘sex’. I would contend that a definitional focus on a hyper-investment in a stable ‘sex’ to conceptualise the anti-gender movement makes clear trans-exclusionary feminisms part within it. As discussed, the belief in a stable ‘sex’ necessarily includes ideas of complementarity, essentialism, and heteronormative and patriarchal structures and practices. Furthermore, opposition to ‘gender ideology’ implies that gender is a nonsense, either because it is effectively the same as sex (i.e., gendered traits are sexual traits) or because gender is viewed as an external ‘fiction’ unlike the ‘reality’ of ‘sex’. It is important to note that for anti-gender actors, such an investment in a stable sex is ‘hyper’ (Hemmings 2020) and this is reflected in any challenge to the stability of ‘sex’ being experienced as devastating. Hemmings refers to this

as ‘that loss, that heart-felt cry of pain by white heterosexual men’ (2020, p.32) over a perceived loss of power. An examination of trans-exclusionary feminism reveals that same pain for that same perceived loss of power is felt by some women too. For all anti-gender actors, this investment is affective - it is experienced as ‘felt’. This can explain why empirical information that counters an anti-gender worldview – for example, that trans women are not a danger to cisgender women (Jones et al. 2017; Hasenbush et al. 2019; Sharpe 2020; Serano 2021; Middleton 2022) – has little impact and conversely often results in an entrenchment of position (Hemmings 2020). Choosing to centre a hyper-investment in the stable conceptualisation of sex as the lens through which to view the anti-gender movement, makes clear the place of trans-exclusionary feminism within it. Choosing this lens above that of populism and conservatism, does not mean to imply these are not important, or even crucial, factors. The worldwide rise of populism and right-wing forces explain the timing of the rise of the anti-gender movement post-2010 and as distinct from previous anti-feminist and anti-LGBTQ campaigning. As has also been demonstrated, a focus on a hyper-investment on the stability of sex does not suggest that issues of populism, conservatism, neoliberalism, the ‘traditional family’ or (neo)colonialism are unimportant in analyses of trans-exclusionary feminism. A definitional focus on the hyper-investment in a stable ‘sex’ can - and inherently must - include these, but its clarity as the core feature of the anti-gender movement can help overcome a hesitancy to include trans-exclusionary feminism within it.

6.7 In summary

This chapter set out to understand an apparent reluctance from gender studies and feminist academics to robustly assert that trans-exclusionary feminism is part of the transnational anti-gender movement. I have outlined several ways that trans exclusionary feminism complicates the definition of the anti-gender movement; a definition which has been heavily reliant on links to populism, ultra-conservatism and maleness and masculinity. Not only is trans-exclusionary feminism women-led, it also defies attempts to easily position it on the left or right of the political spectrum. Furthermore, it complicates the straightforward relationship of many of the other anti-gender actors to other 'antis' such as anti-feminist and anti-gay. Trans-exclusionary feminism is most active and influential in countries seen as being removed from the worst aspects of anti-genderism. Much of the literature is written from or about the anti-gender hotbeds of Eastern Europe and Latin America. There remains a paucity of literature on anti-gender campaigns in anglophone countries as well as those in Africa and Asia. However, an analysis of the 'gender' in anti-gender reveals it to refer to 'gender ideology' which can be distilled as opposition to the idea that sex is not a stable category. A hyper-investment in the stability of sex is experienced across the anti-gender spectrum affectively, and challenges to it are experienced as devastating. Applying a hyper-investment in a stable sex as a definitional focus of the anti-gender movement places trans-exclusionary feminism squarely within it. This reveals trans-exclusionary feminism simply to be another 'head' of the 'hydra' of transnational anti-genderism. As with the other 'heads', localised political and cultural conditions are exploited to maximise influence. The confluence of beliefs centred on the constancy of a stable 'sex', whether homophobic, transphobic, misogynistic, or racist, renders moot individual trans-exclusionary feminist personal beliefs which may not extend beyond being anti-trans. Furthermore, examining the

practices and funding of trans-exclusionary feminists, suggests that a hyper-investment in trans-exclusion overrides any other issues, resulting in a de facto support of the constellation of anti-gender campaigns.

Conclusion

Addressing the research curiosities

At the start of this thesis, I set out my research curiosities that have guided my exploration of contemporary trans-exclusionary feminism. I did so by centring questions about the situation and promulgation of feminist trans-exclusionary positions. This is where attention to my emotions – in the form of affective dissonance - led me. My research curiosities sought to address how contemporary trans-exclusionary feminism sits within a history of trans-exclusionary feminism, within the UK context, and within the transnational anti-gender movement. I also sought to address how contemporary trans-exclusionary feminist positions are promulgated and reproduced. Through the work to answer these curiosities, I have produced a thorough exploration that details the histories and appeal of trans-exclusionary feminism, how and why it is currently resurgent, reasons for its ease of reproduction, and its links to other regressive politics.

Addressing the curiosities outlined above necessitated a precursory exploration of 'gender' and 'sex' (Chapter 2); as these provide the grounds of contention that shape positions on trans-exclusion. I undertook this exploration through desk research into a wide range of approaches to gender and sex, encompassing 'traditional' biology, philosophy and science, as well as feminist re-workings of these, feminist social role theories, and anti-foundational approaches. This exploration detailed the legacy of a Western culture that has embedded essentialist views of gender and sex to the extent that this is the normal understanding; an understanding globalised via imperialism. This 'normal' understanding is sex as binary and

immutable and gender as following on from sex. Against this backdrop I show how feminists have worked - through theory and praxis - to unsettle this understanding. In Chapter 2, I considered how feminist theories variously illuminates gender as a social role, challenge universalism by highlighting difference within the category of women, complicate understandings of sex, and - applying poststructuralism - undermine the very coherence of categories and of meaning. Combining this knowledge with an exploration of trans-exclusionary feminism, as detailed in Chapter 3, demonstrated that trans-exclusionary feminism shares the 'normal' and dominant understanding of sex; as essentialised and based in biology, and as binary, stable and immutable. This thesis shows that this 'simple' connection is hugely consequential and underpins many of the responses to my research curiosities. Highlighting this connection begins to address the ease with which trans-exclusionary positions are reproduced and promulgated - because it chimes with the mainstream 'normal' understanding of sex. To use Sara Ahmed's words, 'A version can be told quickly when that version is to hand or handy' (2015, para.11).

To further explain the ease of reproduction I looked at the work the concept and practice of 'common sense' does. Through outlining the meaning and power of 'common sense' (Methodology) and tracing the deployment of 'common sense' by trans-exclusionary feminists (particularly in Chapter 5), I demonstrate that the ahistorical construction of the normal or commonplace understanding of sex as stable and immutable is embedded to such an extent that it often disappears as an invention altogether. Instead, sex as stable and binary becomes a naturalised truth; as obvious and unquestionable; as shielded from scrutiny. This renders the trans-exclusionary feminist position as always and already primed

to be raised and replicated with ease in media and other dominant cultural institutions, because it represents a 'common sense' view. In contrast, through exploration of alternative views of gender and sex and by tracing the decades-long fight for trans recognition and trans rights in the UK, I have demonstrated how, lacking recourse to this dominant version of 'common sense' sex, trans-inclusionary positions fail to gain traction in the same way. This is because they implicitly rely on alternative views of sex, and work against normalised understandings. This is demonstrated in Chapter 4, which outlines the amount of campaigning it has taken to achieve incremental recognition and protection for trans people in the UK. Years in the making, gains might be easily eroded through recourse to 'common sense'. Undertaking an analysis of the discourse of trans-exclusionary feminists/feminism, particularly in Chapters 3 and 5, demonstrates that the position of trans-exclusion as 'common sense' also explains why trans-exclusionary feminists often display incredulity that anyone would think differently to them or challenge their logic.

While the ability to draw on 'common sense' understandings of sex helps popularise trans-exclusionary views, I also wanted to explore why views on trans-inclusion are not just popularised, but are held so deeply, and expressed so viscerally. The activation of Marquis Bey's concept of transantagonistic architecture is one method I employed to do this. By activating transantagonistic architecture as a tool to think through trans-exclusion, I have demonstrated how the specifics of trans-inclusion/exclusion indicate why the topic is so deeply felt. This thesis outlines that these specifics relate to the threat trans people pose to cisnormativity; an organising system that infuses a *way of life* predicated on maleness and white supremacy. In effect transantagonistic architecture works to neutralise this threat by

shaping views along a cis-normative and transantagonistic pathway. Tracing the words of J.K. Rowling beyond social media, demonstrates how this works. Her transantagonistic words and actions have influence, allowing transantagonistic epistemic and phenomenological architecture to build and fortify around individuals/groups to influence their own *world-making*. This in turn shapes how trans people are viewed and constructed – as a threat to that world-making and way of life. So pervasive are these structures, bound up as they are with other executors of the gender normativity regime, that, as with common sense, they are often rendered invisible. They are self-perpetuating because they are fortified by the words and actions of the people/groups that the structures build up around. Through a tracing of J.K. Rowling’s words, this thesis demonstrates that the impact of transantagonistic architecture is to obscure the harms caused to trans people (and all gender non-conforming people, as discussed below) by transantagonism, thereby foregrounding trans-exclusionary feminists claims to victimhood when accused of transphobia. Again, the understanding of sex as stable and binary, inherent in the fabric of transantagonistic architecture, allows for the easy reproduction and promulgation of trans-exclusionary feminist positions and holds back calls for trans rights.

Addressing how contemporary iterations are situated within the history of feminist trans-exclusion, Chapter 3 explored this history and showed, through interrogation of arguments and discourse, how new iterations of trans-exclusionary feminism have changed to aid ease of reproduction. The TERF position, as I outline it, uses uncompromising language, and does not shy away from articulating trans people as being a sexual threat to cis women, or from questioning the existence of trans people. Chapter 3’s exploration therefore shows the TERF

position to be overtly transphobic. The chapter further outlines how after decades of activism leading to incremental legal and social change, including protections against the use of discriminatory language, the TERF approach is no longer acceptable to the mainstream media/public. The work of this chapter showed that in contrast, the gender critical position promotes a 'pro-women' stance that allows it to simultaneously state its support of trans people *and* campaign for measures that undermine the safety, rights, and dignity of trans people; all under the guise of upholding women's rights. The work of Chapters 3 and 5 also demonstrate that despite this reframing, the aims and outcomes of gender critical feminism remain those of the TERF position: to make trans lives unliveable by recognising only their sex as assigned at birth, by restricting access to gender identity healthcare, and by perpetuating the notion of 'trans as a threat'. A superficial 'pro-women' framing further allows a primed mainstream (as discussed above) to promote the gender critical feminist position. The contradiction of declaring support for trans rights while working to undermine them is made plain by working through exclusionary arguments, as demonstrated through tracing the words of J.K. Rowling discussed in Chapter 5. A seeming unwillingness by mainstream institutions to undertake the work of interrogating the arguments of trans-exclusionary feminism, indicates the fragility of gains made by trans rights movements. This thesis makes this fragility explainable by reference to the trans rights movement as always working against the common sense understanding of sex as stable and binary and the transantagonistic architecture that similarly works to protect the status quo.

Situating the current iteration of trans-exclusionary feminism - gender critical feminism – in a history of feminist trans-exclusion, also highlighted some nascent developments in the theoretical underpinnings of its position. Early iterations, exemplified through the work of Janice Raymond, relied on a stark separation between a natural binary sex and a socially imposed gender. Chapter 2 demonstrated how, since that time, much academic work has been undertaken that complicates this straight-forward position. While Chapter 3 demonstrates that most trans-exclusionary feminists continue to assert a separate natural binary sex and social gender, it further shows how a few have engaged with critiques. By interrogating the work of Kathleen Stock by way of example, the work of Chapter 3 reveals that biological essentialism remains inherent to trans-exclusionary logic. While this point is often made from a trans-inclusionary position, the work of Chapter 2 and 3 shows how this point can also be made using trans-exclusionary terms. Showing that Kathleen Stock - one of the most famous proponents of trans-exclusionary feminism - accepts that gendered traits may link to a corresponding sex indicates two points: that trans-exclusion is vitally important to trans-exclusionary feminists and to the extent that the many negative impacts of essentialising women and men are seen as tolerable; and that feminist trans-exclusion shares a basis – biological essentialism based on a stable binary sex - with ‘anti-gender’ campaigns targeting other minoritized groups and women.

The first point noted above – the vital importance of trans-exclusion to its feminist proponents – links to the high emotion which, as this thesis has discussed, is a central feature of trans-exclusionary discourse. This high emotion is captured in the flash ethnographies that begin each chapter and in the analysis of discourse throughout the

thesis. I wanted to know how and why the reactions to trans inclusion are so affectively experienced. This thesis posits that it is this emotionality that can explain why a reiteration of the much-evidenced benign impact of trans-inclusion does little to quell the concerns of trans-exclusionary feminists. A tracing of the work of emotions indicates that a *hyper-*investment (Chapter 6) in the stability of sex is held as a vital to a trans-exclusionary world view. Therefore, challenges to it - such as the call for trans recognition and rights - are experienced affectively as *world-ending*. This thesis traces how ideas of gender and sex, filtered through transantagonistic architecture and bound up with notions of 'common sense' and personal and group histories, create emotions that shape the 'us' and the 'them' for trans-exclusionary feminists. Applying affective theories indicates that the 'us' for trans-exclusionary feminists is created through both a hostility to the 'them' (trans people), and through the love, joy and pleasure of being part of the trans-exclusionary feminist movement - a powerful affective tie. A shared hostility towards trans people, often manifesting as resentment anger as discussed in Chapter 3, also works to stick the community together. The imagined trans person becomes a sexual predator – making the emotionality of the topic understandable. The trans person, like the asylum seeker or the stranger, is further blamed for either perceived lost entitlement or real hardships. The former revealed in the many affective responses to challenges to cisnormativity outlined in this thesis, and the latter exemplified in Chapter 4 with attempts to tie the hardship of austerity measures to trans-inclusion.

The second point indicated by Kathleen Stock's acceptance of biological essentialism begins to demonstrate how trans-exclusionary feminists share a basis with other anti-gender

campaigns. This point is explored in Chapter 6. I propose that a shared hyper-investment in the stability of a binary sex, articulated as opposition to so-called 'gender ideology', situates trans-exclusionary feminism firmly within the wider transnational anti-gender movement. Through a review of the anti-gender literature, I illustrate that while feminist trans-exclusion differs from other anti-gender campaigns in not being conceptualised as ultra-conservative and male-led, by shifting a definitional focus to an opposition to gender ideology, the similarities of trans-exclusionary feminism to other anti-gender campaigning become clear. I make clear that this is not to deny that some of the elements of the transnational anti-gender movement, as commonly defined, are important or applicable to trans-exclusionary feminism. For example, Chapter 4 outlines how trans-exclusionary feminism has become prominent in the UK at this current time precisely because populist politics have been increasingly adopted, augmented by a trans-hostile press and a particular history of feminism. I show how populist politics, like feminist trans-exclusion, relies on portrayals of 'us' and 'them', and the emotionality this generates to create so-called 'culture wars' as a political strategy. Whether originating in left-leaning feminism or not, I show that this commonality of aims and strategy has led to trans-exclusionary feminism being championed by right-wing populists and supporters of the 'traditional family'. It has also led to supposedly left-wing trans-exclusionary feminist appearing on, and appealing to, right-wing media and organisations. Literature on the transnational anti-gender movement highlights the adaptability of the movement to local conditions. I utilise this literature to propose that trans-exclusionary feminism is part of the anti-gender movement as adapted for local conditions. To this end I argue that, a woman-led, nominally centre/centre-left/left politics, common sense deploying trans-exclusionary feminism is useful for gaining traction in countries where more overtly masculinist and right wing/authoritarian articulations of the

anti-gender movement may not. Chapter 4 illustrates how this is the case in the UK. Combined, Chapters 3, 4 & 6 show how the label of 'feminism' or 'women's rights' obscures how some feminist strands in the UK have served white-cis-hetero-normative aims. Specifically, a failure to reflect on Britain's colonial past or the history of feminist collusion with colonial logics has rendered strands of UK feminism as complicit and compliant in exclusionary practice, as only serving certain types of women, and as working to maintain a status quo. This colonial legacy encompasses the imposition of a sex/gender binary system on subjugated lands at the expense of local understandings. A lack of reflection on this legacy has allowed certain forms of feminist practice, that are founded on the racial and national superiority and the commitment to the stability of binary sex, to perpetuate. Chapters 3, 4 and 6 show how trans-exclusionary feminism is the latest incarnation of this feminism.

In the Methodology chapter I stated that this thesis is not about trans people. I have demonstrated this, in part, through the flash ethnographies of me and my friend's experiences. Instead, the focus of this thesis is the practices and impacts of trans-exclusionary feminism, and while my research demonstrates that trans lives become unliveable through the logic of feminist trans-exclusion, it has also shown that it is not only trans people who are impacted. I argue that the aims of trans-exclusionary feminism impact anyone transgressing the dominant understanding of gender/sex. As these understandings are based on European heterosexual ideals, queer people who are more likely to be gender non-conforming and people of colour who might not conform to sanctioned ideals are more likely to find their presentation policed. As indicated by the flash ethnography in Chapter 2,

the trans-exclusionary feminist's unrelenting recourse to 'biological sex' fails to police biological sex and instead polices gender conformity. As a queer woman, my concern about the policing of gender expression is acute; I have seen and felt the heavy weight of conformity expectation. I hope the thesis indicates that the policing of gender expression constricts us all, not only those who transgress gender norms, and is commonly used as a tool to oppress women. I argue that trans-exclusionary feminism opens the door to other regressive anti-gender campaigns, as covered in Chapters 3-6. Its reliance on right wing and conservative backing leads to a setting aside of opposition to other anti-gender arguments and their de facto promotion through engagement with certain media. Furthermore, with the trans-exclusionary feminism focus being on the promotion of biological essentialism, it pushes the centre ground rightwards, as exemplified in Chapter 4 by the shifting rhetoric of all political parties in the UK. Far from being a niche argument impacting only a small population, trans-exclusion should be a concern to all. My hope is that the work in this thesis can contribute to the resistance against regressive so called 'anti-gender' actors.

Research curiosities in summary

How is contemporary trans-exclusionary feminism situated within a history of trans-exclusionary feminist practice?

While it draws heavily on earlier trans-exclusionary feminism and has a history as a fringe element of feminist concerns, the current gender critical movement presents very differently. A discursive pivot from anti-trans to pro-women has allowed the movement to gain support, including mainstream press and political backing. There are also contemporary

challenges to the theoretical orthodoxy of trans-exclusionary feminism that positions gender as social and entirely separable from sex. While these challenges question the separation of gender and sex and the ability to abolish gender, trans-exclusionary feminism remains committed to the idea of a stable and binary sex. Feminist calls for trans-exclusion have always been infused with high emotion. This is because a hyper-investment in the stability of sex and the world view this affords, creates an emotional reaction to any challenges to it. This high emotion ties the group together, and the positive emotions that come with community and social movement membership help sustain it.

How is contemporary trans-exclusionary feminism situated within the United Kingdom?

Having historically been a fringe concern for feminists in UK, it was the proposal to reform the *Gender Recognition Act 2004* in 2017 that brought the issue to mainstream attention. It is telling that the passing of the *Equality Act 2010* – which is much more applicable for issues such as access to single-sex spaces - caused no such feminist uprising. It is of no coincidence that this resurgence came after the 2016 Brexit referendum and a move towards populist political strategy in the UK, or that it came after the implementation of post-2010 austerity measures that disproportionately impacted women. Opposition to reform of the *Gender Recognition Act* soon found voice in a press already primed to accept the arguments of trans-exclusion due to a shared 'common sense' understanding of sex. The increased prominence of trans-exclusionary feminism fed, and continues to feed, into building and fortifying transantagonistic architecture; a self-perpetuating process that makes trans lives more difficult. The UK becoming the hub of feminist trans-exclusion perhaps reflects the

continuation of strands of feminism which have not reckoned with a history of exclusionary and hierarchical practices.

How is contemporary trans-exclusionary feminism situated within the transnational anti-gender movement?

Trans-exclusionary feminism is part of the wider transnational anti-gender movement; to use Sandra Correa's metaphor, it is a head of the hydra of the anti-gender movement. This can be illustrated though centring the movement around a commitment to a stable and binary understanding of sex, which is articulated as opposition to 'gender ideology'. While some elements of trans-exclusionary feminism – notably being women-led – are unusual in the anti-gender movement, these represent localised adaptations to suit the political and cultural landscape. Furthermore, feminist trans-exclusion provides a conceptual opening into which other anti-gender campaigns can follow. This is illustrated through the links - theoretically, financially, ideologically and organisationally - between proponents of feminist trans-exclusion and other anti-gender actors.

How are feminist trans-exclusionary positions promulgated and reproduced?

Trans-exclusionary feminist positions are promulgated and reproduced with ease because they do not disrupt the normal view of sex and stable and binary; they instead represent 'common sense'. The 'reasonable' language of the gender critical position and using a 'pro-women' framing which seemingly puts women's safety at the centre of their concerns,

allows for uptake and dispersion. Furthermore, trans-exclusionary positions are reproduced through transantagonistic architecture; an architecture that shapes and perpetuates a trans-exclusionary narrative. The normalisation of transphobia that this architecture promotes, means that harms to trans people are often rendered invisible.

Methodology

The research curiosities were addressed through a use of mixed-methodology. This includes a mixed theoretical framework and methods of desk research, case study, autoethnography, and discourse analysis. This is appropriate for an exploration of an evolving contemporary topic which, initially, had been subject to very little research. This mixed approach allowed me to explore and demonstrate different facets of the topic. A theoretically rich analysis underpins the crucial work of demonstrating that trans-exclusion is bound up with racialised colonial ideals of womanhood. It further allows for the emotionality inherent in the topic to be recognised and probed. Desk research enabled me to include feminist histories, UK contexts, inter/transnational contexts, and various data and statistics – for example, illustrating the benign impact of trans inclusion. A case study of the UK enabled me to explore the popularisation and practice of trans-exclusionary feminism within a discrete area. A selective discourse analysis allowed me to discuss the work of ‘common sense’ and show how transantagonistic architecture perpetuates transantagonism and how these structures can be built and fortified through words, particularly the words of influential people. Discourse analysis of the tweeted words of J.K. Rowling further illustrate that, despite their ‘gender critical’ presentation, their impact can lead to the trans life being

unliveable. The writing of flash ethnographies enables me to discuss everyday encounters with trans-exclusion, illustrating how it impacts me as a cis woman and as a queer woman, and how I draw on my personal experiences for this research. The total of this is used to address the research curiosities, this providing a comprehensive exploration of contemporary trans-exclusionary feminism.

Original contributions

As detailed in the Introduction, I have identified three original contributions to knowledge made by this thesis. Firstly, it offers a comprehensive mapping of trans-exclusionary feminism as it arose in parallel with the start of my PhD studies. This mapping includes identifying the discursive pivot from 'anti-trans' to 'pro-women' in current iterations, and illustrating that despite this pivot, its aims remain uncompromisingly anti-trans. Secondly, I have developed the concept of transantagonistic architecture; a tool to explain how transphobia is produced and sustained by epistemic and phenomenological structures that are fortified by transantagonistic words and actions. These structures largely go unchallenged and are often naturalised because they confirm the normal understanding of sex. Thirdly, this thesis firmly situates trans-exclusionary feminism within the transnational anti-gender movement. Like other anti-gender campaigns, it is adapted as to suit certain national contexts. This moves beyond a focus on populist and right-wing actors and instead centres opposition to 'gender ideology' and a shared commitment to a binary and stable understanding of sex.

Thoughts on the future

The prominence of trans-exclusionary feminism and its impact are ongoing. Researching contemporaneous events such as these is challenging because the topic continues to change and evolve. There are several future events that will impact how much influence, appeal, and sway, trans-exclusionary feminism continues to have. In the UK, the most consequential is likely to be the general election which is due before the end of January 2025. The rise of trans-exclusionary feminism has happened under a Conservative government. The move to more populist style politics was largely led by the Conservative Party, prior to, and following, the Brexit referendum of 2016. Even though it was the Conservative Party that proposed reform to the *Gender Recognition Act*, the changing personnel and rightwards-moving direction of the party has seen it take on a visibly trans-exclusionary position in recent years. If current opinion polls are correct, there will be a change of government at the next election, and this is likely to impact the prominence and influence of trans-exclusionary feminists. The outcome of this general election will shape the legal and policy positions relating to gender identity, not least the decision on whether to revise the *Equality Act 2010*. Legal clarity may prove important. The ‘pro-women’ framing allows for feminist trans-exclusion to garner institutional uptake or, at least, an institutional paralysis leading to an inability to counter demands, in part because of legal uncertainty. As feminist trans-exclusion pits the rights of women against the rights of trans people, this creates confusion for institutions that do not want to be seen as discriminatory. Legal clarity may assist here. A change of government in the UK may also signal a move away from populist and ‘culture wars’ politics; a move that would make trans lives easier. It would be interesting to be able to project decades into the future and see if this current period is looked back upon with

regret - as many now do when considering past discriminations against gay people. Or if perhaps an entrenchment of a 'common sense' understanding of sex and structures that allow for transphobia will continue to dominate to the extent that trans, queer and gender non-conforming lives remain greatly policed.

If the influence of trans-exclusionary feminists starts to wane, I am interested to see if and how the associated emotions move, dissipate, or morph. Does anger remain, change, or become redirected? What remnants of emotions are left within the community? Does trans-exclusion again fade to the margins of feminism? Will researching trans-exclusionary feminism continue to make sense if the feminist actors and campaigns continue to pull closer to other anti-gender actors and campaigns? Or will the successes and space carved by trans-exclusionary feminists leave room for feminist 'pro-women' activists campaigning against abortion or gay rights, for example? Furthermore, having activated transantagonistic architecture as a tool to analyse and explain how transphobic positions come to be and are reproduced, it would be interesting to also use it to see how transantagonistic architecture building *can* be interrupted. Using the insights that applying transantagonistic architecture provides, what interventions might show J.K. Rowling's imagined teenage fan that there are alternatives to her words? What might disrupt the characterisation of trans people as a threat? How might the political process of constructing sex as stable and immutable, be unveiled as such? How might the harms to trans people and others inflicted through the implementation of trans-exclusionary feminist arguments be rendered visible? Recasting transantagonistic architecture as something that can be 'un-made' could offer ways of resisting current attacks on trans rights and a way of imagining a different future.

Having revitalised in the UK, trans-exclusionary feminism now holds influence in several other countries. It will be interesting to see how this develops and if this leads to a slowing down of the growing trend of countries adopting gender 'self-declaration' legislation. I am curious to see if trans-exclusionary feminists can wrestle some of the anti-trans limelight away from conservative and religious actors, and if in doing so they further demonstrate a willingness to tacitly accept other regressive and conservative campaigning. More generally, how will the anti-gender movement fare with the cyclical changes in political power? How will resistance to the anti-gender movement be organised and how effective will it be? Finally, what impact will climate change - bringing with it population stress – have on the politics of 'us' and 'them'? Will high emotion shrouded in 'common sense' again lead to a place of exclusion and, for some, un-liveability.

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