

Response to the Paper Circulated for the Workshop on Trans-Exclusionary Rhetoric

The Workshop on Trans-Exclusionary Rhetoric has no stated purpose or proposal. It is informed by a problematic document which asserts some quite contentious propositions. We are concerned that this document was allowed to reach State Council with time set aside for a workshop, despite the lack of any specific proposal; we suggest that this is not an appropriate use of State Council's time.

We believe that State Council, and party members more broadly, should have space and time to debate important policy issues, and we say that there is insufficient space and time for this currently. The issues raised by the circulated document are complex and sensitive, and deserve to be given both more time and a more considered forum than is possible in a State Council workshop. However, this Workshop appears to want to do the very opposite - it appears aimed to shut down any debate on something which is a critical issue in feminism and women's rights today. Further, the paper raises these issues in a way which will inevitably provoke a vigorous internal debate which might be better addressed after the next Federal Election.

Feminists fought and continue to fight very hard for freedom from male violence and for specific rights women - reproductive and maternity rights, privacy rights, equality with the male sex in public life (education, workplace, politics, sports, etc), specific healthcare issues and so on.

If 'woman' is a category predicated entirely on a person's subjective self-identification rather than on an objective, identifiable fact such as biology, what are the policy and practical implications for these hard-won sex-segregated spaces or sex-specific affirmative actions?

It raises serious practical social policy questions if any person who asserts 'I am a woman' is then without question to be granted access to women's domestic violence shelters, women's scholarships, and women's change rooms.¹ What does it mean for evidence-based policy if we record acts of violence committed by trans women as violence perpetrated by a female person? Should a man who has been convicted and incarcerated for sexual crimes against women be able, by asserting that they are now a woman, to therefore be housed in a female prison?² Is it OK for lesbian women to prefer that their sexual partners have female anatomy, or is this transphobic and should they be encouraged to welcome sexual relationships with people with penises who identify as women?³ Should a beautician be able to specify that she serves a female clientele only and then be forced to wax the testicles of a person who now

¹ <https://mirandayardley.com/en/jonathan-yaniv-is-a-predator/>

² <https://fairplayforwomen.com/prison-review/>

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<https://www.afterellen.com/general-news/567823-girl-dick-the-cotton-ceiling-and-the-cultural-war-on-lesbians-girls-and-women>

identifies as a woman?⁴ Should doctors refrain from inquiring as to a person's sex, even though we know that people experience some diseases differently depending on their biological sex, and respond differently to some pharmaceuticals?⁵

All of these questions are important, as are the questions of the correct social and political measures to combat and eliminate discrimination against trans women and transmen. It is essential that we support trans women to have safe spaces which address the violence they experience while still allowing women to have their own safe spaces. We need to engage openly and respectfully in a way that recognises the lived reality of trans women, and does not compound social exclusion.

We believe absolutely and whole-heartedly that all people should live their lives safe from violence; this is not open for debate.

However, all the other concerns and questions raised above are not easily decided. Both trans women and women deserve to be safe; but in a world in which women's concerns have been designated inferior to men's for many centuries, we should not easily give up sex-specific spaces and opportunities for women. We need to fully understand what the implications are; we need to be able to discuss this.

Miranda Yardley, a self-described transexual male, has said:

If women are now no longer able to publicly acknowledge that an adult human male is a man, this takes away from women the ability to describe their own lived lives: they can no longer use meaningful language to describe their interactions with members of the dominant sex class:

- Women lose the language and ability to differentiate between themselves and the dominant sex class;
- Women lose the language and ability to describe themselves even as women;
- Women lose the language, right and ability to describe the perpetrators and acts of sexual violence;
- Women lose the right to challenge the sexual enslavement and exploitation of members of their own sex class.

We are in a world of proscribed truth and compelled thought. Whatever your political stance, this should strike you cold with terror.⁶

Further, it is a central tenet of much feminist theory that the very concept of gender is harmful and should be rejected in its entirety. It is gender which society uses to pressure people into living their lives according to assumptions about the gender characteristics attributed to their biological sex. These assumptions cause harm to those who do not feel comfortable conforming to them. They cause harm to all women, by perpetuating myths of women as weak, nurturing, unambitious, suited to parental and domestic labour duties, and unassertive. It is gender expectations that lead many women to internalise these expectations.

⁴ <http://archive.is/pfVK4#selection-163.113-163.127>

⁵ <https://www.marieclaire.com/health-fitness/a26741/doctors-treat-women-like-men/>

⁶ <http://mirandayardley.com/en/i-permanently-banned-twitter-make-worry/>

As feminists, we believe that an important part of the struggle for genuine equality for women is to challenge gender, whether masculine or feminine, and to challenge the ways that the concept of gender distorts all our lives. In this context, we should be able to challenge the choices of many women (including trans women) to present themselves in highly “feminised” (gendered) ways. (Nevertheless, recognising the particular difficulties experienced by trans women in having their identities accepted, in practice we generally refrain from directing such criticism to trans women.)

We recognise that some people within the Greens hold strongly to the position that these views are wrong. However there are also people within the Greens that believe they are right. The Greens should be capable of being a safe and respectful space for these matters to be discussed.

If the purpose of this workshop is to develop a proposal for a State Council decree that statements such as ‘There are two sexes,’ ‘The science is not conclusive,’ ‘This is an active debate in feminism,’ ‘Shutting down debate is censorship,’ or ‘Trans women aren’t the same as biological women,’ are banned within the Greens and would constitute behaviour worthy of censure, suspension or expulsion, this is totally contrary to a Greens ethos which encourages robust debate and the development of policy based on real evidence.

It would also signal to many feminists that the Greens is no longer a place for us.

We urge you to consider deeply the important issues outlined above and not to support a motion which prohibits certain speech in the Party. We reiterate the need and value of a proper forum whereby members can respectfully engage in learning and discussion on the issues raised by transgender and feminist arguments and the policy implications for the Greens.

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