

# The Ins and Outs of Gender

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## 1. Trans-Exclusionary Feminists

Feminists and Men's Rights Activists who deny that trans men are men and trans women are women are trans-exclusionary. Their denial is not merely semantic; it has ramifications for policies regarding women-only and men-only spaces. Feminist proponents of such views are frequently referred to as "TERFs". The term began life as an acronym for "Trans-Exclusionary Radical Feminists", offered by the trans-*inclusive* radical feminist blogger Viv Smythe. It is now considered by many to be a slur, while others object that the accusation is a means by which trans-exclusionary folk try to control every word that trans people and their allies use. To not distract ourselves with the philosophy of slurs, we shall instead refer to the position in question as Trans-Exclusionary Feminism (TEF) and its proponents as Trans-Exclusionary Feminists (TEFs).

TEFs usually prefer to call themselves either 'Gender Critical Feminists' or 'Radical Feminists' (sometimes abbreviated to *radfems*). This falsely implies that trans-*inclusive* feminists can be neither gender critical nor radical. Most TEFs also deny that they are trans-exclusionary, on the grounds that they welcome trans men into female bathrooms. As Jennifer Saul points out in her essay 'Why the Words We Use Matter When Describing Anti-transactivists', this may be "technically accurate on a very literal-minded understanding of what it is to be trans-exclusionary" but "including people against their will in a category that they reject is not what is normally meant by inclusion."

## 2. Sex Nativism

TEFs are sometimes dismissed as 'biological essentialists' on the grounds that they take the concepts MAN and WOMAN to be essentially biological. This is misleading for two reasons. First, some TEFs hold that having a certain biology is only *part* of the story, and that to be a woman one must also be sexually, socially, politically, and economically oppressed on this basis. On this view, it would be a conceptual truth that there are no women in matriarchal societies.

Second, many TEFs don't care about one's current (e.g. post hormone and surgical) biology but only the biology that one was born with. This is because they maintain that anyone who has their genitals removed or replaced retains their original sex, regardless of intention or consent. We might call this disregard for 'current possession' sex nativism (SN). According to SN, it is conceptually impossible to have a sex change. Sex nativists believe they are trans-inclusionary because they 'welcome' trans men into female bathrooms, neglecting the fact that most trans men want to use male bathrooms. Ironically, this includes *post-operational* penis-bearing trans men. The point is a moot one as it's unclear how any of this is meant to be policed without requiring everyone to drop their pants upon entry (!) or carry some kind of gross 'genital passport'. The alternative is to resort to horrific stereotypes about what men and women look and sound like that all gender-critical feminists ought to be against.

We reject sex-nativism as absurd, but endorse a biological realism that allows for a distinction between native sex and gender assignment at birth. In the majority of cases, native sex is determined correctly at birth. Mistakes can and *do* happen, especially (but not exclusively) in the case of intersex people. These are not errors of gender assignment but of sex determination. Biological realism also underlies the distinction between people who are cis

and people who are trans. TEFs typically reject this terminology while accusing trans-inclusive feminists of disregarding biology; this is disingenuous, at best.

### **3. Born Trans**

Our view is that biology determines sex, but sex does not always align with gender. What of the relation of gender to biology? While we recognise the undeniably social and enactive aspects of gender, we believe that our behavioural dispositions are ultimately tied to an aspect of gender that is *innate*.

The tragedy of David Reimer who – following a botched circumcision – was surgically altered to live as a girl called ‘Brenda’, teaches us that no amount of conditioning and/or surgery can change a person’s gender; though it can lead a child to great confusion, distress, and worse. In the case of cis children such as Reimer, gender aligns with native sex. But in the case of trans children it doesn’t.

Science is waking up to the fact that there is an innateness to gender identity. To us, this suggests an important sense in which many people are *born* trans. According to a 2013 study conducted by sexologist Milton Diamond, 33% of cases in which a biological male with a biological male twin (identical *or* otherwise) ‘transgenders’, the twin does so too. In the case of native females such as identical trans men twins Angel and Fabian Griffin it was 23%). There is no similar statistic for non-twin siblings. When people decide to transition, they are choosing to live authentically in accordance with their *real gender*, as opposed to the one which society has traditionally assigned to them because of their sex. Diamond concludes that “findings regarding some of their experiences during childhood and adolescence show their identity was much more influenced by their genetics than their rearing”. To the question of why not *all* twins, he replies that “there is a great deal of individual response to the interaction of nature and nurture”.

Gender, like sexual orientation is not a choice. What *is* a choice is whether or not to come out. We should not make this choice any harder for trans people than it already is. And we should trust the person who states that they are a man or woman as much as we do the person who tells us that they are lesbian or gay. Not taking trans people at their word is a testimonial form of epistemic injustice.

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