

Hitching Glitterbeard Carts to Transsexual Wagons



[Clockwise from top: transgender YouTuber Kat Blaque; transgender model Munroe Bergdorf; transgender writer Julia Serano; trans student officer Jess Bradley; trans rights activist Danielle Muscato; and an actual Glitterbeard].

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In Philosophy, there's a well-known problem called the "[Sorites paradox](#)" [1]. The usual example given to explain it is a heap of sand. We start with a single grain of sand. Is this a heap? Clearly not. We add another grain of sand. Is this a heap? Clearly not. And so on... and so on... until what we have clearly is a heap, and yet it wasn't clear at what point the accumulated grains turned from a non-heap into a heap. The part of this paradox that will be interesting for us is the side-by-side comparisons, say, six grains of sand compared against seven grains of sand. It's clear that either both of these are a heap, or neither of these is a heap. The side-by-side cases are similar enough that we should treat them as the same.

I think this kind of logic also shows up in discussions about who counts as a woman. The reasoning goes like this: clearly *this* type of person should be treated as a woman (say, a fully-passing transsexual woman); there is not enough difference between this person and the next (say, a fully-passing transwoman who isn't able to have sex reassignment surgery because of its prohibitive expense), so she should be treated as a woman too; and so on... until we reach a person who clearly should not be treated as a woman (say, a male-bodied male-appearing person who merely asserts that 'she' is a woman, such as US trans activist [Danielle Muscato](#) [2] or UK advisor to Stonewall [Alex Drummond](#) [3]).

With this Sorites series of side-by-side types of transwomen, people will tend to reach different conclusions depending on which end of the chain they start at. Those who start with the person who

should clearly *not* be treated as a woman will be forced to accept that this takes them all the way back to the person who should, but they'll be likely to accept that *in order to* reject the person who should not be treated as a woman, they have to reject all the others too. Those who start with the person who clearly *should* be treated as a woman will be forced to accept that this takes them all the way forward to the person who should not, but they'll be likely to accept that *in order to* accept the person who should be treated as a woman, they'll have to accept all the others too. Realizing that there's a Sorites (or Sorites-like) series of transwomen helps to explain why people come to such different conclusions about transwomen's inclusion as women.

It's hard to get out of this problem: either we have to find a point in the series to draw a sharp line – *seventy-five grains of sand is not a heap, but seventy-six grains of sand is a heap!* – or we have to accept that the accumulated grains are always a heap or never a heap. None of these are particularly appealing. Of course, types of transwomen are not the same as grains of sand, in particular because there are more significant differences between them. So perhaps drawing a sharp line will be easier in this case. Let's go back and establish the series, in order to prove the reasoning, and then think about what to do about it.

Start with a transsexual woman, which means a person born male who has had sex reassignment surgery (and is also likely to be on hormone therapy). Imagine that this person had severe and distressing childhood gender dysphoria, and began presenting in a feminine way from a young age. Since about a year into hormone therapy, the person began to pass socially as female, and so was subject to the same social treatment that women are routinely subject to. If anyone not born female has a good case to be treated socially as a woman, or recognized legally as a woman, then it's this person. So let's assume for now that we're happy to accept this person as a woman.

Next, consider a particular type of transgender woman, which means a person born male who identifies as a woman, but has not had sex reassignment surgery. Imagine that this person is on hormone therapy, and like the transsexual person had childhood gender dysphoria, presented in a feminine way from a young age, and passes socially as female. This person desperately wishes they could have sex reassignment surgery, but can't, either because of a prior medical condition which makes the surgery too risky, or because of the prohibitive cost of doing so. There is a difference between this person and the transsexual person, namely that they have intact male genitalia, while the transsexual woman does not. But how much does this really matter? It will play a role in their relations with lovers, but it won't often play a role in their social treatment. It seems that we should treat this type of person in just the same way as we treated the transsexual woman. Either both are women, or neither are, given what they have in common.

So far so good. Who's next? Consider now a transgender woman who is not on hormone therapy, perhaps out of an aversion to becoming dependent on medication. Suppose this person had the same childhood experiences of dysphoria as the other two types of transwomen, and that while it's a little harder for them to pass, they tend to be read as female in at least some social contexts (and as male in others). Like the transgender woman in the last paragraph, they have intact male genitalia. Can the fact that this person doesn't always pass make a difference between this type of person and the last, sufficient to treating them differently? Again, it doesn't seem so. The two types of person are similar enough that either both of them are women, or neither are, given what they have in common.

I won't spell out the whole series in detail, because you can probably do this for yourselves. But next comes the sometimes-passing transwoman without childhood dysphoria; then comes the never-passing transwoman with childhood dysphoria; then comes the never-passing transwoman without childhood dysphoria (who is, let's assume, motivated by queer theory or the popular ideas about gender identity that have followed from its social uptake). Suddenly we've ended up with a male-bodied male-presenting person who claims to be a woman – in some cases grounded in sincere theoretical commitments about what gender identity is, in others as a political manoeuvre aimed at 'smashing the gender binary', and

for other reasons too (see [this piece](#)[4] for a more complete discussion of the different types of transition and motivation).



As I said already, we can reason from either end of this series. Here's what happens if we start with the male-bodied male-presenting transwoman without childhood dysphoria (the 'glitterbeard' character in ContraPoints' most recent video, [Transtrenders](#)[5]). Because of the prevalence of male violence against women and girls, women have a reason to track sex as a way to keep themselves safe. (Or at least, to track sex plus some other features, like age, or likely strength). Because of the ubiquity of male-socialized behaviours, women have an interest in tracking sex as a way to control their exposure to those behaviours. They can't do this – except in the purely private sphere – if people like Danielle Muscato or Alex Drummond count as a woman. So people like Danielle Muscato or Alex Drummond *don't* count as a woman. But then neither do any of the other transwomen who are side-by-side similar enough to be treated in the same way. So neither is the transsexual woman at the far end of the series. The conclusion? No male-born person is a woman.

Here's what happens if we go the other way, instead, and start with the to-some-extent female-bodied (i.e. to all external appearances) female-presenting transsexual woman with childhood dysphoria (the 'Tiffany Tumbles' character in *Transtrenders*). People generally engage with this person socially as a woman; they perceive her to be a woman and treat her as they would treat a woman (assuming there are some differences in how they treat women and how they treat men, as there are for most people). This person looks like a woman and would continue to look like one in a range of contexts (including intimate contexts e.g. in shared spaces involving nudity); this person is treated like a woman by strangers in social situations; this person has experience of the world as a woman experiences it, at least in relation to how she is treated by others (but not, obviously, in relation to experiences that relate specifically to having female reproductive anatomy or female-specific medical conditions). This person seems to count as a woman. But if she counts as a woman, then so do all the other transwomen who are side-by-side similar enough to be treated in the same way. So people like Danielle Muscato and Alex Drummond are a woman. The conclusion? Anyone who says they are a woman is a woman.

It's the side-by-side comparisons that put us in this predicament. We're hitching glitterbeard carts to transsexual wagons – even though some transsexual people are actively speaking out against this in an attempt to unhitch. If we don't want to accept either of these approaches (transsexual women are women therefore glitterbeards are women, or, glitterbeards are not women therefore transsexual women are not women), and instead find a way to say that the transsexual woman should be treated as a woman while the glitterbeard should not be treated as a woman, then we have to find a non-arbitrary point at which to unhitch the wagons.

There are several not obviously implausible places where we might do this. One is at penises, distinguishing between those who have them and those who don't have them. This unhitches the transsexual wagon from all the rest, and it leaves women at ease in intimate spaces involving full or partial nudity. Another is at passing as female, distinguishing between those who are treated as female in social situations and those who are not. This unhitches passing transgender women from all the rest (although there is a risk that there might be some transsexual women who do not pass, and so this distinction does not merely unhitch the wagons later in the series, but also goes further and throws out some of the earlier wagon's passengers). Yet another is being accepted by a majority of women as a woman, which might unhitch only the male-bodied male-presenting wagon at the very end of the series.

Note that this "Sorites paradox" point applies also when we think about the law. When there was just one wagon – transsexual women – it might have made sense to classify that small group of specific people as female, rather than, for example, extend them separate protections on the basis of something like gender identity, gender expression, or being transgender. After all, given that many of these people will pass as female, they will be vulnerable to sex discrimination on that basis. (For example, a fully-passing transsexual woman in her 20s – 30s might be subject to discrimination in employment on the basis of being expected to become pregnant). But once we start hitching further carts to further wagons, this legal move becomes incoherent. By the time we get to glitterbeards, it's absolutely clear that we shouldn't be protecting this wagonful of people as female. No one thinks they are female, and they would never be subject to sex discrimination on that basis.

Considering the whole series together, rather than considering only the first wagon and letting everything else hitch a ride, leads us to a very different conclusion. There should be separate legal protection on the basis of being trans (or for gender identity or gender expression; the latter is appealing because it also protects gender non-conforming people who are not trans). Trans people should be demanding trans rights, not attempting to access women's rights, which are a poor fit for most of them and access to which can be undermining of the rationales for women's rights (e.g. rights to single-sex spaces, services, and provisions). (See also Jane Clare Jones' [excellent post](#)[6] on this point). This is compatible with thinking that *some* transwomen, most plausibly transsexual women and fully passing transwomen, should also be protected as female in at least some cases (given the likelihood of sex-based discrimination).

For those who prefer to break the Sorites series (unhitch a wagon) rather than to protect trans status separately, where we should want to do this depends on what we're most concerned with. If sex continues to be conflated with gender identity such that counting as a woman gives a person access to women's sex-based spaces, services, and provisions, then there is reason to unhitch early in the series (or even just rule out the whole series). If we're worried about the privacy, dignity, and comfort of female people then we might want to exclude male genitalia; if we're worried about alleviating the distress of transwomen then we might want to include those with gender dysphoria.

We can draw different lines in different places for different reasons, and we should be having a conversation about all those lines and reasons. What we shouldn't be doing is failing to recognize the reasoning that takes us from transsexuals all the way to glitterbeards, or from glitterbeards all the way to transsexuals. These are very different types of transwomen, and the inclusion of each gives rise to very different considerations. Just because side-by-side types look similar enough to be treated in the same way, it doesn't follow that we don't know that the person at one end of the series is a woman and the person at the other end isn't.

Links:

[1] <https://plato.stanford.edu/entries/sorites-paradox/>

[2] <http://www.daniellemuscato.com/>

[3] https://www.huffingtonpost.com.au/entry/meet-the-trans-woman-queering-gender-with-her-full-beard_n_55affb34e4b0a9b948538d24

[4] Talking past each other about trans/gender – archived at hollylawford-smith.org

[5] https://www.youtube.com/watch?v=EdvM_pRfuFM&feature=youtu.be

[6] <https://janeclarejones.com/2018/09/09/gay-rights-and-trans-rights-a-compare-and-contrast/>