

Some thoughts about Hi-Phi Nation's 'For Women Only, Part II'



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[Part II of Slate's Hi-Phi Nation Episode 'For Women Only'](#) [1] was posted today. It started with sociologist Laurel Westbrook talking about 'gender panics', then had alternating segments of me and Robin Dembroff, giving voice to the contemporary gender critical and the contemporary transactivist/genderqueer positions respectively. I had some thoughts in response to Westbrook, Dembroff, and also Lam (the host), which I present below.

1. Laurel Westbrook

First off, Westbrook talks in general terms about 'gender panics' as periods of social panic that occur when commonsense understandings of gender are challenged. The consultation over changes to the Gender Recognition Act in the UK last year challenged commonsense understandings of gender by proposing that gender be made, legally, a matter of mere self-identification, so perhaps 'gender panic' is an explanation of at least some of the public agitation over the consultation. But it is hardly a convincing explanation of the reactions of feminists, who are already in the business of challenging commonsense understandings of gender. (Arguably, the most 'commonsense' understanding of gender is biological and neurological differences between male and female people create two 'roles', man/masculine and woman/feminine. Feminists have long since challenged this idea, during the second wave arguing that gender is imposed on people on the basis of sex, not a natural or inevitable result of sex differences). Indeed, to think that 'gender panic' is an appropriate description of the feminist reaction to the challenge posed by reform of the GRA is nothing but gaslighting. Feminists and their male allies have perfectly reasonable concerns about the impact of sex self-identification coming into law.

One of the concerns which has gotten the bulk of the airtime has been the impact on women's safety from male violence, including sexual violence. Although transactivists like to claim, contra fact, that there has never been an incident of male violence committed as a result of transwomen's inclusion in female-only spaces, there have in fact been several prominent cases. In the last few days in New Zealand, a recently-released female prisoner went on record about an attack by a transwoman during her time in prison (Speak Up For Women NZ). In February in Scotland, transwoman Katie Dolatowski sexually assaulted a teenage girl in a supermarket

bathroom. Last year in the UK, transwoman and convicted rapist Karen White assaulted several prisoners in a female prison. Note that female prisoners are disproportionately survivors of male childhood sexual abuse, or sexual assault, so the domination that results from the threat of such violence is likely to be significant, whether or not the threat actually materializes. In 2012 in Canada, Christopher Hambrook sexually assaulted women in two women's shelters, which he accessed by claiming to be a transwoman called 'Jessica'. (Those who would deny that Hambrook counts as a transwoman had better be able to give an explanation of why they support self-identification in general but not in this case).

Westbrook and one of her colleagues undertook a media analysis to look at how people were reacting to challenges around gender. This means they gathered a bunch of articles published relating to gender over a given period of time, and did a content analysis. As Barry Lam – the host of Hi-Phi Nation – summarises Westbrook's findings, there were three: 1) the most controversial moments were/are always about transwomen's access to women's sex-segregated spaces; 2) no one is worried about transmen; and 3) people are worried about penises, not about men per se: genital surgery quells the 'panic'. According to Westbrook, then, 'gender panics' are actually 'penis panics'; fear of 'men in dresses'.

As a radical feminist listening to these findings, I have to say my reaction was something like, no shit. Here's what a radical feminist could tell you, without any media analysis. Re: 1 & 2) Transmen, being female, don't pose a threat to male people, either in terms of sexual assault or physical assault or indeed any other kind of shitty threatening or annoying behaviour. And here's what anyone who knows some trans people and has seen the effects of testosterone treatment can tell you. Transmen tend to pass better (where 'passing' means being read by others socially as being men), and so can go largely undetected as trans men in men's sex-segregated spaces. In light of those two facts, it is highly unlikely that there would be any social 'panic' about the idea of transmen entering men-only spaces. Re: 3) A person without a penis doesn't pose a rape risk (at least if we think that rape is nonconsensual penetration by a penis, as it is according to the law of several countries). Furthermore, if a male person is so serious about his transition that he's willing to have his penis cut off, this might act as enough of a signal of his sincerity that it quells any fears that people have about how he will behave in women-only spaces (I'm actually arguing in a current paper that it's not enough of a signal, but that's another discussion). Westbrook's findings are not surprising, and hardly needed a media content analysis to establish.

Westbrook claims that fears about safety relating to transwomen's inclusion in female-only spaces come from the belief that all males are potential rapists. And she says that this narrative about rape threat doesn't only come from women, but also from men; there's a cultural idea that transwomen are 'traps' (ContraPoints has an interesting discussion about this) for straight men, to trick them into gay sex. Apparently some of the men who have murdered transwomen after a sexual encounter claimed that they were raped, on the grounds that they had not consented to sex with a male person. (There's an interesting philosophical discussion about consent, and how we should think about either deception or the withholding of information that can be reasonably expected to be a dealbreaker, but again this is not the place for it). Westbrook characterizes these situations as ones in which men are violently policing transwomen as women, e.g. for not being women in the right way (by having a penis). But it's an open empirical question what those men were thinking at the time. Equally possible is that they were violently policing transwomen as men, e.g. for being homosexual males presenting in a feminine way, and so departing from the norms of masculinity both in terms of sexuality and

in terms of appearance. Westbrook cannot simply ascribe the mental states that fit her ideology to those who see transwomen as a rape threat.

The most interesting claim to come out of Westbrook's discussion, from my perspective, was the statistical one she made about safe spaces. She said something like, 'really a safe spaces is a space where people are kind and compassionate'. Violence comes much more often from people we know, and only very rarely from strangers. But the spaces where there's the most public agitation when it comes to the inclusion of transwomen are precisely those where people are strangers to each other, e.g. bathrooms, changing rooms, and fitting rooms. Westbrook thinks that if safety is what we're really concerned about, particularly safety from threat of rape, then it's not simply being male that we should be concerned with – that's far too broad. If we really want safety we should focus on building spaces that include 'kind and compassionate' people. And of course the implication is that there's no reason to expect kindness or compassion to track sex.

Westbrook is obviously right about violence, in particular rape and sexual assault, tending to come from people that we know rather than people that we don't. That doesn't mean there's zero risk of violence if we include transwomen in female-only spaces, but it does mean the risk is lower than is commonly assumed. So we have to ask a question about what level of risk we're prepared to accept. In my view, we should accept no risk of male violence, because the badness of one woman being raped or sexually assaulted trumps the goodness of tranwomen receiving the validation they seek from inclusion in female-only spaces. This is like the philosophical argument that says no amount of paper cuts adds up to a migraine. Even if a thousand people all had to get a paper cut, it wouldn't be that suddenly it was better to give one person a migraine. Migraines have a different quality. Likewise, the badness of rape or sexual assault in terms of its destructive effects on a woman's life is of a different quality as compared to the goodness of transwomen's inclusion, in particular because the bads of their exclusion, like being forced to use men's sex-segregated spaces, are easily avoided (with third spaces).

But the more significant response to Westbrook is that she makes things too easy for herself by focusing on safety to the exclusion of all other rationales for maintaining female-only spaces. We tend to focus disproportionately on safety in public discussions, but safety is just one of many rationales for women's sex-segregated spaces. These spaces are also justified by the privacy, dignity, and comfort of female people (e.g. when the spaces involve full or partial nudity); by fairness for female people (e.g. in sports or for political party shortlists); by respite from male-socialized behaviours for female people (e.g. in campus women's rooms); and by the self-determination of female people (e.g. in women's political groups and creative/artistic events). Including any male people in these spaces undermines these rationales.

(Before I move on, if you got confused by the bit where Westbrook was talking about transwomen's sexuality, it helps to realize that she's using 'heterosexual' and 'homosexual' in the normal way, but then bizarrely using 'straight' to mean 'homosexual'. So when she says 'most transwomen are straight, which means they are attracted to men', she means that most transwomen are gay. Of course, if being trans had nothing to do with sexuality, then we should expect the sexuality of transwomen to mirror the demographics of the rest of the population, in which case, most transwomen would be attracted to women (straight on the ordinary understanding, 'gay' according to Westbrook's 1984 inversions). If she's right about the demographics – I haven't fact-checked this, and am a little sceptical given all the pressure on the lesbian community to accept transwomen as sexual partners – then we have even more

reason to be worried that transgender ideology is a new form of gay conversion therapy, as many others have already pointed out.)

II. Robin Dembroff

I had said in one of my segments that the reasons why oppressed groups – like female people – need spaces of their own include that such spaces allow them to build solidarity, organize politically, and talk about their shared experiences. Dembroff pushes back against this, saying that women don't have any 'common experience', because they're all so different to each other that their experiences will be really different. They (Dembroff is nonbinary) make two mistakes here. The first is to think that shared experiences must be universal, something like a single experience that all and only female people have had. But this is needlessly strong. It can be that in virtue of being female, there's a high likelihood of having a certain experience, or that there is a mosaic of experiences such that women will generally have some of them (and men generally will not). In either of these ways, it can still be a good thing to be together with other people who have had those experiences, even if it's not that all people you're together with have had them. It's not hard to fill in the content of these shared experiences for female people: being subject to street harassment / catcalling; dealing with the unwanted advances of creepy men; being talked down to by men at work or in public life; being expected to do a disproportionate share of the domestic work in shared houses; being at risk of breast cancer or cervical cancer; having unwanted pregnancies or abortions; and so on.

The second mistake is to go intersectional on experience, as though all we can talk about are the experiences of the black disabled lesbian qua black disabled lesbian, rather than being able to talk about the black disabled lesbian's experience of sexism. If anyone is in doubt that a black woman can isolate the parts of her experience that are the result of sexism and misogyny (a bizarre thing to doubt, but hey) then I encourage them to [watch Margo Jefferson](#)[2] talking about her experiences in the US civil rights movement (1.28–2.30), which explain her motivation to participate in the second-wave feminist movement. Race, class, and gender are the 'big three' axes of oppression. It's entirely justifiable to care about the male/female axis, and to want to take steps to mitigate the oppression of those who are disadvantaged by it. The 'no common experience' response fails to show that we can't or shouldn't do this.

Like Westbrook, Dembroff also makes an empirical assertion about the motivations / beliefs of those who discriminate against transwomen. They (Dembroff, not Dembroff and Westbrook) assert that misogyny is the common cause of both transwomen's discrimination (they say 'oppression' but transwomen are not oppressed as I understand that term, which requires another group having systematically extracted resources from them and benefited from their exploitation – as has happened for all of the 'big three' of race, class, and sex) and female people's oppression. But misogyny is the policing of female people for departure from feminine gender norms. Take a non-passing transwoman, so a person who is clearly male, but is presenting in a feminine way (perhaps wearing make-up or a dress). Should we believe that when this person is discriminated against, it's because people are seeing him as female, and policing him for not conforming to feminine gender norms?

This would be odd, because he's visibly not female, and he visibly is conforming to feminine gender norms. Much more plausible, it seems, is that when this person is discriminated against, it's because people are seeing him as male, and policing him for not conforming to masculine gender norms. This makes sense, because he's visible male, and is visibly non-conforming. This is not misogyny, so Dembroff's 'common cause' claim is wrong. Of course it's ultimately

an empirical question what's going on in the heads of discriminators, but Dembroff's take on it requires thinking that mere feminine performance leads people to treat non-female people as they treat female people, and that is something I'll remain sceptical about until I see some empirical evidence. (Dembroff's take is of course kinder to transwomen, and perhaps that's exactly why they make it. It attempts to make the world one where even those who discriminate against transwomen still treat them as women rather than as men. But I'm not convinced that misdescribing the world is a good way to make it so.)

Finally, Dembroff claims that gender critical feminists want to treat transwomen according to masculine gender norms rather than feminine gender norms. But that's false: gender critical feminists are gender abolitionists, so they don't want to – and they try not to – treat anyone according to either of those sets of norms. What they want is for male people to stay out of female-only spaces, which are important to them, and to advancing women's interests in general. This isn't 'applying masculine gender norms' against the wishes of the transwoman as to how she should be treated. It's simply asserting the political importance of not including the transwoman as a woman in a limited number of cases.

III. Barry Lam

Lam says towards the end of the podcast – and we talk about it a little more in the *Slate* bonus content segment – that the gender critical feminists are losing in the current debate, and at the time of writing, I think he's probably right. Of course, we're all hoping that the tide will turn, and to some extent it has turned in the UK and in New Zealand. But I found one of his claims in particular intriguing, because I've been thinking about it a lot myself. He said something like 'young people don't give a shit about this', and went through a bunch of examples of previously women-only spaces either becoming transwomen-inclusive or shutting down entirely: the Olivia music collective, the Michigan Womyn's Music Festival, and the Seven Sisters liberal arts colleges in the US.

This reflects my own experience, too: that there's a generational gap in thinking about this issue. Some of my own students, and graduate and undergraduate students around the world, are furious about the idea of women resisting transwomen's inclusion in women-only spaces, or as women full stop. Some women of my generation and above do join them, but many more either share gender critical feminists' concerns, or are at least open-minded about the debate in a way that the younger generation are not. Of course there will be a complex range of explanations of this, including the influence of liberal and intersectional feminism (including misunderstandings of the latter), and the rapid recent spread of transactivist ideology. But I wondered about the part of the explanation that relates specifically to generational differences.

To make the point by analogy, one thing that I found really striking in Kimberle Crenshaw's writing, when I was trying to get to grips with what was going wrong in contemporary takes on intersectionality, was her explanation of why black women might have been less present in the feminist movement (at her time of writing). She explained that black women, especially in the US, will feel their race as a significant axis of oppression, and this will lead them in many cases to be involved in race-based activism. But this puts them into common cause with black men, and so makes it difficult for them to take the oppositional attitude to men in general that characterizes the feminist movement. I wonder if something similar could be going on with the younger generation.

It looks to me like queer/POC groups, especially on university campuses, are actually built around shared values, for all their talk of being about marginalized identities. The proof of this is in the fact that a person who has the relevant marginalized identity, but has ‘the wrong’ values, will not be welcome in those groups, and indeed may be actively resisted. We’re seeing this in the discipline of Philosophy at the moment through the ‘Minorities and Philosophy’ student groups, whose global hub and manifesto has positioned it in opposition to two of Philosophy’s most present minorities – female people and lesbians – when those women and lesbians have ‘the wrong’ views on trans inclusion. The same would go for other minorities, I presume, say if a person with the right identity markers was nonetheless politically conservative; or religious; or pro-Trump; or pro-Brexit; or in favour of immigration controls; or not particularly opposed to capitalism; or whatever else.

Could it be, then, that a similar explanation to the one Crenshaw had in mind applies here? In particular, could it be that these queer/POC groups include male nonbinary people and transwomen, and men of colour, and gay men, other types of marginalized men who have ‘the right’ values, and that this makes it very difficult for the women in these groups to see male people in oppositional terms in the way any analysis of patriarchy as one of the three main axes of oppression needs to do?

Still, even if this is a good explanation of the intergenerational disagreement, there are several mistakes being made here by the younger generation. One: not all transwomen have ‘the right’ values and so are members of these groups, but legal reforms that force inclusion will apply to all transwomen (indeed, any male person who wants to assert that he is a woman, which is part of the problem with having mere self-identification as the criterion for being a transwoman). Two: women in these mixed-sex-but-shared-value groups will still experience sexism and misogyny in the world, whether or not they choose to acknowledge male/female as a significant axis of oppression. (They’ll usually claim to acknowledge it, but the way they apply intersectionality will mean they in fact don’t. I’ll come back to this below). Women in these groups will be sexually objectified by male people; be sexually assaulted by male people; be not believed by male people; be mansplained by male people. There’s zero empirical evidence to suggest that transwomen, merely in virtue of being trans, are likely to be less affected by male socialization and so less likely to behave in these male-typical ways. So there’s zero reason, at this stage at least, to think that these younger women don’t have an interest in sex-segregated spaces, even if they profess to not desire sex-segregated spaces.

Suppose, just for the sake of argument, that there actually was less objectionable male-socialized behaviour in younger men compared to older. Suppose that younger men tend not to perpetrate sexism or misogyny, or at least to do so to a much lesser degree than older men. Would this be a reason to be less concerned about male violence and male socialization, and therefore to be less concerned about admitting transwomen – after all only a small group of male people – into women’s sex-segregated spaces? It wouldn’t, because legal changes, and changes to social norms, that admit these younger males also admit older males.

Older women are more concerned about male-socialized behaviour for good reason, namely that they’ve lived through times, where they were treated very badly by men. Just think what it was like for women growing up in the 1930s through to the 1960s. Even the women who grew up in the 70s and 80s still met a lot of opposition to the goals of the second wave. That’s hardly surprising given girls growing up today still have serious problems to deal with in growing up under patriarchy. So today’s young people, legislating for the inclusion of some male people in female-only spaces, are legislating for older women that those men who were

absolutely terrible towards them in the past and perhaps even still now can enter their sex-segregated spaces. Why should the way that younger women feel about their male peers be allowed to determine what all women must do?

I said above that I'd come back to the intersectionality mistake, so I'll end with that. It's a mistake to think that oppression is all-things-considered. The younger generation seem to think that if a person has at least one marginalized identity, then they count as oppressed/disadvantaged, rather than oppressor/advantaged. Making this assumption, they cannot view a transwoman as an oppressor. Trans people are cast strictly in terms of disadvantage. But oppression/disadvantage is not generally intersectional, it is specific to a single axis (this is compatible with Crenshaw's insight that under the law, there may be a lack of protection for the disadvantage resulting from a combination of two or more axes). I'm a woman, and a lesbian, and white. Relative to the race axis of oppression, I am the oppressor. Relative to the sex axis of oppression, I am oppressed. Relative to the trans/non-trans axis of disadvantage, I am advantaged. (The list goes on).

Unless we want to resort to the silly claim that my white privilege doesn't matter because I'm a woman and a lesbian, or that the only oppressors in the world are the comparatively tiny group of {rich, white, male, able-bodied, straight... etc.} people (rather than all white people when it comes to race, and all males when it comes to sex, and all middle- and upper-class people when it comes to class), we'll have to pay attention to the aspects of identity that matter for what we're talking about. If we're talking about racism or white supremacist culture, then my race matters. Similarly, if we're talking about sexism and misogyny, or patriarchy more generally, sex matters. (Or at the very least, fully passing as a member of the relevant sex class). We have reason to care about patriarchy, so we have reason to care about sex. If the mitigation of women's oppression means maintaining female-only spaces, then it matters that transwomen are male. This doesn't negate the possibility of it mattering that e.g. many female people are non-trans when we're talking about gender identity. (It might affect their obligations, for example).

It's obviously not the case that trans people's disadvantage trumps female people's oppression, which has after all been going on for a lot longer, in much more severe ways, and to a much larger population of people. So this treating of trans issues as trumps, and the vilification of gender critical feminists for simply pointing out that transwomen are male and that this sometimes matters, has got to stop.

Links:

[1] <https://hiphination.org/season-3-episodes/s3-episode-7-for-women-only-pt-2/>

[2] https://www.youtube.com/watch?v=8_JjyxPUPfU&feature=youtu.be