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Essays in Gender-Critical Philosophy

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Do Arguments for ‘Trans Women are Women’ Succeed?

The claim that ‘trans women are women’ is not always argued for. Katharine Jenkins, writing in *Ethics* in 2016, simply asserted it: ‘The proposition that trans identities are entirely valid—that trans women are women and trans men are men—is a foundational premise of my argument, which I will not discuss further’ (Jenkins 2016, p. 396). Talia Mae Bettcher asserts it in a more subtle way, writing in *Philosophy Compass* in 2017 that ‘the invalidation of trans identities is a central issue in trans politics’ (Bettcher 2017, p. 1). To invalidate transwomen’s identity is to deny that they are what they say they are, that is, to deny that ‘trans women are women’. Rachel McKinnon writes in *Philosophy and Phenomenological Research* in 2018 ‘I take it as now well-established that trans women *are women*. Full stop’ (McKinnon 2018, p. 485). But McKinnon does not provide any references indicating where this was established, or by whom. Clearly, mere insistence upon the claim that ‘trans women are women’ is not an argument. Those who did not already accept the claim have no reason to get on board with anything that follows it.

But that the claim is so often simply asserted does not mean it is not possible to give arguments for it. Some arguments do exist, and I will invent some more. Some are metaphysical. They say that transwomen are women because whatever it takes to be a woman, transwomen have it. The gender identity argument is like this: what it takes to be a woman is to have a ‘woman’ gender identity; transwomen have a ‘woman’ gender identity; therefore transwomen are women.¹ Others are verbal. They say that we should *say* ‘trans women are women’, because doing so brings about good consequences. The violence argument is like this: transwomen experience public harassment and violence; they wouldn’t experience public harassment and violence if people accepted them as women; saying that ‘trans women are women’ is a way of accepting, and encouraging others’ acceptance, of them as women; therefore ‘trans women are women’.

In the first section of this essay I will survey some of the existing arguments that can be found in the philosophical literature. These include what I will call

¹ I won’t discuss this argument here, it having been a large part of Chapter 2. Those who are interested in that specific argument are encouraged to consult that chapter, and also the discussions in Stock (2021) and Joyce (2021).

‘the moral/political not metaphysical argument’, ‘the hermeneutical injustice argument’ (a narrower version of which is ‘the ontological oppression argument’), ‘the violence argument’ (which can be generalized into ‘the perlocutionary effects argument’), ‘the libertarian self-determination argument’, ‘the first-personal authority argument’, and the ‘aspirational argument’. None of these succeed, for various reasons, although some are more promising than others. In the second section, I propose some further arguments. I call these ‘the Star of David argument’, ‘the war argument’, ‘the recognition respect argument’, and ‘the womanizing argument’. Again, although some are more promising than others, none succeed.

Before we start, a brief note about terminology that is specific to this chapter. I explained already that there is a disagreement between gender-critical feminists and gender identity activists over whether one should write ‘transwomen’ (no space) or ‘trans women’ (space). The latter reads as a description of a woman, akin to ‘tall’ woman or ‘angry’ woman, while the former does not. Gender-critical feminists prefer the former, gender identity activists prefer the latter. Both beg the question in the context of this essay, where *whether* transwomen are women is at issue. I’ll beg it in the direction I think is correct, so use ‘trans women’ when quoting others, and ‘transwoman’ otherwise.

3.1 Existing arguments

There are at least six different arguments given across the philosophical literature for ‘trans women are women’. I’ll explain each, and its weaknesses, in what follows.

The ‘moral/political not metaphysical’ argument. Mari Mikkola writes in her book *The Wrong of Injustice* ‘[t]heory of gender that point-blank excludes trans* women from women’s social kind is simply unacceptable. But just as I find it politically problematic to propose such an exclusionary theory, I find it problematic to propose a view that unquestionably includes trans* women. After all, not all trans* women want to be part of women’s social kind. [...] *Political concerns are critical when deciding how to proceed*’ (Mikkola 2016, pp. 114–15, my emphasis).² Robin Dembroff argues against a metaphysical approach to gender on which gender classifications should track facts about membership in current/dominant gender categories, and in favour of a moral approach: ‘what, according

² Mikkola explains her use of ‘trans*’ instead of just ‘trans’ as being ‘considered to be more inclusive’, because ‘trans’ ‘is taken to refer to medically or hormonally altered transsexual men and women’ (Mikkola 2016, p. 23). This is a little confusing because ‘transsexual’ is usually reserved for those who have transitioned surgically, ‘transgender’ or just ‘trans’ for those who haven’t (whether they’ve transitioned medically, or only socially). It is my understanding that ‘trans’ has the meaning that Mikkola thinks ‘trans*’ has.

to our best normative theory, seems to accommodate the interests of gender justice' (Dembroff 2018, p. 36). This argument is familiar from other subdisciplines. In 2006 Ron Mallon made the argument for race: against the view that racial terms or concepts refer to metaphysical features of the world, and in favour of the view that 'disputes over "race" talk should be resolved by a complex evaluation of a host of practical, normative considerations' (Mallon 2006, pp. 527–8).³

We take this approach by asking, what understanding of the moral/political category 'woman' would best serve gender justice? We might decide that gender justice requires voluntariness in gender categorization, so that people aren't simply 'assigned' to categories on the basis of sex, but get to choose which category to be in. Then we might decide that what it means to be a woman is to have decided to be a woman, which can be signalled most clearly from saying that you are one. Transwomen say that they are women, so transwomen are women, on this new understanding.

There is a problem with using this approach to vindicate the claim that 'trans women are women', and it is that neither moral nor political concerns can generally be limited to the interests of just one group, but they would have to be limited to trans people alone in order to vindicate an understanding of 'woman' that counted transwomen as women. That is not to say we can't take action for specific groups, but that when we think about what actions to take, we generally have to consider *all affected parties*, and possible opportunity costs and tradeoffs, rather than simply siloing one group off from all the others. But gender categories affect everyone, not just trans people, and they *particularly* affect female people, who have been long subjected to mistreatment on the basis of assumptions about female inferiority. Any moral/political considerations about how the category of woman should be changed and towards what end had better take female people's interests seriously.

It is not necessary for me to argue that an understanding of woman that counts transwomen as woman is *definitely* against female people's interests; I need only to establish that it is far from obvious that it is in female people's interests, which means it is far from obvious that the 'moral/political not metaphysical' argument would vindicate 'trans women are women'. The biggest reason to think it's against female people's interests is that it shifts 'women' from a unified group (all and only adult human females) to an *ad hoc* group, and this in turn puts feminism as a political project at risk. As Natalie Stoljar put it, diversity 'raises the issue of whether women constitute a genuine class and hence whether feminism can operate as a political movement on behalf of a unified group of women' (Stoljar

³ Mallon does not 'eliminate' the metaphysical. He clarifies later in the paper that 'to say that debates about "race" talk are normative, not metaphysical, risks being misunderstood. What is normative is not what is in the world, but how, when, and where we decide to talk about what is in the world' (Mallon 2006, pp. 550–1).

1995, p. 262). Or as Theodore Bach put it, ‘if there is no real group “women”, then it is incoherent to make moral claims and advance political policies on behalf of women’ (Bach 2012, p. 234).

The best candidate for a common feature among women is biological sex.⁴ This creates a clear metaphysical category, and that category can be easily shown to have social significance (from the beginning of sex caste hierarchy through the effects of that hierarchy in the last several thousand years). It is far from obvious that it is in female people’s interests, at least in the near term, to cede the metaphysical in favour of the moral/political.⁵ But even if they did, any moral/political understanding of ‘woman’ that took more than just transwomen’s interests into account is unlikely to vindicate the understanding of ‘woman’ that transwomen-inclusive feminist philosophers want. A revision that is good for women, for example, would be ‘a biologically female adult human with any interests, any job, any sexual orientation, and any kind of presentation.’ This revision is incompatible with the inclusion of male people, and could only be made compatible at the cost of giving ‘woman’ and ‘man’ the same meaning, thus defeating the whole point of having gender terms.

There are some exceptions to this rule about taking action in limited groups’ interests. Prioritarians, for example, are concerned with improving the position of the least well-off. So if trans people could be shown to be the least well-off, then perhaps doing something to advance their interests, *even if* it set back the interests of other groups (so long as it didn’t set them back far enough to make one such group the worst-off), could be justified. The problem is that it is unlikely that trans people are the least well-off social group. Sometimes they are assumed to be, on the basis of disproportionately high rates of murder or suicide, but the statistics frequently invoked appear to be overstated (on suicide see Biggs 2015; on murder see Reilly 2019).⁶ Gender identity ideology can also distort applications of intersectionality in ways that create an inflated impression of disadvantage. Being male with a ‘woman’ gender identity is one thing about a person, but gender identity ideology sees it as transforming many other things about a person, including sexual orientation (a heterosexual male in an opposite-sex relationship becomes gay by identifying as a woman), and sex (a male becomes female by

⁴ Understanding ‘woman’ as ‘adult human female’ gives *every* woman in the class something in common. There is no other feature that can capture anything like as many people who we intuitively think of as women (e.g. sexual subordination, capacity to reproduce, extraction of domestic labour, ‘woman’ gender identity, femininity).

⁵ I say ‘at least in the near term’ because I can imagine a future in which, having paid attention to sex and sex-based injustice for long enough, we achieve sex equality and it becomes less important, or even entirely unimportant, to still care about it. At that time, women might happily cede the metaphysical. But to do so now, in the face of widespread global sex-based injustice, would be hugely premature (see e.g. Criado-Perez 2019 for a recent empirical overview of sex-based injustices created by androcentrism in research and policy-making).

⁶ See also the details in fn. 19 and fn. 32.

identifying as a woman). A person who was not multiply disadvantaged, meaning, either not disadvantaged at all, or disadvantaged only along one dimension of identity, may become multiply, and potentially intersectionally,⁷ disadvantaged (a black male who identifies as a woman becomes a 'trans woman of colour', someone impacted by the intersection of trans, race, and sex; a white heterosexual male who identifies as a woman becomes a 'trans lesbian woman', someone impacted by the intersection of trans, sexual orientation, and sex). (For a real-world example of this reasoning see Feng 2020).⁸ If we reject the claim that gender identity transforms other things about a person, the impression of disadvantage reduces.

Thus revising the understanding of 'woman' by taking transwomen's interests into account *exclusively* is not likely to be justifiable on prioritarian grounds. One group of women with a *prima facie* strong claim to being the least well-off group of women is women in prison, who generally have suffered histories of abuse,⁹ and who are vulnerable to the prison administration, with its attendant human rights abuses (see e.g. Balsamo and Sisak 2022; White 2019). These women's interests certainly aren't served by a revision of 'woman' to include male people, a revision implemented in law in multiple countries and already having the effect of sending male sex offenders into women's prisons.¹⁰

The hermeneutical injustice argument. 'Hermeneutical injustice' is a phrase coined by Miranda Fricker. She argued that because 'the powerful have an unfair advantage in structuring collective social understandings' (Fricker 2007, p. 148), there could be a specifically epistemic injustice involved in the absence of particular social terms or concepts. She was interested in the terms or concepts that allow (or would have allowed, had they existed) people to articulate disadvantage. The familiar example is 'sexual harassment': in a society in which women are considered to be primarily sexual/aesthetic objects *for men's* pleasure, it is difficult to articulate the wrong of being touched, looked at, or spoken to in an 'inappropriately sexualized' way.¹¹ Lacking the *concepts*, or *terms*, 'sexual harassment', 'sexual objectification',¹² or 'thingification' (MacKinnon 1982, p. 520), women were at a

⁷ On the concept of intersectionality, see also discussion in Lawford-Smith and Phelan (2022) and Lawford-Smith (2022, Chapter 7).

⁸ Feng quotes Jane Ussher, author of a report on sexual harassment and assault against transwomen, saying '[It's] because they are women, because they are trans, because they are a woman of colour and many of whom were bisexual, queer, or lesbian so these different multiple identities put them at high risk of sexual violence' (Ussher, in Feng 2020).

⁹ According to a 2017 article in *Time*, 'the vast majority of women in prison are single mothers who have been victims of domestic and/or sexual violence' (Cox 2017).

¹⁰ On prison transfers under sex self-identification in Canada, see Kay (2021). Kay reports the former Deputy Commissioner for Women saying in 2019 that 50% of requests for transfer from the male to the female estate were coming from male sex offenders.

¹¹ Other examples Fricker discusses are masturbation and post-partum depression (drawing on Brownmiller 1990), and negative constructions of homosexuality (Fricker 2007, pp. 149 and 165).

¹² For an early discussion of objectification, see (Beauvoir 1949, Volume II, Part 1, Chapter 2 'The girl', p. 360).

loss to articulate exactly *what* was happening to them in the workplace, and *why* it was wrong (Fricker 2007, p. 151). Women as a group are impacted by the absence of this concept: ‘her hermeneutical disadvantage renders her unable to make sense of her ongoing mistreatment, and this in turn prevents her from protesting it, let alone securing effective measures to stop it’ (p. 152).

We might make use of this idea in a direct argument for ‘trans women are women.’ The concept of a *biologically male woman* does not exist, or at least, does not exist outside of trans-friendly subcultures. Indeed, it would be considered a contradiction in terms outside of those subcultures. So we could say, this is an *absence* of a concept that renders transwomen unable to articulate their disadvantage. What is the disadvantage though? It is unlike that named by the concept of sexual harassment, because we already have the concepts to name the parallel mistreatment: transphobia, homophobia, femmephobia. So it must be something else, perhaps being subject to ‘misrecognition’: treated as men because male. Without the concept ‘biologically male woman,’ transwomen cannot name that disadvantage, and so cannot protest it, or secure measures to stop it. Introducing the concept of a biologically male woman by insisting that ‘transwomen are women’ resolves the hermeneutical injustice.

Perhaps this was all true at some point in history, before the concept *transwoman* came into common understanding. But it is a matter of common usage now, and it is widely understood that transwomen are making a claim to being women while being biologically male (they might say, ‘women assigned male at birth’). (There is a complication here because some transwomen are sex denialists, or collapse the sex/gender distinction into gender, and so assert that they are *female*.¹³ In this case we would have to say something a bit different, like, there is a concept of being a ‘woman/female with a penis and testicles,’ or in the case of sex reassignment surgery, being a ‘woman/female who had gone some way down the developmental pathway to producing small gametes,’ or, being a ‘woman/female with a Y chromosome’).¹⁴

The problem is not the *lack* of the concept, but the *uptake* of the concept. Once ‘sexual harassment’ had a name, women took it up with a vengeance, because it named an experience so many of them had had, and the words together indicated

¹³ Transwoman Rachael McKinnon, for example, wrote in *The New York Times* ‘I am a woman, after all. I am female as well; and ‘Trans women are women. We are female’ (McKinnon 2019).

¹⁴ This latter expression of the concept is not particularly helpful, because it threatens to conflate the fact of having a specific intersex condition, namely CAIS (endogenous), with being transsexual (exogenous: accomplished through surgery). This difference is significant, for a CAIS ‘woman/female with a Y chromosome’ was assigned female at birth, raised female, grew up with/went through puberty with a female body, and socialized/treated as female for her whole life. A transsexual ‘woman/female with a Y chromosome’ may have ‘sex reassignment surgery’ late in life after having married and fathered children, which means having been observed male at birth, raised male, grown up with/gone through puberty with a male body, and socialized/treated as male throughout their life. So ideally we would have two different concepts for these two very different types of person.

something that it was easy for men to understand—precisely that this was a *form* of harassment. It became part of the stock of familiar concepts. But 'transwoman' has not had the same kind of uptake, because there is disagreement about whether *being biologically male* is a way one can be a woman. It is widely understood that there are biological male people who make a claim to being women; it is not clear that it is widely accepted that this claim is true. But this is not a hermeneutical injustice, it is a hermeneutical disagreement. That disagreement cannot be settled merely by stipulating that the lack of (uptake of) the concept is a disadvantage. If 'biologically male' is not a way to be a woman, then the lack of (uptake of) the concept is not a disadvantage.¹⁵

There is an indirect version of the hermeneutical injustice argument that is more interesting. Sexual subordination is central to the concept 'woman', whether or not it exhausts it. Suppose that transwomen experience sexual subordination, and that the best explanation for this is that they are seen as women. If 'woman' names the class of people who are treated a certain way, and transwomen are treated that way, then this is a reason to think that 'trans women are women'. Denying that 'trans women are women' would mean denying transwomen access to a concept that would help them understand their mistreatment. It would also mean feminists missing a crucial part of the story when it comes to understanding, and subsequently resolving, women's sexual subordination. Whether this argument goes through depends on whether in fact transwomen experience sexual subordination, and whether the best explanation for this is that they are seen as women. Some transwomen are explicit that their trans identification is motivated by a desire for sexual subordination (Chu 2019; see also testimonies in

¹⁵ Robin Dembroff (2018) gives a more specific version of the hermeneutical injustice argument by claiming that it's an *ontological oppression* rather than a mere epistemic injustice when the concepts for social categories are lacking. Dembroff claims that our current gender kind concepts have oppressive membership conditions, because they don't count trans people as being what they say they are. Trans people are 'ontologically oppressed' because better gender kind concepts, with better (non-oppressive) member conditions, are absent. It is peculiar that Dembroff considers oppression to be gotten rid of in gender kind concepts when *trans* people, alone, get what they want. This sidelines female people, the primary historical victims of gender kind concepts and by far the largest constituency of people affected by them. It would be better for female people if pernicious stereotypes limiting their options on the basis of their sex were gotten rid of. Their situation is not remotely improved by making it the case that some biological males are intelligible as 'women' too. So the ontological oppression argument for 'trans women are women' doesn't go through either. As a side note, whether the ontological oppression argument is genuinely distinct from the hermeneutical injustice argument depends on what it takes for there to be a term/concept. If it has to have uptake, so that it can be communicated between people, then the absence of the ontological category looks to be the same thing as the absence of the concept. But if it's sufficient for one person to have the concept, or a small group to have it without it having more general uptake, or for everyone to know about it *but reject it* (say, because it's incoherent or undesirable), then it might be that hermeneutical injustice and so-called 'ontological oppression' come apart, because we can have the concept but not the category (i.e. everyone has considered the possibility of a 'biologically male woman' but simply rejected it as contradictory, so the category 'woman' doesn't change). That would involve ontological oppression in Dembroff's sense but not hermeneutical injustice.

Lawrence 2013). It's not clear whether transition satisfies that desire, but let's grant for the sake of argument that it does for at least some transwomen.

It is entirely unclear, however, what the best explanation of transwomen's sexual subordination is. Is there a social practice that targets the *feminine*, and (many) transwomen are feminine, so (many) transwomen are targeted by this social practice? Or is there a social practice that targets the *female*, and transwomen desire to be part of this social practice, and so adopt cues of femaleness in order to be? Only if it's the former do we get an argument for 'trans women are women'. If it's the latter, we have no reason to think differently about what a 'woman' is, only to note—for whatever it is worth—that the sexual subordination feminists are fighting to free female people from is desirable to some male people. That would actually be an argument *against* 'trans women are women', because accepting it would force us to say that some *women* desire sexual subordination and some don't, obscuring the fact that for some women (the females) it is imposed on the basis of sex and cannot be opted into or out of,¹⁶ while for other women (transwomen) it is not.

If sexual subordination targets the *feminine* (in any sex), then feminine transwomen will be targeted, but we should also expect to see other feminine men (e.g. effeminate gay men) targeted, and masculine women not targeted. We do in fact see some targeting of feminine and effeminate men, but we do not see masculine women exempted from targeting. Thus a better explanation might be that *because of its association with female people, who are sexually subordinated*, femininity is being adopted in some non-female people who desire sexual subordination (e.g. autogynephilic transwomen).¹⁷ It is impossible to know without doing detailed empirical research into the attitudes of sexual subordinators. So this argument for 'trans women are women' is inconclusive.

The violence argument. (The perlocutionary effects argument). This argument works by linking the *denial* of 'trans women are women' to specific physical harms. Katharine Jenkins makes this argument when she says '[f]ailure to respect the gender identifications of trans people is a serious harm and is conceptually linked to forms of transphobic oppression and even violence' (Jenkins 2016, p. 396). Jennifer Saul, writing in *The Conversation*, makes a version of this argument, when she says 'trans women are undoubtedly marginalized. Consider that 30% of trans female¹⁸ teenagers attempt suicide; or that anti-discrimination laws that cover gender identity are rare; or that 72 percent of victims of anti-LGBTQ

¹⁶ At least, cannot be opted into or out of without transitioning. (A female person who wishes to avoid it may transition to living as a man, and if he passes as male, may in fact escape sexually subordinating treatment).

¹⁷ For detailed discussion of autogynephilic transwomen and feminism see (Joyce 2021, Chapter 2) and Lawford-Smith (2022, Chapter 5).

¹⁸ Saul uses the sex term 'female' here as a gender term, tied specifically to gender identity. By 'trans female' she means what I mean by transwoman.

(or HIV-related) hate crimes were trans women. *An absolutely key component of this marginalization and discrimination is the denial of trans women's identity as women*' (Saul 2020, my emphasis).¹⁹ Talia Mae Bettcher seems to be running a similar argument when she links 'transphobic violence' to the idea that transwomen are being deceptive when they present themselves as female because such a person is 'really a boy' or 'really a man' (Bettcher 2007, p. 48).

The most common form of this argument is to link the denial of transwomen's identity claims not to violence perpetrated by others, but to violence perpetrated by transwomen against *themselves*, in other words, to suicide, or suicide attempts. There is a much-circulated figure of 41% suicide attempts in the trans community, although this figure is inaccurate (Biggs 2015). Whether we're interested in self-inflicted or other-inflicted violence, the assumption seems to be that if only everyone accepted transwomen's identity claims, believing that they really were women, there would be substantially less violence. Avoidance of violence becomes a reason to accept, and proclaim, that 'trans women are women'.

There are a number of problems with this argument. The first is to do with the link between what we assert and what people think. It is an empirical question whether having increasing numbers of people assert that 'trans women are women' is really going to make people *believe* that transwomen are women, and *treat* transwomen as women. Making it socially unacceptable to say particular things, or socially mandating the saying of particular things, *can* contribute to changing attitudes and actions, but it can also just drive the same beliefs underground (the shift in psychology from old-fashioned to modern sexism and racism scales is trying to capture this, see e.g. Swim et al. 1995 and discussion in Barreto and Ellemers 2005). But in the case of gender identity, things are even more complicated, because even among progressives, there is disagreement about the best way to change the world. Accepting trans people's identity claims may not be the

¹⁹ The suicide statistic Saul gives comes from a study reported in the journal *Pediatrics*, which asked 120,617 adolescents the question 'have you ever tried to kill yourself?' 202 (0.2%) of the participants were transgender, male to female (transwomen). 30% of those answered the suicide question affirmatively (Toomey et al. 2018). Michael Biggs has argued on the basis of their data that the biggest risk factor for suicide is actually sexual orientation (Biggs 2018); another group of researchers working on suicide ideation among young males found similarly that 'greater conformity to heterosexual norms was associated with reduced odds of reporting suicide ideation' (King 2020, p. 5). Thus it may be misleading to focus on the *trans* suicide attempt rate in particular, as though it is being trans / how trans people are treated that causes this. The hate crimes statistic Saul gives comes from a report by the National Coalition of Anti-Violence Programs (NCAVP), and refers specifically to 'hate violence homicides in 2013'. The NCAVP report states that 'the total homicides for 2013 remains among the highest ever recorded by the NCAVP' (NCAVP 2013, p. 8). The total number of hate violence homicides in that year was eighteen. 72% of those, which is thirteen people, were transwomen; 67%, which is twelve people, were transwomen of colour (p. 8). Elsewhere in the same report it is acknowledged that transwomen of colour are disproportionately represented in two notoriously violent industries, namely prostitution and the drug trade. The report states that '34% of transgender Latin@ respondents and 50% of transgender Black respondents had engaged in sex work or sold drugs at some point in their lives' (pp. 61–2). Nonetheless, the homicides are attributed to 'anti-LGBTQ and HIV-affected hate violence' (p. 8).

only way to avoid violence against them, and if it is not the only way, and working towards it conflicts with the social justice projects of other marginalized groups (female people; lesbian, gay, and bisexual people) then it is not the route we should take.

There seems to be an assumption in Saul's argument that it's the public conception of 'woman' that needs to change, to accommodate all transwomen, rather than the public conception of 'man'. But it's men who perpetrate violence against transwomen, and that violence is more likely tied to perceived violation of norms of masculinity (as in King et al. 2020) than to perceived violation of norms of femininity. The transwoman is assessed relative to the male standard, and found wanting because feminine; not assessed relative to the female standard, and found wanting because masculine. If it was the latter, we would expect to see a lot more physical violence against masculine women, but we do not. (On this way of understanding things, we get an explanation of why transwoman Aimee Stevens was fired from her job; if we thought she was being assessed relative to standards of femininity it would be utterly perplexing that she was fired for wanting to wear the women's uniform—see discussion at Hungerford 2020). Here's an alternative, which establishes that accepting trans people's identity claims is not the only way to avoid violence against them: work for acceptance that there's no 'right' way to be male, so that directing violence at gender non-conformists comes to be seen as inappropriate. Instead of insisting that 'trans women are women,' insist that 'feminine men are men.'²⁰

There are two advantages to this. First, it supports a broader message that is liberating for everyone: there's no right way to be male, and there's no right way to be female, so all the ways of expressing yourself are equally fine. This is good for all 'gender non-conforming' people, not just trans people. Second, it is compatible

²⁰ It has been suggested to me that this would not help, because in exactly the situations that involve violence, it is the fact of the transwoman being 'really a man' that causes the issue, e.g. in the 'trans panic' defence where a transwoman is assaulted upon being discovered to be male, and the defence given is that the assailant believed they were to have a sexual encounter with a female. The question here is which strategy is more likely to be successful: widespread uptake of the idea that being biologically male is a way to be a woman, or widespread uptake of the idea that being feminine (here presumably female-passing) is a way for a biologically male person to be. I suspect that neither are much likely to help with the sexual situation just described, for as long as biologically male women / female-passing men are in the minority. For then it will still be assumed that a female-appearing person is in fact female, and where this is highly relevant to a person's sexual orientation, frustrating that assumption without prior warning may be a trigger for violence. Given the importance of sex to sexual attraction, sexual orientation, and sexual consent, I think the best approach is transparency about biological sex. Because the transwoman *is in fact male*, I don't see it as a promising strategy to try to convince violent men either that 'man' is not the same thing as 'male' and while they don't want to have sex with a *man* it's quite fine to have sex with a *male*, or, that a man/male can occasionally be female-passing so every occasion of consent to a sexual encounter with an apparent-female is in fact to chance a sexual encounter with a male/man, *and that is perfectly fine*. So long as it's fine for men to be heterosexual, which I think it is, then it's fine for men to refuse sexual encounters with biologically male people. This is not to excuse violence done in any such situation, but is to point out that this situation is highly unlikely to be resolved by insisting that 'trans women are women.'

with the social justice projects of other marginalized groups, particularly lesbian, gay, and bisexual people, and women. 'Heteronormativity' is the norm that female people should be attracted to men only, and male people to women only. Discrimination happens in response to perceived violations of this norm. We cannot track this discrimination accurately while pretending heterosexual males are 'lesbians' because of their gender identities. Sexism/misogyny positions female people as inferior in the male/female sex hierarchy; discrimination depends on enforcing this norm (you are female therefore you are inferior) and on policing violations of this norm (you are female but you don't 'know your place'). We cannot track this negative sex-based treatment accurately while pretending feminine men are subject to it as well. In insisting that 'trans women are women', we force reforms to the self-understanding and social justice projects of both lesbian, gay, and bisexual people, and women, as groups. In asserting, instead, that 'feminine men are men', we don't.

In summary, short of evidence about the link between asserting that 'trans women are women' and reduced violence (including self-harm) against trans people, we have no reason to accept this as an argument for saying that trans-women are women. In light of alternatives that can be expected to do an equally good job in reducing violence *and* are more compatible with the social justice projects of other groups, we can reject the violence/perlocutionary effects argument.²¹

The libertarian self-determination argument. Michael Hauskeller writes 'as far as I am concerned, people should be free to be whatever they want to be, provided they do not harm other people in the process' (Hauskeller and Lawford-Smith 2022). He extends this thought to biologically male people who want to be addressed as women. The general idea is a familiar liberal one: people should be free to pursue their own conception of the good, in their own way, with the only constraint being that they do not cause harm to others in the process. If a male person's conception of the good involves living as a woman (whatever that

²¹ Another version of the perlocutionary effects argument focuses on the harm to young girls in particular: unnecessary medicalization and surgeries for girls who think they're trans, but whose feelings about their gender may in fact be explained by something else, for example that they're lesbians, or autistic, or influenced by social contagion, or have undiagnosed medical issues. Radical and gender-critical feminists are particularly worried about these girls, and usually advocate for no transition before the age of consent as an answer to it. But an alternative would be to *speed up* the social acceptance of 'trans men are men' (and 'nonbinary people are neither men nor women') while simultaneously insisting that there's no right way to be trans (so that being a trans man or being nonbinary is perfectly compatible with having an unmodified female body). The sooner this becomes an identity *only*, the better from the perspective of unnecessary physical interventions which may turn out to have harmful long-term effects. Because gender identity ideology is symmetrical between men and women, this would be an indirect argument for saying that 'trans women are women'. We should say 'trans women are women' *because* we should say 'trans men are men'. Whether this argument succeeds depends on its likelihood of uptake, and the tradeoff in reduction of harm to young girls against the increase in harm to adult and child female people from losing the sex-based concept of 'woman'. I am sceptical about both.

means), then they should be free to do this, and it would be wrong for any of us to intervene and stop them. In the case of sex/gender, this freedom is particularly important, because it is tied to self-determination and self-expression.

Does this libertarian argument vindicate ‘trans women are women’? That depends on how much others have to cooperate with your personal conception of the good, past merely not interfering with your pursuit of it, and on whether your personal conception of the good involves harm to others. Hauskeller goes on to say ‘I appreciate that this can cause problems in certain contexts (for instance when it comes to the use of public bathrooms or changing rooms, or in sports where it raises issues of fairness in sex-segregated athletic competitions), but apart from that we should respect people’s choices to live and present themselves any way they want’ (Hauskeller and Lawford-Smith 2022). The problems that recognizing male people as women might cause in certain contexts—e.g. for accurate demographic information, crime statistics, women’s sports, rape and domestic violence shelters, homeless shelters, changing rooms and bathrooms, women-only hiring lists, shortlists, and prizes—give us a basis for arguing that there *is* harm to others, specifically to female people.

But even supposing that there wasn’t harm to others in this way, the question of cooperation remains. To what extent can our pursuit of the good make demands (short of harms) on other people? If a male person’s good consists in living as a woman, and they are not harming anyone by doing that, I should not interfere to stop them. But almost no one who objects to the dogma ‘trans women are women!’ is trying to *stop a male person living as a woman*. Compare attitudes to drag: although there is a small minority of women who consider males in drag to be parodying womanhood in an offensive way, most women are fine with males in drag. Most gender-critical feminists would *actively encourage* males to experiment with more feminine forms of presentation, as a way of pushing back against masculine gender norms and so speeding their collapse. The issue is not the feminine presentation, it is the male person’s claim that *they are a woman*, or that *they are female*. But at least in the case of the latter, the claim is simply false. If the former and the latter are synonymous, which most gender-critical feminists think they are, then both claims are false. Libertarian self-determination might permit a climate change denier to go around espousing silly conspiracy theories about the macadamia nut industry’s clean energy grab, but they don’t require that the friends and acquaintances of the conspiracy theorist *endorse* his claims. Similarly for transwomen’s claims about being women, or being female.

For all the contexts where there can be shown to be harm in endorsing ‘trans women are women’, we have no argument for endorsing it; and for the remaining contexts, we have merely an argument for not interfering with how the male person wishes to live. We do not have an argument for accepting that ‘trans women *are* women’.

The first-personal authority argument. Talia Mae Bettcher argues that whether one identifies as a woman or a man (or neither) is a fact that belongs in a category of things that only we can know about ourselves. We have 'first-personal authority' over things like our experience of pain and pleasure, our fleeting thoughts, our beliefs, fears, desires, and wishes. Bettcher does not defend this as an infallible source of *knowledge*, because she acknowledges that all sorts of things can get in the way: 'denial, self-deception, wishful thinking, and unconscious attitudes are common' (Bettcher 2009, p. 100). Rather, she defends first-personal authority as *ethical*, saying that a person takes responsibility for her mental states, including when they turn out to be 'inappropriate, false, or irrational' (p. 102). We think a person is wronged, morally, when someone violates her first-personal authority, e.g. by telling her that she is tired and wants to go home (attributing both a feeling and a desire, on which she is the ultimate authority) (p. 102). Bettcher thinks telling a transwoman 'you are really a man' is just like telling someone 'you are tired and want to go home now', because both disrespect the other's authority over those matters (p. 115).

Is *self-identifying as a woman* in the same category as pain, pleasure, desire, etc.? And if it is, does that vindicate 'trans women are women' as true? For Bettcher, gender is an important part of one's self-conception, and is 'existential'. She talks about a person identifying as a teacher, despite never having been employed or trained as a teacher, because 'one is an unactualized teacher who has never had the chance to be "who one really is"' (p. 111). In this same sense, who a male person 'really is' could be a woman. It's important that this claim is existential rather than metaphysical, because 'the latter involves a broad conception of men and women more generally and, consequently, risks running into conflict with the self-conception of others' (p. 111). This is a striking claim: one person's existential claim to be a woman has *no implications* for what a woman means in any general sense, and so does not threaten anyone else's different conception.

At this point, it becomes entirely unclear what Bettcher's argument gets us. We have learned that there is something 'existential' that most ordinary people using the word 'woman' don't mean by it. If we stick to that conception, *and* agree both that gender is gender identity and that 'woman' refers to this identity, then each individual is an authority on whether she is a woman. Therefore, 'trans women are women' is true (because trans women believe they're women). But feminists are not interested in the 'existential'; they're interested in the metaphysical (and the political). So one person's understanding of 'woman' *does* have implications for another's self-conception. And it remains an open question whether gender is gender identity.²² So this argument is unsuccessful.

²² On this point see Chapter 2, and discussion in Stock (2021), Joyce (2021), and Gheaus (2022).

The aspirational argument. This argument is perhaps most explicit in B. R. George and R. A. Briggs' 'Science fiction double-feature: Trans liberation on Twin Earth' (George and Briggs, manuscript), which argues that the gender categories 'woman' and 'man' have a historical origin in being identified with sex, but can evolve through time such that their membership is 'liberalized', up to a point where the 'woman' category is a mix of male and female people, and the 'man' category similarly a mix of male and female people. This is a vision of a future in which 'membership in gender categories such as *woman* and *man* [is] fully voluntary' (George and Briggs, manuscript, p. 1;²³ see also Bach 2012). This vision of the future might underpin the claim that 'trans women are women'—it is not that they are, now, but that they should be. We say that something is the case, partly in order to bring it about.

There are two weaknesses to this argument. One is that we don't all share the same vision of what the good future looks like when it comes to gender. Aiming to retain the gender categories but make them voluntary is extraordinarily under-ambitious when compared to the radical feminist project of abolishing gender categories altogether.²⁴ Anyone who disagrees with the merely revisionist goal has no reason to assert that 'trans women are women'. Second, even if we did all share the same vision, it's not clear that the best way to bring it about is to go around speaking as though it were already the case. This is the methodology of linguistic activism (or conceptual engineering, or 'amelioration') which aims to intervene primarily on language and concepts rather than on actions and attitudes. A pioneer of this methodology in feminist theory was Mary Daly, in her books *Gyn/ Ecology* (1978) and *Webster's First New Intergalactic Wickedary of the English Language* (1987). It can be successful in reclaiming slurs and terms of abuse, and in dissolving stereotypes, but it's not clear that it can do the work of actually intervening on bad social norms or conventions. As Kirun Sankaran puts it, 'changing pernicious conventions requires more than the epistemic remedy that contemporary critical social theorists prescribe. It also requires overcoming strategic impediments like high first-mover costs' (Sankaran 2020, p. 1442).

Thus the aspirational argument for 'trans women are women' fails too.

3.2 New arguments

While the arguments that have been given so far do not vindicate the claim that 'trans women are women', that doesn't mean there isn't an argument that could work. In this section I consider four further arguments, the first two drawing

²³ Page references refer to the 25th March 2019 version of the paper archived at <<https://philpapers.org/rec/GEOSFD>>, accessed 19th August 2020.

²⁴ See also discussion in Chapter 1.

from ideas first presented in the work of radical feminist philosopher Ti-Grace Atkinson. These are what I'm calling 'the Star of David argument', and 'the war argument'. The final two I'm calling 'the recognition respect argument', and 'the woman-izing argument'.

The Star of David argument. Atkinson was interested in the strategy and tactics of feminism as a political movement, and focused on the relations between feminists and men, and feminists and lesbians. She conceptualized males/men and females/women²⁵ as separate ranks ('oppressor' and 'oppressed'), with lesbians in the 'buffer zone' between the two, a kind of outlaw from the strict requirements of female socialization (which included being opposite-sex attracted) (Atkinson [1971] 1974).²⁶ At the time there was still a great deal of social stigma about same-sex attraction. This created a risk—that if outcast from the ranks of women, lesbians could be co-opted to men's ends in the battle of the sexes. Both this argument and the next come from Atkinson's concern with growing the ranks of the feminists ('pro-rebellion'). Atkinson wanted the buffer zone absorbed into the ranks of the feminists, and she suggested, toward this end, that 'all feminists began wearing buttons reading "I am a lesbian"' (Atkinson [1971] 1974, p. 155). She modelled this idea on what she describes as 'the tactic of the Danish king against the Germans during World War II' (although this is not historically accurate),²⁷ 'when the King rode out one morning wearing the Star of David, and most Danes followed suit, the effect was to frustrate the Nazi identification of Jews in that area' (p. 155). If all feminists identify themselves as lesbians, then the actual lesbians are more protected from harassment and abuse, and in return for this support they may be more inclined to join the ranks of the feminists, thus expanding the size of the 'pro-rebellion' group within the ranks of the oppressed.

Can the same argument be made for 'absorbing' transwomen as women? Here's how it would go: the parallel to non-lesbian feminists wearing 'I am a lesbian' badges is non-trans feminists wearing 'I am trans' badges. This makes it difficult for those men who would target transwomen to know which female-appearing people are trans and which are not. If done in significant numbers, it will make the targeting of transwomen impossible, and therefore end it, just as it would have confounded the German soldiers had the Danish legend been true. This protects transwomen, and shows solidarity likely to draw them in to the feminist movement.

Does this argument succeed? I think it does not. Firstly, feminists can pass as lesbians, and Danes as Jews, because many in fact are, and because there's no

²⁵ I'll use these slightly cumbersome combined terms in order to track Atkinson's actual meaning but avoid ambiguity given the usage in the rest of the essay (Atkinson herself used 'women' and 'men' and meant 'females' and 'males' by them).

²⁶ See in particular the strategy chart on p. 141 of her book.

²⁷ Mikkelsen (2000) says the origin of this legend might be a Swedish newspaper cartoon depicting a similar discussion between the Danish king and the former Danish prime minister.

particular incompatibility between the way people in these social groups generally look. But that's not true for males/men and females/women. Most feminists are recognizably female, many if not most transwomen are recognizably male. Anyone wanting to target transwomen could simply target the visibly male among those wearing 'I am trans' badges. The 'protection' strategy fails, and in failing it does not offer solidarity and so cannot draw transwomen into the pro-rebellion group (the feminists). Secondly, feminists in the 1970s had a reason to want to bring lesbians in particular into the feminist rebellion, namely that they were female. Feminism was a movement by female people for female people, so bringing more female people in to the political project was an uncomplicated win. But it's not clear whether feminists today have any reason to want to bring transwomen into the feminist rebellion. To the extent that feminism is still a movement by and for female people, bringing male people into that project is not uncomplicated.²⁸

The war argument. The war argument is fairly closely related to the Star of David argument, but comes from thinking about the relation between feminists and men, rather than feminists and lesbians.

Here's how it goes: like lesbians (at the time), transwomen (now) are similarly 'outlaws', except in this case from the ranks of the oppressor. They are the contemporary buffer zone. There is a risk—that if outcast from the ranks of *men*, they could be co-opted to *women's* ends in the battle of the sexes. And they are in fact outcast from the ranks of men. Feminists should take advantage of this, in order to grow the ranks of the feminist rebellion. Or more straightforwardly: feminism is war, and we need all the soldiers we can get.

Whether this argument is successful depends on whether Atkinson's conception of feminism—at least in that essay—as an issues-based political movement is correct.²⁹ If that is what it is, then, in a democracy, the more people who agree on the issues, the better. But if feminism is, or is also, something else, then it is less obvious that it should take anyone it can get for strategic/tactical reasons.

Deborah Cameron distinguishes three broad types of thing feminism might be: an idea, an intellectual framework, a collective political project (Cameron 2019, p. 2). If it is an idea, like 'women are morally equal to men', then we should take everyone we can get. If it is a collective political project, then it depends on the project. For the project to secure free, safe, and legal abortions, we should take everyone we can get; for the project of lesbian separatism, we should take only lesbians. If it is an intellectual framework, like using consciousness-raising in

²⁸ For those who think feminism is a movement by and for *feminine* people, or by and for *everyone*, this problem dissolves. Perhaps this explains why 'trans women are women' is true for liberal and intersectional feminists, and false for radical and gender-critical feminists.

²⁹ She talks about coalitions to advance particular rights or solutions to practical problems, like free housing, free food, free transportation (Atkinson [1971] 1974, p. 160), and eventual concentration on a single solution, like basic income (p. 169).

order to make progress on revealing the 'lived experience' of women's oppression, then it might also depend. If we want to reveal the shape of street harassment, then we won't want to take everyone we can get, we'll want to limit the group to those who have experienced street harassment. That is likely to include *some* transwomen: those who 'pass' as female will be subject to that harassment. If we want to reveal the shape of treatment by the medical system when it comes to pregnancy and birth, it won't make sense to take everyone we can get, we'll want to limit the group to those who have experienced pregnancy and birth. That means excluding all transwomen (and some women, too), and including some transmen.

Furthermore, even if tactically, feminism should take everyone it can get (for at least some of these projects), that doesn't mean *all feminists are women*. Atkinson also defends the idea of bringing *men* into the 'pro-rebellion' ranks, but it is not likely that she thinks this makes them oppressed, or makes them women. It is one thing to attract support for a political cause, and quite another to declare that all supporters are women now. Atkinson herself thought we had to get rid of the category 'woman', not merely expand its membership (Atkinson 1974, p. 149). So neither of these arguments end up vindicating 'trans women are women', even if they might vindicate 'trans women can be feminists'.

The recognition respect argument. Some talk as though recognizing a transgender person's gender identity as their sex/gender is a human right, a matter of respecting basic human dignity. The judge in the original tribunal for Maya Forstater's employment case in the UK, for example, decided that Forstater's understandings of sex and gender (which included that it is impossible to change sex) were 'incompatible with human dignity' and in 'conflict with the fundamental rights of others.'³⁰ The influential (although lacking official legal status) Yogyakarta Principles declare that when states require individuals to provide information on their sex or gender, it's necessary that 'such requirements respect all persons' right to self-determination of gender' (Principle 6, p. 18).³¹ The fact that many trans people react so strongly to 'misgendering' may be taken as evidence that gender identity is psychologically of enormous importance to them.³²

³⁰ <<https://www.gov.uk/employment-tribunal-decisions/maya-forstater-v-cgd-europe-and-others-2200909-2019>>; there has since been an appeal, which overturned this original judgement and sent the case back to a fresh tribunal. In 2022 she was found to have been discriminated against on the basis of her gender-critical beliefs. <<https://www.doyleclayton.co.uk/resources/news/forstater-v-cgd-europe-ors-maya-forstater-succeeds-employment-tribunal/>>

³¹ <<http://yogyakartaprinciples.org/>>

³² It was suggested to me that the transgender suicide attempt rate provides indirect evidence for this: 'misgendering' makes trans people feel hopeless and want to self-harm, and this shows that it is a form of 'misrecognition', that trans women *really are* women, and that the denial of this *really is causing* (self-) harm. One recent study on a clinical cohort of trans children found 41.8% suicidal ideation (thoughts about suicide) and 10.1% suicide attempts. It is hard to separate out causes of suicide ideation/attempts given 'affirmation-only' approaches to transgender care, which fail to separate out background issues like family conflict, parental mental illness, separation from important figures, sexual abuse, and bullying; and comorbid mental health conditions like anxiety, depression, behavioural disorders, and autism (Kozłowska et al. 2021). See also fn. 19.

Stephen Darwall uses ‘recognition respect’ to refer to ‘giving appropriate consideration or recognition to’, for example, ‘the law, someone’s feelings, and social institutions with their positions and roles’ (Darwall 1977, p. 38). He also defines a narrower concept of *moral* recognition respect: ‘some fact or feature is an appropriate object of respect if inappropriate consideration or weighing of that fact or feature would result in behaviour that is morally wrong’ (p. 40). Most at issue from Darwall’s list is *someone’s feelings*: the feelings the trans person has *that* they are a particular sex/gender. If this is a moral matter, then failure to take these feelings into account would result in behaviour that is morally wrong.

This gives us the basic shape of an argument. Transwomen’s feelings will be hurt³³ if we deny that they are women. To show recognition respect to a transwoman, we take this into account. If this is also a moral matter, then failing to take these feelings into account will result in behaviour that is morally wrong. Being about identities, which are important to many people, this *is* a moral matter. So denying that transwomen are women is a failure of recognition respect, and is morally wrong.

Does this establish that ‘trans women are women’, though? It seems to fall short, and establish merely that *we should take transwomen’s feelings into account* when we talk about sex/gender, or debate policy or law relevant to sex/gender. These feelings matter, but they are not the only thing that matters. This means we can take them into account and still end up thinking that sex caste is important, that we need some words to refer to it, and that the best words are the ones that are already in widespread use. Recognition respect is not *deference*; trans people’s feelings do not set a limit on what categories we can have and what policies we may put in place. So it is possible to deny ‘trans women are women’ e.g. because we think that’s just not what ‘woman’ means, while still showing recognition respect to transwomen.³⁴

The woman-izing argument. Finally, in a discussion of holding responsible, Philip Pettit distinguishes two forms of regulation, one based on deterrence, the other based on development. We can threaten agents with sanctions and punishments as a way of deterring them from doing bad things. But we can also do something aimed at moral development, as parents do with children. Even if a child is not yet fully fit to be held responsible for his actions, we may yet hold the child responsible *in order to* bring about the right kind of development. Pettit

³³ This might sound trivializing but is not meant to; I am simply framing the issue in Darwall’s terms. ‘Transwomen’s feelings will be hurt’ here is equivalent to something with more gravity, like ‘transwomen’s deeply-held sense of identity will be hurt’.

³⁴ A closely related argument is the ‘moral equality’ argument, which equates denying someone’s self-determination of sex/gender with denying his moral equality. Denying that any humans are moral equals with the rest *is* morally bad. But men have traditionally been the ones taken as the standard for moral equality: women are equal *to* men (MacKinnon 1987). So it’s hard to see how denying that a male is a woman is denying his moral equality. Moral equality is about being human, not about being a particular sex.

writes, 'by treating the children as if they were fit to be held responsible, the parents may help to induce in them the sort of self-awareness and self-regulation that such fitness requires'. He says 'although the word is not attractive, it has been usefully described as a process of "responsibilization"' (Pettit 2009, p. 95).

What does this have to do with whether transwomen are women? We might make basically the same type of argument. They may not be women *yet*, but by treating them as women, we may make them women. If we think it's a good thing for some males to become women, just as we think it's a good thing for people who are not yet fully fit to be held responsible to become fit to be held responsible, then we should treat those males as though they are women already. A similar analysis might be offered of Bishop Myriel's treatment of Jean Valjean in *Les Misérables* (1862): Valjean was a thief, but the Bishop treated him with dignity, and this was a transformative moment in his life story that made him *become* morally good.³⁵ There is an empirical question and a moral question in applying this idea to transwomen. Do we want some males to become women? That's the moral question. Does treating a male *as* a woman work to *make* them a woman? That's the empirical question.³⁶

Let's take the empirical question first. Transgender³⁷ author Julia Serano talks in *Whipping Girl* about the shift, during her transition, in how people treated her. She says 'In public, strangers began standing much closer to me. Women seemed to let their guard down around me. Men, for no apparent reason, would smile at me. Everybody spoke to me differently, interacted with me in different ways' (Serano 2016, p. 218). She also comments on the negatives of being treated as a woman, having people comment on her weight, calling her a 'bitch' for standing up for herself, being condescended to, being sexually harassed (p. 223). This gives us some evidence that she is treated *differently* than before. The question is what that differential treatment causes. There is no real evidence about this. We do not have studies on whether transwomen are 'more like female people' across a range of social traits in which there are average sex differences, and on whether they are less like female people at the start of transition and more like female people later in transition. So it is impossible to answer the question of whether being treated as a woman makes one a woman. (Note that I have translated 'makes you a

³⁵ I owe this point to Miranda Fricker, who made it in a lecture at the Australian National University in 2018.

³⁶ I'm focusing on what social treatment does, but we could also ask this question from the other direction, about what the repeated *doing* of something does. Aristotle talked about the achievement of excellence coming through the repeated doing of a task; could 'woman'-ing be like that? Again, there would be a moral question and an empirical question. Is 'woman'-ing an accomplishment or achievement that can only be earned by doing? And is the current form of the 'doing' of it, by 'living as a woman', a way of accomplishing or achieving it?

³⁷ The word 'transsexual' is usually reserved for people who have had sex reassignment surgery, but Serano both uses it (the subtitle of her book being 'a transsexual woman on sexism and the scapegoating of femininity') *and* writes that she has not had sex reassignment surgery (Serano 2016, p. 221).

woman' into 'makes you like a female person', because there's no way to make sense of what 'makes you a woman' means otherwise).³⁸

What about the moral question? There are some people who have exaggerated ideas about the innate goodness of women, or who fantasize about matriarchal utopias in which everyone (male and female) is a woman. On views like those, the more men who become women, the better. The objection to accepting some men as women, at least for all purposes, is that this compromises important feminist projects. Still, if treating men as women *makes them women*, then—eventually—at least some part of this concern will disappear. Then the problem at least reduces in size: perhaps there will be a compromise of some important feminist projects in the short term, but depending on just how short the short-term is, and just how many men are transitioning, maybe on balance we should go ahead. (The problem of creating an *ad hoc* class, and therefore disrupting the possibility of a political movement in its name, will remain). But the greater the numbers, and the longer the 'woman-izing' takes, the less likely it is to be true that on balance we should go ahead.

Without the relevant empirical evidence, it is impossible to declare this argument successful.

3.3 Conclusion

Although some have been more promising than others, ultimately none of these arguments for 'trans women are women' have turned out to be successful. Thus, *either* there is some extremely promising argument yet to be discovered, despite years of impassioned activism both inside and outside the academy; *or*, there is no such argument to be found, and 'trans women are women' is, after all, false.

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³⁸ An alternative to thinking that treating a male person like a woman (whatever that means) makes them a woman is to think that using the word 'woman' for a male person changes the meaning of the word so that it eventually becomes true that they are a woman. This is different to the responsabilizing argument, because that was about causing people to have a moral trait by treating them as if they already had it, whereas this verbal version would be like changing what it meant to be 'responsible' to include not being responsible, by using the word 'responsible' for people who weren't (and not expecting them to change).

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