

Response to the letter “Standing up for Transsexual rights”

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The following letter appeared in the Guardian Newspaper in May 2018. I have not included the names of the signatories since this is an attack on the views expressed. It is not a personal attack. I know some of the signatories: I totally respect those people and the passion with which they argue their views. Having previously written to support one of the co-signers to this letter, (You can see my comments on Gilchrist, S. (2018): “*Transgender People and Women’s Concerns*”: <http://www.tgdr.co.uk/documents/243P-TransgenderSocialIssues.pdf>) I now wish to dissociate myself completely from the sentiments and arguments that are expressed in this later letter “*Standing up for Transsexual rights*” which, I believe, not only misrepresents the situation, it derogates many of the people it refers to, and it causes great damage to the transgender cause.

The Letter, as published, follows: “Standing up for transsexual rights”

Transsexuals are worried about their rights being challenged under new legislation. There are fears over the proposed removal of safeguards from the Gender Recognition Act”.

“We are transsexual people deeply concerned about the proposed removal of safeguards from the Gender Recognition Act. Replacing the evidenced-based process for obtaining a gender recognition certificate with an over-the-counter style self-declaration blurs the distinction between us and transgender people who remain physically intact. This is problematic when such male-bodied people, including sexual fetishists, demand the rights afforded to women as a protected sex, including access to their private spaces. Transsexual people undergo a meaningful transition, including hormone therapy and surgery. We fear that these proposals will not only put women’s rights at risk but also damage our credibility in society. We are already seeing our right to define as “transsexual” being challenged by transgender activists who seek to remove this distinction. We call on politicians to show courage and facilitate dialogue valuing all affected groups. We absolutely condemn all attempts to suppress this debate”.

I agree that these issues must be sensitively handled. Indeed in my article which I refer to above I argue that a discussion on these issues is needed, the purpose of which is to resolve the misunderstandings that occur, to ensure that appropriate protections are provided, and to allay the fears that arise. For me that is absolutely crucial. However, any debate or discussion must be based on solid evidence and dispassionate views. Above all it must be conducted with respect for all those involved. To argue in this Guardian letter that those who have undergone gender reassignment are more genuine than others is an affront to those who have struggled, and those who still struggle to maintain their lives in the roles that they have been assigned to, because of the loyalty to the commitments to others that they have made. The implication that people who have not sought gender reassignment can be more closely associated with those who pursue perversion or disruption is just as abhorrent to many people on the gender variant spectrum, and in this I include gender motivated cross-dressers and transvestites (in whatever terms they describe themselves) as well. Not only does this letter betray the integrity of such people, it falls into the trap adopted by some in feminist movements who regard the motives of gender variant people to be in pursuit of power and femininity instead. Masculinity never seems to be considered. There is no policing evidence to support these allegations. These are indeed very real issues but a letter which fails to bring to attention the true motives and the deep sense of identity felt by many transgender people, and which also implies that those who have undergone the surgery of gender reassignment are more genuine than others only divides the transgender communities and damages this cause.

Access to women's "protected spaces" is determined by the Gender Equality Act 2010, not the Gender Recognition Act of 2014. That applies identically to everyone whether they have a gender recognition certificate granted under the Gender Recognition Act or not. A recent statement by the Gender Equalities Office states: *"We are clear we have no intention of amending the Equality Act 2010, the legislation that allows for single-sex spaces. Any Gender Recognition Act reform will not change the protected characteristics in the Equality Act nor the exemptions under the Equality Act that allow for single and separate-sex spaces.. Self-declaration does nothing to change the freedoms and protections that exist¹.*

In repeated written documentation the Government has made it clear that has no intention of changing the law in this area of "Protected Spaces". This is why I believe that the insertion in the first sentence of this letter, which states that the law might be changed to reduce these protections is specious, and that it raises alarm amongst those who do not know what the present situation is. The same is true of the allegation that the present evidence based process is to be replaced by a cafeteria over-the-counter style process. It creates the idea that people can change their gender identity on a casual basis. That I also believe is a misrepresentation. Even though the legal process may be simplified to a single formal declaration, self-declaration does not remove the social hoops that people must affirm before recognition of a legal change of gender is obtained. Self-declaration means that instead of a doctor's say-so, the real evidence must come from the way that people live their lives. The need for that evidence has always been the case, and any form of abuse is covered by the law as it stands. People who are intent on abuse are unlikely to be too worried about the nicety of any legal demands. These are issues for legitimate argument but casting aspersions against the genuineness of people who for whatever reason, have not undergone gender reassignment surgery and by using words which describe them as transgender activists, are strategies which only seek to destroy the integrity of any arguments they wish to make. In place of promoting any discussion about issues they become weapons of personal attack. The same strategies are also used by elements in the feminist movement and conservative elements in the Christian Church.

Instead of fighting for the greater understanding of all transgender people, I believe that the signatories of this letter have put the preservation of their own interests above the interests of everyone else. They have done so by challenging the integrity of those who present opposing views. In this way they have betrayed those who have not followed their own paths and they have betrayed the trust that these people have given them. From my previous writing I have made it clear that there is the imperative need for honest debate and an open discussion where the views from all sides can be freely expressed. By publishing this letter in a national newspaper the signatories have taken their arguments into the public domain. The divisive views which re expressed in this letter are presented as facts to an unformed public. Instead of promoting a responsible public debate they are destroying it by casting aspersions on those who have not followed their path, the authors ignore or diminish the raft of psychological work on the development of transgender identities which already is known, they create divisions in the transgender community and they reinforce the present prejudice and misunderstanding amongst others in society that must be addressed. Knowing some of the people who have signed this letter I would be surprised if this was their intention. I believe this letter to be inappropriate and misplaced, it misinforms the public and I urge its withdrawal with immediate effect.

This response is available on: Gilchrist, S. (2018): *"Response to the letter "Standing up for Transsexual rights"*: <http://www.tqdr.co.uk/documents/243P-ResponseToGuardianLetterMay18.pdf>

¹ The Gender Equality Act 2010 pledges: "Providers of women-only services [can choose not to] provide services to transgender individuals, provided it is objectively justified on a case-by-case basis. The same can be said about toilets, changing rooms or single-sex activities. Providers may exclude trans people from facilities of the sex they identify with, provided it is a proportionate means of meeting a legitimate aim."