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Just Like a Woman

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Abstract

It seems to be widely supposed that the shock-jock question 'What is a woman?' is an unanswerable gotcha for trans people or trans allies. Here I answer the question (my answer is 'an adult human female') and explain why this isn't a transphobic answer, and why, actually, the question is a gotcha for the other side – for trans-exclusionaries. I also answer the question 'Can a woman have a penis?' My answer is 'Yes, and whether you are trans-inclusionary or trans-exclusionary, it's *still* yes'.

It seems to be widely supposed that the shock-jock question 'What is a woman?' is an unanswerable gotcha for trans people or trans allies. It is nothing of the sort; the question is actually more troubling for trans-exclusionary types. To explain why, here's a quick guide to how I, at any rate, would answer the shock-jock if he asked me this question. (Towards the end, I'll throw in for free another shock-jock question and my answer to it. But my main concern here is this first question.)

Mutate the mutanda of my discussion, and you will get what I would tell the shock-jock if he asked me 'What is a man?' Though while the shock-jock almost always *is* a he, when it comes to defining 'man', shock-jocks are curiously lacking in their normal volubility. The asymmetry between their obsession with trans women, and their almost total lack of interest in trans men, is one of the most interesting things about shock-jocks. Though given how incessantly shock-jocks repeat themselves, perhaps I mean one of the few interesting things.

So, first off, there is absolutely nothing wrong with answering the definitional question 'What is a woman?' with the well-known formula 'An adult human female'.

This answer is widely assumed to be three things: first a scientific or biological definition, secondly the exclusive property of trans-exclusionary campaigners, and thirdly a transphobic dog-whistle. In fact it is none of the three.

First, this answer can't be a scientific or biological definition. For one thing, there could be non-human women, on Mars maybe. For another, the way it uses 'adult' is social, not biological. *Biologically*, females are adult as soon as they are capable of reproduction. But the onset of puberty certainly isn't where we (at least in the UK today) set the adult/child boundary in society or law, and a good thing too.

Secondly, the answer is not the exclusive property of the trans-exclusionaries. To see why not, compare another question and answer. 'What is a parent?' – 'A biological progenitor'.

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That answer *is* a biological answer, and a correct one. But saying that parents are by definition biological progenitors does not, in itself, exclude adoptive parents from being parents, even though adoptive parents are not biological progenitors. In the case of adoptive parents we make an exception: we agree as a society to treat them *as if* they were biological progenitors for many, indeed nearly all, purposes. Thus our society makes social space for adoptive parents.

It is always possible for a society to make this kind of exception in order to accommodate borderline cases. And whether or not we make such exceptions is not a scientific decision but a political and ethical one. Saying that parents are biological progenitors is something we can do *in advance of* our political/ethical decision to include or exclude adoptive parents from counting as parents. Just likewise, saying that women are adult human females is something we can say *in advance of* our political/ethical decision to include or exclude trans women from counting as women.

That shows why the answer is not in itself a trans-exclusionary move, nor yet a trans-inclusionary one. This answer is given *upstream of* such moves. It can be accepted common property on all sides, just as 'parent = biological progenitor' is accepted common property.

And that in turn shows why, thirdly, 'women = adult human females' is not in itself a transphobic dogwhistle, though of course it can be and often is uttered with dogwhistling intent.

So I answer the shock-jock question 'What is a woman?' with 'An adult human female'. Is that the end of the matter? It is not; we have barely started. Because I have a question to ask back that might possibly shock the shock-jock. The question is 'What is a female?'

I actually think our society today is chock-a-block with confusion – mostly

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trans-exclusionary confusion – about how to answer this second question. It looks to me very much like most people, including most trans-exclusionaries, do not know how to define 'female'. We see gatekeepers who treat (1) chromosomes as the key test for being female; or (2) sex assigned at birth; or (3) hormone levels; or (4) what it says on your identity documents; or (5) genital inspections; or (6) general phenotypical appearance; or (7) presentation; or (8) self-declaration. That is eight separate tests for being female. And it is just a matter of plain biological and sociological fact that in plenty of actual cases some of these eight criteria are satisfied but not others. *All eight of them can and do sometimes go their separate ways.*

'So, first off, there is absolutely nothing wrong with answering the definitional question "What is a woman?" with the well-known formula "An adult human female".'

Sometimes we hear of a ninth possible criterion, which is offered by some trans-exclusionaries to tidy up this looseness and unclarity around the edges of our concept 'female'. This candidate criterion is a reproductive one: it says that X is female iff X is *of such a nature as to produce large gametes not small gametes.* The obvious question about this proposal is: what is it to be 'of such a nature as' to do this? Am I 'of such a nature as' this if I am (as we might colloquially put it) otherwise female, but born without a uterus, as some people are? Am I 'of such a nature as' this if I am a trans woman who lives in a society where uterus and ovary transplants are medically feasible and frequently offered to transitioning trans women? Fans of the ninth criterion want the answers to these questions to be Yes and No respectively. But that is because their phrase 'of such a nature as' hides a begging of the question. In truth, what they mean is that you are 'of such a nature as' to perform or have characteristically female reproductive functions *iff you are female.* So they already know what they mean by female, though they're not telling (as far as I can make out, what they really mean is 'woman who isn't a trans woman'); and they build that understanding into their definition of female.

This is hardly enlightening. In fact, it is jiggery-pokery, and jiggery-pokery that the trans-inclusionary side can mimic if they choose, by giving an account of 'of such a nature as' that suits *their* conclusions. Those who offer this test do not know how to define 'female', and are covering their inability by retreating into a kind of cod neo-Aristotelian biology. (Comparisons with the sort of cod neo-Aristotelian biology that sometimes underlies pro-life arguments about the status of the foetus are there for the asking; and probably not accidental.) I therefore reject the proposed ninth criterion of being female.

When we look at the other eight tests for being female, it begins to look like 'female' is like 'table'. There *is* no definition for it, at least not of the kind the shock-jock and the gatekeepers are probably after, in terms of necessary and sufficient conditions. What there is, is a range of paradigm cases of 'female', and a range of ways of moving away from that paradigm, according to which and how many of these eight boxes are ticked in any particular case.

Moreover, while some of these tests concern characteristics that can't change, most of them concern characteristics that can and sometimes do change; and some of the characteristics mentioned by some of the tests are not binary on-off, but scalar. Sex assigned at

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birth is not scalar and not changeable without a time-machine; genotype or chromosomes are very complicated as to their scalarity, but are clearly unalterable at least in the present state of science, and probably in any easily envisageable state of science. But hormones, identity documents, genitalia, phenotype, presentation and self-declaration all *can* be altered, and sometimes are; and all of these criteria except identity documents are matters of degree.

So if deciding whether someone is female is a simple matter of an unweighted head-count of these eight tests, there are six of them that can be changed by fairly ordinary human agency, and two that can't – not at least till we have time-machines and much better gene technology. (It's interesting to notice that technological progress can make a difference to the eight-item tick-list; indeed it already has, with the advent of 'gender-reassignment/affirmation surgery' from the 1930s onwards. It could get *easier* to change your sex; in fact it already has.)

'In the case of adoptive parents we make an exception: we agree as a society to treat them *as if* they were biological progenitors for many, indeed nearly all, purposes.'

It follows that, if we use this tick-list and go by head-count, the familiar dogmatic slogan 'You cannot change your biological sex' is just plain wrong. Someone might go – some people do go – from scoring 0/8 by these tests, to scoring 6/8. So what's the pass-mark? When was it decided that you have to score an 8/8 to count as female? Unless there is good reason to weight some of these criteria more than others, wouldn't 4/8 make more sense?

If these reflections are right, then males can and sometimes do become females, and females can and sometimes do become males. So, in those cases at least, 'trans women are women' isn't just a nice slogan; it's a matter of scientific and metaphysical fact.

What about the 3/8s and below, though? What about those trans women who don't by these eight tests count as female? As a matter of sociological fact, trans women who at least pass tests 6, 7 and 8 (general phenotypical appearance, presentation and self-declaration) are going in practice to be treated as female by nearly all ordinary people; ordinary people are not transphobes, and ordinary judgements of 'This is a (wo)man' largely go by appearance. Perhaps that is an argument for lowering the 'pass-mark' from 4/8 to 3/8. But even if that isn't right, the adoption analogy given above still holds: we can say that the 3/8s count as women even though they don't count as female, just as adoptive parents count as parents even though they don't count as biological progenitors. 'Trans women are women' is true for the 3/8s too; it is parallel to 'Adoptive parents are parents'.

So much on my answer to the shock-jock's challenge to define 'woman'. If nothing else it has perhaps delayed the dread hour when he yet again presses Play on *Hotel California.* Here for an encore is what I would say if the shock-jock asked me a question that seems to have mightily scuppered a whole row of British politicians, including the hapless Keir Starmer: 'Can a woman have a penis?'

The answer to this question, and to the exactly analogous question about trans men that the shock-jocks never ask either, is clearly and straightforwardly Yes. And that is irrespective of whether one is a trans-exclusionary or a trans-inclusionary. For trans-inclusionaries think that trans women are women, and pre-operative trans women usually have penises. Whereas trans-exclusionaries think that trans men are

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women, and post-operative trans men usually have penises.

So either way, Yes: a woman can indeed have a penis. Though in the case of pre-operative trans women at any rate, I am reminded of the rude graffiti that I sometimes used to see in the Gents', when I still went in there: 'It's six inches long, but I don't use it as a rule.'

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