The Oppression of Transgender People

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Defining our terms
In this resolution we shall use the term Trans to refer to transgender people, that is, those who assert that their subjective consciousness of their sex-role or their gender identity is at variance with their biological sex and who wish to be treated as the former, that is, as women or men, or as ?genderqueer?, ?nonbinary?, ?genderfluid?, ?agender?, or by other such terms used in different languages.

The word was first used in 1971. In English, at least, it has largely replaced the term ?transsexual?, which emerged in the 1940s, and which in many contexts was taken to mean those who had undertaken, or wanted to undertake, medical procedures to alter outward manifestations of their sex to those of the other.

The attitude of communists, the working class movement and, indeed, all consistently democratic or socially progressive people, should be to accede to trans people?s wishes as to how they wish to be regarded in social life and by the state. In this, our attitude is the same as our defence of women?s rights and those of homosexual and bisexual people?s rights to equality and respect.

Sexual or social behaviour, dress, etc., cannot be subordinated to a bogus ?right? of others not to be offended, arising from prejudice, religious or otherwise, when this does not infringe on the rights of others. It should not be subjected to legal or individual sanction or abuse. Nor should it be regarded as a psychological disorder. Trans people?s desire to be addressed by the names, titles and pronouns of their choice should be respected as a matter of course and deliberate refusal to do so should be regarded as oppressive behaviour (transphobia). It should certainly not be tolerated in the labour movement.

However, Marxists are not obliged to accept without criticism or judgment the assertions of trans theory, queer theory etc. any more than they are the variety of theories collectively known as feminism or theories of the gay and lesbian movements. Subjective experience of oppression, like exploitation, whilst it deserves respectful attention does not in itself generate a correct theory or programme for liberation. The division into bipolar sexes is not invalidated by the existence of intersex people (that is those with biological features of both sexes) or by assertions by trans theorists of the existence of female brains in male bodies or vice versa. Of course, in any case, it should not lead to denial of equal rights and respect to them.

As historical and dialectical materialists, Marxists recognise the objective existence of bipolar sexes as part of our species being (and that of most other species), necessary to reproduction. Whatever any future possibility (or desirability) of medical science enabling us to overcome this biological determination, it exists today and ?overcoming? it is not necessary either for transcending class society or its attendant social oppressions.

However, our species is also characterised by social or collective organisation and consciousness, and individual consciousness, which biological determinants operate on and through. The evolution of human society through different forms of pre-class and then class society and their modes of production have
created social ideologies, justifying and promoting forms of collective self-consciousness. These are embodied in the ideological constructs of masculinity and femininity. One can call these roles or identities, as long as it is recognised that they are neither spontaneous expressions of an individual’s inner essence nor an unmediated reflection of biology but are overlain by the patriarchal justification of women’s oppression.

Neither the biological definition of sex nor the widespread prevalence of social roles should be reified and taken outside of their interacting, conflicting and merging development over historical epochs. With this proviso, we can use the word gender to describe the social role expected by society of the bi-polar sexes and internalised from infancy. Until recent decades in the English language, it was simply a synonym (often a euphemism) for "sex", often appearing on official documents in this sense.

What can also be observed is that a number of people do not subjectively identify with the gender congruent with their biological sex. How many, or what proportion of the population they represent, has long been hidden by oppression and repression. Many of them feel what has for some time been medically termed gender dysphoria, including body dysphoria. This was (and still is) widely considered as a medical condition (or a psychological disorder) and treated as such, sometimes without the consent of the person concerned. In this, it shares a long held attitude to homosexuality. But, while transgender people (like gay and lesbian people, too) can and do suffer from medical/psychological conditions, these cannot be divorced from the profound social stigma and bigotry that trans-identifying people face within the family, school, workplace and social life in general.

Trans Oppression

In recent years, discrimination, stigmatisation and violence directed against transgender people have become much more publicly recognised as trans people fight back against their oppression. In a number of countries, laws have been passed or reformed, which recognise rights for transgender people that alleviate their discrimination. This applies to some, albeit only a few, Western imperialist countries, like Denmark, which in 2014 legalised self-definition. In most European states, however, including Germany, the UK, France, Spain, and Italy, medical proof - of gender dysphoria for example - is required for changing legal recognition. Liberalising legal measures have also been passed in some semi-colonies such as Argentina, India, Pakistan and Nepal, although this certainly does not mean that the real and severe social oppression of transgender people has been overcome.

Nevertheless, in most countries, inequality and discrimination in jobs and civic rights, media stigmatisation, social ostracism, abuse and hate crimes have by no means diminished. The rightwing shift in global politics and the rise of the right actually threaten even the limited rights gained by transgender people (just as they threaten the gains of women, lesbians and gay people or achievements of sexual liberation). They are the target of violence and assaults more often than heterosexuals, with extremely high numbers of unreported cases and even targeted killings (especially in Brazil, Mexico and the USA).

Like practically all forms of social oppression, trans oppression affects people from different social classes unequally. Legal reforms and equality requirements go hand in hand with continued exclusion in public life, at work, in application for jobs or in the family (up to and including severing of all family ties and being driven out of the family home). The bipolar gender stereotypes, which promote a reactionary image of women, also stigmatise transgender, transsexual, intersexual and homosexual people as unnatural?, ?deviant?, ?paedophiles?, ?rapists?, etc. In addition, the rise of a socially reactionary populist right, often allied with religious fundamentalism, has intensified agitation against transsexuals in many societies.

Until a few decades ago, transgenderism/transsexuality was not seen as an expression of one’s own gender identity, but as a pathological medical and psychological deviation. The fact that in some cultures
or historical periods transgender people have been socially accepted, albeit in culturally limited contexts, does not change the fact that there is systematic discrimination in all countries today. In a society in which all forms of sexual orientation or gender identities that deviate from heterosexuality are systematically suppressed, it is inevitable that people who deviate from this norm appear to be "abnormal". In reality, the categorisation of transgender as a disease is itself a form of discrimination, stigmatisation and transphobia.

The bourgeois legislative reforms of recent decades have led to an improvement in the situation of transgender people in some countries and encouraged more people to express themselves, to seek sex change procedures (Geschlechtsveränderung) and recognition of their identity. Nevertheless, systematic discrimination has been preserved and its roots cannot be removed in capitalism either. It must also be noted that in countries like Iran the problem of homosexuality or, rather, the problems caused by religious law requiring the death penalty for it, have been alleviated by recognising transgenderism and prescribing surgical and other procedures to restore a homosexual's true sex. Socialists condemn this inhuman policy. It simply reveals that women's, trans and gay liberation are inseparable.

Roots of oppression
The oppression of transgender people is based on the sexual and gendered division of labour in society inasmuch as their oppression is based on the existence of the bourgeois family and women's oppression within it. During the emergence and development of class society, a division of labour arose, related to the rearing of children, domestic labour (cooking, cleaning) and ensuring the patrilineal transmission of property. With this went the exclusion of women from political life.

Even if the forms of this oppression are constantly changing as a result of the replacement of one social formation by another, women's oppression, unlike other forms of social oppression such as national oppression, permeates all class societies. The respective family structure also forms a reproduction mechanism and transmission belt for the prevailing gender roles, stereotypes, social norms and constraints.

Under capitalism, the bourgeois family forms a central institution for the mediation and reproduction of the reactionary, hetero-normative gender roles, gender identities and heterosexual orientation based on the sexual/gendered division of labour. These are further strengthened by the prevailing morals of society, legal concepts and values. In addition to the family, they are transmitted via religious institutions, media, educational institutions and also permeate the prevalent ideas of medicine, biology and social science.

The separation and opposition (Entgegenstellung) of the spheres of production and reproduction is typical of capitalism. It manifests and reproduces itself in the institution of the bourgeois family - despite all its different forms and despite the tendencies of capitalism to undermine it. An essential factor in the ideological transfiguration and justification of the family is that it appears as a natural, supra-historical institution, an expression of "human nature". Although gender roles, sexual practices and gender identities are socially determined and are subject to constant change in the course of historical development, the prevailing norms always appear "natural", while others appear as "unnatural", pathological or even destructive.

The fact that oppression of transgender people has become a political issue, is itself the result of social struggles, especially by the women's movement, the struggle for the liberation of gays and lesbians, and for sexual liberation. All of these struggles questioned traditional, seemingly natural, gender roles and hetero-normative sexuality. On the other hand, however, these movements have also produced ideologies that themselves contain false, because one-sided, accounts of the relationship between biological sex, socially imposed roles and consciousness of gender identity, which today shape the ideologies of the feminist movement and radical trans activists. Like any one sided, idealistic and/or mechanical views, these too lead to false political conclusions, including tactics or demands that are counterproductive to the
struggle for liberation.

Roughly and simply speaking there are two poles in the discussion. One pole, including important parts and ideologues of the feminist movement, considers sex as something biologically given and gender as simply oppressive socially imposed gender roles or stereotypes, and thus not real. Therefore, the existence of transgender people appears to radical feminists as reinforcing and even celebrating oppressive gender roles. An opposition between biological sex and gender identity, that is consciousness of one's own gender identity being at odds with one's biological sex, can then only appear as a deviation, perversion or an illness or a male assault on woman's hard won rights. However, there also exists a trend in radical feminism that treats gender roles as having a biological basis and celebrating femininity as having positive characteristics such as peacefulness and cooperation, contrasted with masculine characteristics such as aggressiveness and competitiveness.

The predominant currents of the bourgeois and petty-bourgeois women's movement embody a tendency towards classical identity politics and the rigid deduction of gender stereotypes from biological characteristics. A repressive relationship between the sexes that runs through all societies equally (not between the classes) seems to them the essential characteristic and relationship of all previous history (sometimes eclectically connected with anti-capitalism or anti-racism, e.g. in the Triple Oppression Theory). The ideologisation of certain characteristics of women always has a tendency to present these as trans-historical, natural characteristics (a tendency that even influenced authors in the communist movement like Alexandra Kollontai).

Queer Theory, on which many radical trans activists and newer feminist currents rely, rightly pointed out (for example, Judith Butler in Gender Trouble) the weaknesses of identity politics and, in particular, drew attention to the fact that the understanding of a "woman" was often enough based on the reality of white, academically educated, middle-class women. Hence the support for Queer Theory in significant parts of the anti-racist and black women's movement. But Queer theory and many of the trans activists, who base their activism on it, opposes the traditional feminist movement with a no less one-sided theory. It explains biological sex itself as a construction. For Butler, for example, it is the Kantian "thing in itself" that we ultimately cannot recognise. Sexism and heteronormativity do not appear as an ideological expression and result of social oppression based on a gender-specific division of labour, instead, they are declared the cause of oppression. The "heteronormative matrix", the "binary" image of the sexes, actually produces "the sexes", just as the gender-specific division of labour appears as a result of the discourse about the sexes, not the other way around. The gender-specific division of labour is no longer regarded as the cause and reproductive mechanism of women's oppression.

At the same time, and consequently in practice, this idealist view also turns the root of women's oppression (gender-specific division of labour) into a secondary question. The actual struggle must not be directed against the material roots of women's oppression, but against the prevailing discourse about sex and gender. The specific aspect of women's oppression and ultimately also the oppression of lesbians and gays disappears in Queer Theory. Different forms of oppression, even if they are all tied to the institution of the family, disappear into what appears to be an all-encompassing "gender relationship" (Geschlechterverhältnisse). Women's oppression, the oppression of lesbians, gays, bisexuals, intersexuels and transgender people are each thrown together and ideologised under this term. This is an involuntary blow not only against feminism, but also against the women's movement and, ultimately, against the concrete demands of transgender people themselves.

**Biological gender, identity, gender roles**

Before we go into this further, we have to look closely at the relationship between biological gender,
identity and gender roles.

As materialists, we recognise biological bi-polar sexuality as a fact. Only those who declare the reproduction of mankind to be an insignificant question for mankind can abstract from or ignore this.

Bi-polar sexuality is older than mankind itself, being common to all mammals and to many other classes of animals and plants. In the human species, it represents a historically relatively constant quantity, but in the course of its cultural-historical development it has experienced an astonishing variability in its expression. This shows a complex interaction between a biologically based physical basis, an ontogenetically conditioned psychological structuring and a social role expectation, that is, the historically specific prevailing social conditions. A person's gender and sexual identity (geschlechtliche und sexuelle Identität) is therefore the result of a complex of biological functions, sexual tendencies, social requirements and expectations as well as one's own subconscious and unconscious mind. This implies therefore that biological sex and gender identity may contradict each other, as is the case with transgender individuals.

Even between the "poles" of man and woman as the expression of the male/female biological binary, there are a number of intermediate, combined, transitional stages or characteristics whose definition is by no means so clear, either biologically or medically. They do not represent a uniform third sex, but rather a series of transitional gradations. Even prenatally, the definition of a male or female constitution does not take place in a simple and generally clear manner, rather it is a more or less successful approach to one or the other possibility of development. If this approach remains undecided, identity is called intersexual.

Whether transgender identity is biologically rooted or not, or to what extent, is not decisive for a programme against its oppression. Since human sexuality (or its realisation) must always be connected with prevailing gender norms and categorisations, legal, social and psychological phenomena, its formation is also always historically and socially relative. The biological sex always exists in relation to the gender roles or norms that prevail in a particular social formation, as well as to the gender identities that prevail. Humans can have a gender identity opposite to their biological sex (deviating from it), since they themselves are social beings, whose sexual identity and sexuality is necessarily always communicated socially and which must express itself in a consciousness of their own sexuality - a sexual identity.

When humans achieved a historical stage of development at which the means of production and accumulated resources were no longer transmitted equally to the next generation as a collectivity, this necessitated restricting sexual life in a form suitable to this objective (for example, forced monogamy for the woman). This patriarchal system, passing through various modes of production, necessitates that the resulting socio-cultural aspects of sexuality are referred to as gender roles or stereotypes. Transsexuality (like homosexuality) transgresses these predominant gender roles, in particular their "natural? status, which also means that trans people are usually forced to behave and feel according to their "real" sex.

All in all, this means that, in class society in general, and in capitalism in particular, biological sex, sexuality, and sex/gender roles (Geschlechtlichkeit) are the product of these determinations with a variety of developmental variants and possibilities of expression. That can neither be reduced to biology, nor as simply psychologically structured, nor as a simple expression of a social construct, nor merely on the basis of a preference for partnership.

It is crucial that the questions of biological sex, gender roles and gender identity are questions of relationship. In bourgeois society, the oppression not only of women, but also of lesbians and gays, as well as of transgender people, is necessary as a result of a repressive family structure and reactionary gender roles.

Programme
Our programme against the oppression of trans people includes a number of democratic and social demands, many similar to the fight against other forms of gender or sexual oppression.

Transgender people experience various degrees of emotional oppression within the family and social exclusion and bullying at school when they transgress gender norms: they are also often subjected to medical attempts to ‘cure’ them. High numbers of transgender youth respond to this by running away, becoming involved with drugs and becoming suicidal.

Socialists recognise that in capitalist society (and indeed in post-capitalist society until classes and women’s oppression wither away decisively) repression of transgressive sexualities and gender identities will continue, as will the need to combat this. We defend the right of adult (post-puberty) individuals to seek ‘reassignment’ therapy or surgery. Likewise, we defend the rights of children who question their gender identity to be counselled and protected against bullying or any form of discrimination.

When progressive schools attempt to respond positively to trans pupils they are often accused by churches, fearful parents, conservative politicians and some radical feminists of ‘teaching’ or ‘promoting’ transgenderism, encouraging children to change their gender, undergo hormone therapy or surgical ‘reassignment’, etc. We favour scientifically based sex education that explains the biological and social determinant and only ‘advocates’ understanding, opposition to oppression and freedom of young people to develop sexually according to their wishes (of course with the definite proviso that this does not actually harm anybody else as, for example, would be the case with ‘child abuse’, paedophilia and other genuine sexual perversions).

Therefore, we demand

- Repeal all discriminatory laws against transgender and homosexual people, protection against discrimination in the workplace, in public life

- Self-identification of gender identity as far as the state is concerned (on legal documents, access to health and insurance benefits etc.

- We advocate transpeople’s right to self-determination over their bodies, including the right to ‘sex change’ procedures and free medical advice. This is to be financed by public health care or by public health insurance funds. The counselling should be provided by doctors, psychologists and counsellors who enjoy the trust of transgender people themselves and the oppressed. We reject sex changes imposed against the will of those affected.

- Right to adopt children, recognition as parents or partners

- Right to use the sanitary facilities appropriate to the trans person’s declared gender. Women’s safe spaces should have the right to exclude individually abusive or threatening women and must be under the control of the women who use and run them, including trans women.

- Legal protection of transgender people who want to describe themselves as “indeterminate” or third sex in documents; transgender people should be recognised as a legitimate forms of gender identity, not stigmatised as an illness.

In the working class and among the oppressed, we advocate a public campaign against transphobia (as well as against homophobia). Trans people should have the right to caucus (separate meetings) in the workers’ movement, trade unions and workers’ parties. Whether this is carried out together with others, for example, gays and lesbians or also with women, should be decided jointly and with the agreement of women, lesbians and gays etc.
We acknowledge that among those arguing against trans inclusion in women’s spaces, this viewpoint is dominated by trans-exclusionary and openly transphobic individuals and organisations. However, as socialists, we should aim to differentiate between the radically transphobic elements on this side of the debate and those who lack understanding or raise concerns in good faith. Our goal should not be to brand all of the latter group as TERFs or transphobes but to offer alternative viewpoints and education that we may win them over.

In the case of public service quotas or quotas for women in political parties and trade unions, we advocate that trans women be regarded as women. In any concrete case of conflict, trade union and workers’ committees, which are to be composed mainly of women and trans people, should decide.

We reject the ideas of some feminists that all transwomen are “really” men. This ultimately turns a question of social oppression into an apparently purely biological one (which itself is not so clear). Above all, however, this ignores the fact that transwomen, even if they were often socialised as men, now live as women, including experiencing their oppression.

We acknowledge that the rights or demands of socially oppressed people can clash. This conflict cannot be "regulated" by the banning of different views, which can only exacerbate it. We reject any physical threats and, therefore, recognise the right of self-defence against such threats. Rather, our interest is to resolve the conflict in a reasonable agreement, that is, with full respect for the respective liberation interests and experiences of oppression.

Unfortunately, conflicts between the socially oppressed, the clashing of mutual demands and claims are not a rarity in bourgeois society, they occur time and again. The working class has a fundamental interest in regulating these in a way that is as democratic, transparent and takes into account the legitimate concerns of all sides as much as possible. Such a regulation should, in principle, not be left to the bourgeois state. Therefore, we advocate the establishment of the above-mentioned committees in the event of recruitment/quota conflicts, etc. In the workers' movement we also categorically reject any right of the bourgeois state to intervene in the election, statutes, finances, etc. of our class organisations.

Even the best "conflict resolution mechanisms", however, will only limit the negative effects of possible conflicts, they cannot prevent the outbreak of conflicts. In bourgeois society, people are set as competitors against each other. This always entails the danger that, for example, in the case of competition for jobs, various oppressed groups will also face each other as competitors. The solution here cannot only lie in a democratic process for conflict resolution, but must also be the fight for social demands, for example, for a programme of socially useful work, for a reduction in working hours. It can only be overcome by a social and political struggle against exploitation and oppression, by creating a working-class movement, which fights all forms of exploitation and oppression.

Only a social order that consciously overcomes the exploitation of one human being by another, the historic oppression of women, and the gender-specific division of labour on which it rests, can remove the soil from which grow reactionary gender roles, the bourgeois family and repressive sexual morality. Only the establishment of the rule of the working class can enable the transition to such a society and thus also to an order free of all social oppression. Only in such a society will human sexuality and gender identity (like human individuality in all its facets) be able to unfold freely.

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