

**Legal Affairs and Safety Committee**

**Births, Deaths and Marriages Bill**

**Submission**



I wish to make some observations regarding the new Births, Deaths and Marriages Bill and the proposal to allow self identification of gender, and provisions thereto.

First, obviously, society has to resolve the rising gender identity issues. It is not a women's issue, it's a whole of society issue to address. It will take time, of course – women know how long societal and institutional change takes. Let there be freedom to speak, without threats to individuals or their reputations or jobs or businesses for speaking. Let there be no bullying.

## BASICS

Now, and I'm sure many people have already pointed this out, it appears that 'gender' has been conflated with 'sex', which is a biological fact and the basis of all evolution of complex life on this planet. 'Gender' is a cultural concept imposed through social practices and expectations. Behind gender many biases and discriminations lurk, including the notions of the superiority of men and the inferiority of women. Politically, these gender biases operate to the benefit of biological males and to the detriment of biological females.

## HARD – but simple – SCIENCE

Sex is not gender. Biologists are still unravelling the evolution of sex, finding along the way how much gendered cultural blindness has affected the way science has perceived and (mis)treated “the female of the species”. She has, for the most part, been deemed weak, brainless, insignificant and of little importance, scientifically, whether she's a little brown bird, a woman, a lioness, an elephant or a ladybird. Or a spider. In human beings, females have been overlooked by medical science, which takes the male as the norm, representing the entire species; the female is merely a vessel for babies, a family servant, a decorative companion, and not a serious category of human being. (I'm being uncharacteristically reserved and tactful here.) Some scientists are now coming to some astonishing conclusions about females of species. Human females are being found to be the genetically stronger sex, with the second of their XX chromosomes carrying copies of genes that can be reactivated if the genes on the first X are damaged or fail; males, with their XY chromosomes, can't do this. (1.) Females have better ability to fight infections (1.) – ('man flu' is real for this reason), have superior endurance (1.), and, as we know, live longer than males. (1.) Little brown birds are the real drivers of the evolution of their species, while their flashy male counterparts get all the attention. (2.) Lionesses are the hunters and providers in the lion world, working together, organising childcare for the cubs before they set off for work while the male does his roaring thing. (3.) Elephants are matriarchal, and so, it turns out, are giraffes, whose biology also includes a natural menopause and a grandmother phase of life. (3.) Ladybirds are beetles, what can I say? Spiders are amazing, most of the spiders we see are female, and some mother spiders literally give their lives to their young, who eat mum alive before setting out in the world. (4.) And a word about

sexuality – there are plenty of examples of same-sex couples in nature, with penguins in particular taking life-long companions of the same sex, noted in the wild and in captivity. (3.)

Returning to human beings, it is dawning on some scientists that the female of our species is, frankly, amazing, and leaves the male utterly in the shade. She is born with all the eggs that will cycle to her womb for fertilisation or to be shed already in her ovaries. She is biologically designed to reach menopause and continue to guide, assist and teach younger females (and anyone who will listen), and share her long experience and learning. The male has one biologically functional use – impregnation; and the only other thing he might be useful for is those occasions where brute strength is called for. (1.)

- (1.) “The Better Half” by Dr Sharon Moalem – and excellent read by a man in awe of his wife, and by extension the rest of the 50% of humanity.
- (2.) “The Bird Way” by Jennifer Ackerman.
- (3.) Various documentaries and articles.
- (4.) Hugh Fearnley Whittingstall’s documentary series, “Hugh’s Wild West”.

## SEX AND POLITICS

Humans are social, meaning-making animals. Like many creatures we develop cultures and languages. In the deep past, females were revered for their life-giving and nurturing capabilities, acknowledged as teachers of language (we still use the term ‘mother tongue’) and music and science and stories, considered to be powerful, creative beings. Then something changed. (5.) Men took over women’s roles in the sacred and religious spheres, assumed authority and exerted power. Women effectively became slaves – chattels – with no rights, no credibility. Extreme examples of women’s common past continue – Afghanistan possibly the most obvious (thankyou Joe Biden for abandoning women and girls as well as ethnic minorities to the Taliban). Meanwhile women’s sex-based rights are being eroded in the US, with access to contraception and abortion being curtailed or simply legislated away. Abortion is still illegal in many parts of the world, women’s reproductive health underfunded or ignored, girls’ education limited or non-existent, child brides and sex-trafficking continue worldwide, and women are still underpaid, and even in Australia, women raising children on their own are likely to live in poverty and have difficulty getting education or reasonably-paid employment. These are some of the political realities of being female. Just some of them.

- (5.) Entire libraries full of books cover all this – get reading!

## CULTURE AND ROLES

Culture and gendered sex-based roles: Men are meant to be strong and tough and emotionally contained, to be good with mechanics and science, sporty, brainy, protective, even aggressive – ‘masculine’. Women are supposed to be smaller than men, emotional (aka irrational), pretty, domestic, love dressing up, makeup, houses, cooking, babies, talking – SO many stereotypes! – and, in short, ‘feminine’.

My little sister was, to her fury, mistaken for a boy, and eventually grew up and discovered women; her house-keeping skills extended to knowing where she could go for toilet paper, coffee, or smokes at midnight, when she found herself out of supplies. Our auntie was a lesbian who pretended she wasn't but in retrospect obviously was (she was thrown out of the South African Army after she enlisted in the Second World War, for being a lesbian, so that's a bit of a give-away). Two of our little-girl friends turned out, like my sister, to be lesbians. A cousin was gay – he was abducted in Beirut, where he taught, and shot dead after the US bombed Libya in 1986; the International Year of Peace; vale Philip. None of us fitted our gender roles. My dear auntie did her best to teach me about make-up and clothes so that I wouldn't be seen to be ‘a blue stocking’. ... I'm a blue stocking, haven't worn make-up since 1974, read A LOT of books. My father's cousin Ruth was a blue stocking and the first female radiographer in England (so we were told) – she was a closet lesbian. And I have a great-nephew who is gay. A best friend at boarding school was also [REDACTED] – she stopped writing to me when I got married, thought I was a lost cause. I miss her.

A good deal of my feminist activism was for and with lesbians. While I can't claim much, I've written a few articles and conference papers and submissions (The Senate Standing Committee Enquiry into Recognition for Women in Australia, back in 1989, for one), given a few speeches, been threatened by police officers who didn't like that I made complaints about their handling of an incident of violence to a woman who lived next door to me, sat on committees for a Centre Against Rape, a Women's Shelter, a Women's Advisory Council, even a Womens Embassy. I seldom mention any of this – well, never. (And for the record, I am still furious about the closure of the Northern Territory Women's Information Centre on December 31<sup>st</sup> 1991.)

So I've had 70 years of learning and understanding the political position of women in a patri-dominant world, and yes, it's gendered, and no, I didn't conform to gender stereotype or expectation. Sex-role, being biology, I married, birthed and breastfed and raised a boy and a girl, and I am now a grandmother. No day, probably no hour of the waking day, goes by without I think about women and ‘women's issues’ (usually men's issues), and women's work. I live with my chronically unwell husband, I have always been on good terms with the men I know and the men I encounter. I have a friend whose now-daughter was born a boy. My super-power in life has been listening. And reading (sorry, auntie). Do I feel like a woman? No. Do I “identify” as a woman? Well I learnt to, but it wasn't easy. And apparently I think too much... (Should I wear pink stockings?)

## (IN)CREDIBILITY

Women speaking up on behalf of women have always been accused of being “man-haters”. Nowadays many women won’t call themselves feminists for this reason – they don’t want to be considered as hating men. Feminism is passe and Women’s Studies have been taken over by Gender Studies, and the hard-won gains of women in the institutions designed by and for men in a man’s world have been erased and I’ve heard us – feminists – disparagingly referred to as “old feminists” and the feminist movement “old feminism”. I’m not just a dismissable female, I’m an old one, doubly dismissable and disparagable.

Anyway, here we are, in a changed political landscape, being pushed into accepting a peculiar agenda where gender is elided with sex, and women’s realities and needs and our pitiful hard-won gains – toilets, changing rooms, women-only events – our sex-specific language describing our sex-specific functions are being mansplained and mandated as not ours, only ours to share with genetically male people who “identify” as women. People who, biologically and medically, simply can’t BE women because Nature, that inarguable reality, didn’t make them that way. And now we are accused of being “transphobic”, apparently an even WORSE accusation than “man-hater”. So terrible that we must be reviled and discredited, silenced, ignored. Have we such powers of speech and persuasion that we must be shut down as if toxic? Must we again endure threats of rape and physical assault because we’ve spoken up for ourselves?

Which brings me to:

## WOMEN’S SAFETY

There is something insidious about the idea of “self-identifying women” infiltrating the world of biological women without the consent of all these biological women. It is naïve to think that women or children are safe from predatory men – they are in our families, our religions and spiritual institutions, our schools and our sports, our places of employment, and in the world of entertainment and celebrity; they include apparently benign fathers, uncles, brothers, priests, doctors, teachers, coaches, gurus – it’s a long list. People working with children require police clearance. All around the world, women and children are not safe. This is a given of our lives, a staple of our news and entertainment industries, the foundation of the sexual power imbalance in our politics.

In her speech presenting the new Births, Deaths and Marriages bill to parliament, Ms Fentiman said, “It is an unfortunate reality that trans and gender diverse people face much higher rates of discrimination, violence and social exclusion than their cis counterparts.” That seems unlikely, and very sad, but I wonder if the experiences of gay and lesbian men and women are included as “gender diverse people”, because they aren’t mentioned here. Neither are Indigenous women and children, whose experience of violence continues, apparently endlessly, and horrendously. Were their views and experiences canvassed? Or are they also, with gays and lesbians, “cis counterparts” whose views have not been sought, heard and respected?

Further on in her speech presenting the bill, she said, “We also know that some groups will try to cloak their transphobia in the guise of women’s safety – making claims about trans women accessing women’s spaces, including changing rooms or even domestic violence shelters. I want to be clear: there is no evidence, domestically or internationally, to support these outrageous claims.” Outrageous. “... these reforms are in line with our Queensland Women’s Strategy and Queensland Domestic and Family Violence Strategy.”

To be clear: This is the Minister for Women casting slurs and doubt on the women voicing concerns about a new legislation which affects them at a deep level, so far unexamined – and the Minister for Women is ALSO the Attorney General, which might just compromise that role’s objectivity in this case – which directly affects us, women, 50% of the population, and our sex-specific places, our choice of sex-specific events, and even our sex-specific language.

Why do I feel so uneasy about the words “the guise of women’s safety”? Concerns dismissed, no reassurance. Women being silenced. And again, when she claims no evidence to support “these outrageous claims” – not just claims, I note, but OUTRAGEOUS claims. Now, if the Honourable Minister were not a woman, there would be, well, OUTRAGE at her claims of women’s safety concerns being labelled “outrageous claims”.

I begin to feel uneasy about the Queensland Women’s Strategy and the Queensland Domestic and Family Violence Strategy if the Honourable Minister can dismiss ANY woman or women’s group as “outrageous”, and label women’s unease or fear as “transphobic” – possibly (I wonder?) at the suggestion of transactivists themselves?

## BELIEVING WOMEN

Working With Women 101 – ALWAYS believe what women say. Because women have ALWAYS been disbelieved, dismissed, silenced, always to their cost. Always. Check Brittany Higgins, Grace Tame, Olga Edwards, Hannah Clark and the hundreds and thousands of other women, millions world wide.

And Indigenous women who are treated as suspects, not victims, by police. What women don't know about not being heard and not being believed is almost beyond apprehension.

So much for women. Cis women, anyway. (I've been called a lot of things in 30+ years of activism, but cis woman is the most repellent epithet yet.) I know that women and women's groups have had no success in communicating with the Minister for Women (George Orwell, we need you still); communications have been ignored, unanswered, deleted, and requests to meet with the Minister have had no response. So much for our Minister for Women and her department.

I have not been active on this issue – I'm getting old, I care for my husband, and we have been displaced by the floods for most of the year. Now to be witnessing this insidious sleight-of-hand attack on women's rights to speak and be heard and have our concerns respectfully addressed – this is hard, confusing, and frustrating. Once again, in standing up for ourselves, we are described, inaccurately and insultingly, as haters, as "transphobic".

I have always spoken out for the rights of marginalised and/or oppressed people, mostly women, lesbians and gays, and victims of violence and abuse.

I am more than a little confused at how anyone can assert that there is no evidence to support the claims about transwomen accessing women's spaces when women have reported actual violence and threatened violence at women-only venues and endured many verbal/written threats from trans activists in the US, Canada, UK, including Scotland, and here in Australia, including Brisbane. (Check with the group IWD Brisbane Meanjin, Royal on the Park Hotel, Brisbane and subsequently Redlands City Council Community Services about the cancellation of a public meeting to discuss "No Sex Self-Identification In Queensland" booked for Saturday 12th November 2022, the latest story I'm aware of.) We are being threatened, censored and silenced, and the Minister for Women refuses to acknowledge it.

Which brings me to my final disturbing thought: The Minister is, in effect, bringing legislation before Parliament without consulting widely and openly with all the stake-holders, most of whom, at this time, are women – imposing terms on us and removing our right to determine who enters our space WITHOUT OUR CONSENT. There's a word for this.

I do not believe that gender issues are women’s issues. They are not ours to solve, they are not ours to accommodate or provide space for. And we don’t cause the problem. These are whole of society issues. We need to take the time to address gender identity and work through issues and solutions, taking time and consulting openly and widely and democratically.

Let the conversation continue, let us all have input, let us all be heard – because this affects us all, while currently women are bearing all the impact, and, unbelievably, blame. Women do not threaten trans gender or gender diverse people and threaten their lives.

And best not to label women “outrageous” or cast doubts on what we have to say. It smacks of domineering patriarchy, and we don’t like it.

Yours sincerely,

[Redacted signature]

N.B. I do not have an email address, a friend is kindly sending this submission for me on her computer using her own email address.

Should you wish to publish this submission, please withhold my name.

[Redacted line]

[Redacted line]

[Redacted line]

[Redacted line]

Mobile Phone (prefer text only as I don’t answer numbers I don’t recognise): [Redacted]