

## Universities must be able to debate sex versus gender identity

Universities are places where ideas are proposed and improved. It shouldn't be so hard to discuss an issue with far-reaching implications, say 20 academics

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Earlier this month, the philosopher Holly Lawford-Smith lodged a formal complaint against the (<https://www.timeshighereducation.com/world-university-rankings/university-melbourne>)University of Melbourne (<https://www.timeshighereducation.com/world-university-rankings/university-melbourne>). She alleges breaches of occupational health and safety obligations, bullying for her gender critical political views and acting in ways that undermine the university's commitments to academic freedom. Over the past two years, the university has conducted a number of investigations following complaints regarding Lawford-Smith's teaching, research and public activities, all of which have made findings in her favour.



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There is currently an anonymous poster and sticker campaign on campus, ongoing since 29 March, that derides Lawford-Smith, and those who take her feminism subject, as "fascists". It is reported that arrangements are being made to deploy security guards for the class.

As colleagues of Holly Lawford-Smith from Melbourne and/or Australian philosophy, we express our strong support for her right to teach and research gender-critical views and to engage in related public commentary and activism without interference or harassment.

Lawford-Smith's position, as outlined in her recent book *Gender-Critical Feminism* (<https://global.oup.com/academic/product/gender-critical-feminism-9780198863885?cc=gb&lang=en&>) (Oxford University Press, 2022), is that gender is a set of hierarchical norms imposed on the basis of sex, and that sex itself is real and unchangeable. In Lawford-Smith's view, this makes sex politically important, and a valid basis for activism and for inclusion in women-only spaces and opportunities.

This view is opposed by many trans-rights activists, who consider that it is gender identity – a person's sense of themselves as a man, woman, both or neither – that is paramount.

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Our support for Lawford-Smith's right to teach and research in this field is neither an endorsement nor a criticism of the substance of her views. But, in relation to this issue, it seems clear that university leaders and academics need to do more to foster climates of genuine academic freedom.

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Lawford-Smith is one of several academics globally who have faced censure, campaigns of harassment and deplatforming for their gender-critical views. Likewise, the University of Melbourne (<https://www.timeshighereducation.com/world-university-rankings/university-melbourne>) is one of several universities globally that has had legal claims lodged against it by gender-critical scholars, citing disadvantageous treatment for their academic and/or public commentary and political beliefs.

Given the importance of universities as places where ideas are proposed, debated and improved, it is concerning that it should be so difficult to discuss issues with such far-reaching social implications.

Here, drawing on suggestions from Ilana Redstone and John Villaseñor's *Unassailable Ideas: How Unwritten Rules and Social Media Shape Discourse in American Higher Education* (<https://academic.oup.com/book/42008>) (OUP, 2020), we make some proposals for ways forward.

Our starting point is that all staff and students should feel welcome on campus and able to participate fully in university life. This includes the freedom – and requires the courage – to propose, test and debate ideas, with all the intellectual, emotional and personal growth that those experiences provide. We should be enabling our students to develop the capacity to disagree well, both on campus and in their future lives.

When it comes to debates about sex versus gender identity, people in positions of authority must avoid conflation of a rightly non-negotiable commitment to LGBT inclusion with endorsement of the view that gender identity is more important than sex. This conflation lies behind claims that those who hold or express gender-critical views are de facto “transphobic” or make campus unsafe for trans people.

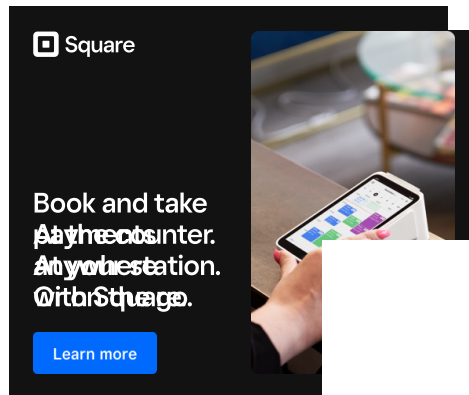
University administrations should not tacitly endorse this conflation in their policies, processes or communications – including the handling of complaints and campaigns targeting those who express gender-critical views. There should be no disciplinary consequences – or the threat of them – for comments that do not violate university policies or the law.

University leaders should also be careful to avoid promoting an institutional orthodoxy on this or other contested issues. A crucial role of universities is to create conditions for rigorous, informed discussion of unorthodox ideas.

Part of achieving this goal is to avoid de facto restrictions on academic freedom and freedom of expression. As Redstone and Villaseñor point out, members of university communities notice when, in contrast to verbal endorsement of academic freedom policies, those targeted by protests receive, at best, “tepid support” from administrators.

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More can also be done on campuses to normalise and facilitate engagement by staff and students in productive, robust discussions about this issue. Teaching staff with strong views one way or another can nonetheless acknowledge that there are multiple perspectives on these complex issues.

Providing resources for staff to teach controversial topics both signals that such teaching is valued and provides useful guidance for doing so effectively. Students, in turn, can be provided with cognitive and emotional resources that will help them handle such discussions in the short term and stand them in good stead in the long term.

Student-facing events that include multiple views on gender and sex would not only model constructive disagreement but also help to counter false claims that gender-critical feminist views are fuelled by transphobia.

Perhaps simplest of all, colleagues, students and activists can reach out across ideological divides to start conversations and humanise each other.

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