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## Doing Feminist Research in Contested Moments: Commentary on ‘Gender’s Wider Stakes: Lay Attitudes to Legal Gender Reform’

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The paper ‘Gender’s Wider Stakes: Lay Attitudes to Legal Gender Reform’ offers insights into the questionnaire responses in the ‘Attitudes to Gender’ survey as part of the broader project that examines the legal decertification of gender. It poses interesting and timely questions regarding how surveys are completed, by whom, and to what ends. As a methodological paper it gives important insights into and contestations of presumptions of objectivity (even if a survey were representative), as well as raising the related question of whether and how researchers should stay ‘neutral’ in engaging with participants and responses that are, in Peel and Newman’s terms, imposing a cisgenderist framing. However, this paper also integrates a discussion of methodology with a consideration of the findings of the questionnaire. Presenting both in tandem highlights how methods, and indeed how participants engage with our data collection, including how they discuss it and share it with others, constructs the results.

In this short commentary, I will pick up on the methodological themes that the paper raises, as well as how the current context of England/UK is publicly, overtly and at times aggressively contesting accepted feminist understandings of gender/sex. Under feminist research principles these contestations should be respected, and incorporated. But of course in reiterating a biologically deterministic perspective, these often self-identified women are seeking to exclude trans women, this poses perhaps unprecedented challenges to feminist researchers who are reconstituting academic knowledges.

Feminist research has for decades been premised on including marginalised voices and contesting the researcher/researched power relationships (for example, Smith 1988; Browne

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2003; McDowell 1992; Moss 1993; 2002; Stanley and Wise 1993).<sup>1</sup> Many feminist research principles then focused on research as a politicised site that seeks to work towards empowerment and inclusion of the most vulnerable and marginalised, through socially engaged research that is critical of hegemonic and disempowering relations. Peel and Newman's discussion of their 'Attitudes to Gender' survey has revealed some of the limits of these engagements when undertaking research on gender in moments where there are public and fiercely contested divisions regarding gender 'progress' and inclusions. In particular, since 2017 in England (and perhaps the broader UK), there has been an overt, organised and targeted resistance from some of those who understand themselves as feminists, to trans rights, particularly access to single-sex spaces.

As Peel and Newman show in their research, these resistances to trans rights read sex in biologically deterministic ways, and gender as somewhat mutable, but within specific 'common sense' limits. In the terms of those who might term themselves 'gender critical', people assigned male at birth or with a penis can never be women, but they can contend that women and men should be able to engage in a diverse array of gender practices. They also understand themselves as marginalised and subject to patriarchal power relations, and some also are survivors of sexual assault and some experience multiple marginalisation in terms of class/race/disability. In other words, they are often women with whom feminist research would seek to include and empower. Yet inclusion and empowerment on their terms means the exclusion, disempowerment and rejection of trans equalities. In the contemporary context, as this paper illustrates, researchers who study gender and post-gender/sex possibilities are placed within the debate, regardless of what they might say (or indeed may not say) about their research.

This supposed clear and unequivocal binary for/against women's rights or for/against trans rights, does not allow for nuance or invite investigation. Peel and Newman were positioned as on both sides throughout the questionnaire responses. The research was read as both anti- and pro- trans rights, despite the project, or indeed the researchers taking any overt position on the

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<sup>1</sup> Early feminist work drew extensively, but not always overtly, on postcolonial and other thinking (Bar On 1993). Similarly, feminist engagements with the power relations in research have since been extensively developed through participatory action research, in ways that are often not recognised as having its roots in feminisms or postcolonial research (see for example Kindon et al. 2007).

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issue, and of course the presumption is of a unified position between the researchers. What this illustrates is that the perception of the participants created the data collected, through responses to the questionnaire that were based on their perception of the researchers, regardless of the researchers' stated, or lack of a stated, positioning. Nonetheless, the idea of decertification works against biologically deterministic arguments and in some views erases the import of sex. In this paper, the authors (and the broader research team in exploring this possibility and drafting legislation as part of the research) are exploring a potential that would be rejected by a (small) majority of their respondents to the 'Attitudes to Gender' survey.

The epistemologies and associated politics of the participants play out through the answers given. In this study they offer insights into discussions often had on social media threads that become embroiled in debates regarding sex/gender and the place of trans people and trans rights. This indicates how research is relationally formed, co-created by researcher and those being researched (Browne 2003; Kobayashi 1994; England 1994). The situated production of research findings is well addressed in this paper, where the results are not simply presented following a discussion of methods, but instead the findings are put into a broader discussion of how the data was produced, and the wider responses to the questionnaire itself. This displaces the efficacy of the results and works against 'reporting of findings' that can be used by one side or another to 'prove' their position. Yet refusing to see them as 'facts' does not diminish the position or purpose of the paper, instead it offers insights into how these debates are reconstituting gender/sex in contemporary British society. For example, Peel and Newman demonstrate that there are some identity categories that are read as being open to self-determination, and others that are viewed as fixed, pre-determined and based in objective fact, regardless of their legal standing. What the paper clearly shows is that what had become somewhat accepted in gender and feminist academic circles regarding the performativity of sex/gender binaries and the constitution of sex and gender since the 1990s, is increasingly and overtly contested. Our research, therefore, needs to recognise and engage with these contested landscapes.

The diverse definitions and understandings of progress, and the idea of what is progress being on 'shaky ground' is not 'new' *per se*. What was/is considered progress has always been variously defined and contested, and of course the debates regarding the inclusion of trans

women and biological determinism was a key debate in the late twentieth century (Raymond 1979; Stone 1992). However, the inclusion of gender equalities, including trans rights into legal debates as well as popular culture, makes these debates perhaps more prominent. That gender/sex binaries continue to matter to people in the UK, and can be easily evoked to stoke fear and retribution, must be contextualised. In the context of this study, this includes within wider resistances to sexual and gender rights, including anti-gender movements, what Catherine Nash and I have conceptualised through heteroactivism (Browne and Nash 2019; Nash and Browne 2020; Patternote and Kuhar 2018). In particular, the resistances to gender and sexual rights in the UK and other places where it was presumed that there were particular trajectories of progress, can focus not on vilifying lesbian, gay men or trans people, but instead focus on seeking to reiterate a specific form of heteronormativity. What is clear from the paper is that there is a desire to focus on women's rights, and indeed some participants suggest that trans rights are important, but different from women's rights. That this research project has been targeted as being pro-/anti- trans rights can offer important insights into these debates, but also potentially offer respectful ways forward that refuse to reiterate an oppositional binary.

That competing assertions of marginalisations (women rights in these discussions can be counterposed against trans rights) are seeping into (disrupting?) academic studies is perhaps unsurprising. This study did not set out to explore the supposed binary of trans/women's rights. Yet studies of gender in the UK, perhaps can no longer sit outside these debates, in expanding the contemporary realms of knowledge and push forward practical engagements with such intellectual ideals. The line the paper takes is one that sensitively deals with the multiple and complex positions in relation to the survey data. It does not dismiss one perspective as 'bigoted'. This, I think, is key. Whilst Peel and Newman do view the responses through a cisgenderist paradigm they are also very careful not to dismiss responses instead they engage with them, offering new understandings of various positionings. However this respect and engagement is complex, because it is not appropriate to seemingly support discrimination, abuse or to take on, and perhaps tacitly support, dehumanising positions. Yet, dismissing, ignoring or denigrating research participants, and indeed those who are fearful and potentially vulnerable in other ways is also unhelpful and has the potential to cause further harm reiterating damaging dichotomies.

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Through the paper and the mention of receiving threats and complaints, I was reminded that the climate for undertaking sexual and gender research that is engaged with these issues is chilling. We are well aware of how those who oppose research focused on progressive issues can attack US academics (see, for example, Gallaher, 2018). Peel and Newman demonstrate that there is also now the potential for, and instances of, retribution in the UK, including from those who might call themselves ‘feminists’. How we engage with this as researchers who are critical of power relations that might now work in our favour and protect us is paramount. This includes how we use institutional and state protections for physical threats and threats to our employment. How we deploy our institutions, the state, the police to protect ourselves needs consideration. Feminist researchers at all levels can be subject to threat, but we are also aware that how we use these protections may well shore up our privileges that are disempowering to others. I believe we need to undertake research that would otherwise not be possible without institutional and state protections. Mine is a position, that refuses a ‘middle ground’ but nonetheless seeks a different way (see <https://beyondopposition.org/>) that may not be possible or desirable for everyone.

There is also a broader response needed to those who are contesting hegemonic understandings in gender and sexualities studies. We could argue that we should deploy ‘standards’, I am nervous of this assertion as challenging the ‘standard’ of objectivity and masculine heteronormative standards of knowledge was where much feminist thinking began (see Stanley and Wise 1983; 1993; Rose 1995). We might also consider ignoring and rejecting, presuming that arguments will ‘move on’, however as Peel and Newman’s paper demonstrates, they may well instead come into our research studies, into our data in unexpected ways. Nuanced conversations could examine how researchers respond to, and engage with, those who are opposed to sexual and gender rights, including trans rights, without seeking to endorse their views. Further consideration is needed of the methodologies and conceptualisations needed to develop understandings that do not marginalise.

For decades feminist, queer and other researchers have been debunking the myth of objectivity, and exploring the ways in which our politics, lived experiences as well as identities shape all research, such that knowledge from nowhere is not possible (see for example Harding 1987; Longino 1993; Stanley and Wise 1983; Haraway 1991; England 1994). Positionality is relational, not only when we interact with participants, but also in terms of our presumed politics.

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It has been accepted that researchers working within feminist principles were seeking to empower, but in the contemporary UK (and elsewhere) context, empowerment might well come with disempowerment of other marginalised groups. Taking nuanced, multiple and potentially even contradictory perspectives within one project may offer some ways forward, but this is not yet clear and more thinking and dialogue is required. There are privileges in terms of who can be part of these conversations. We need to be clear about the trauma of undertaking this work, as well as the increasing threat to all researchers, that not only emanate from those who would oppose feminist politics.

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