

# **Submission to the United Nations Independent Experton Sexual Orientation And Gender Identity**

# **to inform the Independent Expert’s report to be presented to the 47th session of the Human Rights Council**

**By the Women’s Liberation Front:** Working to protect, restore, and advance the rights of women and girls;

**With advice from United Families International:** Helping families flourish through shaping laws, policies, opinions, and lives;

and

**Additional signatories identified herein**

March 14, 2021

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**Introduction**

The above-named organizations and individuals herein respond to the [call for input](https://www.ohchr.org/EN/Issues/SexualOrientationGender/Pages/GenderTheory.aspx) to a thematic report: “Gender, sexual orientation and gender identity.” We abhor violence against women and girls, people who are same-sex attracted, and individuals who do not conform to sex-based stereotypes—and we applaud efforts to reduce this violence. However, the adoption by the United Nations Human Rights Council of the political religion that the Independent Expert calls “gender theory” does little to address this matter and instead results in the following devastating impacts (all in violation of UN foundational documents):

* Reduced political autonomy of same-sex attracted people
* Sterilization of children who do not conform to sex-based stereotypes
* Elimination of single-sex provisions for women and girls, including sex-segregated prisons, shelters, hospitals, and sports
* Inaccurate data collection, obscuring disparities between men and women, hampering efforts to improve women’s health, and falsely inflating female violent crime rates.
* Decimation of free speech, with especially severe consequences for women, academics, and scientists
* Infringement on freedom of belief for religious people and non-religious people alike

The Independent Expert is also [required to consider](https://www.ohchr.org/Documents/Issues/SexualOrientation/Report_Work_Plan_2021_2023.pdf) that these negative impacts are particularly profound for members of racial, ethnic, or religious minorities, those with disadvantaged socioeconomic status, and persons who experience barriers due to language, health, limited mobility, or other experiences of disability.

**Introductory Note on Sex + Gender**

Like other anisogamous mammalian species, “sex” in humans refers to whether a person is male or female. Classification of a person as male or female is immutably, biologically determined based on whether the person’s sexual reproductive system is developed to support large gametes (female) or small gametes (male). A person’s sex is not determined or changed by the person’s thoughts or beliefs, or by steps taken to emulate the physiology of the opposite sex.

The term “sex” as used in UN consensus documents[[1]](#footnote-1) refers to whether a person is male or female. The terms “women” and “girls” refer to human females who are adults or minors, respectively, and the terms “men” and “boys” refer to human males who are adults or minors, respectively.

The term “gender” is also frequently used in UN consensus documents as a synonym for sex. Gender and sex are often used interchangeably in the same document, and when “social gender” or “gender identity” are discussed, it is as separate concepts from “gender,” as a synonym for “sex.”

Single-sex spaces and services are defined as provisions for only men/boys or only women/girls. If members of both sexes are permitted access to a space or service, then it is “mixed-sex” or “unisex,” not “single-sex.”

Men and women have unequal reproductive burdens; men are on average larger, faster, and stronger than women; men commit 90+% of violent crime including rape and homicide[[2]](#footnote-2); and many cultures to this day use sex as a basis for discriminating against, exploiting, abusing, and subjugating women. Equal opportunity for women and girls, which includes the ability to meaningfully participate in public life, sometimes requires single-sex provisions in recognition of the physiological differences between the sexes. Sex discrimination includes failure to provide vital single-sex spaces and services.

**Gender Identity Theory: A Political Religion**

*Q5: “Are there examples where the concept of gender has been used in religious narratives or narratives of tradition, traditional values or protection of the family to hinder the adoption of legislative or policy measures aimed at addressing or eradicating violence and discrimination based on sex, gender, sexual orientation and gender identity?”*

A political religion is a secular ideology that “offers a holistic worldview, easily mobilizes masses, and acts with the power of a myth.”[[3]](#footnote-3) Political religions can be characterized by “fanaticism, intolerance, and irrationality.”[[4]](#footnote-4) Critical Theory - one such political religion - focuses on disrupting social and linguistic norms. It objects to Enlightenment values like objective truth, liberal pluralism, and civil liberties - all things that the United Nations was created to promote, and which have led to major advances in civil rights on the basis of sex and sexuality.

Critical Theory has a number of offshoots, one of which is known as Critical Queer Theory or simply Queer Theory. We disagree with use of the slur “queer” which has a long association with violence against same-sex attracted persons. The Independent Expert uses the term “gender theory” instead; however, we use the term “gender identity theory” in this document because it is a more precise description of the doctrine. Understanding the history and ideological underpinnings of Critical Theory (and of political religions generally) is crucial to explaining the reach and grasp this philosophy has on many institutions. We have added an appendix that discusses this and gives suggestions for further reading.

Gender identity theory states that each person has an emotional or psychological core of their inner being called a “gender identity.” Gender identity theory believes that a person’s sex is not defined by science or any objective criteria, instead a person self-determines their own sex as male or female, or both, or neither, via this soul-like “gender-identity.” The “gender identity” may relate to feelings about the individual’s sexed body, or may express their relationship to social roles, forms of grooming or expression, or other customs locally prescribed for members of their sex. Gender identity theory prohibits any inquiry into the sincerity of a person’s claimed “gender identity.”

Critical Theory was born in academia and has been introduced to the industrialized West with the purported motive of being the sole force for “social justice” in the world. Critical Theory, including gender identity theory, promotes the gender adoption of its political theory as a state religion, and discards any facts or science which contradict this theory. Critical Theory values the subjective experience as “true” and objective data or facts as false. To this end, the foundation of gender identity theory is that one’s “true” sex is a subjective experience and that a person’s self-identified sex is “real.” In contrast, biological sex is considered to be an invented concept which is unreliable and “socially constructed.” Gender identity advocates call this “queering” (as a verb, meaning, to disrupt,) all categories of knowledge, including scientific knowledge about biological sex.

Gender identity advocates argue that the existence of sex categories is oppressive, whereas the embrace of self-identification of sex liberates people from that oppression. There is no sincere scientific objection to the immutability of the binary sex categories of male and female - but gender identity advocates assert that recognition of these basic facts is akin to hatred and bigotry.

Gender identity theory causes demonstrable harm to women and girls who rely upon legal recognition of sex in order to protect their rights under the law, including the right to single-sex spaces and services where necessary to ensure their civil or human rights. Gender identity theory also harms same-sex attracted (LGB) persons by denying them autonomous political agency, and by promoting policies that have led to reduced public acceptance, medicalization of nonconformity to sex-based stereotypes, and sterilization of same-sex attracted children who are too young to consent to permanent fertility loss.

Finally, gender identity theory broadly seeks to undermine our fundamental civil liberties, including freedom of belief, freedom of speech, and freedom of association. Gender identity advocates have repeatedly sought to end the careers of those who question or criticize this ideology, have stifled academic freedom and robust scientific inquiry, and mandated compelled speech.

**How gender identity theory promotes harm to LGB persons**

*“Q7: Are there examples in which narratives or “gender ideology,” “genderism” or other gender-related concepts have been used to introduce regressive measures, in particular but not limited to LGBT persons or communities?”*

**Reduced ability for LGB people to collectively organize politically**

As an initial matter, “LGBT” is an outdated umbrella term that ought to be retired. There are no “LGBT” persons - being same-sex attracted and identifying as transgender are distinct and unrelated things. When discussing issues that affect persons who are same-sex attracted, a more appropriate acronym is “LGB.” Even the LGB “community” is not a monolith and individuals within this population should be permitted to choose with whom they politically align. For example, lesbians and gay men may have very different views on surrogacy, or have different needs regarding HIV prevention services. Forcing any population to team with a group that may not be acting in their interests undermines individual liberty and political agency.

It is not commonly known that many LGB people do not agree with gender identity theory or its policy aims, primarily because this population has in recent years been effectively barred from collectively organizing. They have been prevented from forming civil organizations which exclusively serve their interests, and have largely been unrecognized as distinct populations under the law. In the U.S. and UK, former LGB advocacy groups have erased the concept of same-sex attraction, redefining it instead as “same-gender” attraction and denouncing lesbians and gay men who refuse opposite-sex partners. Groups that have formed to fill this gap in representation have been roundly excluded from public politics. An “LGBT” advocacy group engaged in a targeted campaign to end the career of a [Black lesbian barrister](https://allisonbailey.co.uk/) who said that men cannot be lesbians.

Gender identity advocates use broader acceptance of some LGB policy goals to fly more extreme gender proposals under the radar. Indeed, this is explicitly promoted by an international network which does lobbying on gender policies. A [document](https://www.iglyo.com/wp-content/uploads/2019/11/IGLYO_v3-1.pdf) called “Only Adults? Good Practices for Legal Gender Change Recognition for Youth” directs activists to “tie your campaign to a more popular reform,” noting that in some countries, changing the law on self-identification of sex was made easier by putting it through at the same time as same-sex marriage, providing what they call a “veil of protection.” This group advises activists to [avoid media attention](https://www.spectator.co.uk/article/the-document-that-reveals-the-remarkable-tactics-of-trans-lobbyists) and to subvert the democratic process by lobbying from the shadows, rather than by forthrightly attempting to persuade the public to their way of thinking.

**Conversion therapy and sterilization of LGB youth via “gender affirmation”**

Gender identity theory promotes the idea that a person can be “born in the wrong body,” a view [adopted](https://www.bbc.com/news/magazine-29832690) by countries such as Pakistan and Iran (where homosexuality is punished by death, but “sex change” is government subsidized). This attitude may be more common than many realize - whistleblowers from a child “gender” clinic in the UK have [stated](https://www.transgendertrend.com/bbc-newsnight-tavistock-gids/) that “gender-affirming” care is sometimes sought by families who prefer a “transgender” child over a gay child. Given the high rate of [desistance](https://www.transgendertrend.com/wp-content/uploads/2017/10/Steensma-2013_desistance-rates.pdf) from childhood gender dysphoria, as well as the very high number of [dysphoric](https://m.youtube.com/playlist?list=PLRU9NIX0AA143z2QKukQcOqS96qriKGyw) youth who are [same-sex attracted](https://pubmed.ncbi.nlm.nih.gov/18981931/), “gender affirming” care is reasonably viewed as eugenics-adjacent, by chemically castrating and removing the sex organs of healthy people because of nonconformity with sex-based stereotypes.

The UK recently [reviewed](https://lesbianandgaynews.com/2021/02/bell-v-tavistock-the-appeal-briefing-by-legal-commentator-dennis-kavanagh/) decisions by gender [clinicians](https://www.cambridge.org/core/journals/bjpsych-bulletin/article/freedom-to-think-the-need-for-thorough-assessment-and-treatment-of-gender-dysphoric-children-corrigendum/0D87EA7C5EC56CF7F2BB26B78F3D23C2) to give children as young as ten years old puberty blockers, and [ruled](https://www.transgendertrend.com/keira-bell-high-court-historic-judgment-protect-vulnerable-children/) that children under 16 were likely not capable of giving informed [consent](https://legalfeminist.org.uk/2020/12/27/puberty-blockers-and-parental-consent/) to puberty blockers and cross-sex hormones, which together cause sterilization. The United Nations is [firmly](https://www.ohchr.org/EN/NewsEvents/Pages/Therighttochooseandrefusesterilization.aspx) against involuntary sterilization, which includes sterilization procedures performed on children or adults who cannot meaningfully provide consent. A report to the Human Rights Council in 2013 said that medical treatments that sterilize “may constitute torture or ill-treatment when enforced or administered without the free and informed consent of the person concerned… notwithstanding claims of good intentions or medical necessity.” The UN statement on involuntary sterilization says each person must express “full, free and informed decision-making” and must “be able to choose and refuse sterilization.”

It bears repeating that human beings cannot change sex. There are no medical procedures, thoughts, or words, that can transform a male reproductive system into a female reproductive system, or vice versa. Medical procedures marketed as “sex change,” including hormones and cosmetic surgery, can only have the effect of changing one’s appearance and impairing reproductive function.

**How gender identity theory promotes harm to women and girls**

*Q10: “Who are main actors who argue that the defenders of human rights of LGBT individuals are furthering a so-called “gender ideology”? What are their main arguments? Have they been effective in regressing the human rights of LGBT individuals?* ***Have their strategies directly or indirectly also impacted on the human rights of women and girls?****”*

One of the primary “human rights” promoted by gender identity theory is self-identification of sex, specifically men having access to single-sex provisions for women. This means, quite simply, that if a man says he feels like a woman inside, it is a human rights violation to treat or refer to him as a man - nothing is required but his declaration. This completely undermines and contradicts well-established safeguarding guidelines and subverts the political autonomy of the female sex-class, causing serious harms.

The United Nations has long fought for safety, dignity, and fair treatment of women and girls. The arguments and policies the UN has carefully crafted to ensure safety and dignity for women and girls are incompatible with the adoption of gender identity theory. The United Nations cannot simultaneously recognize sex (and by extension, recognize female people) and also promote self-identification of sex. We join scientists and other experts who disagree with the claim that a person’s subjective identity should be recognized in law and given supremacy over biological sex.

**Loss of single-sex intimate facilities for women and girls**

Self-identification of sex gives men and boys unfettered access to restrooms, showers, and changing rooms reserved for women and girls, if they claim to identify as female - despite the overwhelming need for [sex-segregated facilities](https://www.sciencedaily.com/releases/2018/09/180905140245.htm) in ensuring [safety and dignity](https://www.ohchr.org/en/newsevents/pages/womenandgirlsrighttosanitation.aspx) for women and girls, which has repeatedly been [acknowledged](https://news.un.org/en/story/2014/11/484042-ensuring-womens-access-safe-toilets-moral-imperative-says-ban-marking-world-day) by the Human Rights Council. (Or, at least has been acknowledged regarding [facilities](https://t.co/fee5ROKlC6?amp=1) in the [Global South](https://www.nytimes.com/2005/12/23/world/africa/another-school-barrier-for-african-girls-no-toilet.html). If there are different expectations of behavior for men and boys in western countries, such views reek of racism, chauvinism, and classism - and we strongly object on those grounds as well).

Sex-segregated hygiene facilities have been identified by UNICEF as a [crucial factor](https://sustainabledevelopment.un.org/sdg4) in access to education for girls. Women and girls who adhere to religious standards regarding modesty and/or proximity to the opposite sex are doubly punished by policies that eliminate access to single-sex intimate facilities. Unisex hygiene facilities that admit persons based on self-identification cannot prevent access by those who intend to harm or exploit women and girls. In schools where single-sex bathrooms have already been institutionalized in the U.S., girls have [reported](https://www.theatlantic.com/magazine/archive/2019/10/when-the-culture-war-comes-for-the-kids/596668/) “holding it in all day” after boys kicked in the bathroom stall doors. This is why former United Nations Secretary-General Ban Ki-moon [stated in 2014](https://web.archive.org/web/20141117184524/https%3A//www.un.org/en/events/toiletday/2014/sgmessage.shtml) that ensuring women and girls have access to safe and sanitary toilets is a “moral imperative.”

**Loss of female-only athletic opportunities**

The UN [recognizes](https://www.unwomen.org/en/news/in-focus/women-and-sport) women’s sports as an important tool for the empowerment of women and girls. Article 10 of the Convention on the Elimination of Discrimination against Women (CEDAW) states:

*“States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women... the same opportunities to participate actively in sports and physical education.”*

Self-identification of sex forces women and girls to compete in “mixed-sex” athletics against men and boys who claim to identify as female. In doing so, female athletes are deprived of titles, records, medals, scholarships, and opportunities to win, or participate, fairly and safely. In 2019, two transgender-identifying [male track runners blew away female competitors](https://nypost.com/2019/03/04/trans-athletes-are-making-a-travesty-of-womens-sports/) in Connecticut’s state track championship and smashed records previously held by female competitors. When women’s sports are made to be unisex, women and girls in the U.S. [lose hard-won Title IX protections](https://www.usatoday.com/story/opinion/2020/06/19/transgender-athletes-robbing-girls-chance-win-sports-column/4856486002/) and federal agencies hold hostage funding for those institutions that do not comply. Further, it cannot be argued that Title IX was passed in 1972 with the intent to construe “sex” to include “gender identity.” The inclusion of biological males in women’s sports illustrates a dangerous disregard to the physiological differences between the sexes, in which males maintain an athletic advantage over females [even after hormone therapy](https://www.nbcnews.com/feature/nbc-out/trans-women-retain-athletic-edge-after-year-hormone-therapy-study-n1252764). Most concerningly, women are at an increased risk of injury when playing contact sports with men. Female mixed martial arts fighters, Tamikka Brents and Erika Newsome, [suffered severe cranial injuries](https://gript.ie/trans-fighter-broke-female-opponents-skull-hailed-bravest-athlete-history/) from their male opponent, Fallon Fox, whose male biology was not disclosed before competing. While transgender-identifying males have the right to compete in the sport of their sex, [men and boys have no right](https://www.usatoday.com/story/opinion/voices/2019/09/27/transgender-athletes-supreme-court-sex-equality-column/2421776001/) to abolish women’s and girls’ sport based on self-declaration.

Gender identity advocates seek to expand eligibility to participate in women’s sports to all biological males self-identifying as “women,” as evidenced by a [2016 International Olympics Committee ruling](https://www.theguardian.com/sport/2016/jan/25/ioc-rules-transgender-athletes-can-take-part-in-olympics-without-surgery). Unfortunately, gender identity advocates would have us all cheer on a “women’s” team composed entirely of men who claim to identify as women. However, a majority (67%) of [U.S. voters agree](https://static1.squarespace.com/static/5f232ea74d8342386a7ebc52/t/5f989ba6eae44a452ae898f8/1603836842468/Nationwide_WOLF_10.16.20-Tables_Only-Tables_Only.pdf), [regardless of their political affiliation](https://static1.squarespace.com/static/5f232ea74d8342386a7ebc52/t/5f989ca753c6e57e31438ccc/1603837099550/Nationwide_WOLF_10.16.20-Basic_Crosstab-Basic_Crosstab_compressed.pdf), that men and boys who identify as transgender should not be permitted to compete in women and girls’ athletics. A [similar survey in the U.K.](https://fairplayforwomen.com/commonsense_sport/) echoed these statistics. Over half (55%) of respondents affirmed that men should not take part in women’s sporting events.

The end of single-sex sports is not a “gender neutral” loss. While policies instituted under gender identity theory would also allow female athletes to compete in male leagues, this provides no comparable advantage to women who would fare worse compared to their male competitors in nearly every sport. Whether it is men competing on women’s teams or vice versa, it is always the women and girls who are disadvantaged.

**Impairment of data on vital statistics**

Self-identification of sex prohibits or [interferes](https://committees.parliament.uk/writtenevidence/17054/pdf/) with accurate collection of vital statistics. If a man is deemed a woman based on his word alone, efforts to achieve [parity](https://www.unfpa.org/sites/default/files/pub-pdf/141006-UNFPA-GenderManual2014-02-SCREEN.pdf) between men and women cannot accurately gauge [disparities](https://sdgs.un.org/goals/goal5) nor [measure](https://www.ohchr.org/Documents/Publications/Chapter15-20pp.pdf) progress. [Health](https://www.telegraph.co.uk/news/2021/02/12/changes-census-data-collection-biological-sex-could-hamper-clinical/) data which are [critical](https://www.gao.gov/products/GAO-01-286R) to [women’s](https://www.eldis.org/document/A27196) health and safety are compromised, as are crime statistics - especially violent and sexual crimes. BBC reported that the number of female pedophiles doubled in the past four years, but [FOI requests](https://www.womenarehuman.com/are-women-really-committing-more-sex-offences-now/) suggest that this increase may be due entirely to male sex offenders being falsely recorded as female through self-identification.

There are real consequences to this lack of data. The UN has recognized that the importance of “gender data” ([defined as](https://data2x.org/what-is-gender-data/) data that is “collected and presented by sex as a primary and overall classification”) is vital to “achieving gender equality,” making “informed decisions,” and “improving lives.” In 2012, the UN founded [Data2X](https://data2x.org/) at the urging of Former U.S. Secretary of State Hillary Clinton explicitly to promote the collection of sex-disaggregated data. The goals of this UN project are specifically undermined by gender identity theory.

**Violation of the right to sex-segregated prison housing**

Self-identification of sex [deprives](https://t.co/HdAyTdCWM4?amp=1) incarcerated women of the right to female-only prison housing, in violation of the [Geneva Conventions](https://ihl-databases.icrc.org/customary-ihl/eng/docs/v2_rul_rule119) and a myriad of international and national laws and constitutions. It gives men who have raped and murdered women and [children](https://thepostmillennial.com/father-who-raped-own-child-will-receive-tax-payer-funding-for-gender-transition-and-move-to-womens-prison) the right to self-identify into women’s prison housing. Criminal justice experts have even expressed concern that men have used and will use such policies to gain access to women’s housing, [saying](http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/women-and-equalities-committee/transgender-equality/written/19532.pdf) there is a “plethora of prison intelligence information suggesting that the driving force was a desire to make subsequent sexual offending very much easier.”

This is particularly troubling because data shows, in the UK at least, that around half of [male prisoners](https://fairplayforwomen.com/transgender-prisoners/) who identify as transgender are [convicted sex offenders](https://www.gov.uk/government/publications/foi-releases-for-july-2020). Meanwhile, by some estimates [nearly 90%](https://www.vera.org/publications/overlooked-women-and-jails-report) of women in prisons are themselves victims of sexual violence. It is baffling and shameful that any human rights organization would seek to force vulnerable incarcerated women to sleep and shower with [dangerous men](https://www.thetimes.co.uk/article/seven-sex-attacks-in-womens-jails-by-transgender-convicts-cx9m8zqpg).

**How state-mandated adherence to gender identity theory harms freedom of belief, freedom of speech, freedom of association, and freedom of scientific inquiry.**

**Freedom of Belief: Secular and Religious**

One of the foundational beliefs of the United Nations is respect for [cultural diversity](https://www.ohchr.org/EN/ProfessionalInterest/Pages/CulturalDiversity.aspx) and pluralism. One principle of pluralistic governance is that a state should not recognize or favor one faith over another. This principle is understood when we are referring to established religions such as Christianity or Islam, but is not being applied to political religions such as gender identity theory. How can the United Nations criticize heresy laws in [Pakistan](https://lib.ohchr.org/HRBodies/UPR/_layouts/15/WopiFrame.aspx?sourcedoc=/HRBodies/UPR/Documents/Session2/PK/UNPO_PAK_UPR_S2_2008_UnrepresentedNationsandPeoplesOrganization_uprsubmission.pdf), but impose them from Geneva? Such hypocrisy will harm the reputation of the institution.

People should be as free to believe the ideas of gender identity theory as they are any other ideology. But we reject the imposition of gender identity theory as a required set of beliefs, as an effective international establishment of religion, or as a precondition of ordinary participation in public social, economic, and diplomatic life. In this manner, gender identity theory is a threat to liberal pluralism, disincentivizing tolerance of secular modernism in traditional societies while being promoted largely by activists from wealthy, industrialized nations whose citizens enjoy (for now) more robust free speech protections. It is deeply ironic that in 2021 it seems more difficult for secular nations to identify gender identity theory as a religious ideology than it is for more religious nations (many of whom have made [great strides](https://holyseemission.org/contents/statements/56d8ae4351d563.55378827.php) recently in embracing pluralism themselves) to do so.

**Freedom of Speech**

Political religions such as gender identity theory which tend toward totalitarian thought demand a belief in whatever claims of truth that those in power may assert, best described by Jacob T. Levy in his 2016 essay, “[Authoritarianism and Post-Truth Politics](https://www.niskanencenter.org/authoritarianism-post-truth-politics/)”:

*“Saying something obviously untrue, and making your subordinates repeat it with a straight face in their own voice, is a particularly startling display of power over them… Being made to repeat an obvious lie makes it clear that you’re powerless.”*

Gender identity theory seeks to force all members of society, and all institutions, to reject the objective reality of sex and to repeat falsehoods about human reproduction, such as saying that men can give birth. It forbids the use of sex-based pronouns and compels affirmative statements of belief such as “Trans women [i.e. men] are women,” a phrase which is objectively false. In the U.S., U.K., Ireland, and [Canada](https://genderreport.ca/shahdin-farsai-practice-directions-on-preferred-gender-pronouns-in-court-are-problematic/), this ideology has taken over parts of the [judiciary](https://www.womensliberationfront.org/news/freedom-of-speech-gender-id), with litigants being [compelled](https://objectnow.org/gaslighting-court/) to refer to men as women, and women as men. In the UK, [this rule](https://www.judiciary.uk/wp-content/uploads/2020/05/ETBB-February-2018-amended-March-2020-17.09.20-1.pdf) extends to witnesses in a case, with at least one [female assault victim](https://www.lawgazette.co.uk/news/warning-over-transgender-guidance-to-judges/5103196.article) being forced by a judge to refer to her male attacker as “she.” Also in the UK, police are recording “non-crime hate incidents,” showing up to people’s workplaces, and [arresting people](https://www.theguardian.com/society/2020/feb/14/transgender-tweet-police-acted-unlawfully) for saying that men cannot become women. Increasingly, medical professionals are being instructed to include [factually-inaccurate, so-called, “inclusive” language](https://www.bsuh.nhs.uk/supporting-inclusive-midwifery-care/) such as “birthing parent,” “chestfeeding,” “and “chest milk” requiring staff to uphold the belief that child-bearing and lactation are unisex conditions whether that staff agrees or not.

Adherents of gender identity theory regularly form persecuting mobs against those who commit the crime of not believing their ideas about human “sex change.” UK tax expert Maya Forstater [lost her job](https://www.bbc.com/news/uk-50858919) and an appeal to an employment tribunal for refusing to agree in the doctrine of human sex change. When author J.K. Rowling tweeted in support of Forstater, she was deluged with threats and violent or pornographic imagery on social media because she defended both Forstater’s speech rights and the necessity of [female-only spaces](https://www.jkrowling.com/opinions/j-k-rowling-writes-about-her-reasons-for-speaking-out-on-sex-and-gender-issues/) for victims of male violence. Literary agent Sasha White was later [fired](https://4w.pub/women-united-states-fired-for-talking-about-feminism/) from her job for social media posts on a personal account questioning gender identity theory.

We would therefore ask that the Independent Expert recall his own [work plan](https://www.ohchr.org/Documents/Issues/SexualOrientation/Report_Work_Plan_2021_2023.pdf), which calls for a zero-tolerance policy for reprisals regarding communication with the mandate, and in that spirit call for an end to the [grisly](https://elcomun.es/2021/02/20/violencia-machista-ahorcan-a-una-muneca-con-la-cara-de-carmen-calvo-en-santiago/), [threatening](https://www.womenarehuman.com/aussie-male-who-identifies-as-a-black-lesbian-says-kill-all-terfs-is-equivalent-to-kill-all-nazis/), and frequently [disturbing](https://torontosun.com/entertainment/celebrity/author-j-k-rowling-has-received-death-and-rape-threats-for-transgender-rights-comments/wcm/9a3fa22c-f1ef-4d86-a60b-963151d99766/amp/) public [vilification](https://www.feministcurrent.com/2019/11/06/vancouver-panel-on-gender-identity-and-media-bias-encapsulates-conflict-between-women-and-trans-activists/) to which many advocates of gender identity subject those who disagree with them.

**Scientific inquiry and academic freedom**

In addition to everyday people who are punished for gender heresy, activists put special effort into the destruction of [careers](https://www.thecut.com/2016/02/fight-over-trans-kids-got-a-researcher-fired.html) and [reputations](https://link.springer.com/article/10.1007/s10508-007-9301-1) of questioning or dissenting researchers and [academics](https://onlinelibrary.wiley.com/doi/full/10.1111/1467-9752.12549) in the [U.S.](https://globalfreedomofexpression.columbia.edu/cases/meriwether-v-the-trustees-of-shawnee-state-university/), the [UK](https://www.telegraph.co.uk/women/life/meet-academics-hunted-hounded-jobs-having-wrong-thoughts/), [Australia](https://areomagazine.com/2020/11/23/the-digital-deplatforming-of-a-gender-critical-feminist/), and [Canada](https://www.nationalreview.com/corner/lindsay-shepherd-suing-wilfrid-laurier-university/). Gender identity advocates actually advocate [banning research](https://thefederalist.com/2021/02/15/leftist-activists-try-to-ban-researchers-from-studying-transgender-people/) on [causes](https://www.scientificamerican.com/article/the-disturbing-history-of-research-into-transgender-identity/) of or treatments for “gender dysphoria,” and in fact see such efforts as a form of [conversion therapy](https://quillette.com/2020/11/01/jack-turbans-dangerous-campaign-to-smear-ethical-psychotherapy-as-anti-trans-conversion-therapy/). This is despite their claims that dysphoric persons suffer from high rates of suicidality, which presumably would be a priority for doctors to treat.

Any ideology that restricts free speech about medically accurate terms referring to the sexed body is further incompatible with clear communication about [children’s healthy development](https://www.jccf.ca/six-year-old-told-by-teacher-that-girls-are-not-real-case-to-proceed-to-a-full-hearing/), women’s reproductive or maternal health, or accurate [research](https://www.fda.gov/science-research/womens-health-research/understanding-sex-differences-fda) about women’s medical [needs](https://pubmed.ncbi.nlm.nih.gov/23027445/) and health [risks](https://www.fda.gov/files/science%20%26%20research/published/Adverse-effects-in-women--Implications-for-drug-development-and-regulatory-policies.pdf) as [distinct](https://www.gao.gov/products/GAO-01-286R) from [men](https://labblog.uofmhealth.org/lab-report/why-women-get-autoimmune-diseases-far-more-often-than-men).

**Conclusion**

The adoption of gender identity theory, another name for the political religion “Critical Queer Theory,” by the United Nations would constitute an establishment of heresy laws at the international level. The UN must affirm the value of well-researched science and the reality of sex. It must affirm the value of women as women and reject the harm that gender identity theory threatens. It must reject replacing sex with gender identity.

Compelled beliefs in the possibility of human sex change as mandated by gender identity theory are in opposition to the mission, work, and foundational documents of the United Nations:

* “Everyone shall have the **right to hold opinions without interference.”** [International Covenant on Civil and Political Rights, Article 19](https://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx)
* “No one shall be subject to coercion which would impair his freedom to **have or to adopt a religion or belief of his choice.”** [International Covenant on Civil and Political Rights (ICCPR), Article 18-2](https://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx)
* **"Everyone has the right to freedom of thought, conscience and religion**; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private…" Universal Declaration of Human Rights, Article 18 (See also: Beijing Declaration 12 & 24, Beijing +5, 98-c).
* “No one shall be subjected to arbitrary **interference with his privacy**, family, homeor correspondence, **nor to attacks upon his honour and reputation**. Everyone has the right to the protection of the law against such interference or attacks.” [Universal Declaration of Human Rights, Article 12](https://www.un.org/en/universal-declaration-human-rights/index.html)

The objectives and methodology of this very call for comment from the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity validates our submission’s conclusions regarding the dogmatic nature of those who seek to advance and enforce gender identity theory. We abhor violence against women and girls, people who are same-sex attracted, and individuals who do not conform to sex-based stereotypes—and we applaud efforts to reduce this violence. We also reject the false narrative and premises of this Independent Expert and call for oversight from the Human Rights Council to rein in an Independent Expert who is working contrary to the mission and goals of the United Nations system.

**Appendix: History and Ideology of Gender Theory**

This political religion was born in academia and has been introduced to the industrialized West with the purported motive of being the sole force for “social justice” in the world.

As a point of origin, a clear line of ideological provenance can be drawn from ancient Gnostic practices, to the German philosophers in the school of Georg Wilhelm Friedrich Hegel, to the French postmodernists, to American “queer” theorists. As a theological project, these lines of reasoning seek to destroy the ideas of both objective truth and liberal pluralism, from which have come the advances in human flourishing—including rights advances on the basis of sex and sexuality—that the United Nations was founded to promote.

According to the political scientist and historian, Eric Voegelin, Hegelian philosophy was well known in the 19 Century as emerging from historical studies of Gnosticism, a central feature of which finds expression in Hegel’s “alienated spirit,” and encourages a quest for salvation and perfection through secret revelations that are only available to special persons, with the aim of destroying the order of reality. Hegel claimed that, “people in their role as the state were … the absolute power on earth,” an idea as contrary to traditional faith as to scientific inquiry. Hegelian thought gave rise to political religions such as Marxism, which retained features such as a “prohibition of questioning” the received wisdom of the movement’s superiors, or what Marx sometimes referred to as the political vanguard.[[5]](#footnote-5)

The Gnostic political religions, as mass movements, have a tendency towards creating one-party states, whose political theories also function as state religions, discarding any facts or scientific discoveries that contradict their special revelations of truth.

When mid-20th Century leftist philosophers began to question and critique Marx, as Pluckrose and Lindsay outline, they continued to do so from a Hegelian, therefore Gnostic, framework that “rejects the possibility that an objective reality is attainable.” The French postmodern theorists, though seeing themselves as secular, placed “discourses,” and linguistic analysis of power structures as discourses that constructed meaning rather than conveying information, as the absolute power on earth in their cosmology. Jacques Derrida rejected the idea that words can refer to real things. Jean François Lyotard rejected “predictive value in relation to reality” for “strategic value in relation to the question raised.” Jean Baudrillard imagined that an era of mass production had eliminated the “real,” so that all that remained were “simulacra” that had no original, real source.[[6]](#footnote-6)

From the theories of Michel Foucault, another postmodernist, came critical queer theory, building on his passion for disrupting all social and definitional norms. Gender Theory seeks to “queer,” as a verb, meaning to disrupt, all categories of knowledge, including scientific knowledge about biological sex. First, an idea or discourse is deconstructed through critique, and then a new, “queer” discourse, is imposed to construct a new discourse according their revelations. Gender theory regards the existence of sex categories as oppressive, with thought leaders like Judith Butler and Gayle Rubin arguing that discourses socially construct the material reproductive development of the human body. Queer Theory, as Pluckrose and Lindsay describe, “rejects the possibility that an objective reality is attainable.”

In sum, queer theory is a militant Gnosticism that would force all members of society, and all institutions, to repeat falsehoods about the sex of human persons, in favor of secret revelations shared by its adherents that reject the objective reality of sex, no matter the cost.

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1. Rome Statute of the International Crimination Court, 7 (3); Fourth World Conference of Women, Annex IV; World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, Notes 1; Conference on Human Settlements, Annex V. [↑](#footnote-ref-1)
2. Gibbons, Jonathan (2013). "Global Study on Homicide" (PDF). [www.unodc.org](https://www.unodc.org/documents/gsh/pdfs/2014_GLOBAL_HOMICIDE_BOOK_web.pdf). United National Office of Drugs and Crime (Vienna). [↑](#footnote-ref-2)
3. Cyril Hovorun, Ideology and Religion, 25-35, KYIV-MOHYLA HUMANITIES JOURNAL (2016). [↑](#footnote-ref-3)
4. A. James Gregor, Totalitarianism and Political Religion, An Intellectual History (2012). [↑](#footnote-ref-4)
5. Eric Voegelin, The Collected Works of Eric Voegelin, p. 29, 251, 261, 268. Volume 5: Modernity Without Restraint, 2000, University of Missouri Press. [↑](#footnote-ref-5)
6. Helen Pluckrose and James Lindsay, Cynical Theories, 2020. [↑](#footnote-ref-6)