

TERFS AND THE TORIES: THE MOBILISATION OF ANTI- TRANS DISCOURSE IN POST-BREXIT BRITAIN

By

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AUTHORS DECLARATION

I, the undersigned, Leila May Lawrence, candidate for the MA degree in Political Science, declare herewith that the present thesis is exclusively my own work, based on my research and only such external information as properly credited in notes and bibliography. I declare that no unidentified and illegitimate use was made of the work of others, and no part of the thesis infringes on any person's or institution's copyright. I also declare that no part of the thesis has been submitted in this form to any other institution of higher education for an academic degree.

Vienna, 31 May 2024

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ABSTRACT

This thesis examines the co-optation and mobilisation of anti-trans discourses by the British Conservative Party in the post-Brexit era, focusing on understanding the political ends served by these strategies. Following Theresa May's 2018 pledge to reform the Gender Recognition Act (2004), a significant backlash emerged from trans-exclusionary radical feminists (TERFs), framing the issue as one of "women's safety." This anti-trans sentiment has since been mainstreamed in the UK, supported by both major political parties and the media, leading to the normalisation of transphobia and a "silent radicalisation of the electorate." The analysis explores why the Conservative Party, especially in the post-Theresa May period, has adopted overtly anti-trans policies, such as plans to segregate trans patients in the NHS and redefine legal sex as biological sex. These measures align with the right-wing populist shift in British politics post-Brexit, which involves culture wars aimed at undermining social justice. Utilising a neo-Gramscian framework and the Discourse-Historical Approach (DHA), this thesis addresses two key research questions: (1) How has anti-trans discourse been co-opted from the TERF movement by the Conservative Party since Brexit? (2) What political ends does this discourse serve? The analysis reveals that TERF discourses are recontextualised to construct a new Conservative Common Sense, part of a broader anti-woke culture war. This co-optation is facilitated by ideological overlaps and the ostensibly progressive veneer of TERF discourses, which help legitimise exclusionary stances under the guise of protecting women's rights.

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Over the last two years, I have watched the UK descend into what I can only describe as political madness. Protocols have been broken. International law torn up. Human rights undermined. A cost of living crisis ensued. Politics suspended in the name of Brexit. The right-wing populist playbook firmly in the hands of the Tories. Within this context, sharp lines have been drawn between lives which are “grievable,” as Judith Butler puts it, and those that are not. Trans* people’s lives have been deemed unworthy and ungrievable by the post-Brexit Tory political project. A minority who already faced a precarious existence at the hands of disproportionate violence and healthcare inequality find themselves at the centre of a culture war waged to consolidate Tory power. The TERFs and Tories construct them as a false enemy, a scapegoat, and thus, they suffer more than ever, and this suffering is now politically legitimised. It is to trans people that I dedicate this thesis and to trans youth in particular, especially those gone too soon. To Alice Litman, the cousin of my dear friend Grace, a beautiful soul who never made it off NHS waiting lists. May the Campaign for Alice prevail in its goals and honour your memory. To Brianna Ghey. And all the others who are more than just statistics. I hope for an inclusive feminism to prevail that will ensure trans youth become adults.

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LIST OF ABBREVIATIONS

AR: American Right

CDS: Critical Discourse Studies

DHA: Discourse-Historical Approach

ECHR: European Court of Human Rights

EHRC: Equality and Human Rights Commission

ERG: European Research Group

EU: European Union

GEO: Government Equalities Office

GRA: Gender Recognition Act

GRC: Gender Recognition Certificate

LGB: Lesbian, Gay, Bisexual

LGBTQ+: Lesbian, Gay, Bisexual, Transgender, Queer, Intersex etc.

MP: Member of Parliament

NHS: National Health Service

SNP: Scottish National Party

TERF(s): Trans-exclusionary Radical Feminism(ists)

UK: United Kingdom

INTRODUCTION

“There were three things that won us the election [in 2019]. It were nothing to do with me. It was Brexit, it was Boris, it was Corbyn. And it was as simple as that. Those three things together was a great campaign. Great ingredients. At the next election, we haven’t got those three things. So, we’ll have to think of something else. It’ll probably be **a mix of culture wars and trans debate** [my emphasis].” – Lee Anderson, former Conservative Party Chairman, 2023 (Forrest, 2023)

In October 2018, Theresa May, the then-British Prime Minister, stated that she would push through with plans to reform the Gender Recognition Act (2004) (GRA), allowing individuals to transition without medical checks, which would be replaced with a statutory declaration (Mason, 2018). This pledge aligned the UK with the growing international norm of gender self-identification (Butler, 2024). Additionally, it indicated adherence to the recommendations of the 2018 government Consultation conducted into the Gender Recognition Act (2004), which found the current procedure for transitioning unfit for purpose. However, today, the possibility for self-identification and the de-medicalisation of transitioning seems further away than ever, as a growing anti-trans movement has been mainstreamed in the UK, with the support of both the Conservative and Labour parties and, inevitably, the media. This movement originates with the TERF movement, a supposedly feminist movement consisting of multiple organisations which joined forces to fight against the proposed GRA reform, framing it as an issue of “women’s safety.” The mainstreaming of TERF discourses through media, in combination with their co-optation by the Tories, has led to the normalisation of transphobia and what has been termed a “silent radicalisation of the electorate” (McLean, 2021).

In fact, in the post-Theresa May period of Conservative rule, the trend has moved towards overtly attacking the rights of trans people, seen in a range of recent measures, such as recent plans to change the NHS Constitution so that trans people will be treated in separate rooms and not allowed in any single-sex wards (Campbell, 2024). Additionally, the desire expressed by

the Women and Equalities Minister, Kemi Badenoch, to alter the legal definition of “sex” to biological sex reflects desires to undermine and eradicate the existence of trans people, all in the TERF-approved name of “protecting women.” This descent into anti-trans discourses and the pushing of accompanying discriminatory policies and legislative changes must be understood within the context of the increasingly right-wing populist post-Brexit political landscape, which includes the strategic pursuit of culture wars which seek to abnormalise social justice (Cammaerts, 2022). Such culture wars are ultimately anti-democratic and, as evidenced by Lee Anderson’s framing of issues related to trans people as “the trans debate,” involve the use of democratic frames to push ultimately undemocratic ends – in this case, rendering trans people’s lives a “debate.”

This expressly anti-trans turn may appear puzzling to scholars familiar with the anti-gender movement, which usually takes the LGBTQ+ acronym in its entirety as its target, often drawing on religious justifications to do so. It is precisely this puzzle that this thesis seeks to engage with: *why* specifically anti-trans, and to *what* end exactly? Through combining a neo-Gramscian understanding of right-wing culture wars, as alluded to by Lee Anderson in the introductory quote, with the DHA, this thesis deconstructs the mainstreaming and co-optation of anti-trans stances by the British Conservative party, otherwise known as the Tories, to answer the following two research questions:

1. How has anti-trans discourse been co-opted from the trans-exclusionary radical feminist (TERF) movement and mobilised by politicians in the British Conservative Party since Brexit?
2. What political ends does this discourse serve?

The discourse analysis of a selected corpus of Tory texts expressing anti-trans (TERF) stances in the post-Brexit period of 2016-2023 finds that the Tories recontextualise TERF discourses

to serve the ideological project of the construction of a new Conservative Common Sense, which forms part of a wider anti-woke culture war. This is discursively realised via right-wing populist and legitimisation strategies. This relationship of co-optation is facilitated by an ontological convergence between elements of TERF discourse and the project of Conservative Common Sense, as well as the progressive veneer of TERF discourses, which facilitate the promotion of exclusionary stances.

1 - BRITISH POLITICS SINCE BREXIT

“Brexit was more than a vote to leave the EU: it was a vote to change, to become something more. **It was a statement of our belief that Britain could begin a new story** [my emphasis] ... one that reached all parts of our country and everyone in it. **We must keep making the case for taking back control because if we don’t, our opponents will try and neuter this change** [my emphasis]. To align us with the European Union so that we never seize the full opportunities of Brexit.” – Rishi Sunak, Conservative Party Conference 2023

The political landscape of the UK has been significantly reshaped by Brexit, one of the most pivotal political events since 1945, characterised by its divisive rhetoric (Bennett, 2019). The decision to exit the EU on 23rd June 2016 has ushered in a period of political volatility, departing from the established political norms and economic principles that had guided the UK since 1945 (Foster and Feldman, 2021). This includes the unprecedented outcome of four unelected Prime Ministers taking office between 2016 and 2024, including the current Rishi Sunak. Following Brexit, the British Conservative Party moved from centre-right to an “unstable amalgam of right-wing populists, hyper-libertarians, and free market fundamentalists” (Bale, 2023). This shift has been accompanied by economic challenges, including increasing income inequality and a cost-of-living crisis (CRISIS UK, 2024). The Tories have been in power for over thirteen years, and their current majority is the largest since Thatcher’s victory in 1987 (Henley, 2019). Thus, changes to the party have resulted in changes to the political order.

The post-Brexit “story” (Sunak, 2023) starts with the resignation of the centre-right prime minister David Cameron in 2016, with his side (“Remain”) losing the referendum 48% to 52%. This narrow victory divided the population into “Leavers/Brexiteers” and “Remainers”, and these two factual and discursive groupings came to dominate mainstream political discourse for the coming years. Cameron’s resignation enabled the Brexiteer ERG, the Eurosceptic, hard-right faction of the party previously confined to the backbenches, to become emboldened,

positioning themselves as key players in fashioning Brexit. The ERG has been described as a “party within a party” (The Constitution Unit, 2019) responsible for pushing a hard Brexit and triggering the no-confidence vote which led to Theresa May’s demise.

The post-Brexit era has seen significant challenges to democratic norms. The use of procedurally questionable methods, such as the unlawful prorogation of Parliament by Boris Johnson for five weeks in the lead-up to the UK’s scheduled departure from the EU in October 2019, highlights a trend towards undemocratic practices in the name of “taking back control” from the EU. These developments have led to a decline in the UK’s global democracy rankings, and it has been labelled “increasingly authoritarian” (CIVICUS Monitor, 2023). Additionally, the post-Brexit political discourse has been marked by a focus on “sovereignty” and national identity. This has included efforts to redefine the UK’s legal and human rights framework, as seen in the, now withdrawn, attempt to establish a “British Bill of Rights.”

Brexit also resulted in the populist radical right, UKIP, forming a symbiotic relationship with the centre-right (the Tories) (Bale, 2018), which became explicit during the referendum campaign. Framed using crisis discourses on both sides of the campaign, Brexit rendered the EU a “signifier for something other than itself” (Bennett, 2019). Tory Brexit discourses and argumentation schemes came to mirror the populist project of UKIP, which successfully moved from a single-issue to a right-wing populist party through developing discursive links between the EU and other “crises” of immigration, housing, and social care (Bennett, 2019). In this way, the popular conceptions of the EU and Brexit came to represent a co-optation of the UKIP stance (Foster and Feldman, 2021), normalising right-wing populist framings.

The Brexit referendum opened up the possibility for a new nationalist project to emerge, through which a new “story” (Sunak, 2023) of “sovereign” Britain could be told. This emergent possibility for a new political order came from the nature of the vote itself. A simple “yes/no”

referendum on an issue as complex as membership of the European Union, of which the general public had little understanding (Bennett, 2019), opened the gateway for multiple conceptions of what Brexit meant, what it could mean, and how it should be conducted. Brexit became inextricably associated with a range of other political issues, from controlling immigration to money for the NHS to the rejection of the ECHR. In the end, a “hard Brexit” – including leaving the single market, customs union, and the EU – came to fruition. With it, the Conservative Party commenced its move towards the populist right, a journey marked by attacks on a range of freedoms, from protest rights to the central concern of this thesis: transgender rights.

2 - THEORETICAL FRAMEWORK AND CONCEPTUALISATIONS

This chapter outlines the phenomenon of Right-wing Gramscianism, broadly understood as the borrowing of Gramscian strategies in the form of culture wars by right-wing actors. This serves as a macro theoretical framework for the thesis, as the Tory attacks on trans rights are understood as part of a broader, hegemonic ideological project. Equally, the frame of culture wars aids in the understanding of TERF activist strategies, highlighting similarities with the Tory project, which renders it ripe for co-optation. Definitions of ideology and hegemony ground the study in CDS and justify the use of discourse analysis. Finally, right-wing populism is delineated in discursive terms to establish it as a means for pursuing culture wars and as a framework for the study.

2.1 - Right-wing Gramscianism

Gramscian insights relating to cultural hegemony have become a source of "hype" on the right starting in the 1970s (Paternotte and Verloo, 2021). Gramsci (2007) observed that the ruling classes rule through consent, establishing and maintaining dominance (hegemony) by influencing the collective consciousness through media, education, and other cultural institutions. This observation has informed right-wing culture wars, a reinterpretation of Gramsci's (2007) "war of position."

2.1.1 - Culture Wars

Right-wing culture wars involve borrowing the Gramscian strategy of waging a "war of position," which involves a long-term counter-hegemonic ideological struggle to seize control of cultural institutions (Gramsci, 2007). A war of position is not merely a destructive pursuit but also a constructive one that seeks to establish alternative (counter-hegemonic) ideas and values that can work to challenge the existing hegemony (*ibid*). Gramsci (2007) understood

intellectuals as essential in both the maintenance and challenging of hegemony, differentiating between “traditional” intellectuals” and “organic intellectuals,” with the latter representing those connected closely to specific social groups or classes and thus able to articulate their interests in a war of position.

2.1.2 – Hegemony

As noted, hegemony refers to the dominance exercised by the ruling class through consent. That which is hegemonic is presented as "Common Sense" and thus "natural," anti-ideological and devoid of bias, rendering it beyond discussion and debate (Cammaerts, 2022). Ideological hegemony is therefore maintained "by a dense network of civil society institutions, which allows dominant groups to shape values, beliefs, mores and identities"(Daldal, 2014 in Paternotte and Verloo, 2021).

2.1.3 – Ideology

As culture wars are inherently ideological projects, it is crucial to define ideology precisely. In his analysis of the hegemonic ideological project of Thatcherism, Hall (2021) advances a discursive conception of ideology, noting that it does not obey the logic of rational discourse. Ideologies thus articulate and condense "different, often contradictory" discourses within the same framework" (Hall, 2021:10). This understanding of ideology is combined with the DHA's definition of ideology as a perspective, or "worldview and a system composed of related mental representations, convictions, opinions, attitudes, values, and views shared by a specific social group" in the analysis of the contemporary ideological project of the Tories.

2.1.4 - Historical Antecedents: Benoist and Thatcher

Intellectual Alain de Benoist first outlined right-wing Gramscianism as a strategy, considered the father of the New Right (Cammaerts, 2022), who repurposed Gramsci's neo-Marxist frameworks to serve right-wing ends, developing a strategy focused on waging cultural and ideological battles to challenge the post-May 1968 hegemony of (left-wing) liberal-democratic ideas (Paternotte and Verloo, 2021). (Benoist, 2017) concurred that long-term political success depends on cultural dominance – a notion integral to the project of Thatcherism as delineated by Cultural Studies theorist Stuart Hall (2021). "

"Thatcherism" refers to an understanding of the rule of Margaret Thatcher (1979-1990) as a hegemonic ideological project (Hall, 2021) and thus the first British instance of right-wing Gramscianism. Though Thatcher's rule is well-known for implementing British neoliberalism, Hall (2021) applies a Gramscian framework to denote it as a project that aimed to transform all aspects of British society beyond the economy, rendering it a cultural and moral project. Specifically, Thatcherism reconstructed both Conservatism and the Conservative Party in the name of a new ideal subject: "the hard-faced, utilitarian, petty bourgeoisie businessman." Hall's (2021) analysis identifies the material and class basis for a project such as Thatcherism, noting its emergence from an "organic crisis." Whilst this helps contextualise why the contemporary ideological project of the Tories has emerged, this thesis is more interested in Hall's (2021) insights relating to the mechanisms of the waging of culture wars, which show historical continuity with the contemporary Tory culture war, notably in the pursuit of Law and Order politics and the construction of a new ideal subject.

2.1.5 - Mechanisms: Authoritarian Populism & Law and Order

Hall (2021) explains how the relentless waging of wars of position under Thatcherism formed part of a politics of authoritarian populism, where each step towards more authoritarian postures were met with a "groundswell of popular legitimacy." Authoritarian populism combines the fear-mongering tendencies of right-wing populism with the politics of Law and Order – a hegemonic strategy used to manage social crises by focusing on crime and disorder (Hall, 2002).

Law and Order politics are a tool those in power use to divert attention away from structural issues, such as social injustice, and depoliticise them. A central mechanism to the justification of Law and Order politics is the instigation of moral panics, which depend on constructing an Other and ultimately build a populist binary between the good, law-abiding citizen and those who threaten the social order (Hall, 2002, 2021). Cammaerts (2022) similarly claims that the contemporary anti-woke culture war relies on the instigation of moral panics by moral entrepreneurs to construct deviance and crisis. Thus, fear-based politics are the means of culture wars which facilitate the strengthening of state powers and the consolidation of hegemony.

2.2 - Right-wing Populism

Populism has been widely discussed in scholarship, with multiple competing definitions existing, most of which understand it to be a phenomenon that occurs on both sides of the political spectrum. As this thesis is situated within CDS, it combines an understanding of populism as "a thin-centred ideology" (Kaltwasser and Mudde, 2017) with Wodak's (2015) delineation of right-wing populism as a specific discursive phenomenon. Kaltwasser and Mudde (2017:6) note that the thin-centred ideology of populism separates society, or the nation, into two antagonistic camps of "the pure people" versus "the corrupt elite," maintaining that

politics should be the expression of the general will of the people. Populism is best described as “thin-centred” as it is not a fully developed ideology and thus must occur in combination with a “thick” ideology such as nationalism, socialism, or fascism (Kaltwasser and Mudde, 2017; Butter, 2020). Wodak (2015) delineates one such ideological amalgamation in her conceptualisation of contemporary right-wing populism.

For Wodak (2015), right-wing populism is defined not only by its form of rhetoric but also by its contents, which construct fear, propose scapegoats, and often engage in forms of nativist body politics. More specifically, it is maintained that all right-wing populist parties instrumentalise “some kind of ethnic/religious/linguistic/political minority as a scapegoat,” subsequently constructing it as a danger to ‘us’ (the nation/people) (Wodak, 2015:2). Such instrumentalisation is facilitated through what Wodak (2015) terms the arrogance of ignorance or, in more Gramscian terms, appeals to Common Sense and anti-intellectualism.

Right-wing populist discourse thus works in Manichean divisions, which facilitate exclusionary politics, particularly in the face of crisis, enabling it to cut across traditional political divisions or cleavages. Reflecting the “thin-centred” nature of populism as an ideology, right-wing populism contains elements reflecting older right-wing discourses. Still, it remains internally incoherent, as it advances a “mixed, often contradictory array of beliefs, stereotypes, attitudes and related programmes which aim to address and mobilise a range of equally contradictory segments of the electorate” (Wodak, 2015:11). This mobilisation is achieved through the deployment of a particular discursive toolkit.

The discursive toolkit of right-wing populists consists of the strategies of victim-perpetrator reversal, scapegoating, and the construction of conspiracy theories, all of which enable the possibility for anyone to be constructed as “Other” where it may be necessary for strategic or manipulative purposes (Wodak, 2015:4). In the post-Brexit culture war, the strategy

of victim-perpetrator reversal has been salient in the use of “free speech” and “cancel culture” claims in the pursuit of abnormalising social justice positions (Cammaerts, 2022), with its recent anti-trans iteration utilising all three elements of this discursive toolkit.

3 - THE STATUS OF TRANSGENDER PEOPLE IN THE UK

As this thesis focuses on the mainstreaming of anti-trans stances in British politics, it is essential to outline the legal position of transgender people in the UK, as well as the lived reality of being transgender in the UK today. Equally, the chosen methodological approach of the DHA necessitates a deeply contextualised understanding of the chosen subject matter – one cannot analyse discourses without understanding the realities they are describing and constituting. Moreover, many of the anti-trans positions pushed forward by campaigners, media outlets, and politicians alike are out of step with or (purposely) ignorant of the legal and lived reality of transgender people in the UK.

3.1 - The Equality Act (2010)

Transgender people are legally recognised in the UK and are protected against discrimination by the Equality Act (2010). Under the Equality Act framework, being transgender is considered a protected characteristic: “gender reassignment,” separate from sex. However, the Equality Act 2010 has exceptions allowing discrimination against transgender people in two exceptions: sports and separate/single-sex services. Exclusion of transgender people from sports deemed “gender-affected” is allowed where it is to ensure the fairness or safety of other competitors, whilst exclusion from single-sex spaces is allowed where it is understood to be a “proportionate means of achieving a legitimate aim” (Balogun, Fairbairn and Pyper, 2022). These exceptions are salient, as they overlap with much of the fearmongering relating to transgender women by anti-trans campaigners who often push forward the claims that transgender women competing in women’s sports is unfair to “real women” or that allowing transgender women to use single-sex spaces, be they bathrooms or domestic violence shelters threatens women’s safety. These claims will be discussed further in coming sections.

3.2 - The Gender Recognition Act (2004)

The GRA (2004) allows transgender adults to legally change their sex and obtain a GRC, which considers those who hold it to legally have the gender they identify with rather than “the gender that accords with the sex that was recorded at birth” (Balogun, Fairbairn and Pyper, 2022). It should be noted that the GRA uses “sex” and “gender” sometimes interchangeably and uses the outdated term “transsexual.” Most notably, despite a review into the GRA in 2018 – the very review which brought so-called trans-exclusionary feminist positions to the foreground – which recommended gender self-identification, the current process for receiving a GRC is medicalised. That is to say that medical diagnoses are required for a transgender person to receive legal recognition for their lived gender.

Contrastingly, gender self-identification proposes the removal of all medical requirements, replacing them with a statutory legal declaration in which an individual pledges to live in their gender for the rest of their life. The current NHS waiting lists for gender-affirming care can now be five years or more (Zacarro and Fagg, 2024), including for the diagnosis of gender dysphoria, which remains necessary for receipt of a GRC, obligatory for the legal changing of one’s gender. The GRA has been ranked amongst the worst in Europe because of its intrusive medical requirements, lagging behind international human rights standards, notably the Yogyakarta principles (European Commission. Directorate General for Justice and Consumers. and ICF., 2020). This is emphasised when one notes that over 30 countries, states, and regions across four continents have adopted self-identification laws, including Argentina, Malta, Norway, Ireland, and recently Germany (Chiam *et al.*, 2019; Scottish Trans, 2022; Human Rights Watch, 2024).

3.4 - Healthcare Inequalities and Violence

Not only does the legal process for transitioning lag behind international standards but the lived reality for trans people in the UK, as in many states across the world, is marked by violence and worsened by healthcare inequalities. Notably, the number of recorded hate crimes against trans people increased by 11% in 2022, with a Home Office report noting that this may be the result of comments by politicians and the media (Goodier, 2023). A recent case of the brutal murder of a transgender teenage girl by her classmates, Brianna Ghey, deemed to be motivated in part by transphobia (Pidd, 2024), is in many ways emblematic of the extent of violence towards trans people and trans youth in particular.

Trans rights activists advocating for better access to healthcare have highlighted the alarming suicide rate among trans youth, with up to 45% of young trans individuals attempting to take their own lives (STONEWALL, 2017). Campaign for Alice is one such organisation fighting for better access to trans healthcare, formed by the family of young trans woman Alice Litman, who died by suicide (Good Law Project, 2023). The campaign successfully made the case that long healthcare waiting times factored into Alice's death, with the coroner ruling that Alice's 1,023-day wait for gender-affirming care contributed to her death (*ibid*). This reality stands in contrast with the discourses (re)produced by the Tories and TERFs alike, which have served to worsen healthcare outcomes for trans youth further, as seen in the closure of the Tavistock Clinic (Britain's biggest gender identity clinic) (Sander, 2024).

3.5 - The Emergence of the “Trans Debate”: Culture War in Action

Within this context, the “trans question,” precisely the question of whether trans women are “real women,” has emerged as a central topic of mediated political discourse, influencing proposed policy and law reform. Despite the relatively small population of openly trans individuals, revealed in the 2021 census as 262,000 individuals (Office for National Statistics, 2021), the government has successfully maintained public interest and framed the issue as worthy of legislative change. Perhaps even more strikingly, only 2% of Britons consider the “transgender debate” to be one of the most critical issues facing the country (Tryl *et al.*, 2022), which stands in contrast to the significant space that this debate has started to take up in public consciousness. These statistics indicate that the anti-trans movement forms part of a larger political project, which scholars such as Cammaerts (2023), mainstream media, and the Tory party itself have identified as “the war on woke.”

3.5.1 – The Role of Mediation in Normalisation

The media and the process of mediation must be taken seriously in the mainstreaming of anti-trans stances. So-called “gender-critical” (TERF) opinion pieces are regularly published in both left- and right-wing media (Pearce, 2020), indicating the extent to which this perspective has been normalised and legitimised across the British political spectrum. Notably, in 2018, when the TERF perspective broke into the mainstream, 230 articles on the topic of transgender were published in the centre-right “The Times” newspaper alone (Pearce, 2020), all of which were negative (John, 2021). Meanwhile, the left-leaning “The Guardian” has an entire section on its website dedicated to “transgender,” both signalling to the proliferation of anti-trans policy and politics, but equally the space opened for “debate” relating to trans rights, as the section includes both news stories and opinion pieces. Both traditional media, and social media, must be understood as collaborators in the normalisation of anti-trans, TERF stances and the

relationship between TERFs and traditional media appears to come closer to intentional co-operation and, at times endorsement, as evidenced by the overwhelmingly negative reporting on transgender issues, as well as the publishing of TERF opinion pieces.

McLean (2021) notes that the prominence of TERFs is the consequence of the public debate opened up by the proposed GRA reforms and a determined group of lobbyists who successfully pushed a radical agenda to deny the fundamental rights of trans people under the guise of “free speech.” This indicates that the process of normalisation of anti-trans stances was enabled by their framing as aligned with a core value of both democracy and ‘free’ media: free speech. This parallels the strategies of the broader anti-woke culture war of the Conservatives and right-wing British media described by Cammaerts (2022), except the collaboration between TERFs and traditional media is not limited to right-wing outlets. This normalisation of TERF stances has resulted in a “silent cognitive radicalisation of the electorate (McLean, 2021), which is perhaps best evidenced by the reality that trans rights, which are enshrined in British law, have become a topic of debate, parallel perhaps only to the debate created in relation to refugee rights, in which then-Home Secretary Suella Braverman declared the refugee convention as no longer fit for purpose (Morton, 2023)

3.5.2 – From Debate to Culture War

The centrality of this culture war to the party’s political project became lucid in Rishi Sunak’s cabinet reshuffle in November 2023, in which he removed the Minister for Disabilities and introduced the position of Minister for Common Sense, tasked with leading the party’s anti-woke agenda. The post was assumed by MP Esther McVey, who is also a host on the “anti-woke” GB News, highlighting the discursive dominance of the notion of “wokeness” as a political threat or crisis within Conservative politics and media. Anti-wokeness can be conceptualised as an attempt to delegitimise and abnormalise social justice struggles, such as

anti-racism, anti-sexism, and pro-LGBTQ+ rights, and position them as “deviant” political positions (Cammaerts, 2023).

In terms of LGBTQ+ rights, this project has had apparent material effects, as the UK has fallen in the ILGA-Europe Rainbow map rankings, from being consistently ranked as the most LGBTQ+ friendly place in Europe until 2015, to ranking 17th in 2023, citing anti-trans rhetoric as causing “serious damage” (ILGA-EUROPE, 2023). The rise of anti-trans discourse is, therefore, not just “talk” and warrants further study, with the UK’s recent solid history on LGBTQ+ rights making this phenomenon puzzling.

Here, the salience of the TERF movement, which will be discussed later in-depth, to this attack on trans rights must once again be emphasised. As maintained throughout this thesis, the discursive relationship between TERFs and the Tories is one of co-optation, which has facilitated the erosion of the rights of trans people. The aforementioned review of the GRA in 2018 not only brought the TERF movement to the mainstream, rendering it the “de facto face” of British ‘feminism’ (Burns, 2019b), but also saw the movement achieve its first victory. It was the TERF claim that implementing gender self-identification would “endanger” women in everyday single-sex spaces (Bassi and LaFleur, 2022), which resulted in its rejection, maintaining the medicalised, pathologised status quo.

4 – TERFs

The British TERF movement, while distinct in its feminist history and discourses, is complicit within the broader global anti-gender movement, sharing many of its ontological assumptions. Its mainstreaming has provided an opportunity for British political actors in agreement with the anti-gender movement to engage in discourses aligned with it, whilst remaining within the bounds of British normative acceptability. It is maintained that the TERFs are a valuable asset to Tory culture wars because of their significant alignment with the prevailing British Common Sense, as well as the prospective project of Conservative Common Sense. Focusing on trans issues, as opposed to abortion, for example, which is supported by nearly 90% of Brits (Riach, 2023), affords British right-wing populist actors an entrance into the discursively profitable realm of anti-gender politics.

Implicit to the questions posed by this thesis is the notion that the British Conservative party's pursuit of anti-trans discourses and policies involves the co-optation of discourses from TERFs rather than other right-wing anti-gender actors. To justify this assumption, it is necessary to outline the nature and history of the TERF movement, the discourses it (re)produces, and elaborate its relationship to the global anti-gender movement. Whilst the TERF movement differs from the mainstream anti-gender movement due to its anchoring in Second Wave feminist thought and its secular nature, it must still be understood as in a, perhaps unintentional, alliance with, the global movement due to its ontological anchoring in biological determinism (Dickey, 2023) and its associated political ideologies.

4.1 - TERF as a slur?

Whilst there have been discussions claiming the TERF label is a slur on account of its use to “silence” women, this thesis contests this and utilises the term as it is commonly used to describe this community/movement, with many of its members proudly adopting this label as a form of self-identification. However, as Dickey (2023) notes, there is perhaps a descriptive inaccuracy to the term “TERF” that should not be ignored. Notably, the normalisation of their rhetoric as reflected by its use by both the Conservative and Labour parties, as well as in mainstream media, renders its labelling as “radical” questionable. Significantly, many mainstream TERF actors, ranging from Maya Forstater to Kathleen Stock, have rebranded themselves as “gender critical feminists,” which aligns with a simultaneous rebranding of these positions as “pro-woman” rather than “anti-trans,” or as “protecting sex-based rights,” rather than advocating for “trans exclusion” (Thurlow, 2022).

Unsurprisingly, such ‘rebranding’ has resulted in a form of dog-whistle politics emerging, where the position appears ‘reasonable’ to the broader population but serves as a coded message of an anti-trans stance to those involved with the movement (*ibid*). Additionally, the movement labels those who support trans rights as “trans rights activists” or the “trans lobby” (*ibid*), utilising conspiratorial frames, which are reflective of those utilised by right-wing anti-trans actors such as those on the American Right (Dickey, 2023), as well as populist actors more widely (Butter, 2020). However, unlike the conspiracies pushed by the likes of the AR, the conspiracy TERFs believe is one centred around the erosion of women’s rights, once again demonstrating the movement’s narrow focus.

4.2 - TERF History and Origins

The acronym TERF is almost exclusively associated with the UK, as the movement does not have such a strong foothold in other states and thus creates a unique dynamic in which the main anti-trans movement in the UK is women-led (Thurlow, 2022) and associated with feminism. The British TERF movement descends from, and is in many ways a resurgence of, a fringe of second wave radical feminist thought emerging in the US in the 1970s (Dickey, 2023). Whilst the movement did not gain mainstream popularity in the US, as already noted, it has arguably become the “de facto face of feminism” (Burns, 2019b) in the UK following the attempts of Theresa May’s government to introduce gender self-identification. The 2018 public consultation into GRA reform provoked meetings of various TERF groups such as “Fairplay for Women,” “We Need to Talk,” and “Sex Matters” (Pearce, Erikainen and Vincent, 2020). The meeting of these groups built a new trans-exclusionary movement that spread on platforms such as Twitter and Mumsnet (*ibid*), creating the foundations for the contemporary TERF movement, which continues to have a solid online presence (Burns, 2019a).

4.2.1 - TERF Founding Text

The most prominent text influencing TERF thought is Janice Raymond's (1979) “The Transsexual Empire: The Making of a She-Male,” which argues that trans women pose a threat to cisgender women, that trans women are “delusional,” and that they are “violators and *penetrators* [my italics] of true womanhood” (Thurlow, 2022). Not only this, but Raymond’s (1979) book argued that “transsexualism” should be morally mandated out of existence, primarily through limiting access to transition care – a goal pursued by contemporary anti-gender actors and TERFs alike (Burns, 2019b). These themes persist into contemporary TERF discourses, which also focus almost exclusively on trans women, depicting them as predatory men seeking to erode women’s rights (Thurlow, 2022). This very claim served as the basis for the aforementioned campaign that defeated attempts to reform the GRA in favour of self-

identification, framing self-identification as inevitably leading to the endangerment of women in single-sex spaces (Jones and Slater, 2020).

4.2.2 - (In)compatibility with the Anti-Gender Movement

Though the anti-trans politics of TERFs may seem to align them with the global anti-gender movement, their origins in feminist thought, support for LGB rights, and secular nature mean that they should be studied separately. However, in the advancing of anti-trans stances, they find themselves complicit in this movement's broader aims (Butler, 2024). There are notable parallels between both movements as they are often co-opted by right-wing populists, and they have shared ontologies underpinning their discourses which will be elaborated in the later discussion of TERF discourses.

4.2.2.1 - *The Origins of Anti-Gender*

The anti-gender movement has been widely discussed in gender studies literature and beyond as a transnationally organised movement, originating in the Vatican in the 1990s, when the Roman Catholic Family Council warned against "gender" as a threat to the family and biblical authority (Butler, 2019). The movement emerged in response to UN conferences in Cairo and Beijing which focused on women's reproductive rights and gender equality (Paternotte and Kuhar, 2018). Anti-gender actors advocate for positions which can be understood as reflecting the core tenets of the anti-gender movement which, broadly speaking, seeks to defend "family values" (the heterosexual family), act against abortion, gay marriage, and "gender ideology" (Graff and Korolczuk, 2021), which lacks consistent definition, but may be understood as a term created to oppose women's and LGBTQ+ rights, as well as "constructivist" scholarship which deconstructs essentialist assumptions about gender (Paternotte and Kuhar, 2018; Vaggione, 2020).

Moreover, these actors often attend events, such as the World Meeting of Families (Vaggione, 2020), which provide opportunities for collaboration and discursive convergence, anchored in a shared antagonism for feminist and LGBTQ+ movements. The anti-gender movement has been associated with numerous right-wing populist and neo-Conservative actors across the world who seek to attack feminist and LGBTQ+ movements (Vaggione, 2020) to varying politics ends.

4.2.2.2 – Differences

This thesis advances the claim that the TERF movement does not fully align with mainstream conceptions of the anti-gender movement. The core differences between the TERF movement and other global anti-gender actors lie in its ‘feminist’ orientations and histories, its rights-focused discourses (relating to women’s “sex-based” rights and freedom of speech), but above all its specifically anti-trans and secular nature. However, emphasising the differences between these movements aids in understanding why the increasingly right-wing populist Tories chose to co-opt TERF anti-trans discourses specifically, as opposed to embracing the anti-gender movement in line with other right-wing populist actors across the globe. It is maintained that the religious nature of the movement and its incorporation of issues such as abortion, render it unappealing to the British public, and thus inadequate for overt co-optation. The developments seen in the UK do not (currently) entail overt attacks on abortion, gay rights, or LGB individuals – here I use the term “LGB” as a result of the formation of the LGB alliance in 2019, a charity formed in opposition to the leading LGBTQ+ charity Stonewall, that excludes trans individuals (LGB Alliance, 2024). This is all to say that the UK’s anti-trans movement should be understood as a particular manifestation of a global anti-gender zeitgeist, which indicates that the British Conservative Party’s engagement with it may be an opportunistic strategy.

4.3 - TERFs and Academia

Beyond their challenges to legislative change, TERFs are active in the fields of academia and cultural production more widely, with figureheads such as billionaire and children's book author J.K. Rowling acting as a form of "organic intellectual" (Gramsci, 2007) disseminating their core claims, usually via social media platforms. The active role of TERFs in these two cultural arenas of education and (social) media make them ripe for Tory co-optation in their larger anti-woke culture war.

4.3.1 - Changing Curricula and Culture Wars

The British TERF movement can be understood equally as a by-product of the British Scepticism movement of the 1990s and 2000s which mobilised against "junk science" and post-modernism in universities (Lewis, 2019). This is most clearly evidenced in the movement's insistence on biological essentialism, its attacks on gender studies as a discipline and (sometimes successful) attempts to change its curricula, as well as its war on "gender identity ideology" (Butler, 2024). The phrasing "gender identity ideology" serves to distance the movement from the anti-gender movement.

Additionally, extreme TERF activists such as Posie Parker make claims that so-called political correctness, here referring to pro-trans stances, has been "imported" from the US and thus stands in opposition to British values (Lewis, 2019), highlighting nationalist undertones to the movement and its use of anti-colonial frames parallel to the anti-gender movement (Graff and Korolczuk, 2021). This 'no-nonsense' approach to sex and gender is echoed in the Tory emphasis on "facts" and "common sense" in their co-optation of TERF discourses.

The links between the TERF movement and academia are particularly salient for numerous reasons, not least because of its academic origins in Janice Raymond. As stated, TERFs have led successful campaigns to change gender studies curricula and have, in the

academic space and beyond, successfully rebranded as “gender critical feminists” (Thurlow, 2022; Butler, 2024), which has arguably served as a means of legitimating the stance. The changing of curricula is indicative of the pursuit of a Gramscian culture war, parallel to that pursued by right-wing actors in the likes of the US and Hungary, who have utilised the master frame of “cultural Marxism” as a means of combatting the alleged hegemony of the Left in epistemic institutions (Paternotte and Verloo, 2021). The pursuit of a strategy which is both destructive and productive – promoting a new politics of truth – is what renders this a culture war.

However, TERFs pursue a much less destructive project than other right-wing anti-gender actors, as they do not seek to eradicate gender studies or the ‘unscientific’ social sciences in the way that Orbán did in Hungary (Paternotte and Verloo, 2021), but instead seek to reshape these disciplines in line with their more “scientific” conceptualisations of gender. Nonetheless, TERFs, despite their somewhat divergent aims, find themselves complicit in broader right-wing culture wars acting to change institutions, often to the ends of de-democratisation (Paternotte and Verloo, 2021).

4.3.2 - TERF Intellectuals

A reworking of a Gramscian (2007) understanding of the social role of intellectuals may work well to aid the understanding of the TERF movement, as it may be conceptualised as consisting of both “classical” and “organic” intellectuals. However, upon closer inspection the division between these categories of TERF intellectuals appears false and only in name.

The “classical” intellectuals like Kathleen Stock OBE (ex-professor and philosopher) maintain the transphobic status quo whilst proclaiming a progressive stance in protecting the rights of women, whilst the “organic” intellectuals like J.K. Rowling (billionaire children’s author) and Posie Parker (militant social media TERF activist) seem neither to represent the

oppressed nor to advance a liberating agenda, given their determination to strip trans rights. In fact, it would appear that these “organic” intellectuals are only “organic” in self-presentation, when factors are accounted for such as the billionaire status of J.K. Rowling. Instead, these “organic” intellectuals appear to be middle-aged, cisgender, straight, white women who proclaim themselves to be defenders of the oppressed class of women, and lesbians in particular, despite being representative of neither. Notably, a recent survey found lesbians to be the group that is most supportive of trans people within the British LGBT+ community, with 96% expressing that they are “supportive” or “very supportive” of trans and non-binary people (Just Like Us, 2023). This indicates that TERF expressions of trans women as a “threat to the category of lesbian” does not organically emerge from the lesbian community and is thus more likely a legitimisation strategy on the part of TERFs.

It is their self-presentation as “organic” intellectuals which provides their cause with an air of legitimacy, whilst enabling them to engage in self-victimisation narratives characteristic of the wider culture war (Cammaerts, 2022) and right-wing populism (Wodak, 2015b). This self-victimisation is most evident in the case of Rowling who commissioned a podcast series entitled “The Witch Trials of JK Rowling” which frames Rowling as a victim, attacked by “trans activists” merely for *daring* to share her opinion (Rowling and Phelps-Roper, 2023) – completely ignoring Rowling’s social capital as a billionaire author and persistent Twitter attacks on relatively powerless trans individuals. This narrative of self-victimisation is equally deployed by the “classical” intellectuals,” including Kathleen Stock OBE, who received the honour of Officer of the Order of the British Empire in 2020 (Adams, 2021), and continues to publish books and acts as a trustee of the LGB alliance. Much in the same way that contemporary right-wing culture wars are fuelled by the alleged cultural hegemony of the Left, the status of TERF intellectuals is maintained through the persistent alleging of their own oppression, both at the hands of the “trans lobby” and the patriarchy more widely.

4.4 - TERF Discourses and Rhetoric

As the thesis engages in discourse analysis, it is essential to outline the nature of TERF discourses so as to provide the necessary contextual basis for the analysis of Tory texts, opening up the possibilities for analysis which accounts for intertextuality and interdiscursivity respectively. TERF discourses engage with several topics and frames and have an ontology rooted in biological determinism. These broad topics and framings overlap clearly with those utilised within the anti-trans discourses of the American Right (AR), which belongs clearly to the global anti-gender movement, though their manifestations contrast greatly (Dickey, 2023), signalling to the discursive specificity of the TERF movement.

4.5 - TERF vs the AR

Dickey's (2023) comparative frame analysis of TERF discourses and anti-trans discourses of the AR (aligned with the anti-gender movement) identifies four shared frames between these movements, though they draw from different vocabularies and repertoires and manifest in different sub-themes. The four common frames are: "harm;" "space, inclusion and belonging;" "truth and information;" and "societal control." However, the AR utilises a fifth frame of "societal demise" which refers to societal deterioration, inappropriate education, and biblical violation (*ibid*), reflecting the broader political project of the AR. This additional frame is essential in understanding what differentiates British TERFs from other right-wing anti-gender actors, as they do not utilise the vocabulary or frames of religion and the ultra-Conservative notions of Western societal decline. The AR is defined by its conspiratorialism and religiosity, utilising explicitly fascist refrains to describe this "decline of the West," in which it constructs trans people as unholy or satanic (Dickey, 2023:43).

Thus, while the AR frames trans people as part of a conspiracy to destroy Western society, TERFs claim the so-called "trans agenda" seeks to erode women's rights (Dickey, 2023:41). They adopt right-wing populist framings, opposing "genderists," "trans activists," or

“the trans lobby” to “the people” . This populist dichotomy makes Tory co-optation easier, fitting their increasingly populist rhetoric. TERFs emphasise threats to women’s spaces and frame their concerns in terms of rights and free speech (Dickey, 2023), echoing anti-woke and right-wing populist strategies. Thus, TERF rhetoric aligns with both right-wing populism and Tory culture war tactics.

4.5.1 - Biological Determinism

As noted, the TERF movement is ontologically aligned with the wider anti-gender movement and other right-wing actors in its anchoring in biological determinism. Whilst TERFs seek to distance themselves from the anti-gender movement through specifying that they are anti-gender-*identity* ideology, as opposed to anti- all of the wide-ranging issues included within the wider anti-gender umbrella, they inadvertently ally with other racial discourses implicated in biological discourses (Butler, 2024b:143). Ironically, TERF discourses take issue with the feminist theoretical notion that sex and gender are social and cultural inventions (Scott, 2016). TERF rhetoric is instead rooted in the sex-essentialist idea that womanhood is ascribed at birth and inherent in biological characteristics such as genitals and chromosomes (Dickey, 2023). This notion is clearly expressed by TERFs such as J.K Rowling who described women as “human being[s] who belongs to the sex class that produces large gametes” (J.K. Rowling [@jk_rowling], 2024). Womanhood to TERFs is thus biologically inscribed and immutable, with this notion upholding the existence of a rigidly pre-defined gender binary which cannot, and therefore should not, be altered by individuals. Subsequently, TERFs erase the possibility for the existence of trans women (or men), aligning their views with those of the Vatican, Trump, Orbàn, and Meloni (Butler, 2024).

Not only this, but they engage in a framing of trans women that aligns with right-wing populist strategies of constructing scapegoats and saviours, usually to save the “true” people of

the nation (Wodak, 2015b). In the case of TERFs, however, trans women are the scapegoats, as they are depicted as violent predators in disguise (Butler, 2024) conspiring to erode women's 'sex-based rights' (Dickey, 2023), whilst the self-identified saviours are the likes of J.K. Rowling, who position themselves as protecting, and representing, 'real women.' Thus, the TERF movement, like the broader anti-gender movement, employs right-wing populist framings, based on its rigid, binary view of gender, which considers the existence of trans people a threat to the 'natural order'. The ontology of biological determinism allows the Manichean division of 'real' women vs trans women who are categorised by TERFs as 'men' with nefarious intentions. In turn, TERFs are able to construct a false zero-sum battle between women's and trans rights (Dickey, 2023), which aligns well with the pursuit of culture war politics as undertaken by the Tories, who co-opt this battle to the ends of their self-presentation as both legitimate, and saviours of women.

4.5.2 - Truth, Information, and Fear

The centrality of ontology to TERF claims makes lucid the significance of both truth and information to TERF discourse and frames, which is equally reflected in the centrality of academia to TERF mobilisations. The very question asked to multiple candidates in the 2022 Tory leadership race ("What is a woman?" (John, 2022)) is ontological in nature and, as established, TERFs have a simple response supposedly grounded in biology. Arguably, the "post-truth" age of populism is what renders this 'debate' one about information (Pearce, Erikainen and Vincent, 2020; Dickey, 2023), as the proliferation of "truth markets," facilitated by digital media, and post-truth regimes enable ontological questions to be up for public debate, resulting in the proliferation of post-democratic debates (Harsin, 2015). Trans people pose a threat to a regime of truth in which sex and gender are coupled together in a binary system (Dickey, 2023) and this may most clearly manifest in so-called "gender panics," a form of moral panic, which are a regime's strategic attempts to reassert the naturalness of this sex-gender

binary system (Westbrook and Schilt, 2014). In many ways, the origins of the anti-gender movement in the Vatican can be understood as a form of gender panic, as the Catholic church understood “gender ideology” to threaten the moral authority of the church (Butler, 2024), which rests on a patriarchal, binary sex-gender model.

However, it is less evident why TERFs would engage in a gender panic, given that they have never held the moral authority of an institution such as the church. One must instead turn to the feminist movement itself to understand the roots of this panic. Bassi and LaFleur (2022) note the parallels between TERFs and liberal feminists in their foregrounding of gender over all other power vectors, which is largely out of step with moves to make feminism intersectional and more inclusive in its contemporary “fourth wave.” In many ways, TERF emphasis on the erosion of women’s rights, and their reproduction of the frame of “sex being replaced by gender” (Dickey, 2023) may be read as an expression of frustrations with this more inclusive shift within mainstream feminism as it seeks to acknowledge power vectors beyond gender, seen most clearly in the rise of intersectionality theory. This may also explain why the most notable TERF actors are middle-aged white women.

It could even be argued that the TERF anxieties relating to trans women parallel the anxieties towards immigrants cultivated through right-wing populist fearmongering (Wodak, 2015b) and its accompanying fear of replacement. In this vein, TERF fears follow similar logics to the fears (re)produced by the Brexit campaign (Bennett, 2019), as imagined outsiders are constructed as threats to a national or, in this case, gendered group. This not only signals the alignment of TERF and Brexit logics but serves as a reminder of the role of moral panics, of which gender panics are a form, to the waging of a culture war, once again making clear the alignment of TERF and Tory tactics.

There are also parallels between TERF discourses and far-right discourses on immigration which are worthy of note. Intrinsic to the TERF acronym is exclusion and thus the desire to construct in- and out-groups, where opposition to inclusion seems to be rooted in a fear of replacement. One of the most prominent far-right, neofascist conspiracy theories with various iterations is the so-called ‘Great Replacement’ theory, which claims that ethnically homogeneous populations in European nations are being demographically ‘replaced’ by non-Europeans (Ekman, 2022). There is a parallel to this construction in TERF discourses in the claim that “sex is being replaced by gender” (Dickey, 2023) and thus women’s ‘sex-based rights’ are under threat. Additionally, the frames utilised relating to “space, inclusion, and belonging” provide further evidence for a fear of outsiders (constructed in this case as trans women) intruding on spaces where they supposedly should not be. The construction of an imminent threat in this way not only involves the use of conspiratorial frames, but equally (re)produces a crisis discourse, which Tory actors may co-opt to the ends of justifying the increased regulatory powers of the state.

5 – METHODOLOGY

This project employs the DHA (Wodak and Reisigl, 2016) to analyse the co-optation and mobilisation of anti-trans discourse by the British Conservative party. The primary data sources include speeches, interviews, policy documents, and media statements from the Tory party and its MPs in the post-Brexit period of 2016-2023. Whilst the pursuit of anti-trans policies has continued into 2024, a cut-off point is necessary. Through purposeful sampling, a corpus of texts spanning the period of inquiry was collected and constructed, which would enable a detailed analysis of the increasingly anti-trans stances of the British Conservative party and their co-optation of TERF discourses. In producing the corpus, the focus was on texts produced by Tory politicians in public discourse, be they in parliament, via social media platforms such as Twitter, or in other forms of traditional media. Additionally, the corpus includes policy documents and other official documents, such as letters, relating to trans issues published within the given timeframe. Newspaper archives as well as the gov.uk website were utilised to construct a timeline of Tory anti-trans discourse and policy pursuits and to identify the most salient texts. The following five moments were identified as critical points:

Table 1: Anti-trans Timeline

Time period	Description	Selected Texts
2018-2020	This is the period in which the GRA reform consultation took place and TERF ideas made it into the mainstream. The notion that trans women were a “danger” to women’s rights and safety became a macro-topic in public discourse and media. Within this period, the shift from the Tories taking a pro-trans and pro- gender self-identification stance under Theresa May to an anti-trans position under Boris Johnson occurred. The response to the GRA reform consultation took place under Johnson in 2020, when self-identification was rejected.	<ul style="list-style-type: none"> Theresa May speech on trans rights Gender Recognition Act reform: consultation and outcome (Commons library)

Time period	Description	Selected Texts
July-September 2022	Upon the disgraced resignation of Boris Johnson, a (televised) Tory leadership contest was triggered during which the “issue” of whether trans women are “real women” dominated headlines and questioning, despite a disastrous economic situation and scandal within the Conservative party. After Conservative party members voted, Liz Truss became the next Prime Minister on 6 th September 2022 – a role she held for 49 days.	<ul style="list-style-type: none"> • Penny Mordaunt’s Twitter thread: “What is a woman?” • Rishi Sunak Twitter thread: pledge to protect women and girls
January 2023	In 2018, the devolved Scottish government consulted on gender as a devolved issue and drafted a reform law, passed in 2023. The Scottish Parliament passed the reform to the GRA by 88 to 33, but the UK government used Section 35 of the Scotland Act for the first time to block it (Walker and Brooks, 2023). This highlighted internal conflicts between devolution, Scottish independence, and the “transgender issue,” interdiscursively linking these issues.	<ul style="list-style-type: none"> • Alister Jack’s Speech in Parliament announcing the use of Section 35 to block the bill
February-December 2023	This period saw the intensification of anti-trans discourses in Tory public discourse and in the legislative realm. Thus, it consists of most texts. Notably, in December, non-statutory guidance was published for schools which attributed the apparent rise in gender-questioning children to “gender identity ideology,” following a letter from the Equalities Minister to the EHRC, requesting the clarification of the legal redefinition of ‘sex’ to biological sex, in April. Additionally, at the October Conservative party conference, trans issues intertwined with wider anti-woke discourses were macro topics present in the speeches of both Rishi Sunak and Suella Braverman. Thus, this period sees the full normalisation of anti-trans stances within the Tory party.	<ul style="list-style-type: none"> • Rishi Sunak interview with Conservative Home: “100% of women don’t have penises” • Gender Questioning Children: Non-Statutory Guidance for Schools • Kemi Badenoch’s letter to the EHRC asking to ‘clarify’ the legal definition of sex • Rishi Sunak’s speech at the Conservative Party conference • Suella Braverman’s speech at the Conservative Party conference

While the final analysis is thematic, it also notes how language has evolved over time, reflecting the intensification of anti-trans discourses and policies. This reflects the pursuit of a protracted war of position. The analysis focuses on identifying discursive strategies, rhetorical devices, and linguistic patterns employed by politicians within the party to shape public

perception and policy development on trans issues. Special attention is paid to the discursive manifestations of right-wing populist strategies, as outlined in the theoretical framework.

Additionally, the DHA aims to triangulate insights from the social, political, and historical events within which discursive events are embedded (Reisigl and Wodak, 2001). Four layers of context are considered when analysing a text:

1. the immediate language or text (Wodak, 2018)
2. the presence of intertextual and interdiscursive references (Wodak, 2018), i.e., references to other texts or discourses;
3. the “extra-linguistic social variables and institutional frames of the specific context of the situation” (Wodak, 2018), e.g. the Conservative Party Conference;
4. the “broader socio-political and historical context which the discursive practices under examination are embedded in and related to” (Wodak, 2018), such as Brexit.

The prior review of TERF discourses, post-Brexit politics in Britain, and the status of trans people was thus necessary to allow for an analysis that accounts for this depth of context, establishing interdiscursivity and identifying a relationship of discursive co-optation or, in terms of DHA, recontextualisation (Reisigl and Wodak, 2016). This approach enables a nuanced analysis of how anti-trans discourses are constructed, legitimised, and propagated within the broader socio-political context.

6 – ANALYSIS

The analysis finds that the pursuit of anti-trans discourses by Tory actors between 2016-2023 serves a wider anti-woke culture war, as identified by Cammaerts (2022), which equally involves the construction and assertion of “good Conservative Common Sense”(Sunak, 2023). This construction serves the right-wing populist ends of instrumentalising minorities to justify the pursuit of Law and Order politics, but also the legitimisation of the Tory party in the context of multiple crises. A Manichean division is constructed between Conservative Common Sense and Wokeness, both of which consist of further (false) oppositional pairings, elaborated below:

Table 2: Conservative Common Sense vs Wokeness

Conservative Common Sense	Wokeness
Facts	Belief/The Subjective
Reality	Ideology
Truth	Untruth
Science (biological determinism)	Feelings (social constructivism)
Ordinary people	A left-wing elite
Uncontroversial	Controversial
Consensus	False Consensus
Law-abiding, Hardworking	Privileged
Criminal Justice	Social Justice
Law and Order	Criminal (Human) Rights
Transparency/Simplicity	Conspiracy
Stability	Crisis
Democratic	Undemocratic

Numerous discursive strategies are employed in constructing this division, including the right-wing populist victim-perpetrator reversal, euphemism, deployment of crisis discourses, construction of conspiracies, and legitimisation strategies, such as positive Self-presentation. The conceptual pairings listed in Table 2 clearly illustrate the reasoning for Tory co-optation of TERF discourses relating to trans people, as their biological determinist claims and rejection of trans rights serve the agenda of Conservative Common Sense well. Additionally, the TERF elaboration of a crisis of women’s safety/rights and their simultaneous pursuits of legal means to solve it provide the Tories with a pre-packaged moral panic/crisis with a Law and Order

solution. This facilitates the pursuit of these politics in other areas, such as immigration or matters of devolution.

The analysis starts by outlining “wokeness” as constructed by Suella Braverman within her speech at the 2023 Conservative party conference. It does so to situate anti-trans discourse within this larger (culture war) framework before analysing Tory co-optation of TERF biological determinist discourse relating to trans people, establishing its role in constructing “Conservative Common Sense.” Manifestations of anti-trans discourses which utilise the frame of “protecting women” are then deconstructed to demonstrate how they enable positive Self-presentation of Tory actors whilst Othering and scapegoating trans women. This sometimes ventures into the populist Self-presentation as a saviour of women (Wodak, 2015b). Finally, the framing of trans people as controversial and linked to a larger “woke” conspiracy is analysed, noting how this serves to construct trans people as a deviant Other, instigating a moral panic and looming crisis which requires a Law and Order Solution.

6.1 “Wokeness”

“Woke” is widely understood to be a descriptor for someone who is aware of issues of social justice and oppression (Atkins, 2023), with its genealogical origins lying in Black consciousness and anti-racism struggles (Cammaerts, 2022). Whilst the term re-entered public consciousness within the context of the Black Lives Matter movement (*ibid*), it has come to signify meanings beyond this. “Wokeness” has been weaponised by the Right and used as an insult against those who fight fascism, racism, discrimination, and other injustices, framing these as a “progressive overreaction” or “political correctness on steroids” (*ibid*). “Anti-wokeness” and the anti-woke culture war waged by the Tories in collaboration with right-wing media, as delineated by Cammaerts (2022), seeks to “Other those who counter racist, sexist, and anti-LGBTQ views [...]and those that struggle for social justice.” When it comes to trans people, however, the Othering does not just apply to their advocates but includes their

construction as deviant subjects. This notion will be returned to in later sections. Suella Braverman (2023) engages in this anti-woke culture war, Othering the “woke” through their framing as a populist elite rather than a “mob”, as found in Cammaerts’ (2022) analysis, on the side of the Labour Party.

6.1.1 - A “woke” elite conspiracy

Suella Braverman’s speech at the 2023 Tory party conference linked several macro topics, including illegal immigration, policing, Brexit, and wokeness, to the ends of constructing a Manichean division between the Tories and the Labour Party. Where the Tories are presented as actively addressing these issues, claims are made that Labour would neglect them on account of their support from a nefarious elite entity she names “the luxury beliefs brigade.” This range of macro topics, framed as problems, are also linked in their association with general public anxieties and their connection to various Othered groups, or “folk devils” in the language of moral panics. Braverman (2023) thus establishes associations between “illegal migrants,” “criminals,” and the “woke”, rendering them the culprits of the contemporary political crisis and constructing a general conspiracy that absolves the Tories of any blame while justifying attacks on minority rights.

The “luxury beliefs brigade” are described as the “politically correct” critics of the Tories who have “money, status, and loud voices” (*ibid*). Where the Conservatives are “practical and realistic”:

“The luxury beliefs brigade sit in their ivory towers telling ordinary people that they are morally deficient because they dare to get upset about the impact of illegal migration, net zero, or habitual criminals” (Braverman, 2023).

Braverman thus not only creates a classically populist division between a “woke elite” detached from reality and ordinary people, but she advances the claim that that issues of social and climate justice are not of interest to “ordinary people” but are rather a luxury for the privileged, who live separately to “ordinary people,” shielded from reality. This Manichean

division between those in the “real” world and those “sitt[ing] in an ivory tower” parallels the purported difference between the “scientific” and “the subjective” advanced in the biological determinist anti-trans discourses, discussed later, with both trans people (and their rights) relegated to realms outside of reality.

More broadly, the critical issues which belong under the “woke” umbrella are positioned as outside of the interests and concerns of the ordinary person, thus framing anyone in support of such issues as “privileged” and detached, discursively ostracising them from the category of “the people” (Cammaerts, 2022). The attack on the “luxury beliefs brigade” is intensified when Braverman addresses them directly to say: “You are entitled to your luxury beliefs, but the British people will no longer pay for them.” Not only is the implication made that they are “entitled,” but the relationship between them and “the British people” is established as one of exploitation, as the latter has been “pay[ing]” for the beliefs of the former. In turn, Law and Order attacks on this elite are justified, even if they may impinge on their rights. This sentiment is echoed in the closing of the speech, where Braverman (2023) intentionally subverts the populist Labour slogan “for the many, not the few”:

“We stand with the many... the law-abiding... hardworking... Common Sense majority against the few... the privileged woke minority... with their luxury beliefs who wield influence out of proportion to their numbers.” (Braverman, 2023)

An ideal subject representing the majority is constructed as a “law-abiding” “hardworking citizen” subscribing to Conservative Common Sense. This contrasts sharply with the “privileged woke minority,” depicted as disconnected elites whose beliefs and influence are seen as detrimental and misaligned with the needs and desires of the average person. By defining the majority in these terms, Braverman reinforces a binary opposition that legitimises her political stance and policy proposals, framing them as aligned with the interests of the “real” British people against an out-of-touch, conspiratorially influential minority. This rhetorical strategy not only galvanises support among her base but also aims to delegitimise her opponents

by portraying their concerns as fringe and unrepresentative. Thus, this speech serves the anti-woke culture war ends of abnormalising social justice (a destructive pursuit) whilst asserting “Conservative Common sense” (a productive pursuit). That which is outside of this Common Sense (woke) is thus labelled as dangerous to the majority, and it is within this framing that trans people are Othered, and the stripping of their rights is justified.

6.2 - Biological determinism and “Conservative Common Sense”

“Conservative Common Sense”, as named by Rishi Sunak (2023), has been outlined in Table 2 as constituted by a series of normatively loaded, binary oppositions. The co-optation of TERF discourses of biological determinism aids in the construction of this new Common Sense, going far beyond TERF intentions. As established previously, the “debate” relating to trans people proposed by TERFs and the AR is ultimately an ontological one (Dickey, 2023) and, in the British context where religion is not a legitimate source of authority, arguments anchored in “facts” and “science” are instead proposed. These rhetorical choices serve as a means of Self-legitimation via the discursive strategy of rationalisation – that is, reference to knowledge claims or arguments (Van Leeuwen, 2007) – in a time of political crisis and policy failure. Moreover, there is a “cross-ideological appeal” of discourses structured around appeals to truth, as they are able to draw on “different, ideologically congruent sources of truth” whilst tapping into the “poignancy of truth in an age of ontological anxiety” (Dickey, 2023:44). The co-optation of TERF discourses of biological determinism thus afford the Tories the opportunity to appeal to a broader range of people, cutting across traditional ideological divisions as right-wing populists do (Wodak, 2015b), through reframing central political debates along these lines, which was seen during the 2022 Tory Leadership Debate.

6.2.1 - “What is a woman?”: Trans Debate in the Public Sphere

The televised Tory leadership debate in 2022 saw all candidates posed with the question “What is a woman?” a question apparently so crucial that contender Penny Mordaunt dedicated

a Twitter (X) thread to answering the question after she received criticism from the TERF group “Conservatives for Women” (not a part of the Conservative Party, but formed of their supporters) for her previous statement that “trans women are women and trans men are men” (Tidman, 2022). Within this thread, Mordaunt (2022) utilises the language of “biology” and “science” to establish a clear Manichean division between herself, a “biological woman”, and those who are “born male” and are “legally female.” She states:

“I am biologically a woman. If I have a hysterectomy or mastectomy, I am still a woman. And I am legally a woman. Some people born male and who have been through the gender recognition process are also legally female. That DOES NOT mean they are biological women, like me.” (Mordaunt, 2022)

Notably, she does not refer to those who have been through the gender recognition process as women, nor trans women, but “legally female.” This not only distances Mordaunt from her previous trans-inclusive statements to come in line with the increasing anti-trans hostility of the Tories but equally serves to delegitimise and Other the womanhood of trans women. Thus, in a way parallel to the TERFs, Mordaunt positions herself, on account of being a “biological woman,” as an arbiter of the language relating to womanhood (Butler, 2024). Additionally, Mordaunt utilises intensification strategies in her capitalisation of “DOES NOT,” which serves to, almost aggressively, emphasise the division between “biological women” and trans women and claim that legal recognition is insufficient to belong to the category of woman, once again aligning herself with trans-exclusionary stances. This all serves the end of the Self-presentation of Mordaunt as a rational, “real” woman, capable of understanding “biology”, rendering her a legitimate candidate for Tory leadership.

The (re)production of discourses of biological determinism and “science” to the ends of (Self)legitimation and the championing of a new “Conservative Common” sense is also paired and contrasted with the relegation of trans people, and the possibility of being trans, to the realm of “beliefs” and “ideology.” Mordaunt (2022) engages with this dichotomy later in the thread when she asserts that she “challenged the trans orthodoxy” when she set up an inquiry into the

“increasing number of girls” referred to gender identity services during her time at the GEO. In labelling the current referral system for gender questioning children as “trans orthodoxy,” Mordaunt not only frames the current system in the NHS as a rigid and dogmatic set of beliefs, but she alleges a hegemony on the side of trans people, or the “trans lobby,” against which she is bravely fighting. In doing so, Mordaunt engages in the populist discursive strategy of victim-perpetrator reversal, as it is not trans people who set government policy, but rather politicians like herself who work in institutions such as the GEO, giving her the power to harm them, as opposed to the other way around. This serves not only to depict Mordaunt as a saviour of young girls from this alleged trans orthodoxy and thus construct it as a moral panic of sorts but equally to remove the possibility for the existence of trans children altogether.

6.2.2 - Gender identity ideology: TERF Labels in School Guidance

In parallel, the 2023 non-statutory guidance published for schools on how to deal with “gender questioning children” states that the “significant increase” in the number of gender-questioning children

“has been linked to gender identity ideology, the *belief* [my italics] that a person can have a gender [...] that is different to their biological sex. This is a **contested concept** [my emphasis]. Many people believe this concept is one that **reinforces stereotypes and social norms relating to sex**. [my emphasis]” (Badenoch and Keegan, 2023)

Unsurprisingly, no sources are provided for this claim, which involves an almost direct quotation of mainstream TERF discourses which fight against so-called “gender identity ideology.” The predication strategies of utilising the term “orthodoxy” in Mordaunt’s tweet and “belief” in the school guidelines make an implicit discursive link between trans people and religion, ultimately depicting their existence as subjective and not grounded in reality, reinforcing the Common Sense binary division between the “scientific” and the “subjective.” Where Mordaunt (2022) utilises these binaries to the end of her own Self-legitimation in the context of the Tory leadership race, their use in this non-statutory guidance must be read

differently, as the texts are operating within different fields of action, the former in the field of public opinion formation and the latter in the field of law-making procedures (Reisigl and Wodak, 2016).

The existence of trans children is positioned as outside of “truth” (Dickey, 2023) within this guidance, as the very possibility that sex does not unequivocally determine gender is deemed a “contested concept” – a claim reinforced by its prior naming as a “belief.” All this serves to remove the agency of trans children and people alike (Dickey, 2023) and ultimately justify legislating them out of existence. Such a justification is strengthened by the somewhat vague claim that follows that “stereotypes and social norms relating to sex” are reinforced by the belief (or existence) of trans people. This TERF-style claim subtly blames trans people for the patriarchal realities of gender/sex stereotypes and norms, thus positioning them outside of feminism, which has historically sought to challenge both of these phenomena. Trans people (or perhaps “trans ideology”) are therefore outside of Common Sense and, as established earlier, are consequently deemed dangerous to the majority. The two texts (Mordaunt’s tweets and the school guidance) are one year apart, indicating that this construction of trans people as dangerous has become normalised over time and that the war of position waged against trans rights has been successful. Co-opted TERF discourses have become sufficient to legitimate proposed policy change, with no need to provide further evidence, signalling their normalisation but also their evolution into a source of authorisation for unjustified policies. This is discussed in greater detail in the coming sections in relation to Kemi Badenoch’s push to redefine the legal definition of sex.

6.3 - Protecting Women: Feigning Progressive Stances

The anti-trans discourses of the Tories and the TERFs has paternalistic tendencies, framing itself in relation to the “protection” of women and girls, as seen in the case of Mordaunt. When trans issues are framed as such, it allows for the Self-presentation of Tories who

reproduce this discourse as both a “saviour” and “progressive” during a time in which they are pursuing a largely regressive politics. In addition, the Othering and scapegoating of trans people on issues of women’s rights serve as blame avoidance strategies which seek to present the Self strategically (The Tories) positively in contrast to the Other (trans people) (Hansson, 2015), serving the ends of constructing institutional or personal legitimacy. Conveniently, TERF discourses, which insist on clear-cut definitions of womanhood and construct women as inherently vulnerable serve a politics of exclusion which reflects the logics of “Conservative Common Sense,” which supports progressive values only for those who align with its political project.

6.3.1 - Othering trans people: discursive realisations

The use of euphemistic language when referring to trans people, and trans women in particular, serves as another means of Othering and scapegoating them through the denial of their identity. Additionally, euphemism produces dog whistle discourses, as the average person may be unable to glean the true meaning of the given statement, allowing it to maintain an air of respectability. As part of his #Ready4Rishi campaign during the Tory leadership race, Sunak joined the discourse on trans women, albeit more subtly than Mordaunt, making his first public policy pledge to “protect women.” Sunak (2022) tweeted the following, sharing a link to a MailOnline exclusive article, which elaborated his stance:

“If I become Prime Minister, I will protect women’s rights and ensure women and girls enjoy the same freedom most males take for granted in feeling safe from assault and abuse. Read more below #Ready4Rishi”

Sunak (2022) constructs a dualism between men and women along the lines of “assault and abuse,” which he, unlike “most males,” does not take for granted. He thus simultaneously constructs a sharp delineation between men and women along the lines of violence, whilst positioning himself outside of this division, as a third-party observer, but also a saviour of women and girls in a true populist fashion (Wodak, 2015). This initial tweet euphemistically

engages engages with the anti-trans discourse and recurring “what is a woman?” question posed during this leadership race, as women are defined in contrast to men as vulnerable to violence with unguaranteed rights. Moreover, the phrase “feeling safe from assault and abuse” comes to stand for the exclusion of trans women – a euphemism that becomes lucid once one visits the linked article – though it may not initially be read as such. This is a subtle dog whistle to TERFs who, as mentioned, depict trans women as predatory men in disguise, conspiring to take away women’s rights, confirmed in the article’s tagline:

“In his ‘manifesto for women’s rights’, Mr Sunak will oppose biological males being allowed to compete against women in sport.” (Owen, 2022)

We see the further engagement with euphemistic language and dog whistles here, as the phrase “biological males” does not refer to men, but rather trans women, who are here once again denied access to the category of woman regardless of if they belong to it legally. As noted, the Equality Act (2010) already allows for the exclusion of trans people in sports where they are “gender-affected” or to ensure the “fairness and safety” of other competitors. Sunak may thus be seen to be engaging with a non-issue, though the average member of the public is likely unaware of the details of the Equality Act (2010), so this could serve as a means of gaining political capital through Self-presentation as a defender of women. Nonetheless, in advocating for this stance, Sunak is in reality going beyond the concerns of “fairness and safety” purported by the Equality Act (2010) to support the complete exclusion of trans women from women’s spaces and women’s sport on account of their “biological” status as males, which positions them as enactors of the aforementioned “assault and abuse” through which he has defined women. As maintained throughout, euphemistic language allows these claims to be made subtly, with them appearing as “pro-woman” rather than anti-trans to the untrained eye.

Through such texts, interdiscursivity between “biology” and women’s rights and safety is strengthened to the ends of denying the status of trans women as women. As mentioned, the biological determinism of TERFs assumes an inherent violence on account of possessing a

penis – a stance that the Tories subtly endorse, without foregrounding associated notions of patriarchy as TERFs do. In an interview with *Conservative Home* magazine, Rishi Sunak agrees with interviewer Paul Goodman that “100% of women do not have a penis,” contesting opposition leader Keir Starmer’s claim that this is the case 99% of the time (*Interview with Rishi Sunak, April 2023 - Gender Clip*, 2023). Sunak quickly changes the topic of conversation to women’s safety and women’s sports, stating:

“As a general operating principle for me, biological sex is vitally, fundamentally important to these questions - we can’t forget that and that’s why we need to make sure, particularly when it comes to women’s sport, women’s health, or indeed women’s spaces, that we’re protecting those rights and those spaces.”

Having established that anyone with a penis is “not a woman” and thus excluding trans women who have not yet undergone gender reassignment surgery from the category of woman, Sunak emphasises the “vital” importance of “biological sex,” so as to exclude all trans women from the category of woman on account of their alleged biological deficiencies. This exclusion is legitimated through Sunak’s shift of topic to issues of women’s rights and women’s spaces, following TERF rhetoric. Through his assertion that we need to make sure we are “protecting” women’s rights and spaces, Sunak’s argumentation implies that they are under threat, from trans women, and thus leans into crisis discourses, which serve to justify immediate action (Bennett, 2019), through which his government can prove themselves to be protectors of women. While Sunak’s biological rhetoric has become more explicit, referencing specific body parts, his discussion of the need for “protection” remains vague. “Protection” is used as a euphemism for “trans exclusion,” maintaining an ostensibly positive tone rather than an overtly exclusionary one. This strategic vagueness allows Sunak to frame his stance as a defence of women’s rights rather than an attack on trans rights, ultimately allowing for positive Self-presentation.

Sunak also presents himself as pro-LGB rights, in a way parallel to the TERFs, in his speech at the 2023 Conservative Party conference, where he spoke as prime minister about the importance of family to him:

“in this Conservative party, the party that legislated for same-sex marriage and is investing record amounts in childcare, we know that what matters is that love cascades down the generations.” (Sunak, 2023)

This quote directly follows a section of the speech in which he attacks the existence of trans people, which will be discussed in detail later. This juxtaposition delineates his TERF-like opposition to trans people as distinct from his stance on LGB rights. By highlighting the Conservative Party’s role in passing same-sex marriage legislation in 2016 under David Cameron, Sunak aims to position himself and the party as progressive and inclusive, whilst remaining within the bounds of “Conservative Common Sense.” This is a rewrite of history, as David Cameron affirmed his commitment to same-sex marriage by holding an LGBT reception at Downing Street, which included trans people (Cameron, 2012), indicating that the post-Brexit political project is distinct in its anti-trans politics. Specifically, Sunak’s project allows same-sex couples (LGB people) into the model of the family on the basis of “love.” Such a possibility is not afforded to trans people, placing them outside of “love” and thus dehumanising them. Ultimately, this strategic framing allows Sunak to uphold a progressive veneer while simultaneously perpetuating exclusionary and dehumanising rhetoric against trans people, facilitating his assertion of “Conservative Common Sense.”

6.3.2 - TERF Organisations as Authorities

The normalisation of TERF discourses has enabled Tories to refer to legal action taken by TERF organisations to justify their policy choices, framing TERFs as an authority. In turn, this simultaneously serves the further normalisation of TERF discourses. The legitimisation strategy of authorisation (Van Leeuwen, 2007) is deployed in the citing of legal action taken by TERF organisations, in more formalised legal attempts to attack trans rights. This is present in the letter, which Sunak refers to in his interview with Conservative Home, written by Secretary of State Kemi Badenoch to the EHRC, in which she requests that the definition of sex be “clarified” for the “effective” operation of the Equality Act 2010 (Badenoch, 2023). By this, it

is meant that reference to “sex” in the Equality Act should be altered legally to specify that it refers to “biological” and not legal sex, in essence nullifying the current legal recognition of trans people in the name of “protecting” women in single-sex spaces from them. It is thus a rights stripping project.

The letter posits that there is a growing dispute over the legal and practical interpretation of the term “sex,” citing legal proceedings in British and Scottish courts, as well as Westminster’s rejection of reforms to the GRA proposed by the Scottish Parliament, as grounds for redefining the concept of sex (*ibid*). The letter references two specific court cases involving TERF organisations, namely Fair Play for Women and For Women Scotland. These cases serve to illustrate not only these organisations’ recourse to legal avenues but also their evolution into sources of authority which can be called upon to legitimate policy change. Notably, Fair Play for Women prevailed in its 2021 case against the UK Statistics Authority, arguing that the census wrongly allowed individuals to define their own sex, rather than recording their legal sex (Greenhalgh, 2021). Conversely, For Women Scotland’s legal challenge against Scottish Ministers was unsuccessful. Their case contested the inclusion of individuals with full GRCs (trans women) in the definition of “woman” as outlined in the Gender Representation on Public Boards (Scotland) Act 2018 (The Times Law Report, 2023). Citing a court case that unsuccessfully argued to exclude trans women (with GRCs) from the category of woman, to support the redefinition the Equality Act’s (2010) understanding of “sex” as biological sex, suggests a radical agenda. This implies that the Tories’ political project seeks to dismantle existing legislative frameworks relating to rights.

The TERF discourse which establishes a zero-sum game between women’s rights and trans rights and has been the basis of legal action by TERF organisations has come to be normalised and legitimised. It has also been recontextualised within English-Scottish relations, where a zero-sum game between the devolved Scottish Parliament and Westminster is

constructed along the lines of GRA reform. TERF arguments were used in the justification of the first use of Section 35 of the Scotland Act (1998) which gives the UK Secretary of State the power to block the passing of a bill in the Scottish Parliament if it is deemed to have adverse effects on reserved matters, which refer to areas of policy that are not devolved. In January 2023, Scottish Secretary Alister Jack announced to MPs that he would be vetoing the decision of the devolved Scottish Parliament to pass reforms to the GRA (Walker and Brooks, 2023). This decision was made despite the fact that the initial consultation into GRA reform was deemed a “devolved matter” (Balogun, Fairbairn and Pyper, 2022), meaning that the outcome for Scotland would be the prerogative of the Scottish Parliament.

Jack (2023) claimed that this decision was “not about vetoing whenever,” and that the British government “respected devolution,” but that the potential for “adverse effects” was too great on this “reserved matter,” particularly in relation to the operation of the Equality Act (2010) and “single-sex clubs, associations, schools, and protections such as equal pay” (*ibid*). Here, the TERF rhetoric relating to the “protection” of women and the operation of the Equality Act (2010) was arguably mobilised to the end of undermining the power of the devolved Scottish Parliament, which currently has a majority of MPs from the separatist SNP, who oppose the Tories (BBC, 2024; Scottish Parliament, 2024) and the current state of the Union. Effectively, the TERF arguments, forwarded by TERF organisations, which struck down the possibility for GRA reform in the UK, were repurposed by the Tories to undermine the powers of the devolved Scottish government. Thus, a discursive link between (trans)gender and questions of British nationalism is established, rendering it a tool for centralisation policies, as the already-Othered trans comes to be linked to the threat of Scottish Independence.

6.4 - Justifying Law and Order Politics

As a means of justifying Law and Order politics, trans people's existence is claimed to be the result of a "false consensus," and deemed "controversial" – two labels which fall under the category of "woke." The unquestioned existence of trans people, or the prevailing of "gender ideology" as Braverman (2023) puts it, is claimed to be the result of an alleged Hegemony on the side of the "woke" Left, who are a "loud minority," rendering any apparent public consensus relating to this "woke" issue "false." Trans people are thus aligned with an anti-democratic conspiracy, which paradoxically justifies an increasingly authoritarian mode of politics.

6.4.1 - A War on Common Sense

Sunak's speech at the 2023 Tory party conference, in many ways, exemplifies all that anti-trans discourse has come to represent in Britain and its use as a link to join together a variety of social ills. Trans people are framed as outside of Common Sense, a trend noted in other texts, and are hence constructed as dangerous. Sunak strengthens this claim by deploying the language of war. Notably, Sunak's first mention of Common Sense follows his discussion of British defence and the war in Ukraine, claiming "where Common Sense is under attack from an organised assault, we [the Tories] will defend it" (Sunak, 2023). By extending the metaphor of war and invoking a conspiratorial tone with the term "organised assault," Sunak implicates a vague yet threatening adversary, whom we can assume to be the nefarious elite identified by Braverman, an easily inferable intertextual observation given that they are speaking at the same conference. However, in this framing, this elite is not an internal threat to the nation but rather forms part of an organised external threat, aligning this discourse with Tory rhetoric on "illegal" migration. This framing makes his pursuit of a confrontational political approach explicit, casting those who challenge Conservative views as external (foreign) aggressors who endanger the nation. In doing so, Sunak reinforces a binary opposition between the rational, grounded

(democratic) values of Conservatives and the irrational, imposed threats from an unnamed organised entity, thus solidifying the narrative of a nation under siege. Ultimately, this justifies action against this “organised assault” on Common Sense outside of politics as usual, as it is transferred to the arena of war.

6.4.2 - Controversy vs Law and Order

Whilst the language of war is used to establish those outside of, and attacking, Common Sense as an anti-democratic, foreign threat, the framing of particular “woke” topics as “controversial” works similarly. “Controversial” matters of social justice are thus made worthy of debate and abnormalised (Cammaerts, 2022), contrasted against “uncontroversial” politics, such as being harsh on crime or keeping borders closed (Braverman, 2023; Sunak, 2023). This ultimately sets up a framework that justifies Law and order Politics, where punitive measures are taken to maintain the social order and matters of social justice and human rights are framed as part of the problem. This is made evident in Sunak’s linking of the topic of policing and crime in London to his anti-trans stances:

“So, I can confirm we will legislate for sexual and sadistic murders to carry a full term, with no prospect of release. We are going to change this country and that means **life means life** [my emphasis]. Now that shouldn’t be a controversial position. The **majority of hardworking people** [my emphasis] agree with it. And it also shouldn’t be controversial for parents to know what their children are being taught in school about relationships. Patients should know when hospitals are **talking about men or women. And we shouldn’t get bullied into believing that people can be any sex they want to be. They can’t. A man is a man, and a woman is a woman. That’s just common sense** [my emphasis].”

Here, the supposedly “uncontroversial” move to give life sentences for “sexual and sadistic murders” on the part of the Tories is contrasted against the “controversial” notion that people can change their sex, i.e., be trans. Once again, the populist strategy of victim-perpetrator reversal is utilised, as Sunak (2023) claims we are being “bullied” into believing that people can change their sex, even though the state is the arbiter of transitioning, positioning trans people and those in favour of trans rights as “bullies” removed from Common Sense or, as he

earlier put it, part of the “organised assault” on Common Sense. Moreover, the definitive and simplistic phrase “a man is a man, and a woman is a woman” uses parallelism to reinforce the distinctiveness of these categories and their binary opposition whilst engaging in strategic vagueness once again, as trans people are not explicitly addressed, but their identities are denied without overtly discriminatory language being used. In addition, this same sentence structure is used earlier in the speech when Sunak discusses the economic situation, claiming that borrowing is not the solution to inflation and that “the facts are the facts” and, once again when referring to crime: “life means life.” Any claims that require a more complex sentence structure to be expressed are outside of Common Sense, removing the possibility of nuance in this “debate.” Sunak can thus invalidate the existence of trans people, with the assertion of “Common Sense” enabling his Self-presentation as respectable and merely stating the “facts,” which, he asserts, “shouldn’t be controversial.”

6.4.3 - A Battle Against Left-wing Authoritarianism

This distinction between the “controversial” and “facts” is also made by Braverman when she reveals what would happen if Starmer were to win the election:

“Luxury beliefs would **reign supreme. Britain would go properly woke.** Things are bad enough already. **We see it in parts of Whitehall, in museums and galleries, in the police, and even in leading companies in the City.** Under the banner of diversity, equity, and inclusion, official policies have been embedded that distort the whole purpose of these institutions. **Highly controversial ideas are presented to workforces and the public as if they are motherhood and apple pie. Gender ideology. White privilege. Anti-British history.** The evidence demonstrates that if you don’t challenge this poison, things just get worse. **Whole institutions become captured.** And of course, as always happens when the Left gets the upper hand, **those who fail to conform are persecuted. Chased out of their jobs for saying that a man can’t be a woman.** Scolded for rejecting that they are beneficiaries of institutional racism. **Disciplined for using the wrong words.** This Conservative government has begun the task of clearing out this **pernicious nonsense.** [my emphases]”

The sarcastic employment of the American idiom “motherhood and apple pie” suggests that so-called “gender ideology,” “white privilege,” and “anti-British history” are being wrongfully presented as “uncontroversial” (facts) to the public. Whilst the phrase “gender

ideology” belongs more clearly to the anti-gender movement than TERFs who specify that they are against “gender identity ideology,” her later remark of people being “chased out of their jobs for saying a man can’t be a woman” makes it evident that it comes to stand for trans people, or the possibility to change one’s gender/sex. Similarly, “white privilege” comes to stand for Critical Race Theory, which was denounced by Kemi Badenoch in Parliament (Cammaerts, 2022), and “anti-British history” refers to critical perspectives on the British Empire and colonialism. Collectively, these concepts belong to that which is “woke” and thus “controversial,” and ultimately “anti-British.”

To explain how the “controversial” has been presented as “uncontroversial,” Braverman uses a right-wing Gramscian framing to allege cultural hegemony on the side of the “woke” “luxury beliefs brigade,” once again invoking a conspiracy. This is evidenced by her listing of various cultural institutions and places of work, from museums to the police, where wokeness is present, and her later warning of the possibility that “whole institutions become captured.” She notes that “things are bad enough already” but positions herself as ready to “challenge this poison.” Hence, this left-wing hegemony, or war of position, is not yet fully realised, as the Conservatives have started “clearing it out.” Labelling these “highly controversial ideas” as “poison” invokes a crisis frame, but equally a moral panic, as institutional capture is on the line. This is reinforced by their secondary labelling as “pernicious nonsense,” reasserting a Manichean division between “good Conservative Common Sense” and evil, nonsensical wokeness. This segment of the speech thus combines the invoking of conspiracy with binary divisions between the good, Common Sense Conservatives and the evil, woke elite to the ends of instigating a moral panic or constructing a crisis, which ultimately justifies the pursuit of law-and-order politics.

In addition, this segment of Braverman’s speech elaborates on the “bullying” alleged by Sunak, depicting the potential realisation of a “properly woke” Britain as a dystopian society

where authoritarianism and intolerance prevail, and individual freedoms are under siege. This notion is reinforced through multiple rhetorical strategies within the text. Braverman asserts that under Labour's governance, luxury beliefs would "reign supreme," suggesting that these progressive ideas would dominate societal norms and policies. She vividly describes a scenario where dissenters are "persecuted," "chased out of their jobs," and "disciplined for using the wrong words," painting a picture of a repressive regime where non-conformity is severely punished. Braverman's use of verbs like "persecuted," "chased out," and "disciplined" invokes a sense of fear and urgency, positioning the Conservative Party as the defender of freedom and Common Sense against an overreaching and punitive Left.

The characterisation of the Left as an intolerant force that punishes those who reject "luxury beliefs" serves to mobilise support for the Conservative agenda by portraying it as a necessary counterbalance to protect individual rights, specifically free speech, and societal order, ironically justifying the sanctioning of increasingly punitive and authoritarian politics. Trans people come to be at the centre of this discussion, as a link is made between free speech and transphobia, and the denial of the existence of trans people ("a man can't be a woman") comes to be framed as a reasonable, Common Sense stance. Hence, transphobia is normalised and those who seek to contest it are abnormalised (Cammaerts, 2022) and aligned with a project of intolerance and authoritarianism. In essence, the Tories' political project aligns with Finchelstein's (2019) conceptualisation of right-wing movements in democracies as attempts to redefine democratic theory through the transformation of various terms. In this instance, it is "freedom of speech", which is redefined to include the freedom to deny the existence of marginalised groups, such as trans people. "Freedom of speech" is also reframed as a right so sacred that its potential violation justifies the pursuit of anti-democratic, Law and Order politics in its name.

In sum, this narrative is part of a broader right-wing populist strategy which serves a broader culture war. Braverman and Sunak frame themselves as champions of the “law-abiding” and “hard-working” majority against a privileged and out-of-touch elite. Braverman seeks to legitimise the Conservative government's Law and Order actions as rational and necessary interventions by juxtaposing the Common Sense of Conservative policies with the supposed irrationality and authoritarianism of progressive ideologies. This strategic framing aims to animate the party’s base and attract undecided voters by appealing to widely held values of fairness and Common Sense. The Conservative Party thus Self-present as the bastion of Common Sense and individual freedoms, while depicting the Left as an authoritarian force threatening the fabric of British society.

DISCUSSION

This thesis utilises the DHA in combination with a neo-Gramscian understanding of right-wing culture wars to deconstruct the co-optation of TERF stances by the Tories. The attack on trans rights is found to form part of a larger anti-woke culture war, as delineated by Cammaerts (2022), to the ends of constructing a new Conservative Common Sense grounded in oppositional conceptual pairings, which serve the construction of a Manichean division between a new ideal subject of the “hard-working, law-abiding” Common Sense majority and a threatening woke elite. The recontextualisation of TERF discourses is particularly useful in the advancing of this project, not least because of their anchoring in biological determinism, which aligns well with Conservative Common Sense, but additionally because they have come to be mainstreamed as the de facto face of British feminism (Burns, 2019b). TERFs provide the Tories with an exclusionary set of discourses which have a progressive veneer that reframes attacks on trans people as a defence of women’s rights. Positive Self-presentation is thus facilitated as the Tories can simultaneously portray themselves as “saviours” of women, and as competent and in-touch via their Common Sense understandings of sex/gender.

To briefly answer the first research question: the Tories have co-opted and mobilised TERF anti-trans discourses with ease. A sympathetic media, combined with TERF legal militancy, have afforded the Tories with a head start in the Othering, scapegoating, and rights-stripping of trans people. Within a year, from 2022 to 2023, discursive co-optation became mobilisation as the matter crossed into the policy-making and legislative field of action. The discursive strategies used to this end by the Tories, namely those within the right-wing populist toolkit (Wodak, 2015), arguably rendered this process so easy, mobilising fear and constructing crisis and moral panics to justify multiple political ends.

Moving to the second research question, the political ends of this discursive co-optation are multiple. Firstly, as noted, it serves the larger project of the anti-woke culture war (Cammaerts, 2022) and the accompanying hegemonic project of Conservative Common Sense. Law and Order politics, and thus a revival of Thatcherite modes of politics, are another such political pursuit, which serve to divert attention from structural issues (Hall, 2021) and reassert hegemony. The “trans debate” has also been a tool against the power of Scottish devolution deployed by the Tories against the post-Brexit SNP threat, reflecting its political capital.

Brexit ushered in a right-wing populist mode of politics and resulted in a period of nearly four years where no other political issues were seriously addressed. It was itself a form of “organic crisis,” which opened up the possibility for a new nationalist project to emerge. However, once Brexit was passed, a populist vacuum was created as the population could no longer be divided along the lines of Leaver/Remainer, and the EU could no longer serve as a scapegoat for all ills. Thus, the new external threats were constructed as “illegal migrants,” and internal outsiders were constructed along the lines of “wokeness.” Whilst this anti-woke project finds anyone (within the nation) outside the bounds of Conservative Common Sense as its enemy, the most systematic attacks have been on trans people. These attacks have continued to the present day, beyond the timeframe analysed by this thesis, serving as a warning for the ease with which minority rights can be eroded within liberal-democratic contexts.

The specific attack on trans rights points to a political project that seeks to undermine the Equality Act (2010), which protects the rights of many minorities. This could set a precedent for weakening the legal protections for minorities, including human rights, which has already been seen in the proposal to propose a new British Bill of Rights or Suella Braverman’s denouncing of the Refugee Convention. Additionally, there is a further symbolic element to the “trans debate,” as it emerged over the possibility for self-identification, rejecting it in the name of biological determinism, which has served as the basis for many oppressive historical

ideologies. Transitioning remains medicalised, and thus, the regulatory and disciplinary powers of the state remain intact (Butler, 2024), as does its hegemony.

As for future scholarship, an analysis of the process of mainstreaming TERF discourses through traditional media would complete the project started by this thesis and identify how activists, politicians, and media platforms alike have served their normalisation.

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