NWSA Statement Against Redefinition Of "Sex" in Federal Policies

Dear NWSA Community,

As scholars, community members, activists, and artists in coalition, the National Women’s Studies Association condemns the Trump Administration’s proposed redefinition of “sex” in federal discrimination policies. With ongoing attempts to limit the enforcement of Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972, as well as moves to remove “gender-based violence” from United Nations human rights documents, it is clear that trans, intersex, and queer lives are under attack. These proposed changes would roll back hard-fought safeguards and make the structural enforcement of gender norms formal state policy. As an association focused on the intersectional study of sex and gender, we reject the notion that sex is an immutable biologically-determined binary, a notion which contradicts scientific fact.

We recognize that actions and statements undertaken by this administration are most likely to be weaponized against those living at the intersections of marginalization. The proposed re/definition falsely equates genitalia with embodied realities, in direct contrast with lived experiences, erroneously defining sex through violent colonial, medical, and social constructions of gender. The inherent violence of the proposed re/definition:

1. Erodes protections for gender identity and sexual orientation,
2. Eliminates the civil rights of trans, nonbinary, gender variant, and queer individuals,
3. Denies the existent, lived experiences of Intersex folks,
4. Reinscribes settler colonial sex-gender congruence that threaten Indigenous peoples and life ways, and
5. Supports those who would work to impede the life chances and the right to bodily autonomy and self-determination of trans and intersex folks through the denial of services.

Our gender-expansive membership is outraged. This proposed policy change will limit trans, intersex, non-binary, gender-variant, and queer people’s lives across the United States and the world.

NWSA’s Confronting Campus Sexual Assault Interest Group has drafted an open letter to Education Secretary Betsy DeVos and her Assistant Secretary for Civil Rights Kenneth Marcus regarding the draft Title IX regulations. We invite NWSA members to sign.
SIGNED by the EC with affiliations*

Premilla Nadasen, President, Barnard College
Diane Harriford, Vice President, Vassar College
Patti Duncan, Secretary, Oregon State University
Karma Chávez, Treasurer, The University of Texas at Austin
Barbara Ransby, Past President, University of Illinois - Chicago

(*affiliations for identification purposes only)

November, 2018