

Living Truth: P tells her story

This article was written by the woman at the centre of the famous "P vs S and Cornwall County Council" case which has now significantly altered the prospects for transsexual people in employment. A national newspaper published the article in a somewhat modified form on May 1st 1996, but here you can read what she said in full.

I belong to a small community of people all born with the same unusual syndrome. It has the unfortunate name of transsexualism and is one of those rare conditions - like hermaphroditism - where the individual is born as a mixture of the sexes. There are about 10,000 of us in the UK, and as soon as our condition is confirmed, we lose many of our civil liberties for ever. So, we have no substantive employment rights, it is illegal for us to marry and we are not allowed to adopt children.

But of course we are *people* - lawyers, doctors, academics, nurses, business people, rich and poor, from shop assistants to peers of the realm, whose life-experience, curious to others, is normal to us. We do not believe that we are less worthy of consideration or less deserving of human rights than anyone else: only less powerful.

It is almost impossible to communicate how it feels to be born and to grow up in this way. Knowing nothing else, it is normal for us to find nature and nurture at odds, to know ourselves one thing while being brought up as another: what does it feel like not to experience that? Central to our lives is a search for integration, not as part of a religion or a theoretical framework of self-development, but as a need arising from the deepest part of our being.

Typically, then, from the age of four or five, the child knows that there is something wrong and typically, they believe it will change naturally in some way. Of course, it doesn't, and by the age of eight or nine their distress is so great that they may simply hope to die. Not that there is often an opportunity to express their dilemma: our society declares the genital formation of a child to the whole world when it is born and then never speaks of it again. Even if parents, doctor or child did want to speak about it, it is only recently that they would have had a language to do that in: the syndrome wasn't introduced to the general medical world until 1954, and its diagnostic criteria wasn't agreed until 1980. There is a whole generation who had no voice, no language and thus no way of articulating their profound sense of disability.

Indeed, it wasn't until last year - in an article in *Science* magazine - that the physiological basis of transsexualism was finally demonstrated. Put most accessibly, the medical explanation is that when the child is in the womb, it receives two shots of hormones, one to form the body and one to form the deep structures of the brain. In most cases, this formation is congruent: in a tiny minority of cases it isn't and the child is born with an intersex condition - the body of one sex and the brain formation of another. Medicine now locates this brain formation in a region of the hypothalamus which is markedly smaller in women than in men.

Since treatment, by hormone replacement therapy and reconstructive surgery, over a period of three to five years, has a 97% success rate, and individuals go on to live otherwise unremarkable lives, the social penalties for being born with transsexualism seem inexplicable. As well as loss of marriage, adoption and employment rights, although my external anatomy is the same as that of all other women, it is not illegal to rape me and if I were remanded in custody it would be in a men's prison. Before 1970 that would be illegal. Before 1970, I, once W, now P, could not be legally raped and if I went to prison for being unable to pay my parking fees would be placed in Holloway. But, after 1970, I can be raped and have no recourse to law. I, looking like and being like any other woman, will be put in a men's prison where they will, if given half a chance, undoubtedly rape me because I look like and am a woman. And I cannot say anything about it so they can do it again. It is not just that like other women in prison I must give birth in chains: I must live in them and they are all the heavier and more terrifying because society does not know that they exist. And all because, since 1970, the government has refused to correct our Birth Certificates to show our real sex.

In 1970 the son and heir of Lord Rowallen gained an annulment of his marriage on the grounds that his wife, the model April Ashley, had been treated for transsexualism and was therefore legally male. To confirm this view, the judge set up a 'sex-test', using criteria that have since been formally rejected by the world medical community but which still operate in the UK for legal purposes. In addition, the judge's comments were astonishingly brutal. April was not a woman but a 'pastiche of femininity', a person who was incapable of 'performing the essential role of a woman in marriage', since her vagina had been surgically reconstructed, and thus 'the difference between sexual intercourse using it and anal or intracural (*between the thighs*) intercourse is, in my judgement, to be measured in centimetres'. In a talk he gave later, the judge said that sex was a crucial factor in a case of inheritance. A few weeks ago, in the High Court, another judge expressed his concern that a family might oblige someone treated for transsexualism to have their Birth Certificate corrected against their will, if such corrections were made legal. Whose inheritance? Which family?

Behind the medical and legal stories lie other discourses. For post-structuralist rad-fem politics, our community is an allegory. Early writing such as Janice Raymond's *Transsexual Empire*, declared that women such as us are a living representation of the patriarchy's determination to infiltrate and acquire the privileges of womanhood at any cost. More recent works, such as Berenice Hausman's *Changing Sex: Transsexualism, Technology and the Idea of Gender*, have decided that we are 'physiological semiotics', living examples of verbal quibbles in a debate about gender. For us, these are discourses of denial. By defining us as medical objects, as 'transsexuals' it denies us our human identity, denies us our individuality and removes from us the reasonable right of any minority community - the right to speak for ourselves.

Blake said that it is important to know the difference between allegory and symbol for the sake of eternal life. A life-giving way of understanding our personal circumstances, then, is to see them as symbolic of the need of the individual to define themselves, to live autonomously, to explore the nature of their being and to find a personal apotheosis within the framework of a democratic society. Alternatively, we may be seen as a symbol of communality, through our lived experience that men and women are not different in potential, in achievement, or in need. Or again, like the myth of Tiresias, the seer who was changed from man to woman and back again, as a symbol of new life, new vision, new ideas, a third point on which to stand to re-examine and call into question otherwise unquestionable

social norms. Or perhaps we are a symbol of the requirement for compassion, a reminder that the degree of civilisation in a society can be judged by the way in which it treats those who are most vulnerable

We are both vulnerable and powerless. But Vaclav Havel, in his essay *The Power of the Powerless*, spoke of the way in which the crust of a dishonest social fabric can be broken 'when a single person breaks the rule of the game, thus exposing it as a game ... the whole crust seems then to be made of tissue on the point of tearing and disintegrating uncontrollably'. My cases against the British government were brought to open up just such a debate, the debate that Havel calls 'the wellspring of truth'. One debate leads to another: from those issues have sprung other issues of human rights, questions about the legality of dismissing homosexuals and lesbians from the armed forces, about the equal treatment of people under the immigration laws, a new defence of the individual and a renewed debate about the real aims of life. Thus, perhaps, the action mirrors that of myth, of the stories where renewal is brought to a kingdom not by the powerful but by the weak, the youngest son, the poorest daughter, the most unpromising suitor.

All that is required is for government to accept a return to the pre-1970 status quo, a move which is supported by medicine, a large section of legal opinion and many parliamentarians. There is no need for new legislation or new administrative systems: the Birth Certificate still contains a column where errors at registration can be corrected as they were before 1970. Time has shown that there were no practical complications with those corrections and thus there is no realistic argument for not reinstating the practice. Indeed, there is every reason urging its necessity.

For in the end, the rights under question are not just mine, but yours. Laws which do not protect me, do not protect you: your child, your friend, your family. The unequal, inhumane treatment of this ten thousand people is a microcosm of the inhumanity, the injustice, with which you might be treated. The purposelessness of these laws, their brutality, the general ignorance about this state of affairs is, as Simone Weil puts it, 'obedience to the force of gravity. The greatest sin'. To change them is, for myself and my colleagues, not just a matter of personal freedom but one of growth for all of us.

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