Democracy and Transgender

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Preamble

Transgender (trans*) has been largely ignored by scholars concerned with gender and politics. Mainstream and feminist political scientists have tended to overlook LGBT issues more broadly (see for example Sulkunen et al., 2009). There is a fairly substantial body of political science literature about LGBT issues in the USA and Canada (for example Bristow and Wilson, 1993; Blasius, 2001; Werum and Winders, 2001; Currah et al., 2006; and M. Smith, 2008), whilst a range of contributions stem from Latin America (Farjado, 2006; Sanabria, 2006; Viveros, 2006; and Corrales and Pecheney, 2010) and elsewhere, including Europe (see Richardson and Monro 2012). Whilst important, the scholarship to date has primarily addressed either LGBT people taken together as a group, or lesbians and gay men. This paper addresses a gap in the literature, providing an exploration of key issues for democracy and transgender people, focusing on two forms of democracy: electoral and participatory. This paper focuses only on the EU, as dynamics are different in other parts of the world (for example, the third sex Hijras are active in electoral politics in India).

Electoral democracy

Literature concerning elected trans* politicians is in its infancy. It is difficult, therefore, to make a definitive judgement about the extent to which the electoral system is an important factor in trans* parliamentary candidates becoming elected, given the limited nature of the data. However, it should be possible to make some tentative assumptions based on the outcome of the electoral system on other minority groups (see e.g. Reynolds, 2013). The form of electoral system, and other factors such as the nature of the political party which a trans* candidate represents, and the quality of the candidate, all need to be considered.

Forms of electoral system vary across the different EU Member States. It has been noted that majoritarian electoral systems can be more challenging to women or ethnic minorities seeking election (see e.g. Rule and Zimmerman, 1994; Krook and Norris, 2009). Such systems include Single Member Plurality, such as that which operates in the UK, where there is one MP per constituency, and the person with the most votes (a plurality), wins.

LGBT candidates are more likely to be elected in proportional systems, such as list Proportional Representation (PR) (Adam et al., 1999). In list PR systems, political parties choose a list of candidates, based on the number of seats to be filled. In closed lists, voters usually vote for a party (Farrell, 2011: 64). The rank order of the candidates will then be used to allocate any seats due to the party. In this system, the higher up the list a candidate is, the more likely they are to be elected. However, there are also ‘open lists’, where voters can choose particular candidates which do not necessarily accord with the party’s ranking, as is the case in Poland, one of the few countries with a transgender MP (Grodzka, 2013). Despite the apparently clear advantages of the List PR system for candidates from minority backgrounds, there is no major difference between the numbers of LGBT candidates elected under Single Member Plurality and List PR (Reynolds, 2013: 263).

The above-mentioned case of Poland is worth considering. The election of transgender parliamentarian Anna Grodzka may have had less to do with the electoral system itself, (although she was ranked first on the list in her constituency) and more to do with the party she represented. Ruch Palikota (Palikot’s Movement) was an anti-clerical party, which
supported liberal social policies (see e.g. Tworzecki, 2012) such as same-sex marriage and the legalisation of marijuana. Conversely, Emily Brothers a transgender candidate for the Labour Party in the 2015 UK elections may have had her chances for election adversely affected by what party she stood for in a given constituency, rather than the electoral system. The constituency in which she stood (Sutton and Cheam) has returned a Conservative or Liberal candidate since the post-war period. The Labour party’s share of the vote increased by 4.2 per cent, but Brothers was never a likely winner given the electoral history of the seat (Parliament UK, 2015). This might (albeit tentatively) suggest that the political parties that candidates from minority backgrounds run for, and the constituencies they contest, could be as significant as the electoral system itself in determining outcomes. A further factor concerns the qualities of the individual politician. Nikki Sinclaire, the first openly transsexual politician in Britain, was arrested in 2012 and charged for dishonest expense claims (Daily Mirror 03.02.2015). Formerly an MEP for UKIP, she stood independently following withdrawal of the UKIP whip.

Overall, as more trans* politicians enter the political arena, it may be possible to make more definitive judgements concerning the factors affecting trans* representation in electoral politics. In terms of broadening the literature on gender and politics, it would seem that an approach that is purely gender-binaried is problematic, even though numbers of trans* politicians are small, trans* politicians may themselves support rigid gender binaries, and trans* issues are lacking in prominence on the agendas of political parties. A gender pluralist approach, which acknowledges a range of gender positions (Monro 2005), could instead be taken, but this would then also require revision of mechanisms aimed at increasing the proportion of women in politics (such as quota systems).

**Participative democracy**

It could be argued that in terms of ensuring the representation of trans* interests within a broader political process, participative democracy is a more fruitful approach that one focusing on electoral democracy because the small numbers of trans* people and their advocates can seek some political influence via community and voluntary sector organisations, NGOs, and consultation structures. The term ‘participative democracy’ is used here to mean mechanisms by which members of a population can engage with, and potentially influence, institutions associated with the state via processes such as lobbying and consultation. Participatory models of democracy regarding LGBT rights and equalities are in use at a national level and in some local authorities (municipalities) in different European countries. For instance, Barcelona municipal authority has undertaken an extensive participative democratic exercise with its LGBT population, including providing forums for themed debates, a widely publicised online questionnaire, and supporting LGBT partnership work. This has resulted in plans for a range of actions, including the establishment of a LGBT resource centre and involvement of LGBT activists in the International Cities of Refuge Network (which supports people facing persecution in their countries of origin) (Ajutament de Barcelona 2010). Research conducted in the 2007-2010 period also showed a range of participative democratic structures and mechanisms in place in the UK (Richardson and Monro 2012). These included trans-specific groups taking part in consultations with local authorities (municipalities) concerning service provision, as well as the involvement of LGBT groups in a range of decision-making capacities at both local and national levels.

The challenges associated with participatory democracy and trans* issues depend, of course, on the context. In countries with destabilised, or non-existent structures to support participatory democracy, or widespread corruption, or where the economic downturn has
decimated civil society, then trans* people, like other members of a population, will be unlikely to engage effectively. In addition, where state actors are transphobic, then barriers will be in place against trans people even where other groups can engage effectively (such as fear of state harassment). For instance there are unsubstantiated reports of arrests, detentions and forcible HIV testing of trans* people in Greece (councilhouseblog 2013). Also, where powerful transphobic networks (for example religious lobbies) are in place, it will of course be harder to effect positive change. Broader forces are also at play. For example, in the case of Northern Ireland, nationalism is intertwined with traditional gender norms, and this plays out in a sectarian context. There is some literature about the gendering of sectarianism. For example Dixon (2001) describes the way in which, for nationalists, Irish history is interpreted as a tale of (mostly) masculine heroism against British oppression. The unionist marching season, which takes place every year from mid July to mid August (Dixon 2001), can also be interpreted as a demonstration of (mostly) masculine commemoration of victories over Catholics. The rigid gender demarcation that is implied by the masculinisation of nationalism generally is of course problematic for many transgender people, as it erases the possibility of gender diversity.

Where states are broadly pro-equalities or where legislation is in place to support trans* equalities, there are other challenges to trans* engagement in participatory democracy. The difficulties associated with LGBT people finding the time, energy and resources to take part in participative democratic activities are longstanding (see, for example, Monro 2006). The research about LGBT equalities initiatives in local government in the UK indicated that the trans communities are particularly under-resourced in terms of funding being made available to them from statutory sources, which means that activism and engagement activities tend to fall on a few active people, who risk getting burnt out. There are difficulties with certain groups falling off the agendas of the organisations associated with participatory democracy (such as the local partnership boards that are supposed to represent their local communities), and people may not develop the skills and knowledge (capacity) that are necessary to effect social change through the mechanisms of participatory democracy. There are other barriers associated with capacity. A contributor to the research said for example:

it feels really quite problematic trying to get funds, simply from the fact that the funds in [region of] Wales are all focused very much on one little area, and you can’t really run a group, apart from the problems that [interviewee’s partner] mentioned, because we are quite a small minority, you probably wouldn’t get more than sort of, I mean we’ve got sixty registered members, we occasionally get others who come and drop in, erm, but as I say if you split that up in about six, you’ve got about ten members per area [laughs] (Trans Group Organiser, Wales)

Effective trans* people’s engagement can be affected by difficulties shared with others, such as bisexual people. For example, in the UK, bisexual participative engagement has until recently been largely on a voluntary basis. There is an issue, reported by a few research contributors in recent research (Monro forthcoming 2015) with bisexual community representatives being expected to contribute for free, which can be exploitative and lead to exhaustion. A further, important issue, is that where trans-friendly legislation is in place and participative democratic mechanisms have been established to support trans* people, only certain trans* identities may be included. The 2007-2010 UK study (Richardson and Monro 2012) found that trans* people who adhered to a gender binary system were much more likely to be considered by statutory sector service providers and others, whilst there was virtually no awareness amongst state actors of people with fluid, multiple or non male/female gender identities. Nonetheless, some of those trans* people who engaged with participatory
democratic mechanisms discussed the way that they challenge binary gender norms, showing that there may be some space for the disruption of rigid gender binaries, within broader gender-normative institutions.

Conclusion

There is a need for more research about trans* people and democracy. Overall, factors such as the electoral system and the type of political party that a trans* person represents affect the success of individual trans* politicians. It is not clear what the relationship is between trans* electoral representatives, and trans*-positive social policies, but anecdotal evidence from Monro suggests that in the Polish case, the presence of a transsexual politician created a political and policy environment that was more supportive not only to trans* people but also to lesbians and gay men, in comparison to previous times. In the case of participative democracy, trans* positive mechanisms for engagement are similar to those required for other populations (these include strong civil society and developed structures supporting engagement) but in addition, safety and equality in accessing engagement mechanisms is required. In those countries where trans* specific consultation mechanisms are in place (for example the Republic of Ireland, Scotland and England), it may be easier for trans* people to make their voices heard within political and policy arenas.

References provided on request