

**THE ETHICS OF EXCLUSION:
GENDER AND POLITICS AT THE
MICHIGAN WOMYN'S MUSIC FESTIVAL**

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SHOULD A WOMEN-ONLY EVENT ALLOW ROOM FOR THE TRANSGENDERED, especially women who “were once men”? The controversy over the admissions policy of the Michigan Womyn’s Music Festival has raged for fifteen years. Along with the interrelated theoretical problems that it creates, the festival reproduces debates that are taking place in feminist circles across the West.

The festival is an annual, women-only event that began in 1976 and draws over 4,000 women each August. The week-long music festival includes a variety of workshops and a crafts fair. It is a communal environment in which most people camp, many go topless or nude and everyone contributes to the festival by doing “workshifts.” In 1991, two participants mentioned in response to questioning during a workshop that they were trans women (male-to-female, or MTF, transsexual women), whereupon they were asked to leave and were escorted out. The implication was that MTFs are not women and thus not appropriate attendees.

Within two years, organized protests against this exclusion were occurring. Responding to these, the festival organizers formulated an explicit

policy barring trans women, which became known as the “womyn-born-womyn only” policy.

Two kinds of philosophical issues arise: metaphysical ones and moral-ethical ones. On the metaphysical side, the key issue is whether there are necessary and/or sufficient conditions for womanhood and thus for admittance to the Festival. For example, is possession of a penis incompatible with being a woman? Does sincere avowal of womanhood suffice for womanhood? On the ethical side, related moral and political questions concern the justice of various exclusions, the potential psychological harm to women-born women if trans women are admitted, the possibly prejudicial basis of this harm, the obligations of the Festival in light of its stated goals, the legitimacy of those goals themselves and the status of the Festival as an established exemplar or model of how a women-only space should be delimited. Until the current explicit policy was announced, the Festival was publicized as a celebration of womanhood.

It is not surprising that the current state of the controversy is a mess. We hope to shed some light on these debates by reviewing the various policies that have been suggested, critiquing the arguments that have been given and clarifying the issues at stake.

THE “WOMYN-BORN-WOMYN ONLY” POLICY

The first explicitly formulated exclusionary policy of the Festival reads as follows:

1. The Festival is a womon-born-womon space. That means it is an event intended for womyn who were born and who have lived their entire life experiences as female – and who currently identify as a woman.
2. We ask the transsexual community to respect and support this intention.
3. We ask all Festival-goers and staff to honor our commitment that no womon’s gender will be questioned on the land. Michigan must remain a space that recognizes and celebrates the full range of what it means to be a womon-born womon. Butch/gender-ambiguous womyn should be able to move about our community with confidence that their right to be here will not be questioned.
4. We also have a commitment to run the Festival in a way that keeps faith with the womyn-born-womyn policy, which may mean denying admission to individuals who self-declare as male-to-female transsexuals or female-

to-male transsexuals now living as men (or asking them to leave if they enter).

5. We further emphatically ask you to not question any woman's sex on this land ... Please trust that everyone who is on the land is woman-born woman.

6. Claiming one-week a year as womyn-born-womyn space is "not in contradiction to being transpositive and trans-allies."¹

Festival organizers do not take woman-born womanhood as the *fundamental* desirable feature of participants at the Festival; rather, they emphasize "entire life experiences as female." Being a woman-born woman is a guarantee of this, and the women-born-women policy thus serves to ensure that the Festival is not *overinclusive*. The policy does not admit non-women. The complementary problem of *underinclusiveness* still threatens.

Woman-born womanhood is *sufficient* for womanhood; the controversies concern whether it is also *necessary*. What shall we make of gender-dysphoric sex-reassignment patients who profess to have been women, or to have "felt like women," having had penises throughout their childhoods and early adulthoods? What is the relevance of the fact that such gender-dysphoric individuals are, to some varying extents, beneficiaries of male privilege during their pre-transgendered lives?

Clause 3 is explicitly intended to protect butch and gender-ambiguous women. It has been interpreted to institute what is, in effect, a "don't ask don't tell" attitude towards trans women: we don't want you here, but we will not evict you if you stay quiet about being trans. The effect is to permit attendance by trans women but to require them to closet themselves as such. (As a matter of fact, it is well known that trans women *do* attend the Festival, and for the most part no one has any problem with this in practice.)

The leading objection to the standing policy is that the official exclusion of trans women is basically irrelevant to the idea of a women's space. (Careful articulation of this objection requires theorizing the notion of "women's spaces" sufficiently to bring the idea to bear on the trans issue.) In view of the fact that many trans women's claims to womanhood are at least nearly as strong as a woman-born woman's, their exclusion is unjustifiable in view of the goals of a women's space. Proponents of this objection reject the idea that *women* must have lived their entire lives as women. The

objection need not rest on the assertion that all MTFs have such powerful claims to womanhood, but only that many do, and to exclude *them* from women's spaces is morally objectionable.

Another complaint about the current policy is that it overestimates the importance of womanhood in the constitution of a woman's *identity*, and accordingly dismisses other differences among women, such as race or class. In this way the policy falsely assumes a similarity among all women-born women (the Festival's version of a familiar complaint in feminist theory) *and* supports a corresponding distinction among women (denying the claim of some to womanhood).

THE "NO PENIS POLICY"

The obvious first challenge to the policy concerns the presence of a vagina (or lack of a penis) as a condition for admittance. Historically, this was the first counterproposal offered in protest to the current policy. It recognizes post-op MTFs as legitimate attendees, that is, as fully entitled to admission as women. In effect, it removes the Festival organizers' insistence on the entire life experiences as a woman and replaces it with an anatomical requirement as constitutive of womanhood. Indeed, it might be thought that a woman's having been willing to undergo the trials of sex reassignment is as sure a sign of her commitment to her own womanhood as there could be.

The proposal was first suggested in "The Michigan Womyn's Music Festival and Transsexual Women: A Statement by Transsexual Women and Their Women Friends," a document that has been endorsed by the founders of Camp Trans, including Riki Ann Wilchins, a well-known gender activist.² Proponents of this policy justify their inclusion of post-op MTFs but exclusion of pre-ops as follows:

This policy cannot address issues of race and class: specifically, the exclusion of women, especially women of color, who are not able to afford sex reassignment surgery. This is simply the best and fairest policy possible, one that balances inclusion of transsexual women with legitimate concerns for the integrity of women's culture and safe women's space.³

This passage sounds as if it purports to provide a *practical* justification of the no penis policy, but the same document also gives the following *principled* case against penises. "Male genitals can be so emblematic of male power and sexual dominance that their presence at a festival designed to provide safe women's space is inappropriate."

It is important to see that this argument hinges on the *meaning* that the penis holds in patriarchal society. A penis can function as an emblem of male dominance in various ways. For one thing, men themselves tend to see their penises this way.⁴ Second, penises can play important psychological roles for victims of sexual violence. More generally, the presence of penises jeopardizes the notion of a women's space because penises are recognized so widely as representations of masculinity.

Despite the intuitive attractiveness of these considerations, the proposal must be rejected. The Festival is hardly free of penis-as-emblems: one thinks immediately of the presence of dildos at the Festival. At any rate, the identification of vagina possession (or lack of a penis) as constitutive of womanhood is untenable. For one thing, a vagina is neither necessary nor sufficient for womanhood. One can live as a woman — *be* a woman — without a vagina. Moreover, many individuals experience themselves as men in female bodies.

Even more importantly, a no penis policy is classist and racist. To require sex reassignment surgery is unfair and callous. It is unfair because not all MTFs can afford the treatment, and callous because the transition is difficult. The no penis policy is classist in that it largely excludes MTFs who are not at least middle class, and racist insofar as the excluded group of MTFs wanting sex-reassignment surgery is disproportionately composed of women of colour.

Incidentally, the penis-as-emblem argument for the no penis policy is racist in another way. As Emi Koyama observes, "Even the argument that the presence of a penis would trigger the women is flawed because it neglects the fact that white skin is just as much a reminder of violence as a penis."⁵ That is, white skin is no less emblematic of oppression than penises are.

If "safe space" means a space free from *all* power relationships, then of course Michigan is not a safe space for all its participants, even under the current policy. As Koyama indicates, it is not a safe space for women of colour. But the question at hand is not whether Michigan can provide a safe space, but what kind of safe space it can provide. The *relevant* kind of safety is the absence of patriarchal power, and this is the safety that is supposedly undermined by the open presence of trans women (especially pre-ops). Whether this is a satisfactory response to the Koyama argument depends on further theorization of the whole idea of a women's safe space, and on whether patriarchal domination can be thoroughly differentiated

from other institutionalized forms of dominations and understood as a single, unitary social phenomenon.

THE SELF-IDENTIFICATION POLICY

The next step in liberalizing the policy involves rejecting a purely anatomic criterion in favour of a policy recognizing that womanhood is a constellation of anatomical, psychological, experiential and phenomenological properties, none of which is even arguably necessary or sufficient for womanhood. This means at last rejecting the apparent essentialisms of the preceding proposals.

Since there are no essences of womanhood, it is left to each individual to decide for herself what it is about herself that determines her gender identity. For instance, one woman may identify herself as such purely on the grounds of having been born with a vagina; though she's lived her life as a woman, she may not regard this as *constitutive* of her womanhood, but rather as a *consequence* of it. Another woman with a similar history may feel differently in accounting for her womanhood. Yet a third, a pre- or non-op MTF, may regard her non-vagina birth as irrelevant to her gender identity.

A self-identification policy would respect each woman's understanding of herself as a gendered person, regardless of whether other women have the same self-understanding. Such a policy requires from each participant a sincere willingness to claim womanhood on whatever grounds seem *to her* to make her a woman.

This policy has interesting practical implications. The Festival would become explicitly trans-friendly, largely preventing the self-exclusion of MTFs both post- and pre-op, yet maintaining the exclusion of those who conceive themselves as men. Furthermore, certain people who are already "stealth" participants under the don't-ask-don't-tell clause would be allowed and encouraged to celebrate their own womanhood. For example, there would be MTF workshops, discussion groups and performances oriented towards that particular mode of womanhood. This is not unimportant, since there are already at the Festival such workshops devoted to those identities that are explicitly permitted but none devoted to those permitted only under the don't-ask-don't-tell qualification. Such a policy change is the most important and palpable transformation among the various amendments proposed in the controversy. Another ramification of this policy would be the explicit

recognition of the permissibility of penises. The effect of this permission on the question of nudity is probably the most despised and feared consequence of a policy change among many Festival organizers and participants.

This last consideration makes very clear the deep political issue at stake in the controversy: On whom does the burden of accommodation fall? Is it the task of the participants to get over their discomfort at the visible presence of penises, or is up to the MTF minority to shoulder the responsibility of discretion? Neither option is clearly preferable. Indeed, there are two very clear and very important values which are coming into conflict. Surely it is valuable for the majority participants to feel comfortable in the space: this is one of the very aims of the Festival. On the other hand, the importance of self-expression is certainly a fundamental good in this context, and is recognized as such by the Festival organizers.

One might hope that these problems could get worked out over time with a sharing of the burden. What happened with the S/M community is a promising sign. While many participants at the festival express reservations about the propriety of S/M activities and an S/M campground, the Festival found a way of accommodating the S/M inclinations of some participants while respecting the reservations of others by removing the S/M campground from easy access and asking that no S/M violence be performed in the general view of festival attendees. However, there is a significant difference here. The analogue of the S/M solution would be that pre-ops in particular could now *identify* themselves as such, but not *display* themselves as such, that is, not shower publicly or disrobe publicly. The key fact is that a pre-op MTFs having a penis is not an activity but a way of being a woman, and no woman should be required to hide the *kind* of woman she is (namely, a pre-op MTF woman). Moreover, the Festival's principles preclude requiring participants to disrobe or shower privately. In this way, unlike the S/M case, the MTF case brings into sharp relief the conflict between two of the Festival's goals: the non-patriarchal *safety* and *comfort* of participants and the non-patriarchal *freedom* of gender expression of participants.

This raises a further question. Which is the greater evil: the otherwise unjustifiable *exclusion* of some in order to maintain the comfort of others, or the otherwise morally obligatory *accommodation* of some at the expense of the others' comfort? Does it matter that one is the majority and one is the minority? One hesitates to impose a further burden upon the most oppressed in the group. Given the anti-patriarchal goals of the Festival, the

ghettoization of any minority group among the oppressed amounts to a double oppression and should be resisted.

A virtue of the current policy is its practical success at achieving its goals as an important women's space in the U.S. Indeed, the *practicability* of the policy might justify its inadequacy as a matter of principle. However, the standing policy is metaphysically and morally unjustified in its exclusion of MTFs. The metaphysical difficulty is that it seeks a spurious unification of all women that transcends their non-gender differences, and the moral difficulty is that the excluded women, being women, are entitled to occupy women's spaces.

Adoption of the self-identification policy entails making changes to the Festival that threaten to undermine some of the Festival's original goals. Any regulation purporting to preserve the comfort level of attendees who satisfy the original requirement automatically deprives the new attendees of the treatment they deserve, constituting a double oppression. Yet unlike the no penis policy, the "self-identification" criterion strikes us as a coherent alternative. No doubt adoption of the policy would have huge effects on the atmosphere, but the burden of accommodation falls upon the majority. The self-identification policy raises practical concerns about the psychological health and comfort of all participants, and might justify rejection of the proposal despite its abstract theoretical coherence.

Thus we have one policy that suffers theoretically but succeeds for the vast majority of participants in achieving the goals of this women's space, while its competitor suffers practically in that it is far less able to achieve those goals despite its theoretical appeal. In the end, it will likely be concrete political activism that settles this debate, one way or another.

NOTES

1 "Michigan Womyn's Music Festival Press Release," 15 August 2000, retrieved 17 January 2003 from Eminism.org at <http://eminism.org/michigan/2000815-mwmf.txt>.

2 See Riki Anne Wilchins's account of the early days of Camp Trans in her book *Read My Lips: Sexual Subversion and the End of Gender* (Ithaca, NY: Firebrand Books, 1997), 109–115.

- 3 Retrieved 17 January 2003 from Eminism.org at <http://eminism.org/michigan/2000809-elliott.txt>.
- 4 Penises are regarded almost universally in our society as expressive of their owners' masculinity, if not constitutive of it. Witness the feelings of some men who for some reason or another lose their penises and consequently feel their masculinity threatened.
- 5 "Whose Feminism Is It Anyway?" retrieved 17 January 2003 from www.confluere.com/store/pdf-zn/whose_feminism2.pdf.