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Who Speaks for Whom? Anti-Gender Politics and the Struggle
over Representation in Scotland

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Abstract

*Angesichts des zunehmenden Backlash auf Fortschritte im Bezug auf Geschlechter- und sexueller Gleichberechtigung untersucht die Masterarbeit, wie sogenannte „Anti-Gender“-Akteur*innen in institutionalisierten Kontexten repräsentative Ansprüche geltend machen. Auf Basis konstruktivistischer Ansätze der politischen Repräsentation fragt die Arbeit, wie diese Akteur*innen rivalisierende Repräsentant*innen und beanspruchte Kollektive konstruieren und was ihre "Claims-Making Practices" über Prozesse der politischer Repräsentation in der Praxis offenbaren. Zur Beantwortung der Forschungsfrage führte die Arbeit eine qualitative Analyse der Stellungnahmen von Anti-Gender-Akteur*innen im Rahmen der öffentlichen Bürgerbefragung zur Reform des Gender Recognition Acts in Schottland (2019–2020) durch. Methodisch kombiniert die Arbeit die Representative Claims Analysis (de Wilde, 2013) mit einer thematischen Analyse (Clarke & Braun, 2006). Das empirische Material umfasst 20 Stellungnahmen von 17 gender-kritischen Organisationen, die mittels kriteriumsbasierter Stichprobenziehung gewählt wurden. Insgesamt verdeutlichen die Ergebnisse der empirischen Analyse die strategische Funktion repräsentativer Anspruchsformulierung als eine Praxis, durch die politische Akteur*innen ihre jeweiligen politischen Positionen und Agenden legitimieren. Im Hinblick auf die Konstruktion rivalisierender Repräsentant*innen zeigt sich dabei ein konsistentes Muster negativer Zuschreibungen: Die schottische Regierung wird wiederholt als uninformatierter und parteiischer Akteur dargestellt, während pro-reform-orientierte Interessengruppen als ideologisch motiviert und manipulativ charakterisiert werden. Parallel dazu konstruieren gender-kritische Organisationen Frauen als besonders schutzbedürftige Gruppe, die auf rechtliche Sicherungen zur Abwehr männlicher Gewalt angewiesen sei, und stellen den Gender Recognition Reform (Scotland) Bill als Bedrohung geschlechtsbasierter Rechte dar. Die Ergebnisse bestätigen drei zentrale Annahmen konstruktivistischer Repräsentationstheorien: (1) Politische Akteur*innen tragen aktiv zur Konstitution politischer Subjekte bei, (2) Adressat*innen repräsentativer Ansprüche sind nicht bloß passive Rezipient*innen, (3) politische Repräsentation ist ein Prozess, in dem Machtverhältnisse (re)produziert werden.*

Abstract

In light of the growing backlash against the hard-won progress in gender and sexual equality, the thesis examines how so-called 'anti-gender' actors engage in representative claim-making within institutionalised settings. Informed by constructivist approaches to political representation, the research question asks how anti-gender actors construct rival representatives and claimed constituencies, and what insights their claims-making practices provide regarding how representation is invoked and contested in practice. To answer the research question, the thesis conducted an in-depth qualitative study of anti-gender actors' submissions to the public consultation on Gender Recognition reform in Scotland (2019-2020). Methodologically, the thesis combined Representative Claims Analysis (de Wilde, 2013) with Thematic Analysis (Clarke & Braun, 2006). The empirical material consists of 20 submissions by 17 gender-critical organisations to the Scottish Government's consultation on Gender Recognition Reform, selected through criterion-based sampling. Overall, the findings of the empirical analysis point to the strategic importance of representative claims-making as a practice through which political actors may legitimate their exclusionary political agenda. Concerning the construction of anti-gender actors' rival representatives, the findings demonstrate the Scottish Government is consistently constructed as a misinformed and biased actor, whereas pro-reform advocacy groups are depicted as ideologically driven and deceptive. Furthermore, the analysis reveals that gender-critical organisations portray women as a vulnerable constituency requiring legal safeguards for protection from male violence, they frame the Gender Recognition Reform (Scotland) Bill as a threat to women's 'sex-based' rights. Ultimately, the findings provide an empirical illustration of three key contentions of constructivist accounts of representation. Firstly, political actors constitute individuals as political subjects by defining who is included in the constituency and who is not. Secondly, audiences are never merely passive recipients of representative claims. Finally, political representation should be understood as an 'acting out of power relations'.

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1 Introduction

1.1 The Research Problem: A Brief Overview

Political representation is central to the functioning and quality of modern democracies (Disch, 2021; Wolkenstein & Wrátil, 2021). It is the main practice through which citizens can wield influence over political decision-making (Wolkenstein & Wrátil, 2025). Given the significance of this process for democratic politics, its study has become a major field of research in political science. Yet, despite extensive scholarly attention, there is little agreement on how political representation should be defined and what it exactly does (De Mulder, 2023; Wolkenstein, 2024).

One of the most straightforward accounts is provided by Hanna Pitkin (1967), who defines representation as “the making present in some sense of something which is nevertheless not present literally or in fact” (Pitkin, 1967, pp. 8–9). In its most basic form, then, political representation can be understood as a process in which political actors speak or act on behalf of others (Dovi, 2006; Powell, 2004). Accordingly, political representatives play a crucial role in democratic politics. By making groups and their interests present in the political debate, they define who and what is deserving of representation (De Mulder et al., 2025).

In practice, however, this process is inevitably partial and selective. Since citizens often hold diverse and potentially contradictory interests, representatives must decide which interests, perspectives, and identities they want to prioritise (Saward, 2006). Crucially, by systematically including certain groups in political debates while stigmatising others, representatives shape how groups and their interests are viewed upon by citizens and policy-makers (De Mulder et al., 2025; Severs, 2012). In doing so, they may contribute to “shaping and replicating privileged and marginalized positions” (Lombardo & Meier, 2019, p. 236). Depending on their status, representative therefore have the capacity to profoundly shape the democratic process and, more specifically, the lives of the represented (Severs, 2020).

Notably, the stakes of whether and how their interests are represented are particularly high for marginalised citizens such as women or LGBTQ+ individuals, as they tend to lack direct access to political institutions and are thus often defined through the framing by others (Celis & Lovenduski, 2018; Schotel & Mügge, 2024; Severs et al., 2016). Thus, it is imperative for research to inquire how representatives influence the political representation of marginalised communities, “which constructions of identity are mobilized, [and] what power imbalances underlie them” (Schotel & Mügge, 2024, p. 809).

Addressing these questions is particularly urgent in light of recent research documenting the rise in serious challenges to modern democracies, and to gender and sexual equality in particular (Butler, 2024; Reinhardt et al., 2024; Verloo & Paternotte, 2018). Although backlash against feminist and queer politics is not an unprecedented phenomenon, scholars increasingly

warn about a growing wave of 'anti-gender' mobilisations seeking to push back against the hard-won progress in gender and sexual equality across the globe (Paternotte, 2023). Analysing this phenomenon from various perspectives, scholars have established an impressive body of knowledge on anti-gender politics (Svatoňová, 2025). Most importantly, prior studies indicate that anti-gender actors claim to represent the authentic interests and values of 'the majority' (Sosa, 2021) in order to lend their exclusionary politics a "veneer of democratic legitimacy" (Amery & Mondon, 2024, p. 11).

Despite this critical insight, significant knowledge gaps remain. Although scholars acknowledge that anti-gender actors seek to construct new collective subjects to mobilise political support (e.g. Mad'arová and Hardoš, 2022; Smrdelj, 2025), these empirical analyses are rarely developed in dialogue with theories of political representation. In fact, they are often, at most, situated within a Laclauian account of populism (I. Băluță & Tufiş, 2024; Mad'arová & Hardoš, 2022). This omission is particularly noteworthy, as anti-gender mobilisations increasingly collide with electoral politics (Mackay, 2025; McDonald, 2024).

1.2 The Present Study

To address this gap in the literature, the thesis intends to examine how anti-gender actors engage in representative claim-making within institutionalised settings. Concretely, the thesis focuses on the identification and explanations of the selective portrayals of both the represented and the representative contained in anti-gender actors' representative claims, as well as the prevailing contextual frameworks they draw on to construct them. The research question therefore reads as follows:

How do anti-gender actors construct rival representatives and claimed constituencies, and what insights do their claims-making practices provide regarding how representation is invoked and contested in practice?

To answer this question, conducts an in-depth qualitative study of anti-gender actors' submissions to the public consultation on Gender Recognition reform in Scotland (2019-2020). The thesis considers this case to be particularly well-suited for the empirical analysis. Specifically, the relevance of the findings extends beyond the immediate empirical context for two reasons.

Firstly, prior scholarship has shown that the United Kingdom has emerged as the "home to one of the most coordinated and well-known anti-gender mobilizations in the world" (GATE, 2022, p. 22). As the British case is characterised by anti-gender coalitions between traditionalist and gender-critical feminists (Armitage, 2020; McLean & Stretesky, 2025), it reflects the 'constitutive diversity' of anti-gender politics (Paternotte, 2023). Furthermore, existing studies suggest that anti-gender actors' rhetoric during the public consultations on Gender Recognition Act reform across the UK shares substantial overlaps with the strategic discourse they have

employed in subsequent political debates (GATE, 2022; Lamble, 2024; Montiel-McCann, 2023; Turnbull-Dugarte & McMillan, 2023).

Secondly, public consultations constitute a particularly valuable case for the analysis of claims-making practices within institutionalised settings. Fundamentally, governments use public consultations to include citizens, advocacy organisations and other private or public actors in the policy-making process (Bunea & Nørbech, 2025; Rasmussen, 2015). Thus, they provide non-electoral representatives with a direct opportunity to present their own conceptualisations of relevant constituencies and their interests. Adding to the relevance of the case, the Scottish Government explicitly invited respondents to comment on the potential impacts of reform on different social groups (Fairbairn et al., 2022; Government, 2019). Hence, the consultation responses and related submissions could offer valuable insight into the claims-making practices of contemporary anti-gender mobilisation.

1.3 Structure of the Thesis

In order to answer the research question as comprehensively as possible, the structure of the thesis is as follows: Chapter 2 establishes the theoretical framework. Specifically, it presents different conceptualisation of political representation (Section 2.1), introduces Saward's (2010) approach of "Representative Claims-Making" (Section 2.2), and examines the relationship between political representation and political power (Section 2.3)

Following this, Chapter 3 situates the thesis topic within the broader literature on anti-gender politics and gender-critical feminism. In particular, it provides an overview of anti-gender politics and their aims (Section 3.1), highlights the key actors involved in anti-gender campaigns (3.2), and discusses prior research on anti-gender actors' claims-making practices (Section 3.3).

Next, Chapter 4 contextualises the case study. To do so, it outlines recent policy developments concerning transgender rights in Europe (Section 4.1), the origin and provisions of the 2004 Gender Recognition Act (Section 4.2), the review process and provisions of the Gender Recognition Reform (Scotland) Bill (Section 4.3), and the role of anti-gender mobilisations in this policy debate (Section 4.4).

Subsequently, Chapter 5 present the methodological approach, including the data collection and selection process (Section 5.1) and the analytical approach (Section 5.2).

Thereafter, Chapter 6 discusses the results of the empirical analysis. First, a brief overview of the stances taken by gender-critical organisations in their submissions to the public consultation will be presented (Section 6.1). Following this, the findings concerning anti-gender actors' constructions of their rival representatives (Section 6.2) and the principal claimed constituency (Section 6.3) will be provided. Lastly, the Chapter 7 summarises the thesis project and discusses what insights the analysis reveals regarding how representation is invoked and contested in

practice.

2 Theoretical Approach: Political Representation

Although democratic theorists overwhelmingly agree that processes of political representation are central to the functioning and quality of modern democracies, what exactly political representation is and what it does continues to be contested in scholarly debates (Brown, 2020; Disch, 2021; Wolkenstein & Wrátil, 2025).

In this chapter, the theoretical framework will be developed. First, Section 2.1 presents different conceptualisation of political representation, highlighting how the concept has evolved over time. In Section 2.2, Saward's (2010) approach of "Representative Claims-Making", which serves as the theoretical framework of the thesis, will be explicated. Following this, Section 2.3 will examine the relationship between political representation and political power.

2.1 What is Political Representation?

Hanna Pitkin's (1967) seminal work *The Concept of Representation* is perhaps the most influential contemporary conceptualisation of political representation. To this day, political theorists continue to develop their own positions by and against Pitkin's framework. Similarly, empirical researchers continue to employ this framework as an analytical lens through which to structure their research (Brito Vieira, 2017; Mansbridge, 2003; Rehfeld, 2009; Russo & Cotta, 2020).

According to Pitkin, representation is a rather paradoxical concept, referring to "the making present in *some sense* of something which is nevertheless not present literally or in fact" (Pitkin, 1967, pp. 8–9). Offering a comprehensive and nuanced analysis, Pitkin differentiates between four types of representation: (1) *Formalistic representation* focuses on how elected officials become authorised to act for constituencies and how they can be held to account; (2) *Descriptive representation* is concerned with the extent to which the assembly 'mirrors' the politically significant characteristics of the community; (3) *Symbolic representation* captures the affective dimension of representative relationship by highlighting the importance of (non-)human symbols; and (4) *Substantive representation* focuses on the degree of congruence between representatives and the represented regarding their positions (Celis & Mazur, 2012; Pitkin, 1967; Russo & Cotta, 2020; von Blumenthal & Scharch, 2016).

Importantly, Pitkin (1967) contends that the first three types cannot sufficiently capture the concept of representation by themselves. Hence, she argues that representation is best understood as a 'substantive acting for others' (Saward, 2006, 2010). From this perspective, political actors only count as democratic representatives insofar as they act "in the interest of the represented, in a manner responsive to them" (Pitkin, 1967, p. 209). Notably, this conceptualisation of political representation presupposes that the "represented must be somehow logically prior" to

acts of representation (Pitkin, 1967, p. 140). In other words, constituencies are conceptualised as pre-given entities with largely stable interests, which representatives can identify and reflect (Disch, 2011; Saward, 2010; Zicman De Barros, 2021). Ultimately, Pitkin's work inspired subsequent scholars to focus on evaluating the quality of representation by assessing whether representatives are responsive to citizens' preferences or act in their best interest (De Mulder, 2023; Disch, 2011; Russo & Cotta, 2020).

Although Pitkin's (1967) framework is often referred to as the 'standard account' of political representation, it has not remained uncontested. As the literature developed, new approaches emerged (especially by Mansbridge, 2003; Rehfeld, 2006, 2009; Saward, 2010). Importantly, these innovative approaches questioned the assumptions inherent in Pitkin's account and highlighted "multiple important dimensions of representation that were hitherto neglected" (Wolkenstein & Wrátil, 2021, p. 862).

The first alternative account of political representation that is important in this context originates from Jane Mansbridge (2003). Distinguishing between four ideal-types, her work demonstrates that Pitkin's definition is "a conception of representation rather than a concept" (Disch, 2021, p. 40). While Mansbridge (2003) offers a detailed discussion of her approach to political representation, the four ideal-types can be summarised as follows: Whereas *promissory representation* describes a principal-agent model in which the represented evaluate whether representatives kept the promises made in the authorising election, *anticipatory representation* presumes that representative's actions are based on their beliefs about the future preferences of the voter (Mansbridge, 2003; Wolkenstein & Wrátil, 2021). In contrast, *gyroscopic representation* involves highly autonomous actors who are guided by internally determined preferences (Mansbridge, 2003; Saward, 2010). Lastly, the concept of *surrogate representation* most clearly deviates from the standard account, as it refers to "representation by a representative with whom one has no electoral relationship—that is, a representative in another district" (Mansbridge, 2003, p. 522). Furthermore, Mansbridge (2003) reassesses the normative standards by which democratic representation should be evaluated. To account for the alternative forms of representation that she proposes, she posits that the quality of democratic representation should be assessed on a more "system-wide basis that takes into account complex modes of communication and deliberation involving representatives, constituents, and other mediators" (Saward, 2010, p. 23).

A second prominent effort to rethink the standard account can be found in Rehfeld's (2006, 2009) non-normative approach to political representation. Rehfeld (2006) reconceptualises representation in general terms, thereby disentangling representation from underlying norms of democratic legitimacy. His framework defines political representation as the outcome of "an audience's judgment that some individual, rather than some other, stands in for a group in order to perform a specific function" (Rehfeld, 2006, p. 1). To identify a representative,

audiences rely on a specific set of rules which “specify a Selection Agent who uses a Decision Rule to select a representative from a Qualified Set” (Rehfeld, 2006, p. 5). Importantly, Rehfeld (2006) argues that the decision rules are context-dependent and can take various forms. Hence, representatives can be chosen by vote but they can also be chosen by non-electoral methods such as self-appointment and random selection. Crucially, the flexibility of this approach opens up space to theorise the dynamics of non-electoral or non-democratic forms of representation (Russo & Cotta, 2020; Saward, 2010).

However, the most important theoretical innovations in representation theory are the so-called ‘constructivist’ approaches to political representation that have emerged in recent years (e.g. Disch, 2021; Hayat, 2019; Mansbridge, 2018; Saward, 2010; Urbinati, 2018). At their core, constructivist approaches insist that the standard account and its subsequent expansions (e.g. Mansbridge, 2003; Rehfeld, 2006) are profoundly misconceived (Devenney, 2019; Disch, 2019; Thomassen, 2019). In particular, these scholars criticise that the standard account neglects to account for the constitutive dimension of political representation by treating constituencies as pre-given entities with largely stable interests that can easily be identified (Disch, 2015; Saward, 2010). From a constructivist perspective, this assumption simply does not hold. In the real world, representatives do not merely reflect the pre-given interests of citizens. Rather, they actively construct the identity, interests, and preferences of the represented (De Mulder, 2023; Disch, 2015; Fossen, 2019). In other words, constructivist scholars point out that representatives constitute the represented as democratic political subjects by putting forward their own interpretation of a constituency’s identity and interests (Lombardo & Meier, 2019; Murray, 2025). As these portrayals are inherently partial and therefore open to contestation, a claim of representation should be understood as a ‘proposition’ (Hayat, 2019) that would-be representatives put forward in hopes of establishing a representative relationship with citizens. According to constructivists, whether actors succeed in establishing such relationships depends on whether (some) citizens accept these offers (Wolkenstein & Wrátil, 2025). Consequently, these approaches contend that political representation is best understood as a two-way relationship that is established during an ongoing and contingent process of “making and receiving, accepting and rejecting claims – in, between, and outside electoral cycles” (Saward, 2010, p. 36). Notably, rethinking political representation in these terms highlights that constituencies are provisional outcomes of ongoing political struggles between competing actors (Celis, 2013; Disch, 2011).

Therefore, constructivist approaches make clear that the standard account has left an essential aspect of political representation underexplored because it neglects to account for the ways in which representatives actively (re)shape the boundaries of citizens’ identities and interests (Saward, 2010; Wolkenstein & Wrátil, 2021, 2025). By addressing this limitation, they enable scholars to pay closer attention to questions of how representation is invoked, contested and validated. As such, constructivist theories of political representation open up a vast research agenda concerning what representation exactly entails, where it takes place, and how it effects

the quality of democracy (John, 2025; Saward, 2018; Wolkenstein & Wratil, 2021, 2025).

2.2 Representative Claims-Making: The Theoretical Framework

Foregrounding the performative and creative aspects of representation, constructivist approaches have demonstrated that representation is a complex process that contributes to the construction of the identity, interests, and preferences of the represented (Disch, 2015; Fossen, 2019). Pioneering this new paradigm, Michael Saward's (2010) theory of "Representative Claims-Making" has become one of its most influential accounts (Joschko & Glaser, 2019; Judge, 2013). According to Saward (2010), representation is best understood as a dynamic and elusive process that is "crucial to the very constitution of politics" (Saward, 2010, p. 1).

As part of this process, political actors put forward claims of representation that contain selective portrayals of both the represented and the representative. This is an unavoidable precondition for acting as a representative since members of a constituency often have diverse, potentially contradictory interests. For example, research has shown that "different groups of women live different lives, gain different perspectives and do, indeed, tend to hold different political ideas and opinions" (Harder, 2023, p. 380). Given this diversity, would-be representatives must inevitably prioritise a limited set of these interests when claiming to represent (or at least know what represents) the would-be constituency. Furthermore, would-be representatives must also make claims about themselves and their connection to the constituency in order to convince others that they are the "best representatives of the constituency *so understood*" (Saward, 2006, p. 302). For instance, actors may emphasise that they are linked to the constituency "by virtue of descriptive similarity" (Saward, 2010, p. 73). Alternatively, they could also claim authority through their willingness and capacity to act upon its substantive concerns.

Moreover, Saward (2010) not only captures key premises of the constructivist turn but also translates its abstract insights into an analytical framework suitable for empirical research. Specifically, his framework provides a structured basis by mapping out the general structure of representative claims (De Wilde, 2020; Guasti & Geissel, 2021). Essentially, representative claims consist of five interconnected elements: they contain a **claim-maker (M)**, who puts forward a **subject (S)** which stands for an **object (O)** which is related to a **referent (R)** and is offered to an **audience (A)** (Saward, 2006). For example, a political party (M) may offer itself (S) as standing for the interests of women (O) to the electorate (A).

More concretely, the term 'claim-maker' describes actors who put forward representative claims about "themselves as subjects and their constituents as objects" (Saward, 2010, p. 47). It should be noted that a broad range of agents could count as claim-makers, as Saward argues that political representation is not restricted to electoral, or even democratic, politics (Judge, 2013; Saward, 2009). Similarly, who or what can constitute a subject or an object is rather flexible. While claim-makers typically position themselves as the subject of a claim, they may also depict

others in this role (Guasti & Almeida, 2019; Saward, 2010). Likewise, Saward's framework acknowledges that political actors sometimes claim to represent "relevant cultural characteristics belonging to a certain number of people, or even ideational constructs people identify with, like the proletariat or the nation" (Stom, 2024, pp. 3–4). Hence, the object of a claim could be a human constituency, but it may also be an abstract normative scheme such as justice or freedom (Guasti & Geissel, 2019a, 2021). The distinction between objects and referents is an important element of this framework. Specifically, Saward posits that the referent "expresses the sheer materiality of people and things", whereas the object describes "the constructions of meaning that different actors, perspectives and claims may place upon them" (Schaap, 2012, pp. 125–126). By differentiating between the two categories, Saward affirms that social groups exist prior to their constitution as political subjects, thereby drawing a line between material reality and constructed representations (Fossen, 2019; Saward, 2010; Schaap, 2012; for an alternative conceptualisation of the referent, see Thomassen, 2019).

Lastly, the audience constitutes a central element of Saward's theory of representation. Since representative relationships depend on citizen's evaluation of claims, representative claims "can only work, or even exist, if audiences acknowledge them in some way" (Saward, 2010, p. 48). While claim-makers may intend to address a specific constituency, they cannot entirely control who receives their claims: audiences may overlap with the intended constituency but they can also extend beyond it (Saward, 2010; Volk, 2020). Notably, this distinction between audience and constituency is important due to its implications for democratic legitimacy. According to Saward (2010), audiences and constituencies have different roles in the process of political representation: Whereas audiences decide whether a claim becomes successful, only the constituency can legitimate a representative claim (Saward, 2008, 2018). He cautions, however, that such acceptance is always provisional due to the dynamic and contingent nature of representation (Saward, 2010). Therefore, in line with other constructivist accounts, Saward (2010) conceives of democratic legitimacy in interactional terms (Disch, 2011; Hayat, 2019).

In sum, the thesis considers the innovative approach by Saward (2010) as the foundation of its theoretical framework. In contrast to the standard account, constructivist approaches have demonstrated that political representatives contribute to the construction of the identity, interests, and preferences of the represented by making representative claims (Disch, 2015; Fossen, 2019). Moreover, these approaches have highlighted that constituencies are rarely homogenous. This means that would-be representatives always have to constantly make choices about which interests, perspectives, and identities they want to foreground and which ones they want to marginalise. At the same time, the success of representative claims depends on whether they resonate with broader audiences. Taking these two aspects into consideration raises important questions concerning which identities, experiences, and interests are systematically incorporated into (or excluded from) constructions of a constituency, and why some representative claims are more readily accepted as legitimate than others. Ultimately, these questions point to the

importance of analysing the relationship between political representation and power.

2.3 Who Gets Represented? A Question of Political Power

By focusing on the constitutive dimension of political representation, constructivist approaches can provide scholars with a strong theoretical framework to gather insights into how power relationships are established and exploited through representation (Saward, 2006). Directing their attention towards questions of political power, constructivist scholars tend to treat representation as a process “in which intersectional powers are performed and positions of privilege and disadvantage are constituted” (Severs et al., 2016, p. 351). In other words, they contend that political representation involves continuous power struggles over who has the authority to define the boundaries of constituencies (Celis & Lovenduski, 2018; Disch, 2021; Lombardo & Meier, 2019; Saward, 2010). During these struggles, political representatives aim to reconfigure the meaning and salience of identities, preferences and interests by constructing their own account of the represented. If successful, this allows them to redefine which issues and perspectives count as politically relevant (Bagg, 2024; De Mulder et al., 2025; Saward, 2010). However, as Saward (2006) points out, political actors do not necessarily make compelling representative claims, as the portrayals of themselves and the represented that are bound up in these claims may fail to resonate with would-be constituents. Naturally, this raises the question why some claims are readily accepted while others are not (Saward, 2010; Squires, 2008).

Addressing this question, Saward (2006) argues that the success of representative claims depends on the cultural context in which they are made. To be compelling, they must “iterate features of political culture to cross a threshold of potential acceptability” (Saward, 2010, p. 46). This is evident, for example, in the differing constraints that electoral and non-electoral actors are faced with: Elected claim-makers are typically better positioned to make convincing claims than non-elected actors, because the structure of elected representation builds on the notion that there must be “some specific, definable constituency interests [...] which require formal representation” (Severs, 2010, p. 415). Hence, the uptake of representative claims depends on the discursive opportunity structures of a given setting, with audiences being more likely to perceive a claim as relevant and compelling when its style, timing, and content resonate with prevailing cultural and social repertoires (Saward, 2010; Severs, 2010; Squires, 2008).

Yet, such repertoires are not neutral resources, since they are themselves structured by unequal power relations within and between social groups (Devenney, 2019; Disch, 2019; Murray, 2025; Severs et al., 2016). This has two important implications for representative claims-making. First, prevailing cultural and social repertoires shape who is recognised as a plausible claim-maker in the first place, thereby affecting which claims are likely to gain traction. Second, they influence would-be representatives’ portrayals of constituencies and interests. Consequently, these portrayals often reproduce dominant frameworks relating to gender, race, sexuality, and

class (Brown, 2020; Devenney, 2019; Severs et al., 2016). Hence, representative claims can contribute to the exclusion of marginalised groups and the dismissal of their concerns (Lombardo & Meier, 2019). These dynamics are well documented in the literature on women's representation (e.g. Celis, 2013; Celis et al., 2014; Celis and Childs, 2018, which shows that political representatives frequently privilege the interests of white, highly educated, working women over the policy concerns of marginalised women. Additionally, it should be noted that these patterns of inclusion and exclusion also influence the conditions under which future representative claims are made. Specifically, they shape the social and cultural repertoires available to would-be representatives, making some accounts of women's interests more compelling than others. As a result, actors who articulate alternative conceptions of women's interests may struggle to be accepted as credible representatives, as their claims deviate from dominant discourses about the constituency (Celis & Lovenduski, 2018; Hindman, 2011; Saward, 2010). Thus, representative claims produce, position, and potentially silence political subjects by rendering some identities and interests visible while obscuring others (Brown, 2020; Lombardo & Meier, 2019; Severs, 2010, 2020; Spivak, 1988; Squires, 2008). Accordingly, political representation should be understood as an "acting out of power relations" (Saward, 2008, p. 1009).

At the same time, however, power relations are never completely stable, as the "exertion of power invariably also produces possibilities for resistance" (Severs et al., 2016, pp. 350–351). Consequently, dominant social and cultural repertoires do not fully determine which claims are politically feasible. Rather, they "provide for a delimited but shifting set of exploitable meanings" (Saward, 2006, p. 312), leaving room for representative claims to be contested by audiences and competing political actors (Severs et al., 2016). An example of this indetermination can be found in Severs et al.'s (2013) study of headscarf bans in the Flemish region of Belgium. While representative claims advanced by right-wing and liberal parties marginalised Muslim women's perspectives, their claims simultaneously mobilised Muslim women to formulate counter-claims and intervene in policy debates. Although these counter-claims did not alter the outcome of the policy process, they challenged other actors' ability to present themselves as the sole representatives of Muslim women's interests (Severs et al., 2013, 2016). These findings highlight that representative claims can simultaneously reproduce and contest existing power relations, even if the extent to which claim-makers can challenge exclusionary representations remains constrained by prevailing systems of exclusion (Devenney, 2019).

Based on these insights, it becomes clear that political representatives and their depictions of constituencies can profoundly shape the lives of the represented. After all, individuals "cannot simply opt out of, or escape, the consequences of being depicted in a particular way" (Severs, 2020, p. 62). By influencing which identities, interests, and demands are recognised as politically legitimate, representative claims can reinforce existing patterns of inequality while limiting the visibility of marginalised groups (Celis & Lovenduski, 2018; Lombardo & Meier, 2019). This is particularly evident in cases where dominant political narratives portray certain

groups as inauthentic or undeserving of having their political demands met (Hindman, 2011; Schotel & Mügge, 2024). Additionally, these dynamics extend beyond individual groups and have system-wide implications for democratic politics. As democracy is commonly understood as the activity of challenging dominant hierarchies and enacting political equality (Devenney, 2019), a political system can only be considered democratic insofar as citizens are able to address democratic institutions in order to claim rights (Hayat, 2019). Political representatives can contribute to this democratic process by articulating representative claims that “activate political subjects as objects and audiences [...] and by doing so accord them agency” (Hayat, 2019, p. 136). However, they may also undermine the democratic norms by constructing exclusionary portrayals of social groups, depicting some constituencies as undeserving of representation (Brown, 2020).

In sum, constructivist scholarship demonstrates the importance of analysing the relationship between political representation and power. It shows that would-be representatives rely on prevailing contextual frameworks to construct constituencies and, consequently, often reproduce dominant frameworks relating to gender, race, sexuality, and class (Saward, 2006; Severs et al., 2016). This is consequential, as representative claims can shape whether citizens’ concerns are recognised as legitimate and which policy options are considered to reflect their interests (Severs, 2012). Thus, the thesis emphasises the importance of analysing would-be representatives’ referential strategies. By investigating how representatives define political problems, which solutions they (do not) consider, and whose perspectives they (do not) listen to, it becomes possible to gather important insights into intersectional inequalities are reproduced and exploited through processes of representation (Saward, 2006; Severs et al., 2016).

3 Literature Review: Anti-Gender Politics

This chapter situates the thesis topic within the broader literature on anti-gender politics and gender-critical feminism. First, Section 3.1 provides an overview of the previous literature on anti-gender politics and their political aims. Following this, Section 3.2 focuses on the political actors who participate in anti-gender campaigns. Lastly, Section 3.3 highlights the centrality of representative claims for anti-gender politics.

3.1 What are Anti-Gender Politics?

Scholars increasingly warn about a growing wave of conservative activism that seeks to challenge the hard-won progress in gender and sexual equality across the globe (Paternotte, 2023). While backlash against feminist and queer politics is not an unprecedented phenomenon, recent conservative mobilisations differ from their predecessors. They are characterised by a “modernization and targeting of frames and strategies, a generational shift, and increased transnational activism and policy making” (Norocel & Paternotte, 2023, p. 124). In light of these

developments, the literature increasingly refers to these campaigns as 'anti-gender politics' in order to capture their normative position (Paternotte, 2023; Siročić, 2025).

At the core of anti-gender mobilisations lies a shared critique of the concept of 'gender ideology', which they view as the "intellectual matrix of the ethical, legal and policy claims they fiercely oppose" (Corrêa et al., 2023, p. 484). To combat this 'ideology', anti-gender mobilisations seek to reinforce an essentialist view of gender and sexuality as naturally binary, unquestionable, and hierarchically structured (Butler, 2024; Korolczuk et al., 2025; Morán Faúndes, 2019). Notably, the concrete definition of 'gender ideology' is highly flexible. Anything that lies outside the boundaries of cis-heteronormativity may be integrated into the discursive structure (Borba, 2022; Kuhar & Paternotte, 2017). Hence, scholars have described the term as an "empty signifier" (Mayer & Sauer, 2017), a "symbolic glue" (Grzebalska & Pető, 2018), and a "catchall phantasm" that incites and exploits fears and anxieties (Butler, 2024).

Moreover, anti-gender campaigns are marked by significant variations in their policy focus. Overall, they tend to concentrate on five issue areas: (1) women's rights and reproductive rights; (2) LGBTQ+ rights; (3) gender and sexual education in school; (4) gender itself, particularly in relation to gender violence, gender mainstreaming, and gender studies; and (5) hate speech and discriminations laws (Corrêa et al., 2023; Paternotte & Kuhar, 2018; Rebollo-Bueno, 2024; Verloo & Van Der Vleuten, 2020). However, the specific targets of local campaigns depend on involved actors, cultural specificities, and political opportunity structures (Corrêa et al., 2023; Paternotte, 2023; Reinhardt et al., 2024). This means that anti-gender campaigns can be "different things at the same time, in the same or in a different location" (Paternotte, 2023, p. 95). For instance, anti-gender campaigns have centred around the opposition of same-sex marriage in France (Paternotte and Kuhar, 2018) and the rejection of gender mainstreaming in Austria (En et al., 2017; Mayer & Sauer, 2017), whereas political actors in Hungary have been primarily concerned with opposing academic gender studies programs (Ergas et al., 2022).

It should be noted, however, that recent scholarship has identified a shift in emphasis within anti-gender mobilisation. While reproductive rights were historically the main focus of anti-gender campaigns (Paternotte & Kuhar, 2018; Verlooy, 2024), they increasingly target transgender rights (Karlberg et al., 2025; Sältenberg et al., 2025; Stein, 2023). For instance, anti-gender actors in Germany have rallied against the introduction of a new legal framework for gender recognition, claiming that such policies are based on 'gender ideology' (Zahn & Lünenborg, 2024). Similarly, the contestations of transgender rights pertaining to legal gender recognition and gender-affirming care are at the heart of both electoral and non-electoral anti-gender mobilisations in the United Kingdom (Hines, 2025; Mackay, 2025). This shift aligns with the growing visibility of trans citizens and their policy demands in recent years (D. Haider-Markel et al., 2019). Additionally, it also reflects the broader aims of anti-gender actors, as trans issues "challenge the binary sex categories and the social and political allocation

of people to these categories” (Verloo & Van Der Vleuten, 2020, p. 223).

Furthermore, the growing body of literature has produced two main readings of anti-gender politics. The first strand emphasises the reactive nature of anti-gender mobilisation, commonly describing them as patriarchal backlash (Edström et al., 2024; Faludi, 2006) or counter-movement (Corredor, 2019; Ojeda et al., 2024). From this perspective, anti-gender mobilisations constitute a new mechanism through which political actors seek to prevent policy developments that align with feminist and queer demands for equality (Corredor, 2019). Thus, this reading highlights the continuities between anti-gender mobilisations and earlier with earlier forms of anti-feminist mobilisation (Edström et al., 2024). In particular, it draws attention to anti-gender actors’ role in (re)consolidating a hierarchical, predominantly White, cis-heteronormative patriarchal order (Korolczuk et al., 2025). For instance, scholars have demonstrated that anti-gender actors amplify cultural and economic grievances, including experiences of status loss and socio-economic insecurity, and encourage citizens to translate their anxieties into resentments towards political elites and marginalised communities (Gest et al., 2018; Green & Shorrocks, 2023; A. Sharpe, 2024).

However, the notion of anti-gender politics as ‘backlash’ has been widely questioned in recent times. Essentially, critics raise concerns that “this analysis infers a backward movement/retranchment from earlier patterns/stages and achievements regarding gender+ equality policies and issues” (Meret & Scrinzi, 2024, p. 415). For example, Paternotte (2023, p. 83) and Corrêa et al. (2023, p. 491) argue that this approach to anti-gender campaigns rests on a “rather mechanical understanding of history”, presuming that feminist and LGBTQ+ politics automatically threaten privileges. As a result of this overemphasis of the reactive nature of this phenomenon, scholars are led to mistakenly overlook instances of pre-emptive conservative attacks. Further expanding on this critique, Ojeda et al. (2024) posit that the backlash framework is particularly limited when it comes to anti-gender mobilisations in the Global South, where campaigns cannot be reduced to a backlash against Western forms of feminist and queer politics. Additionally, scholars have also cautioned that this perspective underestimates the role of anti-gender politics in broader nationalist and authoritarian projects (Paternotte, 2023).

In contrast, the second strand emphasises the productive dimension of anti-gender campaigns (Paternotte, 2023). According to this literature, anti-gender mobilisations constitute an epistemic project which favours “certainty over inquiry or reflection, and conflict over deliberation” (Verloo, 2018, p. 24). Thus, this reading highlights how anti-gender actors actively seek to delegitimise feminist gender knowledge through the production of alternative knowledge (O. Băluță, 2024; Segers, 2024). Specifically, researchers have demonstrated that anti-gender actors attempt to contest feminist interpretations of the concept of gender by promoting “essentialized notions of binary gender” (Stein, 2023, p. 1344). Building on these insights, scholars warn that anti-gender

mobilisations threaten the future of democracy itself (Grzebalska & Pető, 2018; Korolczuk & Graff, 2018; Paternotte & Verloo, 2021). By attempting to transform the meaning of key political concepts (e.g. gender, sexuality, women, transgender, family, nation, and democracy), these actors participate in a broader project that aims to redefine democratic theory (Bassi & LaFleur, 2022).

Illustrating the transformative potential of anti-gender politics, research by Grzebalska & Pető (2018) and Mad'arová & Hardoš (2022) shows how anti-gender narratives have been instrumental in large-scale illiberal transformations in Central and Eastern Europe. In both countries, political actors have relied on the concept of 'gender ideology' to frame various gender and sexual equality policies as existential threats to traditional values, the nation, and citizens. Similarly, Karlberg et al. (2025) demonstrate how anti-gender politics can function as a 'mechanism of de-democratisation' in more gender-equal countries by exacerbating the "discrimination, silencing, and intimidation of already marginalized groups" (Karlberg et al., 2025, p. 1). These processes of de-democratisation have been accompanied by the articulation of new conceptualisations of constituencies and their interests. For example, Mad'arová & Hardoš (2022) show how Slovakia's illiberal transformation has been enabled by the construction of a new political subject, namely the 'conservative people', whose interests anti-gender actors claim to represent. Notably, these constructions tend to be based on alternative visions of "how power hierarchies within society and the state should work" (Karlberg et al., 2025, p. 1).

3.2 Anti-Gender Coalitions: Cooperations with Gender-Critical Feminism

The 'constitutive diversity' (Paternotte, 2023) of anti-gender mobilisations is reflected in the broad constellation of actors involved in anti-gender politics (Norocel & Paternotte, 2023; Reinhardt et al., 2024). Although these mobilisations originated as a Catholic project against efforts to embed 'gender' and gender equality into the UN rights system (Caiani & Tranfić, 2024; Gusmeroli, 2024), they have since evolved into heterogeneous coalitions that bring together actors from diverse political traditions (Hennig, 2018; Hines, 2025; Libby, 2022). A key turning point in this transformation were the French *Manif pour Tous* protests against same-sex marriage (Paternotte, 2023). These protests expanded the reach of anti-gender politics by drawing in conservatives and far-right actors and serving as the inspiration for similar campaigns across the world (Dietze & Roth, 2020; Schmincke, 2020).

Over time, anti-gender discourses have also been adopted into the programmes of political parties, allowing these actors to differentiate themselves from their competition and diversify their discourse (Corrêa et al., 2023; Gunnarsson Payne & Tornhill, 2023; Sauer, 2024; Villa, 2017). More recently, so-called 'gender-critical' feminists have joined forces with right-wing actors (Bassi & LaFleur, 2022; Zahn & Lünenborg, 2024). This convergence reflects a broader

shift in which gender-critical feminism has "moved beyond its inception within a strand of radical feminism to embed itself within a nexus of far-right mobilization across the UK, Europe and the US" (Hines, 2025, p. 2). Despite their ideological differences, this coalition is held together by a shared objective to prevent the expansion of trans rights. Notably, such alliances have been documented in several countries, including Germany (Zahn & Lünenborg, 2024), the United Kingdom (Hines, 2025), and the United States (Hines, 2020; Jakubowska, 2024).

Gender-critical feminists contribute to far-right anti-gender mobilisations in two ways. On the one hand, some gender-critical activists directly work with far-right anti-gender actors. For instance, the US-based organisation *Hands Across the Aisle Coalition* aims to bring feminist and conservative Christian organisations together to oppose 'gender identity ideology'. As such, the organisation has previously worked with various anti-trans organisations including the Heritage Foundation (influential conservative think tank in the United States), Transgender Trend (a gender-critical pressure group in the United Kingdom), and the LGB Alliance (Hines, 2020, 2025). On the other hand, gender-critical feminists have provided far-right anti-gender campaigns with new, feminist-sounding narratives to legitimise their exclusionary politics (Amery & Mondon, 2024; Hines, 2025; Libby, 2022). For these reasons, scholars have recently proposed that "gender-critical thinking be examined within the broader context of the rise of anti-gender movements across the globe" (Hines, 2025, p. 10).

3.3 Anti-Gender Politics and Political Representation

Prior research has investigated the strategies through which anti-gender actors advance their political agenda (Borba, 2022; Ergas et al., 2022; Siročić, 2025; Sosa, 2021). While this literature identifies a broad repertoire of commonly used tactics (e.g. demonstrations, petitions and referenda, interventions in education, lobbying, litigation, party politics, media appearance), there is a growing consensus that the "most successful strategy of anti-gender movements is, in fact, the language they are using for political mobilisation" (Sosa, 2021, p. 8). Given that representative claims-making can be understood as a mobilisation strategy (De Wilde, 2020), it is therefore crucial to analyse anti-gender actors' claims of representation. Although this perspective has rarely been explicitly applied in studies of anti-gender politics, existing studies indicate that anti-gender actors present themselves as representatives of various constituencies (Amery & Mondon, 2024; Mad'arová & Hardoš, 2022; Smrdelj, 2025).

Reviewing existing studies, it was identified that a populist critique of the processes of democratic representation lies at the core of anti-gender mobilisation. In fact, anti-gender actors frequently position themselves as the authentic voice of 'the people'. This constituency is framed as being excluded, silenced, and marginalised by a small elite seeking to institutionalise 'gender ideology' (Jenkins, 2025; Kuhar & Smrdelj, 2025; Sosa, 2021). For instance, the Austrian Freedom Party (FPÖ) frames gender mainstreaming as an elite project that intentionally obscures its aims

to denaturalise and destroy sexual difference, heterosexuality and families from ‘the people’ (En et al., 2017; Mayer & Sauer, 2017). Crucially, this construction of ‘the people’ draws on prevailing (conservative) ideas about “what ‘our’ men, women and families ought to look like, how they ought to behave, and which (sexual and gender) relationships are deemed acceptable” (Mayer et al., 2020, p. 105; see also Siim and Stoltz, 2024).

Aligning with the assumptions made by constructivist accounts of political representation, the prior scholarship further indicates that anti-gender actors construct new collective subjects despite claiming to be merely responsive to pre-existing popular demands and grievances (Amery & Mondon, 2024; Mad’arová & Hardoš, 2022). For example, Mad’arová & Hardoš (2022) show how the dismantling of equality policies in Slovakia was facilitated by a gradual discursive shift towards a new collective subject (‘the conservative people’) that is portrayed as demanding cultural recognition, material redistribution, and political representation. Through this construction, the term ‘conservative’ has gained new meaning in Slovakian discourse and unites different segments of the populations, some of which may not even adhere to traditionally conservative values. Importantly, this new political subject is shown to be “constructed around demands rather than around identity” (Mad’arová & Hardoš, 2022, p. 104), with ‘the people’ remaining a heterogenous group. Crucially, this construction has enabled these actors to mobilise diverse segments of the population, creating support for their political agenda.

Beyond their broad claims to represent ‘the people’, anti-gender actors frequently present themselves as the defenders of ‘the family’ (Wilkinson, 2021). Often, these representative claims depict (trans)gender equality as a threat to the very existence of the ‘natural’ family (Mayer et al., 2020; Sauer, 2025). To remedy this perceived threat, anti-gender actors seek to enhance the cultural recognition (e.g. rejection of non-heterosexual marriages) and economic position of families (e.g. changes in taxes). However, the family that they aim to protect is “solely a heterosexual, heteronormative unit consisting of a (married) mother, father, and children” (Ćeriman & Vučković Juroš, 2024, p. 662). Furthermore, existing research shows that anti-gender actors increasingly invoke two additional social groups, namely women and children.

Alongside the rising salience of transgender rights in contemporary politics (Stein, 2023), these claims are mainly employed to frame a broad policy initiatives that would “regulate and restrict trans lives” (Amery & Mondon, 2024, p. 13) as protective and universally beneficial. For instance, anti-gender actors frame gender-inclusive school resources (e.g. educational content about gender and trans identities) as outputs of ‘gender ideology’ which will inevitably normalise ‘harmful practices’ and results in the ‘indoctrination’ of children (Amery & Mondon, 2024; Mad’arová & Hardoš, 2022; Quinan, 2025). On this basis, they argue that ‘parental rights’ policies (which would restrict students’ ability to learn about feminist perspectives on gender and sexuality) are in children’s best interest, framing these policies as the only viable solution to protect children from harm (Quinan, 2025; Rebollo-Bueno, 2024). A similar logic underpins

their lobbying efforts against gender-affirming healthcare for trans youth (A. N. Sharpe, 2007; Stein, 2023). In this context, anti-gender actors claim to that children and adolescents are being misled by ‘transgender ideology’ and must be protected from making life-changing decision that they may come to regret later in life (Horton, 2024; Stein, 2023; Walters, 2024). Similarly, they frequently mobilise women-centred representative claims when lobbying for policies that would exclude trans people from public spaces altogether (Miller, 2024; Price, 2024)). To justify these aims, they claim that the exclusion of trans citizens is the only way to guarantee the safety of cis women and girls, drawing on a portrayal of trans women as sexual predators (who seek to invade women’s spaces for nefarious reasons) (Bassi & LaFleur, 2022; Clarke, 2024; Jones & Slater, 2020).

In sum, this literature points to the centrality of representative claims in anti-gender politics. Yet, existing studies rarely analyse these dynamics in connection with political representation research. Nevertheless, the reviewed studies provide important insights into how anti-gender actors frequently construct themselves as the legitimate representatives of a range of constituencies (Amery & Mondon, 2024; Maďarová & Hardoš, 2022; Smrdelj, 2025). Additionally, this literature indicates that representative claims play an important strategic role in legitimising exclusionary political agendas. By framing their positions as expressions of citizens’ interests, anti-gender actors may create a “veneer of democratic legitimacy” (Amery & Mondon, 2024, p. 11), allowing them to frame their exclusionary political agenda as democratically acceptable, inclusive, and oriented towards the common good. In turn, this could allow anti-gender actors to portray themselves as legitimate representatives in the field of gender and sexual politics (Amery & Mondon, 2024; Smrdelj, 2025; Sosa, 2021).

4 Case: Gender Recognition Act Reform in Scotland

In this chapter, the selected case study is contextualised in order to demonstrate the relevance of the public consultation on Gender Recognition Reform in Scotland for analysing the claims-making practices of anti-gender actors. First, Section 4.1 briefly outlines recent policy developments concerning transgender rights in Europe. In Section 4.2, the origin and provisions of the 2004 Gender Recognition Act are presented. Next, Section 4.3 contextualises the attempted Gender Recognition Act reform in Scotland by explaining the review process undertaken by the Scottish Government as well as the changes they intended to implement. Lastly, Section 4.4 elucidates what role anti-gender actors played in this attempt to reform the Gender Recognition Act.

4.1 Transgender Rights: Policy Innovations and Constraints

In recent times, policymakers have begun to address the concerns of trans citizens (D. Haider-Markel et al., 2019; Vallier & Carron, 2020). This development marks a milestone

for the political representation of trans citizens, as their interests and demands for equal rights have been historically excluded from politics (Schotel & Mügge, 2024). However, despite the growing attention directed towards LGBTQ+ rights, trans individuals remain comparatively underrepresented (Turnbull-Dugarte & McMillan, 2023).

This disparity can be primarily attributed to two factors. On the one hand, the underrepresentation of trans people can be traced back to the fact that dominant discourses about LGBTQ+ identity often portray trans identities as ‘deviant’ subjectivities (Quinan, 2025). In fact, trans people are frequently framed either as mentally ill individuals who are confused about sex and gender, or as deceivers and pretenders who are morally dubious. As a result, they are “often seen and represented as self-centered, careless, manipulative or even aggressive and dangerous” (Lunau, 2024, p. 3). On the other hand, it can also be explained by the fact that trans people have often been cast to the margins of the LGBTQ+ movement. For most of their history, LGBTQ+ campaigns have focused on decriminalisation, anti-discrimination laws protecting gay and lesbian citizens, and marriage equality (Turnbull-Dugarte & McMillan, 2023). In comparison, trans issues have received hardly any attention, reflecting prevailing narratives of “deserving vs undeserving or authentic vs inauthentic expressions of sexualized citizenship” (Hindman, 2011, p. 206). Notably, efforts to represent trans citizens are often complicated by the divergence between the policy concerns of trans individuals and those of other members of the LGBTQ+ community (Williamson, 2024).

Following the legalisation of same-sex marriage, however, advocates have finally turned their attention toward trans issues (D. Haider-Markel et al., 2019; D. P. Haider-Markel & Taylor, 2016). At this moment in time, political advocates for trans rights particularly focus on policies that grant citizens the right to legal gender recognition (Turnbull-Dugarte & McMillan, 2023). The implementation of such policies would be an important step towards the protection of marginalised groups, as discrepancies between one’s legal gender and one’s gender expression often puts trans individuals at risk for violence and discrimination. Additionally, legal gender recognition would also have symbolic value for many trans individuals, as it entails the official recognition of their identity and social transition (Turnbull-Dugarte & McMillan, 2023; Vallier & Carron, 2020).

At present, the institutionalisation of legal frameworks for gender recognition varies across Europe. In some countries (e.g. the Netherlands and the United Kingdom), trans individuals are required to present expert opinions which can only be acquired through consultations with a psychologist. These assessments are meant to determine whether the applicant can be diagnosed with gender dysphoria and is fully aware of the impacts of the requested changes. Other frequent criteria include adulthood, hormone therapy, divorce, and (formerly) sterilisation (McLean & Stretesky, 2025; Vallier & Carron, 2020). However, these requirements have often been criticised for normalising the pathologisation of trans people. Accordingly, the of Europe (2015) has

called on member states to “develop quick, transparent and accessible procedures, based on self-determination, for changing the name and registered sex of transgender people”. In line with this call, laws based on the principle of self-identification have been adopted in Denmark (2014), Malta (2015), Ireland (2015), Norway (2016), Luxembourg (2018), Portugal (2018), Iceland (2019), Spain (2021), and Germany (2024). Hence, trans citizens do not have to provide a medical diagnosis or certification in order for their social transition to be legally recognised in these countries (Monro & Van Der Ros, 2018; Schotel & Mügge, 2024).

4.2 The Gender Recognition Act (2004)

In the United Kingdom, the 2004 Gender Recognition Act is the legal framework governing the process whereby a trans person may apply for governmental recognition of their transitions from male to female or vice-versa (Armitage, 2020; McQueen, 2016). Prior to its implementation, the UK was one of the few remaining European countries that did not legally recognise the acquired gender of trans individuals. In practice, this meant that trans people were denied key rights in all areas of life, including the right to alter their legal documents in line with their gender identity and the right to marriage (Hines, 2010).

The introduction of the GRA followed sustained lobbying efforts by trans activists and a series of legal challenges before the European Court of Human Rights (ECHR). In particular, the UK-based pressure group *Press For Change* was a critical actor in this context, as they “petitioned the government for legal recognition and campaigned against the wide-ranging forms of discrimination faced by trans people” (Hines, 2010, p. 91). Most importantly, they advised several legal challenges brought before the European Court of Human Rights (ECHR), which argued that the UK’s legal treatment of trans people was a violation of human rights (Whittle & Simkiss, 2020). These efforts were a turning point in the fight for trans rights, as the creation of the Gender Recognition Act was a direct response to ECHR’s ruling that the UK’s lack of legal provisions guaranteeing post-operative trans people’s right to marry and to change their birth certificates constituted a violation of articles 8 and 12 of the European Convention on Human Rights (Randall, 2025; Sandland, 2005; Simpkins, 2024). Although the ECHR only mandated the UK to grant legal rights to citizens that had undergone gender reassignment surgery, domestic lobbying campaigns by *Press For Change* pushed the UK parliament to go beyond this obligation (A. N. Sharpe, 2009; Whittle & Simkiss, 2020).

Fundamentally, the 2004 Gender Recognition Act established a formal process whereby trans individuals can apply for a Gender Recognition Certificate (Armitage, 2020). Applications are reviewed by the Gender Recognition Panel, which consists of legal and medical experts and is tasked with determining whether an applicant satisfies the criteria for gender recognition (Hines, 2010). Successful applicants receive a Gender Recognition Certificate, which entitles them to an amended birth certificate and protection under sex discrimination law (Armitage, 2020;

A. N. Sharpe, 2007). To obtain a Gender Recognition Certificate, individuals must (1) be over 18 years of age, (2) provide two medical certificates (including a diagnosis of gender dysphoria), (3) put forward evidence that they have lived in their acquired gender for at least two years, and (4) declare that they intend to permanently live in their acquired gender (Fairbairn et al., 2022; Leng, 2023).

At the time of its adoption, the Gender Recognition Act was widely regarded as a significant advancement for global transgender law reform (Hines, 2020; A. N. Sharpe, 2007). Innovatively, the law dispensed with requirements for medical transition, providing trans people with a pathway to have their gender identity recognised by the state regardless of whether they were able to (or wanted to) undergo gender reassignment surgery (A. N. Sharpe, 2009). Nevertheless, scholars and activists have consistently pointed out three central limitations that contribute to the continued exclusion of many trans individuals (Office, 2018). Most prominently, scholars argue that the framework reproduces a binary gender order by writing it into law (Hines, 2010; A. N. Sharpe, 2007). Indeed, the 2004 Gender Recognition Act does not contain any provisions concerning the recognition of individuals whose gender identity does not fit into binary sex categories (Leng, 2023). Furthermore, the framework imposes a static model of gender identity, as it intends for applicants to permanently live in their acquired gender. Thus, it further excludes individuals who experience their identity as fluid (Randall, 2025). Finally, scholars criticise that the access to legal gender recognition is constrained by its lengthy, intrusive process and the biomedical pathologisation of trans identities (Hines, 2020; A. N. Sharpe, 2007; Turnbull-Dugarte & McMillan, 2023). By requiring applicants to provide a diagnosis of gender dysphoria legal gender recognition is only accessible to those “who are willing to engage with the biopolitical structures and those who can successfully negotiate the multiple medical practitioner requirements” (Humphrey, 2023, p. 267).

These shortcomings are reflected by the relatively low number of applications. Between 2005 and 2020, roughly 6,000 Gender Recognition Certificates were issued, despite estimates indicating that the trans population exceeds this total (Turnbull-Dugarte & McMillan, 2023). According to the Government Equalities Office (2018) argues that this disparity does not stem from a lack of interests, but is a result of the barriers that trans people encounter when seeking legal recognition.

4.3 Gender Recognition Act Reform in Scotland

Since the enactment of the Gender Recognition Act in 2004, society’s understanding of gender identity and its regulation have considerably changed (Whittle & Simkiss, 2020). Yet, there have been no significant changes to the process of legal gender recognition in the UK (Randall, 2025). While most aspects of social transition (e.g. changing their name, amending the gender on a driver’s license or a passport) can be accessed through self-declaration in the UK, the bureaucratic and invasive application process for a Gender Recognition Certificate remains the

only option to gain full legal recognition (Armitage, 2020; Government Equalities Office, 2018). Consequently, the Gender Recognition Act has increasingly been criticised for its ‘outdated’ approach, despite its status as a ‘world-leading’ piece of legislation at the time of its enactment (Fairbairn et al., 2022; Hines, 2020; Turnbull-Dugarte & McMillan, 2023).

These concerns became particularly prominent in 2015, when the Women and Equalities Committee of the UK Parliament conducted an inquiry into the state of transgender equality in the UK. The Committee concluded that the 2004 Gender Recognition Act’s “medicalised approach pathologises trans identities and runs contrary to the dignity and personal autonomy of applicants” (Women and Equalities Committee, 2016, p. 3). To remedy this injustice, it urged legislators to pursue reforms “in line with the principles of gender self-declaration that have been developed in other jurisdictions” (Women and Equalities Committee, 2016, pp. 79–80).

Importantly, non-electoral political actors significantly contributed to the Committees’ assessment of how social and legal barriers to equality can be most effectively addressed. On the one hand, the trans rights advocacy groups (*Press for Change* and *Stonewall UK*) were informally consulted prior to the inquiry. On the other hand, the Committee held several oral evidence sessions during which affected individuals and “organisations conducting representative and advocacy work within and for the trans community” could contribute to the ongoing deliberations (Women and Equalities Committee, 2016, p. 7).

In response to these findings, the Scottish Government committed to reassessing the existing legal requirements set out in the 2004 Gender Recognition Act. Notably, the governing Scottish National Party pursued reform independently of the UK government, which reviewed potential amendments to the process of gender recognition in England and Wales in 2018. These efforts took place separately because gender recognition is a devolved matter, therefore falling into the competence of the Scottish Parliament (Fairbairn et al., 2022; Turnbull-Dugarte & McMillan, 2023). As part of the legal review process, the Scottish Government conducted a public consultation between November 2017 and March 2018 (Fairbairn et al., 2022; Randall, 2025). In the consultation paper, the Scottish Government proposed introducing a statutory self-declaration system in order to align the Gender Recognition Act with ‘international best practice’ (Randall, 2025; Turnbull-Dugarte & McMillan, 2023). If implemented, applicants would be able to pursue legal gender recognition without needing to provide a diagnosis of gender dysphoria or evidence that they have lived in their acquired gender for at least two years. Additionally, the consultation sought citizens’ opinions on lowering the minimum age for gender recognition from 18 to 16 years old (Fairbairn et al., 2022).

The consultation garnered more than 15,000 responses and revealed divisions regarding the proposed reforms. Most respondents, including established advocacy organisations such as *Stonewall UK*, the *Scottish Trans Alliance*, and *Engender*, were in favour of the proposed changes. At the same time, however, the consultation directly led to the emergence of several

new advocacy organisations which decisively opposed the proposed reforms. These newly established organisations primarily raised concerns regarding the impact of the proposed changes on women's rights (Government, 2018; Turnbull-Dugarte & McMillan, 2023). Following these results, the Scottish Government confirmed that it intended to move forward with reform. In June 2019, Shirley-Anne Somerville (Cabinet Secretary for Communities, Social Security and Equalities of Scotland) announced that the Government would publish a draft Bill later that year. At the same time, Somerville acknowledged the growing public controversy surrounding the proposed reforms and stated that the Government was acutely aware of the "concerns raised about the effect of gender recognition reform on the provision and protection of single sex or women only spaces and services" (Fairbairn et al., 2022, p. 47). To alleviate these tensions, the Government committed to holding a second public consultation in order to build 'maximum consensus' before introducing the Gender Recognition (Scotland) Bill to Parliament (Government, 2019).

The second consultation took place between December 2019 and March 2020 and focused on the legislative proposals included in the draft Gender Recognition Reform (Scotland) Bill itself. In line with previous indications, the draft Bill sought to remove the requirement for a diagnosis of gender dysphoria, reduce the minimum age for recognition from 18 to 16, and shorten the required period during which applicants must live in their acquired gender prior to applying for a Gender Recognition Certificate from two years to three months. Furthermore, responsibility of evaluating applications would be transferred from the Gender Recognition Panel to the Registrar General for Scotland, while false statutory declarations would remain criminal offences punishable by up to two years of imprisonment. In addition to seeking feedback on these proposals, the consultation explicitly invited respondents to comment on the potential impacts of reform on different social groups (Fairbairn et al., 2022; Scottish Government, 2019; Turnbull-Dugarte & McMillan, 2023).

The results of the second consultation were published in 2021. The analysis undertaken by the Scottish Government revealed that the consultation received more than 17,000 responses, including 215 submissions from organisations. Echoing the findings of the earlier consultation, respondents generally either strongly supported or strongly opposed the introduction of a statutory declaration-based system (Government, 2021). Despite these divisions, the Scottish Government ultimately elected to move forward with reform. The Gender Recognition Reform (Scotland) Bill was introduced to Parliament in March 2022 and passed in December of the same year. However, in January 2023, the UK government blocked the legislation from receiving Royal Assent after abandoning its own plans to introduce self-identification reforms in England and Wales (Crerar & Brooks, 2023; Morton & Seddon, 2023; Simpkins, 2024).

4.4 Anti-Gender Mobilisations against Trans Rights in the UK

Since 2016, the United Kingdom has emerged as the “home to one of the most coordinated and well-known anti-gender mobilizations in the world” (GATE, 2022, p. 3). British anti-gender campaigns initially formed in response to the UK government’s plans to simplify the legal process whereby trans individuals can obtain a Gender Recognition Certificate (Lamble, 2024; Thurlow, 2024). While anti-gender campaigns are often associated with conservative and religious actors, the British case is characterised by anti-gender coalitions between traditionalist and gender-critical feminists (Armitage, 2020; A. McLean & Stretesky, 2025). United by their opposition to trans rights, this coalition publicly questions “the extent to which trans people should be allowed into the public space” (C. McLean, 2021, p. 473).

While gender-critical feminism has become integrated into the ideological framework of anti-gender campaigns, it originated as a strand of radical feminism concerned with the conceptual boundaries of sex, gender, and womanhood (Armitage, 2020; Hines, 2020; Tudisco, 2023). As such, the assumptions underpinning gender-critical feminism are most clearly articulated in the foundational works of Janice Raymond (1979) and Sheila Jeffreys (1997, 2008, 2014).

Providing an early articulation of this position, Raymond (1979) argues that gender is an expression of biological sex, which is chromosomally dependent and thus impossible to change (Hines, 2019). Most notably, she portrays trans women as male agents of patriarchy who seek to invade women-only spaces for two reasons: to extend the reach of patriarchy and to “appropriate a female experience and a womanhood of which they have no knowledge” (Tudisco, 2023, p. 511). Extending this logic, Raymond frames trans women’s existence and identity as a metaphorical rape of womanhood, which violates women’s “sexuality and spirit by appropriating women’s bodies for themselves and reducing ‘real’ females to mere artifacts” (H. Clarke, 2025, p. 6). She directs this critique particularly towards trans women who identify as feminists and lesbian, arguing that these individuals do not only seek to colonise women’s communities but also attempt to gain access to cis lesbian bodies (H. Clarke, 2025).

Building on this foundation, Jeffreys (1997, 2008, 2014) introduced trans-exclusionary feminist positions into mainstream political debates in the United Kingdom in the 1980s (Thurlow, 2024). Like Raymond, Jeffreys considers trans identities as a specific form of misogyny which perpetuates patriarchal frameworks of gender and leads to the victimisation of lesbian women (Tudisco, 2023). She insists on the fixity of sex and argues that trans women have no legitimate claim to womanhood because they lack the ‘authentic’ experiences of lifelong oppression that cis women experience as a consequence of their biology (H. Clarke, 2025; Hines, 2019). Based on this understanding, Jeffreys (1997) accuses trans women of enacting a fantasy which is based on male supremacist notions of what a woman should be (McQueen, 2016). Jeffreys also expands on earlier depictions of trans women as sexual predators by claiming that “sexual perversion

[lays] at the heart of male to female transition” (Thurlow, 2024a, p. 964).

Unlike most trans-exclusionary feminist accounts, Jeffreys’ critique also addresses the topic of trans men (Hines, 2019), depicting gender transition as a method through which women attempt escape heteropatriarchy and the constraints it imposes on them due to their bodies. According to Jeffreys (1997), this dynamic particularly affects young lesbians, who she considers to be particularly susceptible to surgical ‘self-mutilation’ practices (H. Clarke, 2025). Developing these claims into a wider narrative, she ultimately posits that trans-inclusive queer/feminist theorists do not concern themselves with the implications of their affirmation of trans identities for the “welfare of ‘bio’ or ‘genetic’ women” (Jeffreys, 2008, p. 341). Notably, this hostile critique is also reflected in her analysis of the 2004 Gender Recognition Act, which she insists should be retracted (Carrera-Fernández & DePalma, 2020; McQueen, 2016).

Following legislative proposals to amend the 2004 Gender Recognition Act, these ideas gained renewed prominence in British political debate, despite remaining a minority position within feminism (Burns, 2019; Miller, 2024; Tudisco, 2023). Importantly, during this period, gender-critical feminists increasingly incorporated anti-gender rhetoric into their discursive repertoire, framing reforms to trans rights as the result of ‘gender identity ideology’ (Lawford-Smith, 2022). This shift has equipped gender-critical feminists with a discourse to portray trans rights as involving “a conflict of interest between women as a class and trans people as a social group” (Lawford-Smith, 2022, p. 117).

In sum, the Scottish reform process transformed gender recognition into a highly contested political issue. In this context, the public consultations concerning the Gender Recognition Reform (Scotland) Bill became a key site of political mobilisation and contestation over the future of trans rights in the UK (H. Clarke, 2025; C. Jones & Slater, 2020). As previous research also points to the centrality of representative claims in anti-gender politics (see Section 3.3), it is therefore imperative to analyse the claims-making practices of these actors. Ultimately, the thesis considers the public consultation in Scotland as a particularly well-suited case for the empirical analysis.

5 Methodology

5.1 Data

To analyse the claims-making practices of anti-gender actors, the thesis examines submissions by gender-critical advocacy groups to the public consultation on the Gender Recognition Reform (supplemented by correspondence submitted during Stage 3 of the legislative process). As noted in Section 4.3, the second Scottish consultation received over 17,000 responses, including 215 submissions by organisations (Fairbairn et al., 2022; Scottish Government, 2019, 2021;

Turnbull-Dugarte & McMillan, 2023). Whereas individuals' responses are not publicly accessible, the organisation's submissions are available via the National Records of Scotland Web Archive. According to the Government (2021), responses by organisations span multiple sectors, including children's and youth organisations (n = 5), LGBT organisations (n = 34), local authorities and the NHS (n = 13), public bodies (n = 5), religious organisations (n = 35), third sector support organisations (n = 15), trans organisations (n = 20), unions and political parties (n = 21), women's organisations (n = 34), and 'other' organisations (n = 33). Building on prior research (Hines, 2025), the thesis focuses on submissions by gender-critical feminist and gender-critical LGB organisations.

Submissions were selected using a criterion-based sampling strategy informed by the existing literature on anti-trans mobilisation (e.g. Hines, 2025; A. McLean & Stretesky, 2025; Turnbull-Dugarte & McMillan, 2023). Specifically, submissions were selected based on two inclusion criteria: (1) prior research identifies the organisation as a gender-critical or anti-gender actor, and/or (2) the submission contains key discursive markers such as "gender (identity) ideology" and "sex-based rights". The final dataset comprises 20 submissions from 17 organisations. Table 1 provides a full overview of all documents, including source details, consultation type and assigned identifiers used in the analysis (see Appendix).

5.2 Analytical Approach

According to Saward (2006), a representative claim theoretically consists of five interconnected elements: it contains a claim-maker (M), who puts forward a subject (S) which stands for an object (O) which is related to a referent (R) and is offered to an audience (A). Although theoretically rich, a key methodological challenge in translating this framework into a tool for empirical analysis is that real-world representative claims are often incomplete or only contain implicit references to some of these elements (Gevers et al., 2024; Guasti & Geissel, 2019b). To address this limitation, subsequent scholarship has focused on turning Saward's framework into an empirically applicable analytical method (Guasti & Geissel, 2021). These efforts have led to the development of Representative Claims Analysis (De Wilde, 2013), which combines Saward's account of representation with methods of content analysis. As the thesis aims to identify how anti-gender actors portray their rival representatives and claimed constituencies, the thesis adopts RCA as its main analytical framework.

Since claims are often incomplete (Gevers et al., 2024; Guasti & Geissel, 2019), it is important to define the minimum criteria that a statement must fulfil at minimum three elements to be classified as a representative claim. Building on contributions by Joschko and Glaser (2019) and Guasti and Geissel (2019, 2021), the thesis posits that a representative claim must contain (at minimum) three elements in order to be analytically distinguishable from other political statements: an *issue*, a *stance* (pro, contra, neutral), and a *claim-maker*. Beyond these defining

elements, a claim may include a *claimed constituency*, referring either to a human constituency (e.g. women) or a normative scheme (e.g. equality). To determine whether a claim includes references to a constituency, the analysis asked whether an issue was (1) framed as being of importance to a particular social group, (2) framed as only affecting a particular group, (3) discussed in terms of group difference, (4) spoken of in terms of group-specific effects, and/or (5) articulated with reference to (in)equality between groups (Celis et al., 2014). Furthermore, the analysis distinguished between claims of representation and claims of misrepresentation (Guasti and Geissel, 2019, 2021).

Based on this operationalisation, the thesis undertook a Representative Claims Analysis (De Wilde, 2013) to identify and map representative claims in the data. However, as the thesis also aims to provide a more in-depth analysis of the portrayals contained within anti-gender actors' representative claims, a thematic analysis following Braun and Clarke's (2006) six-phase framework was conducted to supplement the qualitative content analysis. This has allowed for the identification of key patterns and themes in the selected data. For theme development, the following steps were undertaken: (1) data familiarisation and writing familiarisation notes; (2) systematic data coding; (3) generating initial themes; (4) reviewing themes; (5) defining and naming themes; and (6) writing the report (Ahmed et al., 2025; Braun & Clarke, 2006, 2021).

In line with this approach, data familiarisation was achieved through the initial mapping of anti-gender actors' representative claims. Building on this foundation, the identified claims were then systematically coded to generate initial codes capturing recurring patterns in how identities and interests are constructed within gender-critical feminists' representative claims. Throughout this process, the research question served as the analytical guideline. Notably, prior research on gender-critical discourse in the UK informed the interpretation of these constructions. Coding proceeded iteratively and reflexively, with codes continuously adjusted in response to emerging patterns in the data. In the next phase, initial codes were grouped into preliminary themes by examining how they interact and overlap. Given the focus on representative claims, capturing recurring constructions of the identity and interests of rival representatives and claimed constituencies were the primary focus during theme development. Sub-themes were used where necessary. Themes were then reviewed through repeated engagement with the coded dataset to ensure that its complexity was captured adequately. At this stage, themes were finalised and assigned a final name. To support the analytical claims of the thesis, the dataset was revisited to extract illustrative quotations that exemplify the identified patterns.

6 Findings and Discussion

In this chapter, the results of the empirical analysis are presented. Section 6.1 provides a brief overview of the stance taken by gender-critical organisations in their submissions to the public consultation on the Gender Recognition Reform (Scotland) Bill. Following this, Section 6.2

discusses the constructions of rival representatives contained in anti-gender actors' claims of misrepresentation. Specifically, it focuses on the portrayal of the Scottish Government and pro-reform advocacy groups. Next, Section 6.3 focuses on the construction of the principal claimed constituency contained in anti-gender actors' claims of representation.

6.1 Overview: Claim-Makers' Stance on Gender Recognition Reform

Gender-critical organisations uniformly oppose the Gender Recognition Reform (Scotland) Bill. Importantly, claim-makers present three justifications when providing further details for their opposition: The Bill (1) is unwarranted, (2) is based on an incorrect understanding of sex and gender, and (3) does not consider the interests of citizens outside of its target population.

A notable feature across these submissions is that gender-critical organisations question whether Gender Recognition reform is even necessary. In contrast to the inquiry by the Government Equalities Office (2018), claim-makers contend that the 2004 Gender Recognition Act continues to fulfil its purpose, namely providing legal recognition to a "small, objectively identifiable group of people" (Submission 9, p. 2) who satisfy a concrete set of (medical) criteria. One example of this justification is provided by the following excerpt:

"Before the enactment of the GRA, government policy explicitly stated that GRCs were intended for the group they identified as transsexuals undergoing medical transition with a diagnosis of gender identity disorder, gender dysphoria or transsexualism. The bill does not state that the target of the legislation has changed. These people are adequately served by the current system, in which around 95% of applicants are successful." (Submission 17, p. 1)

As this example shows, gender-critical organisations consider the existing legal framework to be both functional and appropriately restrictive. Whereas the Government Equalities Office (2018) concluded that low uptake of Gender Recognition Certificates is a result of the barriers that trans people encounter when seeking legal recognition, claim-makers reinterpret this statistic as confirmation that the legislation successfully targets a narrowly defined category of individuals. Conversely, they fundamentally reject the premise underlying the proposed reform, namely that legal recognition should become more accessible to trans people as a diverse social group. Consequently, proposals to simplify access to legal recognition are framed as an unreasonable deviation from the Act's original purpose.

Importantly, this justification also reveals how claim-makers conceptualise legitimacy in relation to gender recognition. Criticising that the draft Bill would extend recognition to "people who claim a subjective and unverifiable inner 'identity'" (Submission 2, p. 13), legitimacy is repeatedly tied to medicalisation and external verification. Individuals who have sought

out medical assessments in order to provide a diagnosis of gender dysphoria are presented as authentic subjects who seriously suffer from a medical conditions, whereas self-identification is framed as unverifiable and therefore illegitimate. This conception of legitimacy is particularly significant given that the 2004 Gender Recognition Act has never required citizens to undergo medical transition in order to receive legal recognition (A. N. Sharpe, 2009). Nevertheless, some submissions further reinforce this framing by claiming that the only reason why the Act dispensed with requirements for medical transition is because legislators operated under the assumption that "pre-operative applications would be relatively unusual" (Submission 5, p. 7). Thus, claim-makers portray medical transition as an implicit normative expectation, despite its absence as a formal criterium.

Similarly, the second justification relies on the construction of a sharp distinction between biological sex and gender identity. Insisting on a rigid understanding of the sex/gender binary (Hines, 2020), claim-makers argue that the Bill is based on an incorrect understanding of sex and gender and would therefore be harmful to citizens. Specifically, they warn that the draft Bill seeks to change "the legal definition of 'woman' and 'man' from one informed by rational and scientifically valid biological science, to one based on unprovable feelings or claims" (Submission 4, p. 3). Hence, the Bill is framed as a departure from a supposedly objective and scientifically grounded understanding of sex as the basis for legal classification. Furthermore, claim-makers extend this concern beyond the immediate context of the Bill, suggesting that its effects would fundamentally reconfigure the legal status of sex across the entirety of UK law. Prominently, this is expressed in form of warnings that the Bill could undermine biological sex as a stable identity marker and replace it with 'gender identity' in law and policy, thereby creating legal uncertainties concerning citizens' 'sex-based' rights.

Moreover, gender-critical organisations justify their opposition to the draft Bill by framing it as an inadequate proposal that fails to strike an adequate balance between "competing rights" (Submission 8, p. 3). As will be further detailed in Section 6.3, claim-makers consistently portray the proposed legal changes to the 2004 Gender Recognition Act as a threat to marginalised individuals whose political rights depend on the "legal recognition of 'sex'" (Submission 2, p. 13). Thus, gender-critical actors reinterpret the intention of the draft Bill to be the reallocation (rather than the expansion) of existing rights. As such, their justifications for their opposition to the draft Bill fundamentally builds on a zero-sum logic which conceptualises social groups' political rights as mutually exclusive. Crucially, this findings aligns with prior scholarship suggesting that gender-critical discourse on trans rights relies on a dismissal of trans peoples' experiences of marginalisation, and a portrayal of "the good kind of trans person as [...] content with their exclusion" (Gwenffrewi, 2022, p. 510)

Finally, the analysis lends further support to prior findings that 'gender-critical' feminists have joined forces with right-wing actors (e.g. Bassi & LaFleur, 2022; Butler, 2024). Indeed, some

submissions frame the Bill as part of a wider ideological project aimed at redefining the natural boundaries of sex-based identities. Particularly, they justify their opposition to the Bill on the grounds that its language supports the spread of ‘gender identity ideology’ in the UK. A further example of this rhetoric can be seen in submissions that explicitly contrasts between "believers in the nebulous notion of ‘gender identity’" and individuals who assert "the importance of biological sex" (Submission 3, p. 2). Specifically, this framing is frequently employed to further reinforce their portrayal of the draft Bill as privileging one set of rights-bearing subjects over another. As such, the submissions by gender-critical organisations mirror patterns identified in existing scholarship on anti-gender mobilisation (Hines, 2025; Verloo, 2018).

6.2 Claims of Misrepresentation: A Critique of Rival Representatives

As outlined in Chapter 2, political actors articulate selective portrayals of both the represented and the representative in hopes of persuading the audience that they are the “best representatives of the constituency *so understood*” (Saward, 2006, p. 302). Such attempts often involve challenging “the existing (formal) linkage between rival representative and the constituency” through claims of misrepresentation (Guasti & Almeida, 2019, p. 156)

Building on this framework, the analysis shows that gender-critical organisations systematically employ claims of misrepresentation in their responses to the public consultation on the Gender Recognition Reform (Scotland) Bill. Critically, these claims are used to question the legitimacy of competing representatives, particularly the Scottish Government (Section 6.2.1) and pro-reform advocacy groups (Section 6.2.2). In doing so, gender-critical actors lay the groundwork for their self-portrayal as the ‘true’ representatives of citizens’ interests in the field of gender and sexual politics.

6.2.1 Claims of Misrepresentation I: The Scottish Government

Across the analysed submissions, the Scottish Government is the principal target of gender-critical organisations’ claims of misrepresentation. Overall, claim-makers construct the Government as a misinformed and biased political representative whose pursuit of the draft Gender Recognition Reform (Scotland) Bill risks undermining public trust in the democratic process. This portrayal underpins the broader claim that the Scottish Government fails to represent the “true” interests of citizens in the field of gender and sexual politics.

A first key dimension of this critique concerns the Scottish Government’s alleged epistemic limitations. Claim-makers argue that the Government is incapable of adequately representing citizens’ interests because it lacks a proper understanding of the concepts of sex and gender. Fundamentally, this critique rests on an essentialist conception of sex as an immutable expression of biological sex (Atwood et al., 2024; Hines, 2020). As such, the construction of the Government

aligns with broader argumentative patterns identified in anti-gender discourse (Bassi & LaFleur, 2022; Hines, 2025). From this perspective, the Government's support for the Bill is interpreted as evidence of a fundamental lack of knowledge, rendering it unable to anticipate the likely consequences of reform. In some cases, organisations present their own interactions with government actors as first-hand evidence of this epistemic deficit:

“Short meetings, mostly around half an hour, held with Ministers and officials between January and March exposed huge gaps remaining in the Scottish Government's understanding. The Scottish Government was unable to engage with critical comments and questions, did not understand the arguments being made, made errors of fact, and had given no thought to the points made.” (Submission 18, p. 1)

As this excerpt illustrates, claim-makers extrapolate generalised assessments of the Government's incompetence from short personal interactions. Building on this, some submissions extend the argument further by suggesting that the existence of the draft Bill itself constitutes evidence of epistemic failure, claiming that such a proposal would be inconceivable under conditions of adequate knowledge and expertise.

A second dimension of misrepresentation concerns the Scottish Government's alleged privileging of pro-reform perspectives over opposing voices. Claim-makers argue that the Government overrepresents “a small number of lobby groups” that are in favour of the reform (Submission 11, p. 5), while marginalising those raising concerns about the Bill. In this context, delayed engagement with gender-critical organisations is interpreted as evidence of procedural bias, with some submissions emphasising that the consultation of opposing voices occurred only after the Government was “shamed into offering meetings by critical press coverage” (Submission 18, p. 1). In this way, gender-critical claim-makers construct the consultation process as intentionally unbalanced.

This portrayal is further reinforced through their critique of the Equality Impact Assessment (EQIA), which evaluated “the impact of this policy proposal on people with one or more of the protected characteristics listed in the Equality Act 2010” (Scottish Government, 2022, p. 1). Claim-makers argue that the EQIA's validity is completely undermined due to its exclusion of evidence by gender-critical sources. One submission, for instance, states that:

“[N]one of our published resources were quoted in the final EQIA or even listed in the references. The omission of evidence from FPFW, and indeed any advocacy group for sex-based rights, means that a full and comprehensive search for evidence was not conducted by the Scottish Government consultation team and this casts serious doubt over the validity of the EQIA.” (Submission 16, p. 5)

As this example shows, these claims present the EQIA as a key mechanism through which certain

perspectives can be obscured. Notably, the EQIA constitutes a major point of contention in the analysed submissions, as claim-makers insist that, had these deficiencies not been present, the consultation process would likely have “resulted in very different proposals” (Submission 9, p. 6). In this framing, the alleged exclusion of gender-critical material is interpreted as indicative of a systematic pattern of bias. As such, this argument further reinforces the claim that the Government fails to adequately balance competing perspectives in the policy-making process.

Ultimately, these arguments position the Scottish Government as misinformed and biased. Building on this construction, the Scottish Government is portrayed as acting against the interests of citizens, with submissions warning that continued misrepresentation of citizens will have serious consequences. Some submissions even explicitly warn that the pursuit of the Bill risks “undermin[ing] public trust in the democratic process” (Submission 15, p. 7), as legitimate laws “reflect the needs and rights of all members of society” (Submission 2, p. 13). Accordingly, claim-makers urge the Scottish Government to abandon the Gender Recognition Reform (Scotland) Bill.

6.2.2 Claims of Misrepresentation II: Pro-Reform Advocacy Groups

Alongside the Scottish Government, pro-reform advocacy groups constitute a central target of gender-critical organisations’ claims of misrepresentation. To challenge their legitimacy as representatives, gender-critical actors portray these organisations as ideologically driven and deceptive actors who do not represent citizens’ interests.

A first dimension of this portrayal concerns pro-reform actors’ understanding of sex and gender. As elucidated in previous chapters, gender-critical feminists espouse an essentialist view of gender as a direct expression of biological sex, which impossible to change (Hines, 2019; for examples of this view, see Lawford-Smith, 2022; Raymond, 1979). Accordingly, advocacy groups supporting the Gender Recognition Reform (Scotland) Bill are framed as promoting the inscription of an ideologically motivated and unscientific conception of gender into law. The consultation response by the LGB Alliance provides a particularly illustrative example of how claim-makers delegitimise competing representative claims by recasting them as ideologically driven, while simultaneously portraying themselves as more credible representatives of those same constituencies:

"LGB Alliance was formed in October 2019 in response to the refusal of Stonewall, once itself an LGB rights campaigning organisation, [...]. Specifically, there were serious concerns about Stonewall’s adoption of “queer theory” with its focus on the primacy of gender over sex. This theory promotes the controversial notion that everyone has a “gender identity” – a concept about which there is no scientific consensus – as separate from, and overriding, biological sex. It goes so far as to refer to “same-gender” instead of “same-sex” attraction, which is unacceptable to us

since it redefines and negates LGB sexual orientation." (Submission 3, p. 1)

As this example shows, the invocation of "queer theory" functions as a central delegitimising frame through which pro-reform positions are recast as ideologically driven and unevidenced advocacy. At the same time, this construction reinforces gender-critical actors' claims to epistemic authority by positioning their own perspective as grounded in credible scientific knowledge.

Moreover, the example illustrates how gender-critical organisations reproduce earlier trans-exclusionary feminist positions within their claims of misrepresentation. By attributing Stonewall's perceived failure to represent the interests of LGB individuals to its adoption of queer theory, claim-makers extend a long-standing narrative advanced by trans-exclusionary radical feminists such as Sheila Jeffreys (2008), namely that queer theory as a conceptual framework is inherently incompatible with both feminist theory and activism. Accordingly, the submissions frame "queer theory" as a threat to the boundaries of sex-based identity and, consequently, to the representation of women's interests. In a similar vein, the submissions consistently reproduce anti-gender rhetoric, referring to supportive organisations as "gender identity lobby groups" (Submission 3, p. 4).

A second dimension of this portrayal concerns the strategies pro-reform organisations purportedly use to promote 'gender identity ideology'. Specifically, claim-makers insist that pro-reform organisations intentionally deceive citizens by utilising two related strategies: the presentation of ideological positions as neutral expertise, and the suppression of alternative perspectives. Regarding the first, some claim-makers argue that these organisations deliberately "pose as independent experts" in order to hide their ideological commitments and "factually incorrect statements" (Submission 3, p. 1) behind a veneer of objectivity. Importantly, this claim not only questions the neutrality of pro-reform actors but also reinforces their broader depiction as ideologically motivated actors who promote an unscientific conception of sex and gender.

In relation to the second form, some submissions allege that pro-reform advocacy groups "deliberately and systematically exclude" (Submission 9, p. 13) evidence and testimonies that challenge the legitimacy of the draft Bill. Predominantly, these accusations focus on advocacy groups' purported marginalisation of women's concerns, thereby framing these actors as actively contributing to the underrepresentation of women's interests. Together, these claims construct supporters of the reform as biased and manipulative actors who undermining the integrity of democratic deliberation by limiting the range of voices included in the decision-making process.

Simultaneously, this portrayal functions as the discursive backdrop against which claim-makers construct themselves as legitimate representatives of citizens' interests. In fact, gender-critical claim-makers frequently juxtapose these negative constructions of their rivals with positive depictions of their own role in the policy process. For instance, they repeatedly stress that, in

contrast to other actors, they “only present evidence that comes from serious and reliable sources” (Submission 3, p. 1), thereby positioning themselves as trustworthy actors whose interventions are grounded in verifiable evidence rather than ideological motivations.

Building on this construction, gender-critical organisations further depict pro-reform advocacy groups as unrepresentative of the constituencies they claim to speak for. Critically, this misrepresentation is not attributed to misunderstanding or informational gaps. Rather, claim-makers argue that pro-reform advocates are cognisant of the misalignment between their political agenda and the citizens’ interests and therefore seek to shield their position from scrutiny. As one submission states:

“Throughout the UK, self-declaration of ‘gender identity’ has been promoted in recent year using the slogan ‘No Debate’, which may reflect the fact that those who promote it are aware that most of the public are unlikely to agree with it, and would almost certainly disagree with the more extreme manifestations of the ideology which underpins it.” (Submission 15, p. 6)

As the example indicates, the legitimacy of pro-reform advocacy groups is challenged through assertions that these actors consciously obstruct citizens’ ability to hold their representatives to account. In doing so, claim-makers depict pro-reform organisations as actors that actively distort the democratic process, thereby calling into question the legitimacy of their representative claims. Accordingly, these constructions urge the consultation’s audience to treat pro-reform organisations as unrepresentative actors whose contributions should carry less weight in deliberations on the draft Gender Recognition Reform (Scotland) Bill.

6.2.3 Summary and Discussion

Informed by Saward’s (2010) constructivist account of representation, the analysis demonstrates that gender-critical actors mobilise claims of misrepresentation in hopes of persuading audiences that they are the “best representatives of the constituency *so understood*”. Importantly, the findings corroborate Guasti and Almeida’s (2019) contention that claims of misrepresentation are not merely reactive critiques of representative failure. Rather, they are constitutive elements of representative claims-making itself, functioning “as part of a strategy and political style intended to discredit opponents and thereby to persuade the audience” (Guasti & Almeida, 2019, p. 153).

In practice, claim-makers construct negative portrayals of both the Scottish Government and pro-reform advocacy groups to compete with their rival representatives. The Scottish Government is consistently constructed as a misinformed and biased actor, whereas pro-reform advocacy groups are depicted as ideologically driven and deceptive. When examined more closely, these constructions present these actors as threats to the democratic process due to their alleged suppression dissenting perspectives and deception. Therefore, these constructions functionally

discredit their targets by depicting them as incapable of representing the 'true' interests of their constituents.

At the same time, these claims enable gender-critical organisations to position themselves as a more credible and capable alternative. Critically, this self-portrayal is underpinned by a populist logic, with claim-makers presenting themselves as speaking up for 'the people' to combat an 'enemy' (i.e. "gender identity lobby groups") and defy a system (i.e. the recognition and expansion of trans rights) (see also Miller, 2024). Hence, the analysis lends additional support to prior findings that a populist critique lies at the heart of anti-gender actors' claims of representation (Mayer & Sauer, 2017; Sosa, 2021).

Crucially, the findings highlight the complexity and dynamic nature of representative claims-making (Saward, 2006). In the context of the public consultation on Gender Recognition reform, the Scottish Government functions simultaneously as a target of gender-critical actors' claims of misrepresentation and as their immediate audience: On the one hand, claim-makers direct their critiques at the Government in order to persuade it that pro-reform advocacy organisations are unrepresentative actors whose claims should carry less weight in the deliberations on the draft Bill. On the other hand, they also construct the Scottish Government itself as failing in its role as a political representative.

In this context, the analysis highlights that, although the general structure of representative claims can be mapped in a linear sequence, it is "better understood as a circular relation" (Saward, 2010, p. 36). Indeed, many gender-critical actors emphatically speak as women and LGB individuals, thereby positioning themselves as members of constituencies they claim are misrepresented by the Government. This illustrates that audiences are never simply passive recipients of claims (Saward, 2010), as perceived misrepresentation may prompt those who reject a representative claim to formulate counter-claims and actively intervene in political debates (see also Severs et al., 2013).

6.3 Claims of Representation: Who Deserves to be Represented?

As outlined in Chapter 2, political representatives have the capacity to profoundly shape the lives of constituencies (Severs, 2020). By advancing their own interpretation of a constituency's identity and interests, they can define who and what is deserving of representation (De Mulder et al., 2025). In practice, however, this process is inevitably selective, as constituencies "can be 'read', inevitably, in various ways" (Saward, 2006, p. 2006). Consequently, understanding how political representation works in practice requires close attention to the referential strategies through which actors construct constituencies.

Building on this framework, the analysis reveals that gender-critical organisations employ a broad range of representative claims in their responses to the public consultation on the Gender

Recognition Reform (Scotland) Bill. Critically, these claims construct the boundary between women as a legitimate constituency (Section 6.3.1) and trans people as a perceived out-group (Section 6.3.2). In doing so, gender-critical actors position themselves as the 'true' representatives of women's interests in the field of gender and sexual politics.

6.3.1 The In-Group: Women as a Vulnerable Constituency

Consistent with their self-identification as feminist actors, gender-critical organisations construct women as the principal constituency they seek to represent in relation to the Gender Recognition Reform (Scotland) Bill. Submissions argue that the draft Bill is unrepresentative because it fails to adequately account for women's political interests, particularly in relation to 'sex-based' protections and the governance of women-only spaces. In advancing this claim, gender-critical claim-makers put forward a specific account of women's identity and interests that is firmly rooted in trans-exclusionary feminist ontologies of women, gender relations, and trans identity.

Within their representative claims, women are conceptualised as a marginalised constituency whose identity and interests are shaped by a lifetime of victimisation under patriarchy "as a result of their embodied femaleness" (Clarke, 2025, p. 9; see also Jeffreys, 2014). Central to this construction is a core tenet of trans-exclusionary radical feminist thought (e.g. Raymond, 1979; Jeffreys, 1997), namely an essentialist conception of biological sex as the defining component of womanhood and the primary source of women's oppression (Bassi & LaFleur, 2022). In the empirical material, this position is expressed through repeated assertions that sex is an "objective material reality" (Submission 2, p. 1) and that "clarity about sex in language, policy and law, in order to safeguard the human rights, health, safety and dignity of everybody (Submission 17, p. 1).

Building on this account of women's identity, claim-makers depict women's interests in terms of risk and the need for protection from male violence. In line with the notion that "it is biological sex [...] that determines one's risk of experiencing men's violence and discrimination" (Clarke, 2025, p. 12), gender-critical insist that women have a fundamental interest in the maintenance of spaces where they "can be absolutely confident that there are no male born people present, whether it be for reasons of privacy, dignity or safety" (Submission 5, p. 14). In other words, women-only spaces are framed as necessary mechanisms of protection that secure women's physical and psychological well-being through the strict enforcement of sex-based boundaries.

Based on this account of the claimed constituency, gender-critical actors frame the Gender Recognition Reform (Scotland) Bill as a threat to women's access to sex-based protections. Specifically, they argue that granting individuals the right to self-determine their gender identity would destabilise binary sex categories (and the allocation of people to these categories) and thereby undermine the legal basis upon which sex-based rights and protections depend. From this perspective, the Bill is understood as endangering women's 'sex-based' rights by eroding the

legal distinction between men and women. For instance, this argument is clearly illustrated in the following statement:

"The ways in which the relationship between sex and the concept of gender are framed in law and policy is crucially important to our ability to maintain women's sex-based rights. If the biology-based category of sex is collapsed into the category of 'gender re-assignment', or the broader and more amorphous concept of 'gender identity' [...], sex-based rights will be eroded." (Submission 15, p. 1)

As this excerpt indicates, the submissions frame the maintenance of sex as a stable legal category as a precondition for the protection of women's political rights. Thus, gender-critical organisations position the draft Bill as a measure that would create uncertainties in legal categories that form the basis of women's status as a protected class, with consequences that extend beyond the immediate context of this legislation.

6.3.2 The Out-Group: Trans Rights as a Safety Risk

In line with their claim that the draft Bill fails to strike an adequate balance between 'competing rights' (see Section 6.1), claims about women's identity and interests are closely intertwined with claims about trans identity and trans rights. Specifically, the analysis finds that trans inclusion in women-only spaces is framed as a safety risk through three interrelated depictions that reproduce trans-exclusionary and anti-gender discourses on trans identity, womanhood, and gender relations. Together, these claims construct a zero-sum relationship between women's rights and trans rights, in which the expansion of trans rights is portrayed as coming at the expense of women's rights.

First, the analysis shows that trans women are frequently constructed as a 'Trojan Horse' (Jones & Slater, 2020, p. 839) whose access to women-only spaces would enable predatory men to infiltrate these spaces and gain access to vulnerable women. As part of this depiction, trans inclusion is framed as destabilising the legal safeguards designed to protect women in women-only spaces. More concretely, claim-makers depict the proposed self-declaration system as rendering sex-based restrictions effectively unenforceable and, thereby, creating opportunities for deception. Submissions repeatedly warn that the draft Bill would allow individuals who have "undergone little or no change to how they present themselves, to their name or to their official documents" (Submission 5, p. 8) to receive legal recognition with minimal scrutiny. Consequently, the draft Bill is framed as creating "a legal loophole" (Submission 16, p. 2) through which predatory men could falsely claim a trans identity in order to gain access to women-only spaces. Based on this notion, self-declaration is frequently associated with an increased risk of "voyeurism, exhibitionism and sexual assault" (Submission 17, p. 2). In this sense, the perceived danger does not stem from legal recognition itself but from the assumption that men will opportunistically exploit it. To reinforce the plausibility of this scenario, claim-makers often employ examples focusing on 'high-risk' populations that are already strongly associated with danger, including

male prisoners and convicted sex offenders. The excerpt below is illustrative in this regard.

"Every one of the Scottish male prisoners currently housed in England and Wales will be allowed to swap their sex on paper by simply filling in a few forms. No one could stop them and they won't need to dress in women's clothes or even shave off their beard. If they insist they are female they are, that's how self-ID works. The question to ponder is not will they exploit this opportunity. The question is why do you think they won't." (Submission 7, p. 6)

As this example illustrates, the possibility of abuse is presented as an inevitable consequence of reform. In doing so, gender-critical organisations shift responsibility for future harms away from individual perpetrators and onto the legal recognition of trans identities itself. Hence, trans inclusion is constructed as indirectly enabling violence by removing the institutional barriers that are designed to prevent predatory men from accessing women-only spaces.

Beyond the alleged threat to formal safeguards, claim-makers further expand their construction of the draft Bill as a 'Trojan Horse' by suggesting that would also undermine the informal practices through which the sex-based boundaries of women-only spaces are maintained in everyday life. Specifically, they contend that statutory self-declaration would inevitably create uncertainty regarding who is entitled to access women-only facilities, thereby reducing "the confidence of members of the public, male or female, to challenge a man entering such facilities" (Submission 2, p. 5). According to this argument, statutory self-declaration would create uncertainty about whether individuals perceived as male are unlawfully entering women-only spaces or are legally entitled to access them. On this basis, claim-makers argue that the recognition of trans identities would make the everyday enforcement of sex-based boundaries more difficult, creating opportunities for predatory men to exploit. In this sense, this construction positions the maintenance of sex as a stable legal category as a precondition for protecting women from male violence.

Second, the analysis finds that trans women are frequently depicted as imposters within women-only spaces whose presence is associated with discomfort, violation, and psychological harm for cis women. In contrast to the earlier depiction of trans inclusion as an indirect threat due to the potential exploitation of legal mechanisms by predatory men, this construction identifies trans women themselves as the source of harm. Fundamentally, this depiction draws on and reproduces established trans-exclusionary feminist accounts that conceptualise trans women as "inextricably linked to maleness and all that goes with it: 'male socialisation', 'male violence', 'male criminality'" (Amery, 2024, p. 1242). Building on this account, the presence of trans women in women-only spaces is constructed as inherently disruptive to the safety and integrity of these environments. Fundamentally, gender-critical organisations argue that the proposed changes to the 2004 Gender Recognition Act would increase the presence of individuals who remain, in some form, legibly associated with maleness, as the proposed self-declaration system

would not require substantive or observable changes in appearance. In this context, the anticipated visibility of “evidently male-born people” (Submission 5, p. 14) is repeatedly constructed as causing discomfort and psychological distress among cis women, particularly among those with prior experiences of male violence in both public and private spaces.

Importantly, submissions extend this account of distress into a broader claim about the inevitable negative consequences of Gender Recognition reform. In particular, submissions frequently reference existing or anticipated instances of self-exclusion. For example, women are described as feeling “wholly abandoned by our government and by the services it funds” and consequently “forced to self-exclude from services like RCS [Rape Crisis Scotland], because the presence of males was re-traumatising to them” (Submission 10, p.11). In this context, self-exclusion is framed as a necessary risk-management strategy, compelled by the perceived failure of the Government to adequately represent women’s interests. As such, this portrayal reinforces the broader claim that the expansion of trans rights can only happen at the expense of women’s rights.

Third, the analysis shows that trans women are also portrayed as essentially male, dangerous predators whose access to women-only spaces poses a direct threat to women’s physical safety. This depiction draws on established transphobic discourses that associate trans women’s identity with sexual deviance and predation (see also Lunau, 2024; Pearce et al., 2020). As part of this framing, trans women are constructed as motivated by sexual entitlement, with submissions frequently suggesting that trans women seek access to women-only spaces “for their own sexual gratification” (Submission 1, p. 2). On this basis, trans inclusion is depicted as inevitably resulting in “far more criminal offences of voyeurism and sexual assault” (Submission 1, p. 2). In doing so, gender-critical organisations construct an assumed causal relationship between trans presence and sexual violence. Thus, submissions to the public consultation closely echo the work by trans-exclusionary feminist Sheila Jeffreys (1997, 2008, 2014), who insists that “sexual perversion [lays] at the heart of male to female transition” (Thurlow, 2024, p. 964).

Furthermore, this construction is primarily mobilised to substantiate policy concerns regarding the removal of diagnostic requirements under the proposed reforms. In this reading, the diagnostic requirement under the 2004 Gender Recognition Act is reinterpreted as a form of institutional gatekeeping that helps to prevent sexual violence. Accordingly, the proposal to dispense with this requirement is framed as increasing exposure to harm, as it is seen to dismantle a safeguarding mechanism that could otherwise screen out individuals with purportedly opportunistic or harmful intentions. Crucially, this construction not only positions trans women as outside the boundaries of the claimed constituency but also as dangerous actors whose motivations for applying for a Gender Recognition Certificate are inherently suspect.

6.3.3 Summary and Discussion

Informed by Saward's (2010) constructivist account of representation, the analysis demonstrates that gender-critical actors mobilise claims of representation to position themselves as legitimate representatives in the field of gender and sexual politics. Consistent with prior literature (e.g. Butler, 2024; Hines, 2025), the analysis finds that gender-critical organisations construct women as the principal constituency they seek to represent in relation to the Gender Recognition Reform (Scotland) Bill. In practice, gender-critical actors portray women as a vulnerable constituency requiring legal safeguards for protection from male violence. On this basis, they construct the Gender Recognition Reform (Scotland) Bill as undermining women's 'sex-based' rights by creating uncertainties about the legal distinction between men and women.

Concretely, the analysis finds that gender-critical organisations construct the boundaries of their principal claimed constituency in opposition to (and in distinction from) a perceived out-group. Across the empirical material, claims about women's identity and interests are consistently articulated in tandem with claims about trans identity and trans rights. Framing trans inclusion in women-only spaces as a safety risk, these claims construct a zero-sum relationship between women's rights and trans rights. Together, these findings offer a clear empirical illustration of how political actors actively contribute to the constitution of constituencies by categorising individuals into groups and advancing selective interpretations of those groups' identities and interests (Kins et al., 2026; Saward, 2006). Furthermore, they also corroborate constructivist scholars' contention that political actors demarcate the boundaries of the claimed constituency not only by defining who is included, but also by (explicitly) defining who is not (De Mulder et al., 2025; Gevers et al., 2024; Zehnter, 2025). In this regard, the analysis shows that representative claims can be structured through an "us versus them" narrative, pitting the legitimate in-group against an out-group undeserving of representation (Kins et al., 2026).

Furthermore, the findings highlight the importance of analysing the relationship between political representation and power, especially how political actors reproduce and exploit intersectional inequalities when making representative claims (see also Lombardo and Meier, 2019; Severs, 2020; Severs et al., 2016). Indeed, the findings demonstrate that gender-critical claim-makers put forward a specific account of women's identity and interests that is firmly rooted in trans-exclusionary feminist ontologies of womanhood, gender relations, and trans identity (e.g. Jeffreys, 1997, 2008; Raymond, 1979). Across the analysed submissions, trans women are depicted as imposters and potential predators, while trans inclusion is simultaneously constructed as a 'Trojan Horse' that enables men to infiltrate women-only spaces. Crucially, through these constructions, cis women are positioned as a category that is "*uniquely* vulnerable to the threat of 'male' violence" (Pearce et al., 2020, p. 680), whilst also averting any acknowledgement of trans citizens' experiences of structural discrimination and exclusion (see also Jones and Slater, 2020). Therefore, the findings illustrate how political representatives can actively reproduce patterns of

domination and inequality by advancing selective constructions of constituencies and interests (Lombardo & Meier, 2019; Saward, 2006; Severs et al., 2016).

7 Conclusion

Political representatives play a crucial role in democratic politics. As citizens often hold diverse and potentially contradictory interests, representatives must decide which interests, perspectives, and identities they want to prioritise (Saward, 2006). Depending on their status, representative therefore have the capacity to profoundly shape the democratic process as well as the lives of the represented (Severs, 2020). By systematically including certain groups in political debates while excluding others, representatives can influence how constituencies are viewed upon by citizens and policy-makers (De Mulder et al., 2025; Severs, 2012). Notably, the stakes of how they are represented are particularly high for marginalised citizens such as women or LGBTQ+ individuals, as they tend to lack direct access to political institutions and are thus often defined through the framing by others (Celis & Lovenduski, 2018; Schotel & Mügge, 2024; Severs et al., 2016). This is particularly apparent in light of the growing wave of 'anti-gender' mobilisations seeking to push back against the hard-won progress in gender and sexual equality across the globe (Paternotte, 2023).

Against this backdrop, the major objective of the thesis was to focus on the identification and explanations of the selective portrayals of both the represented and the representative contained in anti-gender actors' representative claims, as well as the prevailing contextual frameworks they draw on to construct them. The research question therefore asked: *How do anti-gender actors construct rival representatives and claimed constituencies, and what insights do their claims-making practices provide regarding how representation is invoked and contested in practice?* The driving force behind this research topic was prior evidence indicating that anti-gender actors seek to lend their exclusionary politics a "veneer of democratic legitimacy" (Amery & Mondon, 2024, p. 11) by claiming to represent the authentic interests of 'the majority' (Sosa, 2021). Yet, empirical analyses are rarely developed in dialogue with theories of political representation, even as anti-gender mobilisations increasingly intersect with electoral politics (Mackay, 2025; McDonald, 2024).

In order to answer the research question as comprehensively as possible, the thesis started a detailed discussion on how the concept political representation has evolved over time. Starting from Pitkin's account of representation as a 'substantive acting for others' (Saward, 2010), the thesis presented innovative approaches that questioned the assumptions inherent in Pitkin's account and highlighted "multiple important dimensions of representation that were hitherto neglected" (Wolkenstein & Wratil, 2021, p. 862). In this regard, the thesis contends that the most important theoretical innovations stem from the 'constructivist' turn in representation theory. Reconceptualising political representation as a 'proposition' (Hayat, 2019), constructivist

scholars point out that representatives constitute the represented as democratic political subjects by putting forward selective interpretations of a constituency's identity and interests (Lombardo & Meier, 2019; Murray, 2025). Consequently, these approaches contend that representative relationships are best understood as the provisional outcome of an ongoing and contingent process of "making and receiving, accepting and rejecting claims – in, between, and outside electoral cycles" (Saward, 2010, p. 36). Focusing specifically on Saward's (2010) framework, the thesis made a clear point that constructivist approaches add a valuable theoretical perspective, encouraging scholars to pay closer attention to questions of how representation is invoked, contested and validated.

Furthermore, the thesis demonstrated the importance of theorising the complex and dynamic relationship between political representation and power. Addressing the question why some claims are readily accepted while others are not, the thesis discussed how would-be representatives rely prevailing contextual frameworks to construct constituencies and, consequently, often reproduce dominant frameworks relating to gender, race, sexuality, and class (Saward, 2006; Severs et al., 2016). Building on this discussion, the thesis emphasises the importance of analysing would-be representatives' referential strategies in order to gather insights into how intersectional inequalities are reproduced and exploited through processes of representation (Saward, 2006; Severs et al., 2016).

Given the growing wave of conservative activism that seeks to challenge the hard-won progress in gender and sexual equality across the globe (Paternotte, 2023), this thesis examined the representative practices of anti-gender actors as a particularly relevant case for understanding how political representation operates in practice. Contextualising anti-gender mobilisations in Chapter 3, the thesis ultimately highlights the strategic importance of representative claims-making practices for anti-gender politics, as existing studies indicate that anti-gender actors present themselves as representatives of various constituencies (Amery & Mondon, 2024; Mad'arová and Hardoš, 2022; Smrdelj, 2025). It particularly pointed out that the strategic use of representative claims may enable anti-gender actors to create a "veneer of democratic legitimacy" (Amery & Mondon, 2024, p. 11), positioning their exclusionary political agenda as democratically acceptable, inclusive, and oriented towards the common good. Moreover, this could allow them to portray themselves as legitimate representatives in the field of gender and sexual politics (Amery & Mondon, 2024; Smrdelj, 2025; Sosa, 2021). Yet, existing studies rarely analyse these dynamics in connection with political representation research.

To contribute to these two literatures, the thesis conducted an in-depth qualitative study of anti-gender actors' submissions to the public consultation on Gender Recognition reform in Scotland (2019-2020). The relevance of the findings extends beyond the immediate empirical context, as the United Kingdom represents a particularly prominent site of coordinated anti-gender politics, which characterised by diverse coalitions between traditionalist and

gender-critical actors (Armitage, 2020; GATE, 2022). Moreover, the Gender Recognition Act consultation provides a particularly valuable setting for analysing representative claims-making, as it offers an institutional setting in which non-electoral actors were explicitly invited to articulate how policy changes affect different social groups.

Methodologically, the thesis combined Representative Claims Analysis (de Wilde, 2013) with Thematic Analysis (Clarke & Braun, 2006) to examine how anti-gender actors construct constituencies and rival representatives. The empirical material consists of 20 submissions by 17 gender-critical organisations to the Scottish Government's consultation on Gender Recognition Reform, selected through criterion-based sampling. Building on Saward's (2010) constructivist framework, the analysis identified representative claims by coding for core elements such as issue, stance, and (where applicable) claimed constituencies, while also distinguishing between claims of representation and misrepresentation. This was complemented by a thematic analysis, which enabled a more in-depth examination of recurring patterns in how identities and interests are constructed across the dataset.

Overall, the findings of the empirical analysis point to the strategic importance of representative claims-making as a practice through which political actors may lend their exclusionary politics a "veneer of democratic legitimacy" (Amery & Mondon, 2024, p. 11). At a basic level, the analysis confirms that gender-critical organisations uniformly opposed the Gender Recognition Reform (Scotland) Bill. In particular, they relied on three primary arguments to justify this stance. Firstly, actors questioned whether Gender Recognition reform is even necessary, framing the existing legal framework to be both functional and appropriately restrictive. Secondly, they justified their opposition on the basis that the Bill would constitute a departure from a supposedly objective and scientifically grounded understanding of sex as the basis for legal classification, claiming that the Bill could fundamentally reconfigure the legal status of sex across the entirety of UK law. Lastly, gender-critical actors insisted that the draft Bill failed to strike an adequate balance between 'competing rights', thereby grounding their critiques in a zero-sum logic.

Concerning the construction of anti-gender actors' rival representatives, the findings demonstrate that claim-makers construct negative portrayals of both the Scottish Government and pro-reform advocacy groups. Whereas the Scottish Government is consistently constructed as a misinformed and biased actor, pro-reform advocacy groups are depicted as ideologically driven and deceptive. When examined more closely, these constructions present these actors as threats to the democratic process due to their alleged suppression dissenting perspectives and deception. These constructions functionally discredit rival actors by depicting them as incapable of representing the 'true' interests of their constituents, while simultaneously creating the basis upon which gender-critical actors can present themselves as the authentic representatives of 'the people'.

Concerning anti-gender actors' claims of representation, the analysis reveals that gender-critical organisations, first and foremost, position themselves as the 'true' representatives of women's

interests. Portraying women as a vulnerable constituency requiring legal safeguards for protection from male violence, they frame the Gender Recognition Reform (Scotland) Bill as a threat to women's 'sex-based' rights. When examined more closely, the thesis concludes that gender-critical claim-makers construct a zero-sum relationship between women's rights and trans rights. To achieve this, they construct the boundaries of their principal claimed constituency in opposition to (and in distinction from) trans citizens as the out-group.

Concerning the prevailing contextual frameworks they draw on to construct their claims of (mis)representation, the analysis shows that gender-critical organisations rely on a combination of trans-exclusionary feminist and broader anti-gender discourses. Drawing on essentialist, trans-exclusionary radical feminist accounts of womanhood, gender relations, and trans identity (e.g. Raymond, 1979; Jeffreys, 1997; 2008), claim-makers depict trans women as imposters and potential predators, while trans inclusion is simultaneously constructed as a 'Trojan Horse' that enables men to infiltrate women-only spaces. At the same time, these claims are also embedded in anti-gender narratives that frame 'gender identity ideology' as the intellectual matrix of the draft Bill. Thus, the analysis lends further support to prior findings that gender-critical feminists have joined forces with right-wing actors (e.g. Bassi & LaFleur, 2022; Butler, 2024).

To address the final aspect of the research question, the findings provide three key insights into how representation is invoked and contested in practice, highlighting the complex and dynamic nature of political representation (Saward, 2006). Firstly, the analysis offers an empirical illustration of how political actors constitute individuals as political subjects by drawing boundaries around who is included in a constituency, how and to what extent (Lombardo and Meier, 2019). Moreover, the findings show that anti-gender actors consistently rely on a zero-sum logic that pits one constituency against another when pursuing their exclusionary political agenda. This dynamic is particularly significant, as it could have important democratic implications. As Zehnter (2025, pp. 2–3) notes, when in-group identity construction primarily "works through the exclusion of certain groups, this does not only concern symbolic exclusion [...] but in fact undermines the 'political inclusion' dimension of democracy [...] and endangers minority rights."

Secondly, the case study illustrates why, although representative claims can be mapped in a linear sequence, they are better understood as a "circular relation" (Saward, 2010, p. 36). In the context of this case, the Scottish Government functions simultaneously as both a target of anti-gender actors' claims of misrepresentation and their immediate audience. At the same time, many gender-critical actors explicitly speak as women and LGB individuals, positioning themselves as members of the very constituencies they claim are misrepresented by the Government. This demonstrates that audiences are never merely passive recipients of representative claims (Saward, 2010). Instead, perceptions of misrepresentation may prompt those who reject a representative claim to formulate counter-claims and actively intervene in political debates (see also Severs

et al., 2013).

Finally, the findings demonstrate that political representation should be understood as an “acting out of power relations” (Saward, 2008, p. 1009). Although claim-makers reject accusations of transphobia and present their positions as reasonable and evidence-based, these constructions nonetheless reproduce wider trans-hostile discourses that frame trans women as deceptive, threatening, and inextricably linked to male identities and privilege (see also Amery, 2024; Atwood et al., 2024; Lunau, 2024; Schotel and Mügge, 2024). While existing research highlights that trans people are particularly vulnerable to gender-based violence ((Hines, 2020; Jones & Slater, 2020; Pearce et al., 2020), gender-critical claim-makers systematically disregard trans experiences of structural discrimination and exclusion. The findings therefore illustrate how representative claims can contribute to the reproduction of patterns of domination and inequality, as political actors advance selective constructions of constituencies and interests (Saward, 2006; Severs et al., 2016).

Looking beyond the immediate context of the case study, the findings highlight the broader strategic relevance of representative claims-making for anti-gender campaigns and underscore the value of analysing political representation from a constructivist perspective. If, as constructivist accounts suggest, political representation involves ongoing struggles over who has the authority to define the boundaries and interests of political constituencies (Celis & Lovenduski, 2018; Disch, 2021), developments in the UK suggest that anti-gender actors have become increasingly successful in claiming that authority. Since the Scottish consultation on Gender Recognition Reform (2019–2020), British anti-gender actors have shaped the UK’s political agenda and contributed to the obstruction of reforms intended to strengthen trans citizens’ human rights in all areas of life (GATE, 2022; Lambie, 2024; Mackay, 2025; Montiel-McCann, 2023).

Furthermore, scholars increasingly posit that gender-critical feminism has become the “de facto face of feminism in the UK” (Burns, 2019) in the aftermath of legislators’ proposals to amend the Gender Recognition Act, despite constituting a minority position within British feminism (Hines, 2025; Miller, 2024). This development is significant because, as constructivist accounts of representation emphasise, successful claim-makers can shape the social and cultural repertoires available to would-be representatives, making some accounts of constituents’ interests more compelling than others. As a result, actors who articulate alternative conceptions may struggle to be accepted as credible representatives, as their claims deviate from dominant discourses about the constituency (Celis & Lovenduski, 2018; Hindman, 2011; Saward, 2010). Reflecting this theoretical contention, anti-gender actors’ constructions of women’s identity and interest increasingly inform mainstream political discourse in the UK. During the 2024 UK general election, for example, the Conservative Party placed trans rights at the heart of their campaign, incorporating anti-gender rhetoric into their party platform. Similarly, the recent battle for the leadership of the Conservative party saw the subsequent leader of the party (Kemi Badenoch)

explicitly campaigning against ‘gender ideology’ (Mackay, 2025; McDonald, 2024).

Ultimately, the thesis underscores the importance of studying political representation from a constructivist perspective. By directing attention to the constitutive dimension, constructivist approaches encourage scholars to pay closer attention to questions of how representation is invoked, contested and validated (Saward, 2018; Wolkenstein & Wratil, 2025). Moreover, the thesis demonstrates that analysing the referential strategies of political representatives yields important insights into how processes of representation reproduce and exploit intersectional inequalities (Saward, 2006; Severs et al., 2016). At the same time, the findings point towards several avenues for future research. More work is needed to understand how representative claims-making figures within broader anti-gender and exclusionary political projects, under what conditions non-electoral claim-makers succeed in establishing themselves as legitimate representatives, and how such claims gain acceptance. Addressing these questions will remain a central task for scholars of political representation, given the potential democratic consequences of representative claims-making (Severs, 2020; Wolkenstein & Wratil, 2021).

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