

Back to Oz

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Abstract

I really do hesitate to even write this post, as the topic is a rehash of one of the ugliest times for GLBT unity I've ever seen. Recently Matt Foreman said the following on the Michelangelo Signorile Show concerning the ENDA debacle: I think what really happened is the Speaker's people said 'look, Congress has [...]

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I really do hesitate to even write this post, as the topic is a rehash of one of the ugliest times for GLBT unity I've ever seen. Recently Matt Foreman said the following on the Michelangelo Signorile Show concerning the ENDA debacle:

I think what really happened is the Speaker's people said 'look, Congress has a terrible reputation right now, they're not delivering for any progressive causes, what do we do to deliver for our progressive allies?' That means labor, health, and environment, and gays. And so, I mean... I don't know this for a fact, but I'd bet my life this is what happened. They went to Barney Frank, they said, 'what do we need to do to pass ENDA?' Representative Frank, who's always been pretty squeamish on the trans issue, ... and I guess I can say these things because I'm leaving my job, ya know, said 'look the best way to pass ENDA and the easiest way is to take out gender identity.' And I don't think the Speaker's people thought this through, didn't think it through and said 'lets do it. '

Yesterday, Barney Frank came on Signorile's show to respond to Foreman's statement and said:

He just made that up, that's not remotely how it happened. He also has no basis for talking about my attitude on transgender people because I've had one set of conversations with Matt Foreman about transgender people. In 2002, when he was the head of Empire State Pride Agenda, he lobbied hard to get through the New York legislature a bill that did exactly what our bill did last year, it covered discrimination based on sexual orientation, but excluded people that were transgender. Some people didn't like that. Tom Duane said at the time that Matt Foreman excluded him from meetings on the subject. Matt Foreman not only helped get that bill through, frankly, and this I disagreed with, as part of the deal to get it though, that year the Empire State Pride Agenda endorsed the Republican George Pataki for reelection over an outstanding African American Democrat, Carl McCall. So you had Matt Foreman guiding to passage an ENDA bill that didn't cover transgender, it was called SONDA for the State of New York, and in return, denying an endorsement that I think he should have gotten on [unintelligible] to Carl McCall. The reason I talked about it with him was because called me

around that time, this is late 2002, and said ‘I’m being criticized for doing this, would you come to a meeting that we’re having in New York to celebrate it and give an award for Gov Pataki to show that uh people shouldn’t be attacking me for it.’ And even though I did disagree with decision to make make the deal with Pataki, I do believe that you work together with each other, and you try to be supportive, and I went up there.

Since Foreman has said in the past that he regrets that choice and thinks it was a mistake, I’m not sure why Congressman Frank is bringing this up, except to smear him. Amazingly, Frank is admitting that he helped Foreman in his attempt to exclude gender identity from SONDA. Yet when asked about Foreman’s statement about his squeamishness, he said:

“I don’t usually talk like this, but no one in the history of the United States Congress has advocated explicitly for including transgender people in legislation as much as I have. In 1999 when we were doing hate crimes, I brought up the transgender issue, and said that it was very important to include people with transgender, both in committee and on the floor. I testified this past fall about the importance of including people with transgender. Here’s what troubles me. When they say I’m squeamish, what they’re pointing out, is what I’ve said from the beginning, to various advocates including people within the transgender community, we have a political problem here. We’ve have been working the issues of gays and lesbians longer than transgender. Some of the initial reaction you get when you first bring up an issue is problematic. And so transgender people are victims of the same kind of virulent prejudice that we who are gay and lesbian were, 35 years ago, and we haven’t had as much progress in dealing with it. This is a case of complain about the messenger. I told them that we had this problem, and they didn’t listen.”

I’m not sure how you can claim the title of great advocate for transgender people, when you’ve helped to exclude them in two different pieces of legislation.

During the interview Signorile pointed out to Frank that Foreman had said that he was squeamish about transgender people. Signorile then told Frank about his own history of squeamishness about transgender people. Still Frank insisted that he’s never been “squeamish” about transgender people.

I don’t know why you’d impute that to me. I have never had that view. There was a time when people weren’t paying much attention to people with transgender. But I’ve always believed when you ban discrimination, you ban it against everybody.

But the experiences of transgender women through the years, paint a very different picture of Congressman Frank. In 2001, Karen Ann Taylor asked Frank why transgender people weren’t being included in ENDA. Of that experience she said:

*As I approached him I cordially introduced myself, shook his hand, and cut right to the chase. I wanted to know why the transgendered were not represented in ENDA. The answer was such a surprise, I was dumbfounded at first. The whole crux of purposely and intentionally disallowing the transgendered from ENDA was something of the effect ‘it would cause it not to pass... it would fail due to penises and vaginas showering together in the workplace.’
Huh? You gotta be kidding! This was the most asinine thing I’d heard! When I asked what about gay and straight men in the same shower, the reply was essentially ‘that’s not a problem, not even in the*

military. Even the bathroom is not the issue. But penises and vaginas in the same shower will cause it to fail. But we can take care of that with an amendment.'

But that's the VERY argument that was used by the creator of Don't Ask, Don't Tell. From Wikipedia:

In 2000, Northwestern University Professor Charles Moskos, the principal author of DADT (which, as originally coined by Moskos, was "Don't Ask Don't Tell; Don't Seek Don't Flaunt"), told 'Lingua Franca' that he felt that policy will be gone within five to ten years. Moskos also dismissed the unit cohesion argument, instead arguing that gay people should be banned due to 'modesty rights', saying 'Fuck unit cohesion. I don't care about that...I should not be forced to shower with a woman. I should not be forced to shower with a gay [man].'

Another incident was described by Miranda Stevens-Miller:

A little while later, I found Barney without a group of people around him, so I once again engaged him in conversation. 'So,' I said, 'does your support of transgender inclusion in the VAWA mean that you might be changing your mind about inclusion of gender-variant people in ENDA?' An innocent enough question, but you would have thought that I was threatening him with a loaded weapon. He got red in the face and started shouting, 'Never.' His problem was that until we could answer the question of 'people with penises in [women's] showers,' there is no way that he would support it. The conversation got rather heated to say the least. And with Barney speaking very loudly and repeatedly about 'penises in showers,' we attracted a lot of attention in the restaurant.

But the reality of penises being in showers with vagina's is small. First of all, how many employers have communal showers? Of those, how many of those have open shower areas? I've spoken to quite a few of my natal women friends that tell me that many shower areas in women's locker rooms have shower stalls in them. That they aren't "communal" in the same sort of way mens' showers are. So what are the odds that an employer has to have showers, then has to have communal shower areas, then add to that, what employer can't make accommodations for their transgender workers (showering before or after everyone else, showering in another location). All in all, you're talking about a hand full of jobs. Out of those handful of jobs, how many would have a transgender woman that is preoperative that would want to flash their genitals around in a communal shower in the workplace? I think the odds of Jesus coming back and fishing with Marilyn Manson on the Potomac is more likely. But that seems to be the standard reasoning Frank has given since 2000, as to why we shouldn't be included.

Then Frank blamed transgender people and their advocates for the lack lobbying.

Part of the problem, frankly, is with the transgender community and some of those who put that in the forefront, because they didn't lobby. The only time they started lobbying is when we said 'You know what, we don't have the votes for this, we gotta to do it partially.' Then they began lobbying the Democrats that were supportive. I've never seen a worse job of lobbying. For years, literally years, I have been begging them to start talking to people about this, and have said you, look, have political problems here, I wish we didn't but we do, and you have to deal with them.

In reality, GenderPAC started lobbying Congress in 1995, the National Transgender Advocacy Coalition in 1999, and the National Center for Transgender Equality in 2005. Until recently, those

lobbying efforts were done as by unpaid citizens, and were done without the help of gay and lesbian organizations. Transgender activists have been asking for help with access for years, but had been largely ignored.

I find it puzzling as well that such a staunch advocate of transgender people like Frank who aren't "squeamish", would continue to use disease phraseology when referring to transgender people (as "people with transgender"). If he's trying to advocate for us, a simple first step would be to stop saying that.

While the rhetoric Congressman Frank is spinning is nothing new (see also: October-November 2007), the timing now seems odd. As I mentioned in a previous post, both Democratic candidates for president have publicly stated their support for an ENDA that includes gender identity (with Clinton going even further and stating support for gender expression as well). The Democratic tsunami on the horizon bodes well for a GI inclusive ENDA. Everything is trending towards inclusion of transgender inclusion in the 2009 ENDA. Why isn't Frank?

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