

We'll Come Back, Really....

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Article

When explaining why Congress will have a hard time passing a fully inclusive Employment Non-Discrimination Act, Congressman Barney Frank loves to point out that:

"In fact, many States in this country still have laws that protect only against sexual orientation, including New York State, which passed it a few years ago with the strong support of many of the people who now tell us that Congress dare not do what New York did. How people think we are going to get more votes, we are going to get more votes for a better bill in America than they got only in New York, I don't understand, if they really think that the United States is a more favorable theater for these kinds of rights than New York."

One of the main contentions of the "incremental" theorists is that "we'll come back for you after we get our protections." Barney Frank and the Human Rights Campaign are two of the largest backers of this strategy. Many people in the gender variant community are suspicious of this approach, fearing that they'll be ignored and forgotten.

It would seem that in Barney Frank's home state of Massachusetts, those suspicions have legs. In June of this year Mass Equality's political director, Matt McTighe, was asked what he thought about widening Mass Equality's mission. He said:

"We feel like it would be unfair to raise the bar [this year] and say, thank you for your vote last year, but where do you stand on the transgender bill or MassHealth Equality. ... After November it's quite possible we will reassess and broaden our criteria."

With this in mind, it was a shock to read that:

"Legislation to repeal the law will be taken up at the State House next week. House Speaker Salvatore DiMasi (D) and Senate President Therese Murray (D) both support the repeal effort. If the bill passes Gov. Deval Patrick (D) has said he will sign it. Republicans are expected to oppose the bill, along with a number of Democrats. Opposition to repealing the old law is strong and the vote is expected to be close."

While the Massachusetts legislators are willing to take up a contentious issue of gay marriage, they're not willing at all to take up basic civil rights for gender variant people?

This kind of issue is why so many of us don't believe in the incrementalist approach to GLBT issues. New York still doesn't have gender identity in their statewide anti-discrimination bill (SONDA), and the bill

that is in the the Massachusetts legislature (HB1722) is stuck in committee. When will they come back for us? Are protecting our rights to live free from discrimination less important than the right of out of state gay and lesbian couples to marry in Massachusetts? The answer seems obvious.

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