

Déjà Vu All Over Again!?! Do We Hafta???

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Abstract

“So I get on my knees and pray ... we won’t get fooled again!” -- the Who Fresh on the heels of Southern Comfort Conference (SCC), many of the transgender community reveled in what seemed a penultimate victory: HRC - yes, the Human Rights Campaign - was actually appearing to take the transgender community as [...]

Article

“So I get on my knees and pray ... we won’t get fooled again!” -- the Who

Fresh on the heels of Southern Comfort Conference (SCC), many of the transgender community reveled in what seemed a penultimate victory: HRC - yes, the Human Rights Campaign - was actually appearing to take the transgender community as equals. (Obviously the ultimate victory would be equal rights for us all, jobs and all.) All of the years of HRC’s historic missteps seemed to magically disappear. We’re now a welcome, if amnesiac community for the Equal Sign people.

During the speeches there was much congratulation and self-congratulation, and plenty of high spirits about the impending bills in Congress awaiting votes: Hate Crimes (already passed inclusively in the House) currently awaiting Senate approval, and the all-important Employment Non Discrimination Act (ENDA) approaching the House vote. All seemed right with the world in Trans America’s focus point that weekend at SCC in Atlanta. All seemed eerily right to some of us long-timers with memories intact as well. Eerily too right.

After the speech, everyone clapped, ate, enjoyed the rest of SCC and went home. Most of us waited with baited anticipation. Myself, I couldn’t get over how this reminded me of 2002.

At the SCC in 2002, HRC came down and made the big presentation again, and ushered in the coming out of a brand new national activist on the scene, Mara Keisling formerly of then-disbanded WGTE - the group name under which a study in concert with HRC was conducted. She was planning to open shop with an org of her own. No more WGTE, now NATE or NOTE was the names she was hashing over at the time (later settling on NCTE).

HRC was not going to deal with the existing trans orgs -- NTAC nor IFGE, while GenderPAC left the trans fold to focus on “gender.” So Mara’s sudden emergence fit them to a T, literally, and was welcomed in the HRC fold.

However, it wasn’t just HRC’s king or queen-making within the trans community that was the draw of this presentation. This was more about the study findings, ballyhooed as changing the minds of HRC

about trans inclusion in legislation. Word went out, there at that conference, that HRC was behind transgender inclusion and would begin such a push immediately.

The question from the skeptical among us was posed as to what would happen if this ran up the HRC flagpole, and they instead decided “Nah!” and let Mara twist in the wind. Mara responded that they wouldn’t dare try, “and if they did, [she’d] rip them a new asshole for publicly trashing her political credibility.” I’ll never forget the look on David Smith’s face at her answer ... curious.

The question was posed to Mara personally about how solidly on board HRC was, to which she replied to this writer that the Hate Crimes Bill “was a slam dunk, and even ENDA’s got a chance” at passing with inclusion in the upcoming 2003 session. Heady stuff.

Then we all went home then and waited with curiosity and anticipation. We waited until about the start of the Iraq War, when Mara herself dropped the bombshell that Hate Crimes would not be inclusive, and HRC was supporting its passage nevertheless. She began trying the line HRC used on her that “gender” was inclusive of us, which was virtually no different than Riki Wilchins and GenderPac in 1999 - which precipitated the creation of NTAC and many trans members redoubling efforts for explicit language.

Later that same year, the second shoe dropped - ENDA would not be inclusive either. So quickly that optimism went from hope to empty promise. Trooper that she was, Mara continued pushing HRC and giving us great stories of HRC’s heroism and - shock! - Rep. Barney Frank’s heroism on our behalves.

Needless to say, considering the earlier promise and the historical examples, it seemed a bit too improbable to get comfortable with. Fast forward to NTAC’s 2004 Lobby Day: Mara Keisling stopped by with a couple folks she’d rustled up and lobbied along with a number of the NTAC horde hitting the Halls of Congress.

At the invitation of Dr. Dana Beyer, I tagged along with she, Mara, Rachel Goldberg (board chair of GenderPac) and a trans man and NCTE member who’s name I never got. This visit was with who Mara described as a critical holdout to our inclusion in House legislation, Rep. Christopher Shays (R-CT). We were meeting with their new legislative aide on policy, Danielle Rosengarten. We arrived with some concern, but it was quickly alleviated by Danielle’s disarming openness and enthusiastic support of us! She even noted that Rep. Shays was on board and was ready to move forward with inclusive language in both our desired bills. We were momentarily overjoyed

Then, the bracing cold water in the face.

Danielle then commented that both she and Rep. Shays just didn’t understand why Barney Frank and HRC were unmovable about not wanting inclusion, about restating that “more education needs to be done” and that Congress and the public “just wasn’t ready [for gender identity inclusion] yet.”

[For a moment, contrast that sentiment in 2004 with the push for same-sex marriage and their thoughts on it at that early time and more so later.]

I can’t say that I was at all surprised, sadly enough. What did surprise me was the reaction by Mara upon learning (in front of leaders from both trans or gender organizations and others) that she was indeed left twisting in the wind. The official reaction was that “we (transgenders or NCTE, not explained which) should be tempered and measured.” Political credibility and all

Well, I got the same feeling this year at SCC as I had in 2002. Lots of buzz, lots of really enthused trans hopefuls, and an HRC leader reportedly saying that 'he knew how we feel.' Needless to say, that last comment raised a few eyebrows even among the hopefuls. But hope seemed to spring forth defiantly.

So we went home, and waited again. This wait was pretty short - less than a week. Jeffrey Hancuff, Labor Staff Asst. for the House of Representatives Education and Labor Committee called NTAC Chair Ethan St. Pierre requesting information on transgenders who have worked around children. Unusual request to come out of the blue! Turns out that there were suddenly concerns about transgenders regarding pedophilia and child molestation and that they needed statistics to prove otherwise!

Obviously, the first question would be "where did they get this?" You find more of that in straight society. The next question would be "how is the gay and lesbian community dealing with it?" Turns out, that question was only posed to our situation - odder still.

Just last night we had the latest brace of water in the face: an article in the Washington Blade stating that the House Democrats are wobbling and wanting to eliminate the coverage for gender identity. No, it's not the typical Blade hatchet job, but actually from their only even-handed reporter, Lou Chibbarro. This doesn't appear to be mere conjecture coming from Lou - rather unlikely.

And our reported hero over the years, Rep. Barney Frank, had this to say in the same article regarding transgender excision from ENDA:

Frank said that if the whip count found that ENDA could not pass with a transgender provision, he would strongly urge [House Speaker] Pelosi and his Democratic colleagues to move the bill to the House floor without a trans provision, with the intent of introducing a separate transgender bill at a later date.

"I think the notion that we should let the whole bill die if we can't pass [a] transgender [provision] is a terrible idea," Frank said. "It's exactly the opposition of what the civil rights movement always did," he said, noting that legislation protecting other minorities, such as women, the disabled and Latinos, came about incrementally over a period of years.

So now the ball gets tossed back into HRC's court in what will be the hottest of hot seats they've ever had to sit upon. Yes, fresh from their victory over we transgender skeptics in the rest of America, HRC now has to see if they have the gumption to stick with us and piss off their primary constituency - gay and lesbians, primarily moneyed ones - or will they opt to go the ways of their antecedents and opt for expediency?

To be honest, I can sympathize with HRC's predicament. The perennially Teflon-coated mega-org has no slick back door out of this one. They either choose to stand upon principle and fresh promise made to a historically disenfranchised and newly-hopeful community - transgenders - or choose to finally push the group over the hump and win what they've sought in vain for decades: an actual victory at the national level that would finally validate them to those who've supported this, the most heavily financed GLBT org in history. These are not easy choices from their vantage point. Most of all, for once their Teflon shield will do them no good. They must make a choice of one side or another, and all eyes are watching them

Where's that Twix bar when you need it, huh?

Things are moving quickly now, and as I finish, a new press blurb came out in the same Washington Blade. Nine GLBT organizations stood firm and stated, “We would ... oppose any bill that did not protect transgender people.”

The signatories were all Washington-based orgs: PFLAG, NGLTF, NCTE, the National Center for Lesbian Rights, the National Stonewall Democrats, the National Coalition for LGBT Health, Pride at Work / AFL-CIO, the National Coalition of Anti-Violence Projects and finally the Mautner Project (an LGBT Health-based group originally out of Minnesota.)

Do you notice anything about the signatories to the above statement? There were some glaring omissions including NTAC (truth be told, we were not asked nor notified - not unusual.) So the question is: were the other omitted organizations asked? If not, why not? And if so, then to those organizations ... well ... why?

Baseball great Yogi Berra said it best: It's Déjà Vu all over again!

So one last question: Why?

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