

Gay Media: Maryland Trans Community, Love The Crumbs We Give You

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Abstract

As much as trans people seem to want to believe it, gay (GayINC) media is not their friend/advocate/ally. Tom Lang, of Know Thy Neighbor said: It seems that the hard work of transgender and transsexual activists inside and outside of Maryland are getting some movement regarding the discriminatory Maryland Bill HB235. But how are our [...]

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But how are our friends over at the “lgbtq community news source”, the Washington Blade, covering the story? They posted ‘Political reality’ forces changes to Md. trans bill. They included the words of Delegate Joseline Pena-Melny:

“But I also feel it’s the right thing to do to give people protection under the law,” she said. “It’s better than nothing. A half a load is better than no load at all.”

but doesn’t include the press release put out by Senator Rich Madaleno’s office:

“I have been the lead sponsor or lead cosponsor of the Gender Identity Antidiscrimination Act for the past four years. In advance of the 2011 Session, I had a bill drafted that is identical to the bill I had introduced previously. This draft prohibited discrimination based on gender identity in employment, housing, and public accommodations. However, our advocacy coalition asked me to not introduce the bill, preferring a strategy of pursuing a House bill alone. This approach has not diminished my commitment to enacting these much needed protections, and I urge the House of Delegates to pass HB 235, with an amendment that prohibits discrimination against transgender individuals regarding public accommodations.

Providing transgender individuals with basic protections against discrimination is long overdue. Although much of the media attention this legislative session has centered on marriage equality, we cannot let that debate overshadow efforts to enact these essential protections. Protection against discrimination, including gender identity discrimination, is a basic human right. Our state laws must reflect the values of equality and equal opportunity - values that are central to who we are as

Americans.

Now is the time for Maryland to join thirteen other states, Washington, D.C., Montgomery County, and Baltimore City in protecting individuals from discrimination on the basis of gender identity. In 2007, Governor O'Malley signed an executive order adding protections against discrimination to our state personnel policies. We now must pass a statewide law that protects transgender individuals from discrimination when seeking employment, housing, and public accommodations."

But the lack of depth of the Washington Blade post is nothing compared to Metro Weekly. From Maryland Considering Transgender Protections Committee is scheduled to hold a hearing on a controversial bill on March 9:

"The Gender Identity Anti-Discrimination bill, House Bill 235, was introduced on Jan. 28, and is controversial because while it provides some protections - such as in areas of housing and employment - it does not provide others, such as requiring establishments to provide gender-neutral bathroom facilities."

Is this site really a trans ally? Jenna Fishetti hits it spot on in the comments:

"Mr Najafi, it is customary in journalism to acquire the facts pertaining to the story. Your second paragraph is disgraceful and insulting for a Gay and Lesbian weekly paper. The information is readily available, however, the bill lacks PUBLIC ACCOMMODATIONS not bathroom provisions. I realize you may personally be titillated by the thought of other human beings "tending to their business" but in this case " MIND YOUR BUSINESS", and that is getting the facts straight."

Maybe MetroWeekly needs to have their staff travel over to Transgriot to educate themselves on what public accommodations are and why they are important:

"A place of 'public accommodation' is defined as "an establishment either affecting interstate commerce or supported by state action, and falling into one of the following categories: (1) a lodging for transient guests located within a building with more than five rooms for rent; (2) a facility principally engaged in selling food for consumption on the premises, including such facilities located within retail establishments and gasoline stations; (3) any place of exhibition or entertainment; (4) any establishment located within an establishment falling into one of the first three categories, and which holds itself out as serving patrons of that establishment; or (5) any establishment that contains a covered establishment, and which holds itself out as serving patrons of that covered establishment. Bishop v. Henry Modell & Co., 2009 U.S. Dist. LEXIS 104830, 39-40 (S.D.N.Y. Nov. 9, 2009)"

Over at Pam's House Blend the GayInc espresso tastes a bit strange:

"And, let's also be clear about something else too: Sen. Madaleno isn't promising in his statement above to apply muscle this year; Sen. Madaleno isn't promising to apply muscle in years to come. In other words, Sen. Madaleno hasn't made the promise to do whatever it takes to pass into law antidiscrimination legislation that bans housing, employment, and public accommodation description based on gender identity in his home state.

Sen. Madaleno's failure in his statement to promise to do whatever it takes to gain ordinary equality

for transgender people in his home state is just unacceptable. For a legislator who belongs to the LGBT community do less is to cede the battlespace to those who wish to oppress transgender people; to do less is to allow a minority population in his community to live without ordinary equality. Now is the time for Sen. Madaleno to promise he will do whatever it takes to gain ordinary equality for transgender people in his home state, now is the time to promise to do whatever it takes -- for as long as it takes -- to achieve ordinary equality. Is Sen. Madaleno a leader who can give it his all for the ordinary equality of his broader LGBT community, or is he not? That really is the question we in LGBT community need to ask; that really is the question we need answer for ourselves"

Unbelievably this post wasn't written by Pam Spaulding (she's busy jetting her poverty stricken, "I'm not GayInc without 'D&G gift cards', self down to Miami for the Gill Foundation's Outgiving conference), but by Autumn Sandeen. She gives Delegate Joseline A. Pena-Melnyk a free pass on her "half a loaf" comment (it's not even mentioned), but Senator Madaleno is held to a much higher standard when he's STANDING WITH US?

If HB235 passes without public accommodations in Maryland, this will reverberate across the country. You only get one chance at this. It's hard enough to "go back" for gender identity protections (New York, Wisconsin, Massachusetts, etc.). But going back for public accommodations that cover gender identity will be next to impossible.

In light of HB285 (a bill that gives legal teeth to public accommodations protections for those already covered), the genesis of this "half a loaf" becomes clear. Maryland's "advocacy coalition" isn't prepared to fight for full equality for the entire community. We're supposed to be happy with their crumbs.

"But by gum and by golly if we don't sit here today with a real, live half a loaf bill. What this bill does, folks, is it allows you to buy bread in quantities under a loaf. Before long you'll be able to buy half a loaf, a quarter of a loaf or even just a couple of slices." - Molly Ivins

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