

TRANSADVOCATE

Starting From Scratch: The Death of United ENDA Part II

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Published April 25, 2008

https://www.transadvocate.com/starting-from-scratchthe-death-of-united-enda-part-ii_n_359.htm

Article

In March I said:

“Essentially it’s business as usual for HRC. Nothing has substantially changed in their lobbying efforts. They’ve had no “‘rehabilitative’” moment or change of heart. If you take Keisling’s words to heart, the only other conclusion that seems logical is that United ENDA is dead.”

Recently Matt Foreman said:

” ‘Congress is a creature of history,’ Foreman said. ‘If lightning strikes and it passes the Senate, it will more than likely be the broken ENDA that is introduced next year because it will have passed both houses. That was the tragedy of the broken ENDA passing the House in the first place.’ Even if the Frank version of ENDA does not go into 2009 with the wind at its back, Foreman is not 100 percent confident that the situation can be righted. Asked whether HRC and the 300-plus dissident groups have come to a meeting of the minds, he said flatly, ‘No. Not that I’m aware of.’ “ If you take these words to heart, the future for a fully inclusive LGBT Employment Non-Discrimination Act (ENDA) is bleak. With that in mind, some really tough questions need to be asked and debated. Will organizations like the Equality Federation, National Black Justice Coalition, National Center for Lesbian Rights, National Gay and Lesbian Task Force, National Stonewall Democrats, BiNet USA, COLAGE, DignityUSA, Freedom to Marry, Gay and Lesbian Advocates and Defenders, GLSEN, Lambda Legal, Parents, Families and Friends of Lesbians and Gays, Pride At Work, Empire State Pride Agenda, Equal Rights Colorado, Equal Rights Washington, Equality Advocates Pennsylvania, Equality Alabama, Equality Arizona, Equality California, Equality Florida, Equality Illinois, Equality Maine, Equality Maryland, Equality New Mexico, Equality North Carolina, Equality Ohio, Equality South Dakota, Equality Texas, Equality Utah, Equality Virginia, Fair Wisconsin, Indiana Equality, Indiana Fairness Alliance, Michigan Equality, Triangle Foundation, or Wyoming Equality stand AGAINST a bill that will surely pass both houses and be signed by the president? Should they be expected to?

The fight for an inclusive ENDA in October and November of 2007 had a lot of support in the community because most people realized that this the bill would never make it to the president’s desk. Will these organizations stand firm in their commitment, even though gays and lesbians will be denied protections? Will gays and lesbian communities support opposing workplace protections until gender identity is included?

I ask these questions because I see on the horizon a brewing battle that could look something like Sherman's scorched earth policy during the Civil War. There is a potential for the coming storm to rip through the community and cause irreparable damage. I hope that this is talked about long before it happens (unlike the removal of gender identity from ENDA).

For myself, I plan on moving towards allies that are more focused on gender equality and away from GLB organizations. I'll still fight for marriage equality with these organizations (and as a member of some of them), but I believe that our most natural allies lie more with social justice organizations who are fighting for gender equality.

Many people in the transgender community are making great strides in political and business circles. With the death of an inclusive ENDA (and with it United ENDA), it would be perfect time to retool, reevaluate, and refocus our direction and our movement.

Suggested citation

Marti Abernathey. "Starting From Scratch:The Death of United ENDA Part II." TransAdvocate, April 25, 2008.
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