

The Religious Right comments on the Transgender Workplace Discrimination Hearings

By Marti Abernathey

Published June 28, 2008 | Updated March 31, 2026

https://www.transadvocate.com/the-religious-right-comments-on-the-transgender-workplace-discrimination-hearings_n_367.htm

Article

Nearly every major Religious Right organization opposing LGBT rights has commented on the Congressional Hearing on Discrimination Against Transgender Americans in the Workplace, which was held on Thursday, June 26th. Here's a look at what some of them have said.

Parents and Friends of Ex-Gays

P-FOX (Parents and Friends of Ex-Gays), an organization that ostensibly concerns itself with supporting ex-gays and their families, but in practice expends most of its energy spouting rhetoric against "still-gays", published a press release entitled "Congress Hearing to Push Gender Confusion on All Americans" on Wednesday.

The majority of the press release consists of quotes from P-FOX president Regina Griggs: "Homosexuals and their transgender activist allies hope to use this hearing as a way of forcing the imposition of gender confusion upon all Americans. Instead of treating transsexualism and cross-dressing behaviors as Gender Identity Disorders (GID) as defined by the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders, Democrats seem determined to make these behaviors into federally-protected minorities. Why should Congress force Americans to provide workplace accommodations for people who are confused about whether they're male or female? How can Congress force us to make believe that a man is really a woman or a woman is really a man? If Democrats were truly concerned about these gender confused individuals, they'd push for expanded mental health services for GID. A person can't change his or her sex - and many of these individuals think they're a woman one day and a man the next day. Why is Congress catering to such insanity?" My comments:

*Conservative Christian and anti-LGBT organizations routinely substitute "gender confusion" for the proper terms "Gender Identity Disorder" and "gender dysphoria". At times, they even attempt to make it sound like a medically-recognized diagnosis, similar to their habit of referring to homosexuality as "Same Sex Attraction Disorder (SSAD)". Both terms are used and recognized only by their own institutions, not by credible medical and psychological organizations.

*When Griggs does refer to GID by its proper name, she misrepresents what the diagnosis entails. Cross-dressing in and of itself is not considered a mental disorder, although "transvestic fetishism" (cross-dressing primarily for masturbatory purposes- which is not representative of most cross-dressers) is. "Transvestic fetishism" is a separate diagnosis- not a form of GID. She

erroneously conflates cross-dressing with transsexualism. Cross-dressers are not fundamentally unhappy living as the sex they were assigned at birth and are satisfied with wearing the clothes of the other sex part-time, whereas transsexual people have a gender identity fundamentally at odds with their birth sex and do not receive satisfactory psychological relief from occasionally wearing clothing of their identified gender. The next time Griggs references the DSM, she should consider cracking the thing open first. Furthermore, she neglects the fact that transition is the widely accepted treatment for GID- therapists treating transsexual patients adhere to the Standards of Care, a “roadmap” outlining the process of medical and social transition.

*TS individuals are not “confused about whether they’re male or female”. In order to be approved for medical transition, they must be quite certain of their gender identity- it just happens to differ from their biological sex and the gender they were assigned at birth.

*Employment anti-discrimination is not about making anyone “believe” anything- it is about protecting people from being fired (or not being hired) regardless of their abilities or qualifications, merely because they are transgender. If such legislation is enacted, transphobes will retain their right to believe whatever they want, but they will not be allowed to use those beliefs to justify discrimination or workplace harassment. Anti-discrimination laws are not “thought crime” laws.

*“A person can’t change his or her sex.” True. Biological (chromosomal) sex cannot be changed. The term “sex-change operation” is a misnomer, which is part of the reason that trans people and cisgender allies rarely use it. Gender identity cannot be changed either- it is stable in adults and probably determined by age four. This means that it is as stable in trans people as in cisgender people.

*“...many of these individuals think they’re a woman one day and a man the next day”. There is no evidence to support this statement- in fact, a diagnosis of GID rules this out. Griggs is likely referring to CDs- but again, their gender identity is stable, regardless of which clothing they are wearing. There are some people under the transgender umbrella who identify outside the gender binary, but they also have a stable gender identity- not the same as “think[ing] they’re a woman one day and a man the next day”.

The entire press release is nothing but a collection of ill-informed, unsupported opinions. As for its concluding sentence: “Tell Congress it’s time to provide equal access for ex-gays and former transgenders -- they are the living proof that change is possible”-- there is no evidence that “ex-gays and former transgenders [sic]“ don’t have “equal access” already. Nor is there hard evidence that “change is possible”-- unless you define change as “a life of celibacy” or “living a lie”.

OneNewsNow

OneNewsNow, the American Family Association’s online news site, ran two articles on the hearing; one on Thursday, the other yesterday (Friday the 27th).

The June 26th article, “Gender confusion goes to the hill“, fails to site a single expert on law or GID (not even disreputable so-called “experts” like those affiliated with the discredited “reparative therapy” organization NARTH). Who did they choose to interview? “Americans for Truth about Homosexuality” founder/president Peter LaBarbera, who, before becoming a full-time LGBTphobe, worked in public policy.

LaBarbera trotted out the Religious Right's favorite bogeywoman- trans women- attempting to scare OneNewsNow readers by perpetuating the inaccurate "men in dresses" stereotype: "According to LaBarbera, the transgender movement poses a problem for the 'gay' movement because when most people see 'big bulky men in dresses' they immediately 'recoil.'" It never fails to amaze me how often AFTAH and similar groups portray trans women as hulking truck drivers in dresses, when they are perfectly aware of how unremarkable-looking and passable many trans women are- this is why MassResistance labels pictures of trans activists "This is a man!" (for trans women) or "This is a woman!" (for trans men). If they didn't tell their readers the activists' biological sex, they probably wouldn't know. LaBarbera added, "Small businesses could be forced to hire people embracing gender confusion. You have people in jobs that face the public such as a maitre d' in a restaurant - a man decides that he is really a woman and he is going to start dressing as a woman... [It could] circumscribe the ability of an employer to not have a gender-confused person in the face of the public."

Apparently trans people only have a right to work if they never "face the public". And what job options does that leave, exactly?

OneNewsNow's second article, "PFOX rips House Dems on transgender hearing", is essentially an interview with Regina Griggs (author of the PFOX press release discussed above). Griggs' opinions are unsupported and in many cases frankly ludicrous:

Regina Griggs, executive director of the group Parents and Friends of Ex-Gays (PFOX), says no one should be discriminated against, but she does not think transgenders are the target of discrimination. "By and large, people feel sorry for them. These people have gender identity disorder; it's a mental disorder," she points out. "And Tammy [Baldwin] ought to be encouraging these people to seek help. You're not born with the wrong brain -- and it is impossible to change genders."

Cross-dressers, argues Griggs, should not be classified as federally protected minorities. "I think it's despicable that we are having people who are openly homosexual take [the side of] the transgender issue -- neither one of these people [Barney Frank and Tammy Baldwin] are transgendered," she observes. "We're not talking to the scientists," Griggs notes. "We're not talking to Dr. Paul McHugh, who stopped these sex changes at Johns Hopkins; he was head of the psychiatric department. We're not talking to Richard Fitzgibbons, a child psychiatrist who has worked with people who have gender-identity disorder."

The PFOX leader says there is nothing compassionate about putting the lives of gender-confused people in danger by promoting sex-change surgeries and hormones.

My response:

*Griggs "does not think transgenders [sic] are the target of discrimination". What, exactly, is she basing this on? Certainly not these statistics, taken from reputable studies:

A study in the San Francisco Bay Area conducted in 2006 of 194 transgender individuals found a 35% unemployment rate, with 59% earning less than \$15,300 annually.

Nationwide, the rates of employment discrimination against transgender people are consistently high. A Williams Institute review of six studies conducted in cities and regions on both coasts and the Midwest, showed the following ranges for experiences of discrimination based on gender identity:

13%-56% of transgender people had been fired

13%-47% had been denied employment

22%-31% had been harassed, either verbally or physically, in the workplace

She apparently doesn't pay attention to the national news, either, since she missed the high-profile Susan Stanton case last year.

*The following sentence is probably the most laughable: "I think it's despicable that we are having people who are openly homosexual take [the side of] the transgender issue -- neither one of these people [Barney Frank and Tammy Baldwin] are transgendered," she observes.

Since when does a person have to be a member of a minority group in order to support equal treatment of that group? Plenty of people who are not trans themselves support equal rights for trans people. Plenty of heterosexuals support equal rights for LGB people. Frank and Baldwin are not speaking for trans people, but rather in support of them. (The same thing I try to do- I'm not trans, either.) They are not misrepresenting themselves.

And what, exactly, is especially "despicable" about "people who are openly homosexual tak[ing] the side of the transgender issue". My suspicion is that Griggs is opposed to those of us who are "openly homosexual" taking a stance on anything.

Richard Fitzgibbons, the "child psychiatrist who has worked with people who have gender-identity disorder", is a member of NARTH, the "National Association for Research and Therapy of Homosexuality". (See this article in which he states, "Strong physical attraction is present to other men's bodies and to the masculinity of others due to profound weakness in male confidence. These individuals... have a significant affective immaturity with excessive anger and jealousy toward males who are not homosexual, insecurity that leads them to avoid close friendships with such males and an inordinate need for attention.") The American Psychological Association does not support reparative therapy, for the very good reasons that homosexuality is not a mental illness, and reparative therapy actually harms clients. In other words, Fitzgibbons is not credible.

As for McHugh, his current position contradicts his earlier research (performed in the 1970s), which, according to TS-Si, found that "most of the patients claimed happiness in their target sex... McHugh's conclusions [that the claims of happiness are irrelevant, because GID is "a mental disorder"] have been widely criticized, saying that the purpose of reassignment is to help transsexual people become happy and content with their bodies.... The consequences of Hopkins' qualification policies were not included in the departmental review ordered by McHugh. Undocumented rumors abound concerning the fate of those transsexuals who failed to meet the Hopkins criteria for inclusion and were expelled from the program." (The John Hopkins gender clinic evaluated patients on "passability" and required them to sever all ties with their families.) McHugh's positions on (non-)treatment of GID are not mainstream.

The Traditional Values Coalition

TVC's coverage of LGBT issues exceeds that of other far-right organizations in hatefulness and sensationalism almost without exception- and, considering the competition, that's saying something. In fact, they've been officially designated a hate group by the Southern Poverty Law Center.

The following poorly-punctuated diatribe is entitled "Americans Face Energy Crisis While House of

Representatives Holds a She-Male Hearing!":

"Americans face rising gasoline prices; and brave American soldiers are being killed on the battlefield to fight Islamic terrorism - while U.S. Rep. Robert Andrews (D-NJ) holds a hearing today on "discrimination" against drag queens and she-males in the workplace. What's wrong with this picture?" asks TVC Executive Director Andrea Lafferty.

"Why is the House of Representatives wasting taxpayer dollars to discuss whether or not drag queens or she-males are offended because of their cross-dressing or sexual behaviors in a business environment? I already know the answer: Because liberals like Robert Andrews are aggressively promoting the normalization of cross-dressing and transsexualism in our culture," said Lafferty.

She continued: "This freak show must come to an end - and the House of Representatives should get back to important issues such as passing legislation to permit drilling for oil on our own sovereign territory and securing our borders from illegal immigration. The House should be passing legislation to protect the parental rights of girls who are driven across state lines for abortions; the House should pass the Broadcaster Freedom Act to protect conservative and religious broadcasters from efforts by liberals to reinstitute the so-called 'Fairness Doctrine' - which will censor the airwaves.

"Let's stop this nonsense of pretending that men who dress like women are normal and should be considered protected minorities under federal law. These are deeply disturbed individuals who need therapy not coddling and affirmation by a liberal majority in the House of Representatives. Rep. Andrews should be embarrassed and ashamed for holding such a useless hearing."

TVC frequently uses the odious slur "she-male" to refer to pre-op/non-op trans women. They actually seem to think it's a technical term- they frequently contrast "she-males" with "transsexuals" (which they use to refer to post-operative trans people exclusively) in their press releases and articles. They are also either unaware of the distinction between drag performers and trans people, or choose to ignore it.

It is really quite amusing that Lafferty starts out so bent out of shape about the Congressional Hearing on Discrimination Against Transgender Americans in the Workplace- because Congress should be paying attention to rising fuel costs and the (conveniently undeclared) war in Iraq- and then, two paragraphs later, suggests that they should instead spend their time on the Broadcaster Freedom Act, a pet project of the Far Right. She thinks it's quite appropriate for Congress discuss legislation that isn't a matter of national security- as long as it's pro-conservative legislation.

Focus on the Family

The press release entitled "House Subcommittee Considers Protections for 'Transgendered' Individuals", which appeared on Focus on the Family's CitizenLink website Thursday, is blessedly brief and not particularly original, but does contain one rather ludicrous sentence:

Ashley Horne, federal policy analyst for Focus on the Family Action, said: "This hearing on alleged discrimination against people who self-identify as 'transgender' is simply a ruse to get 'gender identity' included the next time Congress tries to pass the Employment Nondiscrimination Act."

Let's look at the definition of the word "ruse":

According to the American Heritage Dictionary (as cited on Dictionary.com), a “ruse” is “a crafty stratagem; a subterfuge”. In case Focus on the Family doesn’t know what a “subterfuge” is either, the American Heritage Dictionary defines it as “a deceptive stratagem or device”. In other words, in order for something to qualify as a “ruse”, you have to be hiding something or outright lying.

Of course the purpose of the hearing is to demonstrate the need for protections against discrimination for trans people, with the aim of getting legislation passed to put those protections in place- either as part of ENDA, or in a separate bill. Anyone with half a brain knows that. There is no “ruse” involved.

The Family Research Council

FRC briefly discussed the hearings on their Washington Update on Friday. In an attempt at wittiness, their piece was entitled “Trans-formers: Frank and Barney Host Cross-Dressers”. [I assume they meant Frank and Baldwin, as in “Barney Frank and Tammy Baldwin“.] FRC commented on some remarks made by Baldwin (yes, Baldwin) and Frank:

Baldwin emphasized that “all of us are created equal” -- though how we were created is exactly what transvestites and transsexuals are rebelling against... Frank, meanwhile, insisted that the bill is “no license to misbehave or be bizarre,” but he was apparently ignorant of the fact that for a man to wear a dress is inherently bizarre...

FRC’s religious beliefs to the contrary, even if someone does something you disagree with (such as transition), they are still endowed with the same rights as any other citizen. Conservative Christians’ opinion that they are “rebellious against God” is irrelevant from the standpoint of Constitutional law. (They predictably ignore the fact that there is increasing evidence that transsexualism may be due to prenatal influences such as hormonal fluctuations in utero.)

Frank’s statement about “misbehav[ing] or be[ing] bizarre” presumably refers to conservatives’ fear that legislation protecting gender presentation in the workplace will result in everyone showing up at work in negligees- violating corporate dress codes and other company policies. As for “men” (actually trans women) wearing female clothing being “inherently bizarre”- bizarre is in the eye of the beholder. Just about everyone who is not a religious fundamentalist, including pretty much the entire population of Europe, finds FRC’s support of creationism (a.k.a. Intelligent Design) bizarre beyond belief.

(Side note: Has anyone ever pointed out to these people that trans women, like women in general, do not in fact always wear dresses?)

Concerned Women for America

CWA’s Friday press release “He said, she said: ‘Transgender’ individuals demand recognition by Congress” is brief enough that I will repost it in full:

Washington, D.C.: Yesterday, the House Committee on Education and Labor held the first-ever hearing on “transgender discrimination”. Last November, the House passed the Employment Non-Discrimination Act (ENDA) which would prohibit discrimination of employees based on “sexual orientation”, but removed language from the bill that included “gender identity” protections.

“This hearing appears to be a step toward passing legal restrictions against identifying men as men, and women as women,” said Wendy Wright, President of Concerned Women for America (CWA). “Gender

identity’ is a fluid term that is difficult to nail down. On top of that, advocates want to restrict the ‘perception’ of gender identity.

“This would be a prescription for crazy lawsuits to make easy money or to excuse possibly criminal behavior by claiming discrimination. Businesses, government entities, non-profits and religious organizations would be caught between protecting their employees and customers and appeasing complainants who are confused -- or confuse others- about their sex. Men who get caught in women’s locker rooms with little girls present could claim that they ‘perceive’ themselves to be women.”

Concerned Women for America supports legal protections of all human beings and the common sense right to distinguish between men and women.

Response (ignoring points that have already been addressed above):

*“Advocates” don’t want to “restrict the ‘perception’ of gender identity”, we want to restrict discrimination on the basis of perception of gender identity. “Discrimination on the basis of perception of gender identity” means that someone is discriminated against because someone else thinks the person is trans, when in fact they are not. This could happen to conservative Christians too, Ms. Wright!

*Wright heavily implies that trans people are inherently dangerous- other employees allegedly need to be protected from them. This is not only defamatory, it is untrue- trans people do not commit crimes against people in bathrooms. According to Associate Professor of Law Jillian Weiss, who has written extensively on transgender issues :

“Bathrooms and dressing rooms bring up a question that I often get in my consulting practice: What if someone just pretends to have a female gender identity, but they do so falsely in order to obtain sexual gratification from the presence of females? This is of great concern for many people, who feel that, while they would like to respect a transgender employee’s gender identity, to do so would conflict with the rights of female employees. My answer is that, after a decade of work in this field, I have never heard of a situation where a person used a false claim of gender identity for that purpose. I have certainly heard of a few cases where a man dressed as a woman in order to commit a crime and escape detection (though of course, having heard of the cases, the attempts were obviously not successful). I have also heard about men committing crimes in women’s bathrooms. But these cases all involved an attempt to escape notice, not to call attention to false claims about gender identity. More significantly, those cases were not spurred by the passage of a gender identity non-discrimination law. Now what if, you think, what if some crafty male, spurred by this new law, were to come up with a lascivious plan to lurk in the women’s restroom and then, when confronted by the police about his harassing behavior, claim that he was entitled to commit harassment because of his gender identity? The answer is that harassing behavior is not permitted regardless of one’s gender. If I am standing in the women’s restroom and the woman next to me puts her hand on my thigh, that’s harassment, and it doesn’t matter if she claims gender identity issues or not.” [my emphasis]

*“Men who get caught in women’s locker rooms with little girls present could claim that they ‘perceive’ themselves to be women.” To be permitted to use a women’s bathroom, a biologically male person would have to do a lot more than claim that they “felt” female. They would have to actively transition. As in, take large amounts of estrogen and anti-androgens that would, among other things, render them impotent. Which is not something the average sex offender would agree to.

To me, the most interesting line in this press release is referring to trans people as “...[people] who are confused -- or confuse others- about their sex...”. By the time they transition, trans people themselves aren’t confused- they are required to be quite certain, or they can’t receive clearance from a psychologist to begin the process. What Wright really means is in the second part of her statement. Trans people confuse others- and this is the heart of the issue. The Religious Right wants to reserve the right to discriminate against people who confuse them.

Suggested citation

Marti Abernathey. "The Religious Right comments on the Transgender Workplace Discrimination Hearings."

TransAdvocate, June 28, 2008.

https://www.transadvocate.com/the-religious-right-comments-on-the-transgender-workplace-discrimination-hearings_n_367.htm