



## How the Homosexual Civil Rights Movement Set a Precedent for the Transgender Fight for Equality

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Part historical narrative and part social analysis, Eren Hall's detailed essay describes how the history of the gay rights movement mirrors the ongoing and future struggle for transgender equality, which comprises issues of social and religious acceptance, gender dysphoria, and medical rights. This Senior Seminar paper was written under the direction of Dr. Brenda Brown.

**A** PERSON'S SEX IS CATEGORIZED by their biology, or chromosomes, while gender is the expression of that biology through appearance and societal interactions (Eckert and McConnell-Ginet). Gender is at the core of every person, because it determines a person's role in their everyday life. Male and female were thought to be the only two genders by nearly everyone throughout the course of human existence, but as humanity looks beyond biology alone, it is evident that there is a whole spectrum of genders. The term transgender, in particular, "is an umbrella term for persons whose gender identity, gender expression or behavior does not conform to that typically associated with the sex to which they were assigned at birth" ("Answers"). Most often transgender individuals

identify as either trans-male or trans-female. This information is accepted by some people with sympathy, while others feel a resistance towards trans people, officially known as transphobia. Transphobia is developed by the lack of clear understanding about transgender individuals, but once the general population is familiarized, the prejudice against the trans community will decrease.

Transphobia can manifest in many ways including bullying, hate crimes, discrimination, prejudice, and murder. Forms of harassment are not exclusive to just the transgender population, but exist throughout history against many minority groups, other LGBT individuals, and women. In a study with 515 transgender individuals, researchers found gender-based discrimination and victimization were linked with an attempted suicide rate of 32 percent by the victims (Clements-Nolle et al.). In a separate study, it was found that youths living in areas with high frequencies of LGBT hate crimes had an increased rate of suicidal thoughts and actions rates (Duncan and Hatzenbuehler 272). The researchers found no correlation between the overall violence in the neighborhoods and the attempted suicide rates of LGBT youth, providing evidence that the hate crimes were the cause for the increased rates of suicide (Duncan and Hatzenbuehler 272).

What drives a person to suicide does not exclusively correlate with transphobic discrimination, but instead is a complex series of issues arising from internal and external conflict. Internal conflict includes gender dysphoria, which is a conflict caused by one's biological gender and the gender that they have chosen to identify as ("What Is"). The stress caused by gender dysphoria is caused by being uncomfortable with one's own body and the perceived gender roles set forth by society. How individuals cope with dysphoria comes down to their own identities as a people and how they wish to be perceived in society. Many resort to gender reassignment surgery and hormone therapy, while others simply rely on clothing and makeup to manipulate their appearance. The stress of gender dys-

phoria can be nearly unbearable to many individuals. With the adding stress of outside discrimination, it can be enough to drive people, especially emotionally underdeveloped youth, to suicide. There is a fear that even post-treatment, the internal conflict will never cease.

Alongside this internal conflict, transphobia, the main source of external conflict, is demonstrated by certain groups. Some groups that exhibit exceptional transphobia are select religious affiliations. In the United States of America, some sects of Christianity, the most prominent religion, display discrimination against the trans community. (Other religions worldwide exemplify similar prejudice.) One of the most prominent reasons for this discrimination by the Christian religion originally stems from Genesis and is constantly re-established throughout the Bible. It is the idea of gender roles. In the beginning, “God created man in his own image, in the image of God he created him; male and female he created them” (English Standard Version, Gen. 1:27). Here, only male and female are created with no mention of an alternative. (It is important to note that any individual who believes this to be absolute finds no separation in gender and sex.) The roles for men and women were separated nearly immediately into distinctive categories. Many traditional Christian couples adhere to the idea of the man being the leader of the house physically, financially, and politically, with the woman supporting him emotionally.

Following these guidelines is not inherently wrong, but adherents might view alternative roles in a household as immoral or incorrect. A transgender individual, for example, may be born biologically female but choose to identify as male. By doing this, they are disrupting the natural and traditional role that they are destined for. If they are no longer a woman but a man, then they must be the leader of the household. This would be wrong, however, because they are not a biological male. From such assessments comes an endless cycle of deviance and disruption of tradition, which is viewed as sinful. In the minds of some Christians, transgender indi-

viduals cannot exist without causing conflict within the natural order of humanity. These individuals often feel discomfort towards trans individuals and spread the belief that the Bible specifically states gender nonconformity is a sin that disrupts society.

Beyond religious affiliations, family is another main group associated with transphobia. Until the age of eighteen, everyone must live with some type of guardian, whether they be biological or adoptive. Hearing that their baby girl wants to wear a binder or their boy wants to wear dresses can be jarring and unexpected. For many, it is an unfamiliar topic that they just do not have the experience to deal with. Parents can react in a variety of different ways, including violence and prejudice. This may manifest as withholding food, favoritism towards siblings, beating, forcing the child to attend conversion therapy, or kicking the child out. Extended family outside the household may wish to no longer see and even excommunicate the transgender individual.

Sometimes this family dissonance and the standards held by religious groups can come together to create a more complex situation. This is exemplified by the story of the transgender teen girl named Leelah Alcorn. In December 2014, she committed suicide after her parents forced her to go to conversion therapy and refused to accept her gender identity (“Preventing Trans Suicides”). Her death turned many people’s attention to the number of suicides within the transgender population.

The inequality for trans people is created in part by family and religious groups. It is tragic and unnecessary but will not always be a widescale problem. The transgender population in recent years has gained much more attention due to the overarching push towards marriage equality among gay and lesbian couples. The homosexual civil rights movement set a precedent for the future of other LGBT groups, including the transgender people.

Millennia ago, homosexual lifestyles existed in regions such as Melanesia, Amazonia, Central Africa, Western Egypt, Ancient Greece, and Rome (Adam 1-2). Homosexual relationships were a

key part of these cultures, and these individuals were not viewed any differently or even labeled as homosexual. It was only once these relationships began to interfere with the traditional marriage structure that the “homosexual person” developed as a pejorative category (5). From here, “social networks founded on the homosexuality interests of their members” were formed and allowed homosexual people to begin to fight for political and civil freedom (7). In latter-day Western culture, the fight for homosexual equality officially began in 1897 with a German civil rights movement (1). This rebellion brought forth endless political persecution and a social stigma for the homosexual community as many began to define this group as separate and sexually deviant. The early fight for equality ended in 1933 with the rise of Nazism (53).

After World War II, many gay and lesbian movements attempted to reorganize but faced the residual hatred formed during the Holocaust (Adam 60). This manifested as the homophile movement, or the belief that homosexuals are natural perverts, child predators, and “sex murderers” (Rimmerman 15; Adam 62). At this time in history, “there were no laws protecting lesbians, gay men, bisexuals, or transgender individuals from being fired from their jobs, and no openly lesbian or gay politicians participated in politics anywhere in the United States” (Rimmerman 18). It was not until June 1969, in a New York bar called Stonewall, that the homosexual movement gained traction again (Adam 81). A police raid at the bar and the subsequent backlash from the LGBT community set forth the movement toward “gay liberation” and freedom from the endless prosecution.

Post-Stonewall, the public became more familiar with the gay population. Gay celebrities during the mid to late 1900s, including Freddie Mercury (singer for Queen), Andy Warhol (American pop-artist), and Ellen Degeneres (talk show host), helped this exposure. Due to these openly gay and lesbian celebrities, along with interactions with LGBT people in everyday life, the social environment began to change, and people no longer felt as strong of a stigma overall.

This slow acclimation changed the attitude towards gay individuals slowly from confusion to acceptance. As with any type of discrimination, the entire population does not accept change all at once, but the amount of the prejudice begins to decrease overall.

This change in social attitude towards the homosexual people eventually led to *Obergefell v. Hodges*, which legalized gay marriage in all 50 states of the US. Justice Kennedy stated: “Their hope is not to be condemned to live in loneliness, excluded from one of civilization’s oldest institutions. They ask for equal dignity in the eyes of the law. The Constitution grants them that right” (*Obergefell v. Hodges* 28). This ultimately began the celebration of being LGBT. For the first time in over a century, gay individuals had marriage equality nationwide. (Many states did, however, try to fight this decision and deny marriage licenses.) LGBT individuals still do not have absolute equality in all regards, and perhaps they never will, but they can now live a life less worried about the social prejudice that might follow. One example of the slow acclimation to the homosexual population includes the lifting of “don’t ask, don’t tell” policy, or the period in which gay people could serve in the military but could not openly exhibit their sexuality. It began in the 90s and was lifted in 2011 (Rimmerman 74-78).

To celebrate the advancements of the homosexual movement, Pride is held every June in cities around the United States of America. Pride began in 1970, exactly one year after the Stonewall riots, in remembrance of the resistance the homosexual population put against the police discrimination of the time (“History of LGBT Pride”). From 1970 until 1990, Pride was almost exclusively a political event that demanded social equality. In 1991, it began to include parade elements and became what it is today: a celebration of the LGBT. Today, Pride is a widescale event full of weekend-long partying and the rainbow plastered on every possible surface. LGBT people and allies, or individuals who are not queer, from various lifestyles meet up and celebrate their similarities and fight for greater acceptance. With both LGBT participants and allies, Pride

has a large number of attendees. This furthers the acceptance of the homosexual population because the more people who attend Pride, the more society accepts this group. They can no longer ignore a large portion of the population anymore and are forced to become familiarized with it.

With the increasing popularity and celebration of queer lifestyles, the rainbow became marketable. Any company who came out in support of the gay community was flocked to in large masses by LGBT individuals. M. Wayne DeLozier and Jason Rodrigue published a 1996 journal article stating that businesses must turn their attention to the gay population, as they serve a potentially large market in sales. Companies began to understand more on how to market towards the homosexual community and, in turn, found a higher value in their gay consumers (Sender). To reach the LGBT population, businesses began to print rainbows on much of their merchandise and targeted ad campaigns towards gay audiences.

These marketing techniques bled into mass media, which is highly consumed by much of the American public. With this increase in “gay media,” society is exposed to this homosexual lifestyle at a greater rate than previously before. Prior to mass media, it was convenient for homophobic audiences to avoid people or media that disagreed with their views. Now that corporations are targeting the gay population with ads, completely avoiding their marketing campaigns is nearly impossible. The disturbed populations must choose to become familiar with the gay population and eventually accept them or to continue to feel discomfort every time an ad comes around. To stay angry at a single group of people takes dedication that many people do not desire to keep up with. While the extremists continued to hate the gays, much of the population just slowly accepted the presence of the gay culture over time.

This movement for equality in marriage for homosexual couples can be transferred to the fight for transgender freedom. The gay civil rights movement was successful because it allowed the general public to slowly acclimate to the new social environment. Change all at

once, regardless of the topic, is not taken well by many people. We are creatures of habit, and, when something threatens the nature order, we tend to dislike and avoid it. Recall that this is why people were originally defined as homosexual: they threatened the traditional order of marriage (Adam 7). Changing the natural ways of society is dangerous, but changing the natural structure of marriage is outright insanity. Just as homosexuals brought change to the traditional marriage, so do transgender individuals. The way transgender people threaten marriage is similar; they introduce a change to the traditional gender roles. These gender roles, as mentioned earlier, are extremely important to many Christians and many in society as a whole.

Regarding marriage alone, it took 117 years to alter gender roles enough to allow *Obergefell v. Hodges* to pass. The fight for total equality is still continuing and will continue for all of human existence, because some groups of people will simply avoid accepting those who are different from themselves. As new generations are born, however, they become familiar with these movements for equality. They begin to invent newer technologies, such as mass media that increases the rate of exposure. This natural exposure over time allows the new generation to make their own judgement calls independent of their family. Consequently, the total number of people who finds the gay community appalling slowly decreases.

The transgender fight for freedom began much later than gay rights movement because of its lack of popular recognition and understanding. The transgender movement was not in motion because it was not yet an organized group like the homosexuals. Transgender people were actually present at the Stonewall riots and contributed to the core resistance against the police brutality (Adam). Their contributions, however, became overshadowed and forgotten, since they had no formal movement. The word transgender was not even invented until December 1969, 72 years after the first gay rights demonstration (Ekins and King 13). For the first several years after its creation, the term transgender was unsophisticated and only

loosely resembles what we view it as today. Transgender was an umbrella term for both transvestites and transsexuals (14). Transvestites are people who do not wish to become the opposite gender but cross-dress for fun or entertainment. Transsexual was used in place of the word transgender. The term transsexual implies crossing sexual lines instead of gender with its etymology and caused confusion for many. Transgender was used with more frequency because it conveyed that people wished to change their gender and not sexuality.

Once the transgender people had their name, it was not until 1985 that the transgender population was first taken seriously (Ekins and King 14). For the first time, transgender people were included in medical studies (15). With an academic focus, the term transgender changed again to closely resemble its current meaning: “going beyond the binary divide” and “beyond gender altogether” in some situations (16). This new and sophisticated meaning for the word transgender was used by activists in the 1990s through the 2000s. This was the beginning to a widespread transgender movement.

The transgender movement began to make strides of its own thanks to the precedent set by the homosexual community. With the standard of LGBT equality being set, the transgender movement could expect to see major changes within the next 50 years. The social stigma has already been drastically decreased thanks to the shifting political and social environment within the United States of America. The transgender movement, beginning at the end of the twentieth century, was benefitted by the invention of mass media. With this new technology, the transgender movement can expect to move even quicker. By the year 2050, if not much earlier, the trans community may see a major shift towards equality that the homosexuals saw in 2014 with *Obergefell v. Hodges*.

As LGBT people become more comfortable that they will not face endless persecution because of the shifting political and social landscape, they “come out.” This involves them telling their friends

and families that they are queer. These friends and families, in turn, have a first-hand encounter with a member of the LGBT community. This helps to familiarize more of the population and destigmatize LGBT people. A gay person, from stereotypes, may make some people uncomfortable, but if the general public already has experience with the LGBT population, then it is significantly harder to judge them based on these stereotypes. The experiences of sexualities and genders within the LGBT group are different from one another, but all can relate to a feeling of not fitting within the general public.

With the slow decrease of social stigma within the United States of America, the fight for transgender equality has already begun. It is further advanced in the same states that approved gay marriage before *Obergefell v. Hodges*. In 47 states, it is possible to change one's gender marker on all official documents ("State-by-State"). The only states that do not allow a change in gender marker are Ohio, Kansas, and Tennessee. Close to half of the remaining states do not require sexual-reassignment surgery prior to changing one's gender marker. They instead require a legally certified doctor and/or psychiatrist to sign off that their patient is truly transgender and has gone through a thorough mental examination. The remainder of the states require some form of surgery. The type of surgery is dependent by state. Many states do not specifically clarify what type of surgery must be done prior, so individual cases are often taken to court. Some states specifically require sex reassignment surgery (SRS), or genital surgery. Those who do not specifically require SRS can be interpreted as either requiring chest or genital surgery. The states with these vague laws make it difficult for transgender individuals to officially change their gender. Instead of set guidelines one must follow to change their gender, transgender individuals are often left unsure whether or not the surgery they get will be sufficient. As the growing presence of the transgender population cries out for more accessible opportunities to change their gender, states will react. Their reaction will be based entirely on

their alignment in the political system and the overall political climate at the time.

The fact that many of these states with loose interpretations have not passed more firm laws is indicative of two concerns: lack of importance in their political atmosphere and lack of understanding. States that have passed firm laws allowing (or denying) gender change have a stance that is developed by not only their legislative body but also their population. The citizens' outcry and perseverance have pushed lawmakers to take a stance for their constituents. It is possible states like Oklahoma are too busy with others matter, such as medicinal marijuana, to debate and decide a firm stance on transgender matters. It is simply not relevant enough for the state government to worry about. As mentioned earlier, the transgender movement is still relatively new and legislative bodies move extraordinarily slow. The push for equality is only just beginning and requires a majority to make their voices heard. To increase their success, the transgender population need to continue to make their voices heard. They must make it apparent to legislative bodies that they exist and will not be silenced until equality has been acquired.

What is equality for the transgender community? Equality is being able to change one's gender without having to go through SRS, equal access to healthcare, freedom from prejudice, freedom to be oneself regardless of their complete identity, and much more. While changing one's gender on legal documents only after SRS may seem completely reasonable, it is actually far from that. A large number of health plans do not cover the cost for SRS, as it is seen as cosmetic or unnecessary. Daphna Stroumsa states that "current policies denying medical coverage for sex reassignment surgery contradict standards of medical care and must be amended" (e31). Policies denying coverage leave many transgender individuals without funds to go through with surgery. This makes it potentially impossible to change their gender officially. They then will have to live a not true to themselves. Being true to one's own identity is absolutely crucial for any person, transgender or not.

Another reason that SRS should not be required for gender change is because it is not a necessary step for some trans' people transition. For those who do not suffer from gender dysphoria, this may be confusing and almost contradictory. One's transition is personal and individual. Some choose not to go through with SRS because it takes away their opportunity to reproduce without surrogates or in vitro fertilization. Requiring SRS forces the trans people who want biological children to decide between having children early in life so they can start their transition earlier, not having children at all, or paying for an alternative method of having children. Among those who do not desire biological children, some still do not want to go through with SRS for other reasons. Even trained plastic surgeons make mistakes in surgery, and the fear of a botched SRS causes some to stray away from it. It is a complex surgery that requires, for both male-to-females and female to-males, to have skin/organs removed, altered, and/or reattached (Swhear 11). For FTM specifically, the new penis is not fully functional and cannot achieve an erection naturally. It is still unknown by researchers if SRS is actually reliable in relieving the distress associated with gender dysphoria (12). Due to all of these elements, some trans individuals decide not to have SRS done.

Having SRS changes a person genitals which may make them feel more comfortable with their own body. Many trans individuals feel the need to also pass the rest of their body according to society's standards of their desired gender. Trans people may try to adhere to these standards for personal comfort, but many do so because they feel unsafe in their environment (Nicolazzo 35). This fear may be a reality or it can be a perceived threat. A perceived threat can be as simple fearing going into public because the individual may be misgendered. Most of the time, people misgender because they are just unaware, confused, or take a guess if the trans individual is androgynous. They often do not have malicious intent. This fear of not passing can be debilitating for those already suffering with other issues such as social anxiety.

The rights transgender people fight for are similar to those that the rest of the LGBT community also fights for. The homosexual movement has proven that these demands are achievable. The precedent set by the homosexual community has played a significant part within my own life. I grew up in Oklahoma City in a Christian household. When I was younger, my parents could easily be classified as conservative. My older brother came out as homosexual while he was a teenager. They chose to react poorly due to a variety of reasons, including their own upbringing and the beliefs they acquired from their religion. Our family became split for a while until they realized their mistakes. Once I was in high school, I began to question my own identity. I went through a period of confusion and depression. I knew how my parents reacted towards my brother and feared a similar reaction. After they learned of my gender identity, they were confused because of their lack of experience with any transgender people. They did not, however, react negatively like they did towards my brother. His nontraditional sexuality acted as bridge to my nontraditional gender (and sexuality). The precedent set by my brother gave me the opportunity to embrace my gender without suffering from severe backlash from my parents. ▶▶

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