

Legal Inequalities

For the Transgendered

by Stephanie Novak

What's more difficult than feeling as if you are a man born in a woman's body, or a woman born in a man's body? Being punished for it.

The way society and the current legislative system work, not only are transgendered people discriminated against socially among peers and the greater population, they can be fired legally because of their gender identity.

Currently, about one-third of transgendered Americans are covered by antidiscrimination laws. That is undeniable progress, but it leaves the other two-thirds of transgendered people without real protections, if any at all.

In North Carolina the legal system hasn't been modified to include gender identity. That means that as far as discrimination is concerned, transgendered people can be legally fired from employment and kicked out of their apartment if the landlord doesn't approve of the person's gender identity.

And as far as hate crimes go, statistics for hate crimes against transgendered people are few and far between, which means that they are likely to be under-reported. Although the Federal Bureau of Investigation makes it their business to investigate hate crimes, the agency reports on hate crimes involving race, sexual orientation, ethnicity/national origin, and disability, but not crimes committed against the transgendered.

Beyond these challenges, the transgendered also face problems in their everyday lives, especially in situations that most people take for granted. For pre-op transsexuals, for example, difficulties are raised with how they are identified on state driver licenses.

The Division of Motor Vehicles of North Carolina will only accept a change in sex after the operation, which means that if pulled over, the pre-op transsexual can easily be targeted for discrimination and even harassment.

A lack of understanding of transgendered issues can also lead to incorrect placement of transsexuals within prison systems. For example, a male-to-female transsexual could be placed in an all-male prison, again making the person a potential target for harassment.

According to the Transgender Law Center, prisons tend to house their prisoners based on birth sex, so no matter how long a transsexual has been living their gender identity, they will be placed in a prison where they do not belong.

Prison systems may even go so far as to deny transsexuals access to hormone therapy, or not provide the correct dosages. For someone that has been undergoing

hormone therapy, to suddenly be taken off of it can prove dangerous for one's health. The consequences of quitting hormone therapy can include changes in physical appearance and chemical imbalances, often resulting in depression.

With such legal inequalities on the table, what can be done to improve the current state of affairs?

One solution: education. Ian Palmquist, executive director of Equality NC, a statewide advocacy organization working to secure equal rights for the LGBTIQ community, has focused a lot of attention on educating the people he's talked to about issues affecting the transgendered community.

One way to make sure transgendered issues are discussed in the public forum, he said, is to sit down with legislators and talk to them.

Many legislators are unfamiliar with transgendered people and, therefore, are unfamiliar with the issues. Meeting with a legislator one-on-one could help to inform lawmakers so that effective policies are pursued to protect the transgendered.

Additionally, talking to people in the broader community can also serve to inform the greater public about transgendered issues.

Awareness does not come overnight, however, so LGBTIQ activists must work hard to introduce certain issues into the public's discourse.

To expand efforts to create legal protections for the transgendered, activists can join groups like Equality NC, which fight to make equal rights available to the LGBTIQ community. Also, one can go a step beyond and start up a community group that focuses more specifically on transgender issues.

Beyond talking to legislators, grassroots groups like these can also raise awareness by engaging in cultural politics, holding events like art shows featuring the work of transgendered artists or showing movies with transgender themes.

Lastly, activists and transgendered-supporters must also vote, given the importance of involvement in politics. When elections are coming up, individuals must register to vote and educate themselves on the issues and candidates.

Change can happen, but it does not come about on its own. Inequalities continue to exist for the transgendered, and therefore, the LGBTIQ community and its allies must take advantage of these opportunities to change the hearts and minds of the greater population. Only then will transgendered individuals be given the rights and social standing they deserve.