

The Christian Right on the Gender Frontier

The Growing Anti-Trans Offensive

In June 2014, *TIME* magazine declared that the U.S. had reached the “transgender tipping point” and was venturing toward trans inclusion as its next “civil rights frontier.”¹ That month’s cover featured Laverne Cox, a Black transgender actress famous for her portrayal of Sophia Burset on the popular television series *Orange Is the New Black*. The accompanying coverage inside the magazine—which included an extensive “Transgender 101” article, a photo essay portraying a diverse range of transgender people and experiences, a nuanced exploration of the various obstacles faced by trans people, and a personal interview with Cox—was hailed by *ThinkProgress*’ Zach Ford as “perhaps the most positive and in-depth representation of transgender life experiences ever presented in mainstream print media.”²

The following year, a record number of transgender women were killed in the United States.

WHO’S UNDER ATTACK?

In 2015, 23 trans women³ were murdered in this country. Though not all of these deaths have been labeled “hate crimes,” the shared thread of trans feminine identity is indicative of an undeniably heightened threat to trans women. Research from the National Coalition of Anti-Violence Programs indicates that the majority of victims of hate violence homicides are trans women,⁴ and NCAVP described the 2015 crisis as “epidemic” in proportion.⁵ Unfortunately, the rate of targeted violence and persecution against trans and gender-nonconforming people shows no signs of waning.

All across the country, and in various areas of public life, manifestations of anti-trans sentiment are actually on the rise, in forms that extend far beyond



People protesting the anti-trans HB 2 head to the North Carolina legislative building during the Moral Monday rally on April 25th, 2016. Photo courtesy of Nathania Johnson via Flickr.

physical violence. So far, 2016 has seen at least 44 anti-trans bills proposed in 16 states, aimed at putting an already vulnerable community at even greater risk for harassment, abuse, ostracization, and discrimination.⁶ This unprecedented wave of legislative attacks against trans and gender-nonconforming people isn’t restricted to red states, rural communities, or the Bible Belt. Neither spontaneous nor coincidental, it’s the result of a nationally coordinated effort led by the Christian Right.

North Carolina proved the strength and viability of this effort in March 2016, when the state’s General Assembly approved House Bill 2 (HB 2),⁷ which invalidated the recent expansion of non-discrimination protections for LGBTQ individuals in the city of Charlotte, and additionally prevented all municipalities in the state from adding any new protections. Charlotte’s ordinance would have, among other things, granted transgender individuals the right to use public facilities that correspond to the gender with which they identify.

Governor Pat McCrory signed the bill—described by Sarah Preston, acting Executive Director of the ACLU of North Carolina, as “the most extreme anti-LGBT bill in the nation”—following a one-day special session called expressly for the purpose of eliminating Charlotte’s expanded nondiscrimination ordinance, costing taxpayers \$42,000.⁸ (It should be noted that HB 2 was an attack on more than just LGBTQ people. The bill also gutted the North Carolina Equal Employment Practices Act, which had provided core anti-discrimination protections for workers, making North Carolina one of only two states in the country without any state law protecting private sector employees from workplace discrimination. Additionally, HB 2 gave the state the power to override local efforts to increase the minimum wage.⁹)

McCrory had previously stated that Charlotte’s nondiscrimination policy would “create major public safety issues by putting citizens in possible danger from deviant actions by individuals taking improper advantage of a bad poli-

cy.”¹⁰

These talking points reflect the handiwork of the coalition of national players behind the bill. Over the last several years, right-wing opponents of social justice have steadily honed their anti-trans tactics and rhetoric. We’re now seeing the effects of their well-resourced, diligent campaigning.

HIS/HER/HIRSTORY: HOW DID WE GET HERE?

TIME’s use of the term “frontier” in its 2014 “transgender tipping point” cover story might have foreshadowed this pending surge of anti-trans attacks. A frontier is often understood to be that edge between the known and the unknown, the settled and the “wild.” For some, it’s a place of adventure and possibility, but for others—especially those who already live there—familiar territories that are suddenly deemed “frontiers” can quickly become places of great danger, thanks to the encroachment of invading pioneers.

And in this contemporary gender frontier, the Christian Right is on the attack, using flawed religious rhetoric and claims of “protecting women and children” to support an onslaught of transphobic violence and oppression.

The tropes at play are familiar. In the 1970s, Anita Bryant’s anti-gay “Save Our Children” campaign equated homosexuality with pedophilia in order to mobilize voters to repeal a Florida county’s anti-discrimination ordinance that protected gay and lesbian citizens in employment, housing, and public accommodations. Today’s opponents to nondiscrimination protections for transgender people echo similar fear-mongering myths.

But the manipulation of people’s protective instincts toward those regarded as vulnerable dates back much further than 1977. In the aftermath of HB 2, Dr. Honor Sachs, assistant professor of history at Western Carolina University, outlined in *The Huffington Post* how throughout history false accusations of rape and sexual assault have been deployed to negate the social and political advances of minority groups when those in power feel threatened. To catalyze violence against indigenous populations during the 17th and 18th centu-

ries, American Indians were depicted as “savage” and “predatorial” and therefore a threat to sexually vulnerable Anglo-American women. From the 19th century into the mid-20th century, Whites justified the lynching of countless Black men in the name of avenging alleged sexual assaults against White women (as with Emmett Till).¹¹ Subsequently, the same line of reasoning was used to rationalize racially segregated facilities in the Jim Crow South.

This racialized thread, woven tightly into the “protective” narrative, helps make one thing very clear: conservative rhetoric about protecting women rarely has anything to do with actually protecting women.

The modern version of this old claim is

ognized (thanks, in part, to the visibility—and popularity—of trans women like Laverne Cox) they were swimming against the current of trans visibility and acceptance.

In March 2016, the Human Rights Campaign published research that indicates 35 percent of likely voters personally know or work with a transgender person, as compared to just 22 percent the previous year.¹² As more and more people become familiar with the transgender “frontier,” it is increasingly difficult to pass off falsehoods about trans people as indisputable. In order to attract more moderates and expand their base, the Christian Right needed to present a more nuanced message.

Many anti-trans activists have begun



Right-wing campaigns, such as the recent #KeepNCSafe campaign supporting North Carolina’s HB2, rebrand non-discrimination bills as “Bathroom Bills” and manipulate fear of violence against women.

encapsulated in the rebranding of trans-inclusive nondiscrimination laws as “bathroom bills.” Because existing and proposed efforts to extend nondiscrimination protections to trans and gender-nonconforming people include public spaces, the opposition has chosen to highlight the fact that public spaces include public bathrooms. The message being deployed is that these nondiscrimination laws would “allow men into women’s bathrooms.”

Initially, these warnings aimed to bring into question the “authentic” gender of trans women, suggesting that gender is fixed and immutable. However, factions of the Right gradually rec-

focusing more on the theoretical risk of male sexual predators taking advantage of nondiscrimination laws designed to protect trans people by dressing up as women and *pretending* to be transgender in order to gain access to women. It’s basically the 2.0 version of an Anita Bryant-style witch hunt—rather than paint all trans people as personally deviant and dangerous, opponents suggest that granting nondiscrimination protections to trans people will effectively enable the deviant and dangerous behavior of others.

In February 2016, anti-trans opponents went so far as to stage such a scenario. The previous December, the

Washington State Human Rights Commission had added “gender identity” to the state’s pre-existing public accommodation protections.¹³ Opponents quickly introduced several pieces of legislation to overturn the protections, but when they failed to advance, conservatives instead pushed for a voter initiative. As part of their effort to garner support, opponents sought to incite “bathroom panic” by recruiting a non-transgender man to enter a women’s locker room at a Seattle public pool.¹⁴

The Human Rights Commission responded to the stunt with a statement explaining, “Men cannot go into the women’s locker room, as this man claimed he had the right to do. Only women, including transgender women, can go into the women’s locker room. Persons who enter the wrong gender-segregated facility for nefarious purposes can be asked to leave in no uncertain terms. And they would have no recourse.”¹⁵

As Sunnive Brydom, managing editor for *The Advocate*, notes, “There has never been a verifiable, reported instance of a trans person harassing a cisgender person, nor have there been any confirmed reports of male predators ‘pretending’ to be transgender to gain access to women’s spaces and commit crimes against them.”¹⁶

Facts and clarifications, however, seemingly do little to dissuade these anti-trans attacks. The Family Policy

Institute of Washington (FPIW), a Focus on the Family affiliate, persisted in claiming, “[P]eople of any sex can enter a locker room of the opposite sex and defend their right to be there based on gender identity, a subjective concept that is impossible to prove.”¹⁷

Increasingly, right-wing opponents are attempting to “prove” that their manufactured risks are viable. According to YWCA Pierce County CEO Miriam Barnett, trans rights advocates have reported that the anti-trans alliance coordinating Washington’s repeal effort (primarily led by FPIW under the name “Just Want Privacy”) has instructed men gathering signatures to position themselves outside of women’s bathrooms. If a woman declines to sign, they are encouraged to follow her in, ostensibly to demonstrate how dangerous trans-inclusive bathroom policies are.

Using these sorts of scare tactics and provocations, the repeal effort targeting the 2015 expansion of nondiscrimination protections gained substantial momentum, but ultimately the campaign failed to gather the necessary number of signatures to qualify for the ballot.¹⁸ Nonetheless, LGBTQ activists remain wary. Kris Hayashi, Executive Director of the Transgender Law Center, warns, “I anticipate seeing much worse going into 2017.”¹⁹

WHO’S BEHIND IT ALL?

A national coalition of Christian Right

powerhouse organizations has been plotting this campaign since long before the concept of a “post-marriage equality moment” even existed. Not merely a response to the Supreme Court’s *Obergefell* decision on same-sex marriage or Laverne Cox’s celebrity status, this recent wave of anti-trans attacks has deep social, political, and theological roots. Three key groups leading the effort are Focus on the Family, the Family Research Council, and the Alliance Defending Freedom.

Focus on the Family (FOTF) is one of the most powerful Christian Right parachurch organizations in the country. With annual revenue of over \$88 million²⁰ and 13 international offices (in addition to its massive headquarters in Colorado Springs), FOTF’s influence is truly global.

In a series of articles on “transgenderism” originally published in 2008, FOTF reveals a remarkable depth of awareness regarding some of the deep internal rifts within the LGBTQ community:

For decades, lesbian, gay and bisexual activist (LGB) leaders worked hard to keep those who called themselves “transgender” or “transsexual” as far out of the public eye as possible. By their own admission, the last thing they wanted was a bunch of “drag queens” and cross-dressers to scare away potential allies and ruin any hope for their community to achieve its political goals. So the activists only portrayed homosexuals in favorable and non-threatening ways.

But recent years have seen a sea-change in attitudes about cultural acceptance of homosexuality. And LGB activists believe that sufficient political gains have been won at the local, state and federal levels that they can now turn their attention to adding the “T”—for transgender—to the LGB acronym that represents their community.²¹

Indeed, anti-trans dissonance has long plagued the LGBTQ justice movement, leaving trans and gender-nonconforming people especially susceptible to attack. Contemporary consequences of this internal strife became particularly evident during what became known as the “ENDA debacle” of 2007. After over two decades of legislative advocacy, the

Nondiscrimination Protections for LGBTQ People

Currently, federal law prohibits discrimination on the basis of race, color, religion, national origin, sex, disability, and pregnancy or childbirth.⁷⁸ In July 2014, President Obama signed Executive Order 13672, expanded these protections to include “sexual orientation” and “gender identity” in hiring and employment on the part of federal government contractors and sub-contractors. These categories of protection also exist for the federal civilian workforce.

Some states and municipalities have also elected to independently expand nondiscrimination protections to include sexual orientation and gender identity, but 32 states still lack clear, fully inclusive nondiscrimination protections for LGBTQ people.⁷⁹

The Equality Act, proposed in 2015, would change this by establishing explicit, permanent protections against discrimination based on an individual’s sexual orientation or gender identity in matters of employment, housing, access to public places, federal funding, credit, education and jury service. Additionally, it would prohibit discrimination on the basis of sex in federal funding and access to public places.

Employment Non-Discrimination Act (ENDA) appeared to finally be gaining the necessary support to extend federal nondiscrimination protections to include LGBTQ people. However, when certain LGBTQ power players and political insiders became concerned that the bill didn't have quite enough votes to pass, they dropped "gender identity" from the list of protected statuses in an attempt to make it more palatable to those legislators who were still on the fence, thereby leaving out trans and gender-nonconforming people. The revision was soundly rejected by a coalition of progressive organizations and activists who refused to deprioritize some of the most vulnerable members of the LGBTQ community. In any case, the revised bill failed.

There's no such thing as a discreet family dispute when you're a political movement representing millions of LGBTQ people. Of course, Christian Right

groups were paying attention, and FOTF has sought to exploit these rifts. From its sprawling 45-acre campus, FOTF has captained the Christian Right's advances against trans and gender-nonconforming people for years. But this went relatively unnoticed until recently, in part, because many of FOTF's anti-trans attacks have been mislabeled. For example, James Dobson, founder and longtime president of FOTF, has been warning parents against letting their young boys embrace feminine characteristics since as far back as the 1970s. Critics accuse him of being homophobic, but in reality, he's also tapping into the undercurrents of transphobia. For Dobson and his followers, the fear wasn't just about men loving—or even having sex with—other men. What's also at play is a deeper fear that such a relationship would entail men behaving like women.

Now those undercurrents have swelled into a raging river, and though LGB activists may finally be prepared to "turn their attention to adding the 'T,'" as FOTF puts it, the Christian Right already has an established infrastructure and anti-trans game plan, putting them

light years ahead. With the help of its political arm, the Family Policy Alliance (formerly CitizenLink), FOTF is mobilizing its constituents across the country, depicting trans-inclusive nondiscrimination ordinances as "insanity," and arguing that they will allow "sexual predators" access to young girls.²²

Family Policy Alliance (FPA) is a multi-million dollar operation that oversees a national network of 38 state-based "family policy councils" collectively committed to restricting access to abortion and reproductive justice, resisting efforts toward LGBTQ equality, and redefining religious freedom into a dangerous tool of oppression.²³ All but four of the states

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considering anti-trans legislation this year have an FPA-affiliated family policy council.

FPA says it provides its state-based affiliates, like the previously mentioned Family Policy Institute of Washington, with "training, funding and strategic coordination to engage in elections, advance pro-family legislation, mobilize churches on critical issues and be a voice for biblical citizens within their states."²⁴

North Carolina's affiliate is the North Carolina Family Policy Council (NCFPC). In the case of NCFPC, FPA has played an especially significant role in supporting the group financially. According to the most recently available tax filings from both organizations, FPA contributed nearly \$170,000²⁵ to NCFPC in 2013, which amounts to approximately one third of NCFPC's operating budget that year.²⁶

John Rustin, president of the NCFPC (whose total compensation in 2013, incidentally, was just shy of \$170,000) wrote a letter to Gov. McCrory following the passage of Charlotte's trans-inclusive nondiscrimination ordinance, de-

manding that the General Assembly call a special session to overturn it and "pre-empt any other municipality or county in the state from enacting a similar ordinance."²⁷ And that is exactly what happened.

While FOTF taps into the motivating elements of fear in order to advance the Christian Right's anti-trans agenda, the Family Research Council (FRC) attempts to provide the intellectual backing for their campaign.

FRC, a Christian Right political advocacy group based in Washington, D.C., came into existence during the same time period as FOTF, and the two organizations have remained in close relationship throughout their shared history; from 1988-1992 FRC was even subsumed as a division of FOTF. Today, the two function as organizational partners, collaborating on numerous projects.²⁸

In June 2015, FRC laid out a five-point plan for "responding to the transgender movement." The position paper was co-authored by Peter Sprigg, a senior fellow at FRC, and Dale O'Leary, a Catholic writer based in Avon Park, Florida. Sprigg, a proponent of so-called "reparative therapy"—a psychological treatment based on the assumption that homosexuality is a mental disorder that can and should be fixed or changed—has argued that transgender people suffer from "delusions."²⁹ O'Leary claims that "same-sex attraction is a preventable and treatable psychological disorder,"³⁰ and has suggested that "sexual liberationists" are "targeting children" in order to expose them to "molesters and exhibitionists masquerading as sex educators."³¹

Ignoring trans-affirming positions from the American Medical Association,³² the American Psychological Association,³³ and the American Psychiatric Society,³⁴ the two dredged up obscure and outdated scientific theories in an attempt to pathologize transgender people, then outlined a strategy for advancing anti-trans public policy.³⁵ Specifically, FRC argues against providing trans people with gender-affirming health-

care, access to gender transition procedures (often understood to be life-saving for transgender people), legal recognition, protection from discrimination, and the right to serve in the military.

As longtime transgender rights activist Brynn Tannehill explains, it's a plan "to legislate transgender people out of existence by making the legal, medical, and social climate too hostile for anyone to transition [from one gender to another]."³⁶

Sprigg and O'Leary, like most other right-wing opponents of trans and gender-nonconforming people, draw many of their arguments from Dr. Paul McHugh, professor of psychiatry at Johns Hopkins University. In that position, McHugh has actively worked against the medical treatment of trans people since the 1970s. In a 1992 essay published in *The American Scholar*, a quarterly literary magazine, McHugh actually indicates that part of his incentive for taking over Johns Hopkins' psychiatry department in 1975 was to shut down the institution's Gender Identity Clinic, which since 1966 had been at the forefront of transgender medicine.³⁷

"It was part of my intention, when I arrived in Baltimore in 1975, to help end it," he wrote.³⁸ In 1979, he succeeded.

But he didn't stop there. As a member of the American College of Pediatricians, a right-wing breakaway group that split from the American Academy of Pediatrics in 2002,³⁹ McHugh recently helped author a new position statement claiming that respecting transgender children's identities causes them harm and is akin to "child abuse."⁴⁰

As I have written elsewhere, Sprigg, O'Leary, and McHugh also selectively highlight the scholarship of a small group of highly controversial academics and activists described by their critics as "Trans-Exclusionary Radical Feminists" (TERFs). Although most categorized as TERFs reject the label and consider it to be insulting, they openly espouse the notion that trans women "aren't really women," and that real womanhood is exclusively determined on a natal, biological level. These arguments (key elements of what's called "gender essentialism") align themselves with and fuel the flames of right-wing transphobia,

providing the Right an intellectual foundation upon which to build an argument that would appeal to both conservatives and certain sectors of the Left.⁴¹

Much like the example of the 2007 ENDA debacle, TERF scholarship is merely an outgrowth of anti-trans trends that have been consistently prevalent in feminist circles for decades. The Right has simply become more adept at exploiting them.



The American College of Pediatricians was founded in 2002 when a small group of anti-LGBTQ physicians and other healthcare professionals split from the 60,000 member American Academy of Pediatrics.

Rounding out the hearts-and-minds campaign work of FOTF and FRC is the Alliance Defending Freedom (ADF), a right-wing Christian legal group based in Scottsdale, Arizona.

ADF was founded in 1994 by five of the Christian Right's top strategists of the day, including FOTF's James Dobson. Today, ADF counts more than 3,000 "allied attorneys" on its roster, all of whom are working to "preserve and defend" their definition of religious freedom, which they consider "our most cherished birthright." ADF claims that its army of Christian Right lawyers has racked up 47 victories at the U.S. Supreme Court since it was launched in 1994, and has played a role in "hundreds of international legal matters affecting religious freedom."⁴²

Founded in 1994 under the name "Alliance Defense Fund," ADF's initial goal was to collect money from Christian Right donors and parcel it out to other, already established groups that were

active in courts.⁴³ Over time, however, ADF has come to dominate the smaller organizations it once served to support. Acknowledging this shift, in 2012 ADF changed its name to "reflect the organization's shift in focus from funding allied attorneys to litigating cases."⁴⁴

And ADF continues to grow, both in terms of the size of its coffers and the scope of its work. From 2001 to 2013, annual contributions and grants increased from \$14.7 million to \$38.9 million.⁴⁵ With that growth, ADF's strategy has also expanded, now reaching far beyond the courtroom, aggressively implementing its agenda in statehouses, churches, and schools.

In 2014, ADF teamed up with FOTF to promote a "Student Physical Privacy Policy" for schools, which provides model guidelines supposedly designed to protect students in areas such as bathrooms and locker rooms.⁴⁶ In reality, "physical privacy rights" as outlined in these policies clearly do not apply to all students; instead, they encode trans-exclusionary guidelines and subject transgender students to further scrutiny and interrogation when it comes to their privacy.

After testing the waters in a handful of districts, ADF launched an all-out offensive in December 2014. ADF announced that it had emailed public school superintendents nationwide to preemptively "advise them of a recommended policy and letter that protects the physical safety and privacy of students in restrooms and locker rooms while providing a solution for school officials concerned about students struggling with their sexual identity." ADF also warned that any school district supporting trans-inclusive policies "would clearly expose itself—and its teachers—to tort liability."⁴⁷ At the same time, ADF promised *pro bono* legal defense to schools choosing to adopt ADF's model policy.

Within weeks of ADF's announcement, the Gloucester County School Board in Virginia adopted ADF's model policy.⁴⁸ The policy was subsequently used to deny Gavin Grimm, a transgender male student at Gloucester High School, access to the boys' restroom. The ACLU filed a lawsuit against the district, and in April 2016, the U.S. Court of Appeals for the Fourth Circuit ruled in favor

of Grimm, concluding that Title IX protects the rights of transgender students to use sex-segregated facilities that are consistent with their gender identity.⁴⁹

Nonetheless, thanks to joint outreach efforts made by ADF and FOTF,⁵⁰ school boards across the country are now equipped with the language, tools, and resources to adopt new, trans-exclusionary policies, writing oppression and discrimination into their student handbooks.

ADF is highly involved in the current outbreak of anti-trans legislative efforts, too. Like their discriminatory school policy, ADF has drafted a model state level bill, the language of which is evident in anti-trans legislation proposed in Kentucky, Nevada, Minnesota, Texas, and elsewhere.⁵¹



Albert Mohler, considered one of the most influential evangelicals of all time, has a long history of preaching and campaigning against LGBTQ rights. Photo by James Thompson via Flickr.

THE TRANSPHOBIC ROOTS OF HOMOPHOBIC THEOLOGY

A fourth key player on the frontlines of anti-trans attacks is the Southern Baptist Convention (SBC). With more than 15 million members, the SBC is the largest Protestant denomination in the country, and has often been considered a bellwether for Christian conservatism.⁵² In 1976, the denomination's Executive Committee passed its first resolution on homosexuality, declaring that affiliated churches and agencies should not "afford the practice of homosexuality any

degree of approval through ordination, employment, or other designations of normal life-style (sic)." Since then, the denomination has passed more than 40 resolutions dealing directly or indirectly

with LGBTQ people.⁵³

In a 1992 editorial published in the *Christian Index*, Albert Mohler (who previously served as vice chairman of FOTF's board of directors) wrote that "Southern Baptists no longer have the false comfort" of regarding homosexuality "as someone else's problem. The moral and theological integrity of our denomination is at stake, at every level."⁵⁴

With this declaration, Mohler, now president of Southern Baptist Theological Seminary (SBTS) in Louisville, Kentucky, positioned himself as an early leader in the SBC's anti-LGBTQ crusade. In the subsequent decades, he has continued to write, preach, and aggressively campaign against LGBTQ people. Of the various topics covered on his website—which features a personal blog, regular commentary, and recordings from his two different radio programs—homosexuality is second only to theology in the list of categories, with nearly 400 different entries.⁵⁵

In response to LGBTQ activist and writer Matthew Vines' controversial 2014 book, *God and the Gay Christian:*

The Biblical Case in Support of Same-Sex Relationships, which made a case for LGBTQ equality from a Christian perspective, Mohler organized a formal response in the form of a free e-book titled

The theological roots of the Christian Right's assault on trans and gender-nonconforming people date much further back—long before anyone felt compelled to insert anti-trans language into official church doctrine.

*God and the Gay Christian? A Response to Matthew Vines.*⁵⁶ Four other SBTS professors contributed to the text, including Denny Burk.

Burk, a professor of biblical studies at SBTS's Boyce College, has previously encouraged Christians to stop using the phrase "gay Christian" because, he suggested, it's an impossible contradiction in terms. "Christians never speak of 'lying Christians,' 'adulterer Christians,' 'fornicating Christians,' 'murderer Christians,' or 'thieving Christians,'" he wrote.⁵⁷ In more recent years, Burk has graduated from the long established anti-gay school of theology, making a name for himself as one of the Christian Right's leading anti-trans pioneers.

Reflecting on *TIME's* transgender "tipping point" pronouncement in a June 2014 blog post, Burk wrote, "Just as homosexuality has been mainstreamed, so the revolutionaries seek to mainstream transgender (sic) as well." "Christians," he continued, "are going to have to meet the transgender challenge as a matter of great pastoral and missional urgency. We must be clear about what the Bible teaches and be faithful to live that message out in a culture that is increasingly out of step with biblical norms."⁵⁸

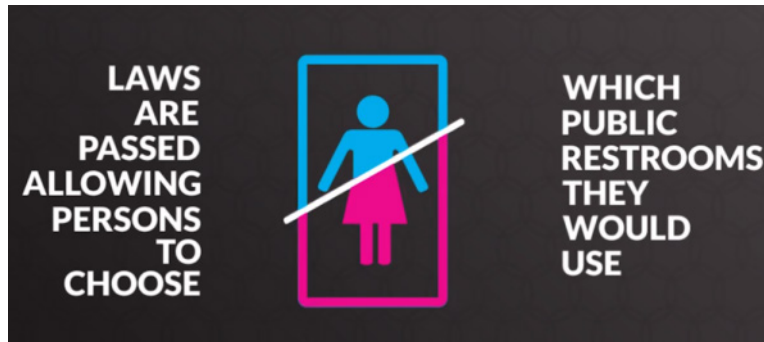
A resolution "On Transgender Identity" authored by Burk and adopted by the SBC's Resolutions Committee in 2014 reinforces patriarchal and misogynistic notions of "complementarity": the notion that men and women have different but complementary roles in relationships, family life, work, and society. It also declares that gender identity is "determined by biological sex and not by one's self-perception." Burk's resolution further describes transgender and

intersex people as “psychological” and “biological” manifestations of “human fallenness” respectively, and expresses opposition to any form of physical gender transition, as well as any governmental or cultural validations of transgender identities. The document is the latest in a long string of anti-LGBTQ resolutions issued by the denomination.⁵⁹

In October 2015, Burk presented at the “first-ever” evangelical conference on the subject of “transgenderism” in Louisville, Kentucky. Convened by the Association of Certified Biblical Counselors (ACBC), a network of thousands of conservative Christian counselors who oppose the disciplines of psychology and psychiatry, and the complementarity-focused Council for Biblical Manhood & Womanhood, the event focused on “Transgender Confusion and Transformational Christianity.”

As reported by Zack Ford at *Think-Progress*, in Burk’s lecture, “A Gospel-Centered Assessment of Gender Identity, Transgender, and Polygamy,” the Southern Baptist professor dismissed all research⁶⁰ that has determined gender identity to be a biological phenomenon and that has found there are serious mental health consequences to denying a person’s gender identity. According to Burk, “The task of parenting—the task of disciplining—requires understanding

conforming people date much further back—long before anyone felt compelled to insert anti-trans language into official church doctrine. In 1987, the Council for Biblical Manhood & Womanhood (CBMW) was founded to promote the views of complementarity—specifically that “men and women are complementary, possessing equal dignity and worth as the image of God, and called to different roles that each glorify him.”⁶²



Screenshot from a promotional video for the 2015 “Transgender Confusion and Transformational Christianity” conference. Full video at: <https://vimeo.com/117870540>.

Initially, complementarity was used as a core argument for the one-man-one-woman marriage proponents: that God’s design and intention was for wedded partners to create a balance between the unique characteristics predicated by their biological sex as the only appropriate formula for a legal marriage. But with the fight for same-sex marriage equality more or less behind us (unless, of course, you happen to be in the market for a gay wedding cake in a conservative, one-bakeshop town), the Christian Right is unearthing the deeper roots of gender essentialism for its current anti-trans offensive.

Another contributor to Mohler’s e-book response to Matthew Vines was Owen Strachan, a young champion of complementarity. The 34-year-old took over as Executive Director of CBMW in 2012, and in 2014 was promoted to President.⁶³ Under his leadership, the organization has more than tripled its annual revenue,⁶⁴ exponentially increased its social media presence, and launched a new international

outreach program, hosting events in the Dominican Republic, Brazil, Canada, and England.⁶⁵

At CBMW’s 2016 conference in Louisville on “The Beauty of Complementarity,” Strachan declared that he “would rather die” than let a young transgender girl share the restroom with his daughter (ironically specifying that such an occasion shouldn’t happen “without me in there”). He went on to reject and deny the existence of trans people, instead reiterating the strictly defined roles of gender essentialism. “Men are called to lead, provide, and protect,” he explained, “and women are called to nurture, support, and follow.”⁶⁶

Strachan has since stepped down as CBMW’s president. Denny Burk, author of SBC’s resolution “On Transgender Identity,” has assumed leadership of the organization.⁶⁷

RELIGIOUS FREEDOM AND THE ANTI-TRANS LEGAL OFFENSIVE

Despite the anti-trans campaigns, progress is still evident. In May, U.S. Attorney General Loretta Lynch took a bold stand for transgender people, announcing that the Department of Justice was suing North Carolina for violating federal civil rights protections with its passage of HB 2. Speaking to the people of North Carolina, her home state, Lynch said,

You have been told that this law protects vulnerable populations from harm. That is just not the case. What this law does is inflict further indignity for a population that has already suffered far more than its fair share. This law provides no benefit to society, and all it does is harm innocent Americans.⁶⁸

The lawsuit seeks to establish HB 2 as discriminatory under Title VII and Title IX of the Civil Rights Act and in violation of the Violence Against Women Act.

Title IX has been a primary point of contention in the fight for trans equality since the Obama administration expanded the reach of its protections in April 2014—less than two months

The Southern Baptist Convention’s 2014 resolution describes transgender and intersex people as “psychological” and “biological” manifestations of “human fallenness.”

those [gender] norms and to inculcate those norms into our children and to those who want to follow Christ, even those who have deep conflicts about these things.”⁶¹

COMPLEMENTARITY: GENDER ESSENTIALISM’S FAVORITE FORMULA

The theological roots of the Christian Right’s assault on trans and gender-non-

before Laverne Cox graced the cover of *TIME*. Under the new guidelines, Title IX prohibits discrimination in publicly funded schools not only on the basis of sex, but also on the basis of sexual orientation, gender identity, immigration status, and disability.

The ACLU of North Carolina flagged this element of the potential harm caused by HB 2, noting in a press release that in addition to eliminating protections for LGBTQ people, the bill “jeopardizes the more than \$4.5 billion in federal funding that North Carolina receives for secondary and post-secondary schools under Title IX, which prohibits sex discrimination, including discrimination against transgender students.”⁶⁹

Interpretation of this new policy had remained uncertain, but the U.S. Fourth Circuit Court of Appeals’ decision in favor of Gavin Grimm (the transgender male student seeking equal access to male bathroom facilities), issued in April 2016, established a clear legal precedent.⁷⁰

The Christian Right anticipated this. According to a report from the Human Rights Campaign, within months of the 2014 change dozens of religious colleges and universities had applied for and been granted a “religious exemption” from the law. George Fox University, a privately owned conservative Quaker school in Oregon that receives federal funding, was one of the first to do so — a reactionary measure taken to prevent a transgender male student, Jayce M., from living in campus housing designated for male students.⁷¹

Paul Southwick, a lawyer representing Jayce, argued that George Fox didn’t have any policies or theological positions prohibiting a student from transitioning or expressing a transgender identity.⁷² Denny Burk, author of SBC’s anti-trans resolution, recognized the risk of this loophole. Upon introducing his initial draft of what would become the SBC’s new policy, he explained, “the resolution will be a reference point for Southern Baptist colleges, hospitals, and other institutions that may be facing legal challenges for their stance on this issue.”⁷³

The ADF also understands the significance of establishing a theological precedent for anti-trans legal offensives. In

May 2016, ADF filed a lawsuit designed to exclude trans students from using the bathroom that aligns with their gender identity, arguing that the current policy of Illinois’ Township High School District 211, which grants students the right to access bathroom facilities that align with their gender identity, is illegal because it violates the rights of non-trans students.⁷⁴

In the suit, ADF lays out many of the familiar arguments about privacy and “protecting” girls, but it also includes

If their children share bathroom facilities with trans students, the ADF argued, parents’ “sincerely held religious beliefs about modesty and other religious doctrines” could be violated.

a new, religious argument, one that builds on the revised standard established by the Supreme Court’s 2014 *Hobby Lobby* decision. Using this new precedent, ADF argued in Illinois that many parents have “sincerely held religious beliefs about modesty and other religious doctrines”; if their children share bathroom facilities with trans students, the ADF argued, these beliefs would be violated. Therefore, the policy interferes with parents’ ability “to freely live out their religious beliefs.”⁷⁵

In 2004, ADF President Alan Sears told supporters, “One by one, more and more bricks that make up the artificial ‘wall of separation’ between church and state are being removed, and Christians are once again being allowed to exercise their constitutional right to equal access to public facilities and funding.”⁷⁶

Twelve years later, Sears and his team are still relentlessly chipping away. As PRA senior research fellow Frederick Clarkson laid out in his 2016 report, *When Exemption is the Rule: The Religious Freedom Strategy of the Christian Right*, their ultimate goal is to “impose a conservative Christian social order inspired by religious law.”⁷⁷ To be clear, that conservative Christian social order has no place for trans and gender-nonconforming people, so for it to be realized, it’s necessary to erase their existence.

EXISTENCE AS RESISTANCE

As the Christian Right attempts to forcefully construct its idealized vision of how the world should be (to the detriment of all who fail to fall in line), they cannot ignore the reality that bad things happen. Sexual assault and rape happen. Children are abused. Women experience untold amounts of violence. None of this can be refuted, however, our notions of who or what is to blame can vary dramatically.

Front and center in the Christian

Right’s anti-trans offensive is the notion that increased rights, protections, and access for trans people will equate to increased violence, abuse, sexual assault, and rape (specifically for women and children). Such falsehoods shift blame away from the patriarchal and racist structures that perpetuate the culture of violence that continuously inflicts harm and eliminates any sense of sustained safety for women, children, LGBTQ people, disabled people, and countless others. These structures are essential to the maintenance of the Christian Right’s dominance.

Yet the very existence of trans people challenges this dominance by refuting the narrative that God’s design is limited to two distinct, immutable genders—the primary premise used by the Christian Right to propagate homophobia and transphobia around the world. As trans communities assert their rights, gaining visibility and some measure of social acceptance, the Christian Right is inevitably fighting tooth and nail to preserve its world view. ☹

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The Christian Right on the Gender Frontier, p.4

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