

# Transgender Activism After Falls City

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THE CRITICAL ACCLAIM for Kimberly Peirce's film « Boys Don't Cry, » and Hilary Swank's Academy Award-winning performance in it as Brandon Teena, have focused public attention on a real-life hate crime that both galvanized the nascent transgender activist movement in the mid-1990s and highlighted tensions between that movement and other parts of the queer community.

Brandon Teena, who was born female in 1972 as Teena Brandon, grew into adulthood in a Lincoln, Nebraska trailer park. There and in the small Nebraska town of Falls City, where he moved in late 1993, he reconstructed his identity as a man, using a variety of gender-neutral and masculine names. He dated a succession of women, and early in December fell in love with Lana Tisdell (played by Chloe Sevigny in the film's other Oscar-nominated performance) in Falls City.

Tisdell's ex-boyfriend, John Lotter, and Lotter's friend Tom Nissen at first befriended Brandon, then gradually grew suspicious of his gender identity. On Christmas Eve, 1993, they forcibly stripped him, found that he had a vagina rather than a penis, and beat and raped him in retribution for « deceiving » them. It was barely a week after Brandon's 21st birthday.

When Brandon went to the local police to report the crime, sheriff's deputies refused to arrest Lotter and Nissen, suggesting that Brandon was untrustworthy because he was supposedly misleading people about his gender.

Lotter and Nissen, who had threatened to kill Brandon if he went to the police, found out that he had reported them and tracked him down to a nearby farm. Brandon and two other people staying there were shot and stabbed to death by Nissen and Lotter on New Year's Eve.

The killing of a transgender person was nothing new. Living at the bottom of the social barrel, we are frequently the targets of harassment, abuse and violence. Many of us have died in horrific hate crimes, virtually unnoticed over the years. What was different in Brandon's case was the response.

From all over the United States, dozens of transgender people came to a small town in rural Nebraska in May 1995 to picket at Lotter's murder trial. Standing on the steps of the Richardson County Courthouse in Falls City under the banner of Transsexual Menace, a protest group that had formed a year or so earlier, they insisted that Brandon's life was as valuable as anyone else's, and demanded that justice be done.

The demonstrators were moved by their rage at the indifference of mainstream society to the killing of transgender people, and by the fear that it could have been any of them. As one demonstrator, Kate Bornstein, the transsexual playwright and performance artist, put it : « Everyone who fucks with gender has some kind of brush with this kind of violence. Everyone's got their war stories. »

The activist spirit that brought people to Falls City proved contagious. Transgender activists mobilized to hold vigils and protests around the killings of Debra Forte (stabbed May 15, 1995, Haverhill, MA), Chanelle Pickett (beaten and strangled, Nov. 20, 1995, Watertown, MA), Christian Paige (beaten, strangled and stabbed, Chicago, IL, March 22, 1996) and the death of Tyra Hunter

(severely injured in an auto accident in Washington, DC, Aug. 8, 1995 ; emergency medical technicians at the scene backed away from her after discovering she had male genitals and laughed at her while she lay bleeding to death in the street).

Although these demonstrations (and the crimes that prompted them) received little attention in the mainstream media, they represented a quantum leap in political consciousness for transgender people, who had begun to emerge only five years earlier from more than a decade of quiescence and demoralization.

In the years since the Stonewall rebellion, LGBT (lesbian, gay, bisexual, transgender) activists have struggled to carve out a public space for our community ; as a result, gay men and lesbians now have a real, if limited, niche in American life.

That niche remains precarious, as the passage of the Defense of Marriage Act and the killings of Matthew Shepard, Billy Jack Gaither and Pfc. Barry Winchell attest. Nevertheless, it is a long step forward from the sexual underworld of seedy bars and dangerous « cruising areas » that were the public arena for queer life before the 1970s.

Transgender people still live, in large part, in that twilight world. Although we were among the first to fight back, at Stonewall and even before, most of the hard-won legal protections for gays and lesbians do not apply to us.

We are the « freaks du jour » on exploitive talk shows like Jerry Springer's. We're thought of as an embarrassment by « mainstream » gay groups and leaders ; in some other LGBT groups, we're included on a token basis but ignored in practice. How did we get left behind ?

Transgender behaviors have long been stigmatized and punished in Western culture, but only recently have we begun to develop a sense of a separate identity as a political and social community. A hundred years ago, we were simply a variation on what is now thought of as « gay. »

At the turn of the 20th century, when academic pioneers like Magnus Hirschfeld began to theorize about homosexual behavior and construct homosexuality as a social category, they thought of it in large measure as a kind of cross-gender behavior.

People who would now be considered transgender were among their earliest subjects for study, and some of them worked in Hirschfeld's clinic in Berlin. Early gay political activism included efforts to ease legal restrictions on dressing in the clothing of the « opposite sex. »

Throughout the decades that led up to the Stonewall rebellion, transgender people, often referred to as « drag queens » or « passing women » (as well as, in some cases, « stone butches ») were widely considered to be simply an extreme and flamboyant variation on gayness.

Photographs of police raids on gay bars in that era often show cross-dressed patrons being taken away in police vans. And one of the pioneers of gay political activism in the United States, Jose Sarria, who ran for the San Francisco board of supervisors in the early 1960s, was a well-known drag performer.

Transgender people, particularly the extremely marginalized sex workers and homeless youth known as « street queens, » were prominent in some of the flare-ups of queer resistance to police repression in the Sixties, such as the Compton's Cafeteria riot in San Francisco's Tenderloin district in 1966.

At Stonewall in 1969, Latina and African-American street queens (including Sylvia Rivera and

Marcia P. Johnson) were among those who fought back during the riot that followed the police raid on the Greenwich Village bar. For several years afterward, transgender people took part in the burgeoning gay and lesbian movement, sometimes as individuals and sometimes as a distinct, organized subgroup.

Rivera and Johnson formed STAR (Street Transvestite Action Revolutionaries), which had a prominent position in the early Gay Pride parades. Lee Brewster founded the Queens' Liberation Front in New York and published *Drag* magazine, which chronicled transgender struggles in a very political context. And Angela Keyes Douglas founded the Transsexual Activists Organization in Southern California.

But in the conservatizing atmosphere of the early and mid-'70s, a wave of hostility toward transgender people began to grow in the gay and lesbian movement. The first attacks came from lesbian separatists, who argued that male-to-female transsexuals were « infiltrators » or « invaders » of women's space.

In late 1972, the Daughters of Bilitis expelled Beth Elliott, a male-to-female transsexual who had served openly as an officer of the San Francisco chapter since 1971. Elliott was at the center of another controversy in the spring of 1973, when the West Coast Lesbian Conference at UCLA, which she had helped organize, was disrupted by separatists who demanded that she be excluded.

Although conference participants voted in Elliott's favor, the controversy was the occasion for a vicious attack by Robin Morgan, who suggested that transgender women enjoy being harassed and humiliated on the street.

A major controversy erupted over transgender participation in the 1973 Gay Pride parade in New York City ; there were shouting matches at the podium and a near brawl at the end of the march. In San Francisco in 1973, a dispute over transgender inclusion led to the holding of two separate marches.

In the Pride parade battles, lesbian separatists were joined by more conservative gay men and lesbians, who found transgender people politically embarrassing, and feared that we would alienate straight allies and sympathetic politicians. This was an early manifestation of what would become known as the « mainstreaming » political tendency in the post-Stonewall LGBT movement.

Similar clashes erupted over efforts to exclude transgender people from civil rights legislation. There were efforts to exclude transvestites from coverage under New York City's gay rights bill in the early 70s. In Minnesota in the mid-'70s, the issue was fought out in the state legislature. After the city of Minneapolis revised its human-rights ordinance in 1975 to cover transgender people (sexual orientation having been added to the law in 1974), gay and lesbian activists focused on securing a statewide gay rights law in 1975. State Senator Allan Spear, a Democrat, opposed trans-inclusion on the ground that it would cause the bill's defeat. More radical activists like Jack Baker and Tim Campbell wanted a more inclusive bill and prevailed on State Representative Arne Carlson, a Republican, to introduce an amendment providing for transgender protections. With the progressive forces in disarray, the amendment was voted down and soon afterward even the narrower bill was defeated. The anti-transgender forces in the gay and lesbian community rapidly gained the upper hand in the mid- and late 1970s. We were generally excluded from gay-rights legislation enacted during that period (from 1975 to 1990, only three jurisdictions in the United States adopted transgender-inclusive civil rights laws—Minneapolis

was followed by Harrisburg, PA in 1983 and Seattle in 1986). We became more and more unwelcome at Pride parades and at gay and lesbian community centers. Individual transgender women were hounded out of lesbian and queer groups; in one very public case, a threatened consumer boycott of Olivia Records, the leading women's music label, forced the resignation of Sandy Stone, a transsexual recording engineer, from the Olivia collective in the late 70s.

By the early 1980s transgender people were demoralized, isolated and fearful. We had reached our lowest ebb, politically and socially. An examination of transgender periodicals from that period shows a sharp decline in intellectual and political content. Drag magazine, the most political of the early transgender publications, became increasingly focused on erotica in the late 70s and ceased publication in the early 80s. For a decade, the newsletters of cross-dressing clubs were just about all there was to fill the void.

A more insidious kind of pressure against transgender inclusion in the queer community came from outside—from the straight world. Transsexuals (that is, transgender people who used surgical and hormonal interventions to change their bodies) had to resort to the services of care providers (surgeons, endocrinologists and psychotherapists) who were often deeply homophobic, and who projected that homophobia onto their patients.

We were actively encouraged to say (and believe) that we would be heterosexual after transition, and given to understand that if we failed to conform to the doctors' notions of appropriate sexuality and gender-normative behavior we probably would be denied hormones and surgery.

We were also discouraged from seeing ourselves as part of a larger queer movement, as well as from transgender activism or even from associating with other transsexuals. In short, we were told that we must try to « pass » in the straight world, as straight men or women, and deny our transgender experience.

The destructive effects of passing have been amply detailed in thirty years of LGBT scholarship and activism. Victoria Brownworth, the lesbian essayist, put it well when she wrote :

Passing never works, the lie always distances you from those who aren't a party to it. Society may reward the lie, may even demand it, but the passing person is punished for passing—either by being caught in the lie or by believing it. Every closet is a prison, whether it is a construct of sex or class. Passing kills, it annihilates who we are and keeps us from who we could be.

For transsexuals, the pathological effects of enforced closeting were amplified by the pressure to cut themselves off from friends and acquaintances and start a new life based on a lie. The psychological havoc wrought by such misguided medical « care » was nearly indescribable. AIDS, drugs, suicide and violence (the « four horsemen » of our community) took a heavy toll in lives and in shattered physical and mental health.

The factors that led to the birth of a transgender identity and community and a turn toward political activism in the late 1980s remain obscure. Perhaps it was the waning of separatist impulses and the deepening of political commitment in the lesbian and gay community brought about by the AIDS crisis of the 80s; or the influence of postmodernist thought in academia; or perhaps it was simply the example of two decades of queer political activism. In any event, signs of revival manifested themselves in widely separate locations. At the University of California at Santa Cruz, Sandy Stone, who had been forced out of the Olivia collective a decade earlier, presented "The Empire Strikes Back : A Posttranssexual Manifesto," at an academic conference in 1988.

Stone's manifesto called on transgender people to abandon their silence, name themselves, take responsibility for their lives and experience, and find solidarity and community. She also suggested that transsexuals could play an important role in breaking down fixed gender divisions, by developing their own discourse outside the traditional gender binary :

To attempt to occupy a place as speaking subject within the traditional gender frame is to become complicit in the discourse which one wishes to deconstruct. Rather, we can seize upon the textual violence inscribed in the transsexual body and turn it into a reconstructive force . . . To deconstruct the necessity for passing implies that transsexuals must... begin to rearticulate their lives not as a series of erasures . . . but as a political action begun by reappropriating difference and reclaiming the power of the refigured and reinscribed body.

In San Francisco, the author and playwright Kate Bornstein began performing trans-specific works like « Hidden : A Gender » (later published as part of her book *Gender Outlaw*) in 1989. Also in San Francisco, Louis Sullivan, a female-to-male transsexual, founded FTM, a support group for male-identified transgender people, in the late '80s. Soon thereafter, he came out as a gay man.

In Atlanta, Dallas Denny launched AEGIS, a transgender education and information resource group. In New York, small informal support networks cohered into Survivors of Transsexuality Anonymous, a 12-step/recovery model support group. Riki Anne Wilchins and others in that group turned in a more political direction, founding the Gender Identity Project at the NYC Lesbian and Gay Community Services Center and later Transsexual Menace.

The first « New Woman Conference » for post-operative transsexuals was held at Essex, MA in 1991. From it emerged *Rites of Passage*, the first of a new wave of serious, politically oriented transgender publications. *Rites* metamorphosed into *Transsexual News Telegraph*, which is still publishing, although infrequently (eight issues, 1993-1999), while *TransSisters : A Journal of Transsexual Feminism* went through ten provocative and often contentious issues from 1993 to 1995.

Aegis published *Chrysalis Quarterly*, with similarly high level of commentary and debate, from 1991 to 1998. And more traditional transgender publications like *Tapestry*, the journal of the International Foundation for Gender Education, sharply improved their content.

In 1994, as the marches and rallies commemorating the 25th anniversary of Stonewall neared, transgender people began putting this new activist spirit to work. They demanded inclusion in the observances, and threatened to hold a sit-in if the conservative sponsors of the New York parade insisted on erasing gender-transgression from queer identities. Although the sit-in was canceled at the last minute, we had begun to speak with our own voices, and confront those who were determined to deny us our heritage.

The killing of Brandon Teena became another battleground between transgender activists and other forces in the gay and lesbian community. The case attracted national attention, and a kind of tug-of-war ensued around Brandon's identity. For some (for example, Donna Minkowitz, writing in the *Village Voice*), Brandon was a « confused » (read closeted or self-hating) lesbian, who used a masculine identity to deny a stigmatized sexual orientation.

To others, Brandon was a female-to-male transsexual who was too young, poor and impatient to avail himself of hormones, surgery or, indeed, the entire protracted and phenomenally expensive process of gender reassignment. Transgender activists fought to claim Brandon as one of our own as if our lives depended on it ; at least symbolically, our lives did depend on it.

By going to Falls City, picketing the trial and demanding justice for Brandon, the Transsexual

Menace helped to tip the balance in our favor. Although the identity issue is still contested, Brandon's transgenderism is widely recognized. Both « Boys Don't Cry » and « The Brandon Teena Story, » the excellent 1998 documentary by Susan Muska and Greta Olofsdottir, tend to affirm his masculine identity, while acknowledging the ambiguities involved.

In the years that followed Brandon's murder, transgender activism focused on inclusion in the queer community and in gay civil-rights legislation. We have had some success, particularly in acceptance by the more progressive gay and lesbian organizations, like the National Gay and Lesbian Task Force (NGLTF), the Gay and Lesbian Alliance Against Defamation (GLAAD) and Parents and Friends of Lesbians and Gays (P-FLAG).

Yet resistance continues from a variety of sources, including lesbian separatists, some old-line gay male activists like Jim Fouratt, and from « mainstreaming » conservatives like the Log Cabin Republicans.

The most difficult task remains winning legal equality. Only one state (Minnesota), three counties and 21 cities have civil rights laws that protect transgender people in private employment ; this compares poorly to 11 states, the District of Columbia, eighteen counties and over 100 municipalities with such laws covering sexual orientation.

New York City enacted a gay-rights law in 1986, fifteen years after it was first proposed. The bill contained no protections for transgender people. It took another fourteen years until steps were taken to remedy this situation. Earlier this year, the New York Association for Gender Rights Advocacy (NYAGRA) worked with sympathetic legislators to devise a bill to amend the city human-rights code to cover gender identity and expression ; it now has the support of a majority of the members of the City Council and may pass this year or next.

At the federal level, transgender inclusion in the « flagship » gay rights bill, the Employment Non-Discrimination Act (ENDA) was considered but rejected in 1993. The bill remains stalled in Congress, several dozen votes short of a majority in the House, and the issue of transgender inclusion remains a point of sharp contention between the Human Rights Campaign, the main gay and lesbian political lobby, and transgender political organizations.

The federal Hate Crimes Protection Act, which would protect gays and lesbians on the basis of sexual orientation, has passed the Senate and was endorsed by the House in a nonbinding vote. But its language is ambiguous concerning protection of transgender people, who are as vulnerable to violence now as they were in 1993 . . .

## **Epilogue**

On June 20, 2000, Amanda Milan, a 25-year-old transgender sex worker, was preparing to go home after an evening of socializing and dancing with friends. At about 4 A.M. she became involved in a quarrel with a man near her the Port Authority Bus Terminal in Midtown Manhattan. The man and a companion began shouting slurs including « You're a man ! » and « I know that's a dick you have between your legs ! »

As Amanda went to get a cab home, the men followed her. One man handed the other a knife, and he cut Milan's throat, severing her jugular. According to witnesses, cab drivers cheered and applauded as Milan lay dying on the sidewalk. Perhaps she heard them as she gasped for breath, choking on her own blood. She died on the way to the hospital.

## **Donna Cartwright**

*This article is dedicated to Sandy Stone, who lit the first candle in the darkness. Donna Cartwright is a founding member of the New York Association for Gender Rights Advocacy, and a member at large of Solidarity.*

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