

United States: Anti-Trans Legislation, a Form of Reproductive Injustice

Wednesday 21 June 2023, by [SHARON YAM Shui-Yin](#) (Date first published: 1 May 2023).

ON MARCH 4 at the Conservative Political Action Conference, right-wing commentator [Michael Knowles](#) called for transgenderism to be “eradicated from public life entirely.” His violent remark dehumanizes trans people and promotes gendercide. Knowles’ deeply transphobic speech came on the heels of a slew of anti-trans bills introduced by the G.O.P.

As of March 2023, 105 bills have been introduced to attack trans rights. These bills render gender-affirming care and education inaccessible or outright illegal for trans youths. By criminalizing life-saving treatments for trans youths, these laws significantly disrupt their lives—especially the lives of trans youths of color who are already more likely to be targets of violence.

While anti-trans bills are promoted by the right as an attempt to “protect the children,” they do just the opposite: gender-affirming care has been shown to [lower the rate of depression and suicide](#) among trans and nonbinary youths by respectively 60% and 73%. These proposed bills and legislations have palpable [negative effects](#) on the mental health of trans and nonbinary people. In addition to causing direct harm to trans youths, anti-trans legislation and sentiments uphold a white supremacist framework and perpetuates reproductive injustice.

The gender binary is a social construction deployed by white colonizers and slaveholders to dehumanize Black, Indigenous, and people of color. While this was not universal, many non-Western precolonial societies did not abide by a rigid binary sex/gender system. Their multi-gender or genderfluid systems were [weaponized by white colonizers](#) to justify domination.

Black, brown, and Indigenous people, meanwhile, were portrayed as animalistic and primitive for their lack of differentiation between the sexes. [Indigenous communities](#) that embraced gender and sexual fluidity were violently forced to conform to the colonizers’ racial and gender hierarchy. Indigenous people who did not identify as either man or woman, and did not perform gender the way settlers expected were brutally persecuted; some were even targeted for [extermination](#).

As a racially specific category, gender had also been used during to support chattel slavery: seen as not conforming to the [white gender binary](#), Black people were deemed less-than-human, and thus exploitable. Anti-trans violence — including the current onslaught of anti-trans bills—therefore, cannot be separated from the sordid history of colonialism, racism, and antiblackness.

While anti-trans right-wing politicians and activists claim to protect America’s children, their goal is to preserve the primacy of middle-upper class cis het white families. As demonstrated by the arguments made by author Abigail Shrier and the like, anti-trans activists are most concerned with preserving the assigned sex and fertility of white trans boys from middle-class families. Their concern is based on the white supremacist and heteropatriarchal concept that wealthy cis white women ought to be producing more white babies to sustain the nation.

Meanwhile, people of color—especially those who are poor, queer, and trans—are marked as unfit

parents. Their reproductive desires and family configurations are either not recognized by the state, or violently denied. Anti-trans legislation and sentiments, hence, are intricately tied to a white nationalist agenda.

Defending trans rights is a matter of reproductive justice (RJ). The [reproductive justice](#) framework, championed by Indigenous women, women of color, and trans and queer people, maintains that it is a human right to maintain one's personal bodily autonomy, to have children, to not have children, and to parent one's children in a safe environment.

In addition to violating trans people's right to bodily autonomy, anti-trans legislations that deny gender-affirming care and render schools a hostile space make it difficult for parents of trans youths to keep their children safe. Gender-affirming care and education is not a threat to children—rather, it is lifesaving.

We need collective and coalitional actions to fight against anti-trans legislation, as trans justice is intimately connected with reproductive and racial justice. Supporting grassroots reproductive justice organizations such as the [Kentucky Health Justice Network](#), [Forward Together](#) and [SisterSong Women of Color Reproductive Justice Collective](#) is now more important than ever.

SHUI-YIN SHARON YAM

P.S.

• *Against the Current* No. 224, May/June 2023:

<https://againstthecurrent.org/atc224/anti-trans-legislation-a-form-of-reproductive-injustice/>