



Organized Transphobia and the University

Jarvis Brownlie

In this brief commentary, I want to address two issues raised by Joanne Boucher’s talk at the University of Winnipeg, “The Commodification of the Human Body: The Case of Transgender Identities.” First, there is the problem of how universities should handle events on their campuses that appear to target, disparage, or objectify a marginalized group. Especially in the United States, this has become a familiar problem, often posed by actors aiming to spark controversy, gain attention for intolerant claims, and perhaps be “canceled.” Second, there is the fact that Boucher’s talk took place within the context of a large-scale, organized anti-trans campaign, which is global, but especially visible in the United States. Although the speed and scope of developments in the current anti-trans campaign are shocking and unprecedented, it is important to understand it in its historical context, as another chapter in a long history of highly organized anti-2SLGBTQ+ activity. Many of today’s anti-trans allegations, disinformation, and legislative drafts are being produced and delivered to lawmakers by a small number of well-funded groups that have been attacking 2SLGBTQ+ communities for decades.¹ Several of these organizations are defined as hate groups by the Southern Poverty Law Center.² Significantly, the public has not been generally supportive of anti-trans legislation or discrimination: in 2021, a poll showed a strong majority of the U.S. population opposed laws and policies that limit the rights of transgender people (though this, sadly, appears to be shifting, thanks to the relentless drumbeat of anti-trans propaganda and disinformation).³

Intolerance on Campus

A noticeable phenomenon on university campuses in recent years is the scheduling of talks advocating intolerant views and/or targeting a marginalized group, often using a “dogwhistle” term like “transgenderism.” As several commentators have

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noted in relation to Prof. Boucher's talk, this term is rarely used by transgender people themselves, mainly because it seems to imply that being transgender is an ideology or a disease, rather than a naturally occurring, transhistorical, and transcultural human characteristic.⁴ Employing well-known, coded language that is rejected by the targeted group allows these actors to deny intent to attack or denigrate, while ensuring a reaction from the targeted group and its supporters. Often, such events appear designed to generate controversy and perhaps get "canceled," an outcome the speakers and/or organizers typically use to claim their speech has been suppressed. Being "canceled" can help to rally conservative supporters and bolster a broader argument in some conservative circles that universities are anti-conservative. If on the other hand, the talk goes ahead, the speaker is able to use the authority of an academic institution to promote intolerant views, frequently ignoring the conclusions of credible academic research.⁵ Either way, then, the speaker can often advance an agenda of intolerance, such as promoting transphobic myths and opinions; help build an anti-transgender constituency; and try to paint universities as bastions of liberalism (or, more recently, "woke-ism") that suppress conservative views.⁶ Especially in the U.S., these kinds of controversial talks are linked to right-wing attempts to impose external, partisan control over schools and universities, dictate curricula, and censor certain topics and ideas, or even whole fields of inquiry, as governments are doing in Florida and other places.⁷ They are also part of a broader right-wing attack on education, especially public education, which has adherents in Canada as well: not long ago, for instance, Manitoba's Progressive Conservative education minister questioned whether the state should have a major role in education at all.⁸

This larger context provides reason to reconsider calls to cancel such a talk, because a "cancellation" provides fodder for the anti-university narrative that accuses academic institutions of silencing and discountenancing conservative views. Moreover, a cancellation strategy means relinquishing our power and relying on the authorities to protect us, instead of organizing, speaking for ourselves, and calling out biased and inaccurate statements in the terms we find appropriate.⁹ In any case, as we saw in this case in March 2023, university administrations often will decline to cancel such events.

The Anti-Trans Campaign

The organized campaign against trans people is not just a horrifying example of attempts to undo social progress and deny human rights to a vulnerable group. It is also a cynical ploy to generate and inflame transphobia, and then weaponize it to

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advance a broader right-wing political agenda, just as homophobia was used for many years as one of the top Republican fundraising and electioneering tools. The timing is no accident: while the rapid rise in trans visibility created the conditions for the campaign, the spark was the decisive defeat of the conservative attempt to block marriage equality. Suddenly deprived of a lucrative fundraising theme, Republicans “threw everything at the wall” – and anti-trans attacks stuck.¹⁰

[Overview of current and proposed laws and state policies targeting trans people](#)

Discriminatory legislation and policies targeting trans people have seen a staggeringly rapid escalation. Every year for the past five years, new records have been set in the U.S. for the number of anti-trans bills proposed and passed.¹¹ As of June 5, 2023, **556** anti-trans bills had been proposed in 49 states just since the start of 2023.¹² This compares to 156 anti-trans legislative proposals in 35 states in the previous 12 months.¹³ That is, in the first half of 2023 every state but one saw anti-trans legislation proposed, an increase of 14 states, and the number of bills in just the first 5 months was almost four times 2022’s total – which was itself record-breaking. This pattern is continuing, and the contagion of discrimination has now entered Canada. Two provinces, New Brunswick and Saskatchewan, have rolled back the rights of trans youth to determine their own names and pronouns in schools. A third, Alberta, recently announced a whole suite of measures against trans people, especially, but not only, trans children and youth.

In general, the anti-trans campaign targets free speech and expression; the ability to access health care; and the admission of trans people to sex-segregated spaces matching their gender, such as bathrooms and sports teams. The broader aims are: to re-institutionalize full stigmatization and denial of all trans expression and identities; to reverse progressive policy developments in schools and health care that have made trans lives safer and less painful; and to make it more difficult or simply impossible to obtain the gender-affirming health care that saves so many lives.

The measures that have been implemented include: banning and criminalizing gender-affirming health care (always for minors, and sometimes for adults, too); “bathroom bills” prohibiting trans people from using the gender-appropriate bathroom; censorship of teachers, books, and curriculum; sports exclusions, mostly aimed at trans girls and women; bans on changing identification documents to match one’s true gender; bans on drag performances; and legislation prohibiting schools from adopting trans-inclusive policies and acknowledging trans children’s gender identities, including elements such as the forced outing of children to

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parents and laws allowing or requiring teachers to use wrong pronouns and deadnames. Texas resorted to a creatively cruel, extralegal method, repurposing the child protection system as a weapon against trans children and their families. In a breathtaking reversal of reality, its attorney general redefined gender-affirming medical care as child abuse, and the governor called on “licensed professionals” and “members of the general public” to report families whose children were receiving such care, threatening “criminal penalties” for failure to do so.¹⁴ Child welfare agency officials began investigating and interrogating families who recognize and support their trans children.¹⁵

The open assault on trans people’s human rights has begun much later in Canada, but it is here now. In fact, it is shocking to contemplate how much the Canadian political landscape has changed since I wrote the first version of this commentary less than a year ago. At that time, transphobia had not been weaponized for political advantage in Canada, and trans people’s access to basic necessities like health care, public washrooms, and changes to government identity documents had been largely secured after years of lobbying and public education. Our Charter of Rights and Freedoms prohibits discrimination on the basis of gender, and the federal government had updated human rights law and the criminal code in 2017 to include explicit prohibition of discrimination or violence on the grounds of gender identity or expression.¹⁶ All Canadian provinces and territories had already updated their human rights legislation to protect trans people from discrimination. Following expert advice, school boards across the country had adopted inclusive policies that allowed trans children and youth to change their names and pronouns at school to match their gender — or simply their gender exploration — without any government intervention or forced parental involvement. Our universal health care system ensured that many, though not all, trans people could get the gender-affirming health care they need, albeit often with significant delays and with very uneven access depending on location.

Then, starting in May 2023, conservative provincial governments began to take steps to undo the inclusion and protection of trans people. The first was New Brunswick, which targeted schoolchildren’s ability to choose pronouns and names that match their gender identity, imposing a new policy that required parental consent for those 16 or under.¹⁷ Next came Saskatchewan, which took similar steps in its “Parents’ Bill of Rights” legislation. When a court paused the law’s implementation pending a review of its constitutionality, the Saskatchewan government immediately invoked the “notwithstanding clause,” a clear acknowledgement that it is overriding the Charter of Rights and Freedoms.¹⁸ Just

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recently, Alberta announced the most extreme anti-trans program in Canada, a much broader suite of new policies that target adults as well as children and include bans on trans women and girls participating in girls' and women's sports, as well as a ban on most gender-affirming health care under 16 and restrictions for youth of 16 and 17 (regardless of their parents' wishes).¹⁹ The federal Conservative Party has also made moves to target trans people, and its leader Pierre Poilievre has recently begun open attacks on trans people's rights, including health care.²⁰ There are also non-government groups spreading disinformation and hate towards trans

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and 2SLGBTQ+ people, and organizing to prevent schools from teaching about gender and sexuality. Last September, two such groups organized a high-profile protest against sex and gender education policies in schools, the "1 Million March for Children," which brought out thousands of supporters, as well as counterprotests.²¹

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Looking Forward

The lesson of the moment, clearly, is that conservatives in Canada are following the lead of Republicans in the U.S., trying to mobilize transphobia for political gain. In turn, trans people and our allies have organized to defend our health care and human rights. In the distress of watching a metastasizing discrimination campaign,

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it is easy to miss the important point that the majority of anti-trans proposals have been defeated in the United States. Even in Texas, run by one of the most viciously transphobic governments, most measures have been halted by pro-trans organizing.²⁶ Even more promising over the long term is the fact that transphobia appears to be a political loser for Republicans even in deeply conservative states.²⁷ Still, as of November, 2023, twenty-two states had outlawed gender-affirming health care for minors, which meant that thirty-five percent of transgender youth lived in states that had passed such bans.²⁸ Many other damaging law and policies have also been introduced, and their impacts are compounded by widespread demonization and misrepresentation of trans people by conservative commentators. The harm is happening right now, including a significant worsening of the social and psychological climate for trans people, especially youth. We must continue to advocate for equal rights, inclusion, the right to bodily autonomy, and the protection of highly personal health care decisions from ideological interference by politicians. Transphobia always intersects in a particularly virulent and violent way with racism, especially anti-Indigenous and anti-Black racism, and keeping this crucial reality in the forefront of our thinking and organizing is especially important (as Misha Pensato addressed so effectively in “Where Does Our Power Come From?”, Article 3 of this special issue). Now, as always, it is a matter of ongoing collective action and solidarity to secure our freedom, protect our communities, and defend our rights.

About the Author



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