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Why Republicans are betting the farm on attacking transgender people

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The GOP's latest culture war is focused squarely on the nation's transgender community, specifically transgender youth. It isn't a new war, simply a new front in an old war that can be traced back to the famed "[bathroom bills](#)" from some years ago that spread across dozens of states. Those bills were introduced in tandem with former President Donald Trump's targeted [federal government-led attacks](#) that included the overturning of anti-discrimination statutes protecting trans people and an outright transgender ban in the U.S. military.

Now, in the wake of Trump's humiliating electoral loss, Republicans have accelerated the state-level attacks to a breathtaking level. In just the first three months of 2021, GOP-led state legislatures [introduced more bills](#) aimed at transgender people, especially youth, than they did over the entire previous year. There are now more than 80 bills introduced this year alone that, according to

Alphonso David, president of the Human Rights Campaign, “are not addressing any real problem, and they’re not being requested by constituents. Rather, this effort is being driven by national far-right organizations attempting to score political points by sowing fear and hate.”

I recently spoke with [Jules Gill-Peterson](#), an associate professor at the University of Pittsburgh and the author of the award-winning book [Histories of the Transgender Child](#), in an [interview](#), and she echoed this claim, saying, “A lot of authoritarian political movements are using trans people as their scapegoats.” She called the latest wave of anti-trans legislation “an unprecedented assault in terms of just the magnitude of the bills and the severity of what they propose to do in terms of criminalizing basic access to health care and equal access to education.”

She explained that “due to perhaps their general political incompetency, a lot of [Trump’s attacks on transgender people] didn’t really end up making it into practice.” However, “on the state level, as is often the case, the GOP is much more successful at pursuing an anti-trans agenda than they ever are at the federal level.” Gill-Peterson sees this as a culmination of efforts that can be traced back to [North Carolina’s](#) 2016 passage of a bill banning transgender people from using facilities of the gender they identify with.

On April 5, North Carolina Republicans continued what they began five years ago, introducing a bill called the “[Youth Health Protection Act](#) ,” which blocks transgender minors from accessing the health care they need upon deciding to transition. Just as the GOP has often couched its attacks on communities under the guise of protecting them (think of anti-abortion legislation presented as “fetal personhood” bills), this bill, like several others in states like [Arkansas](#), purports to protect trans youth.

Republicans also claim they want to protect “[fair competition](#),” in the words of

Tennessee Gov. Bill Lee, by banning transgender kids from sports. Lee, along with the governors of Arkansas and Mississippi, signed bills into law this year [banning trans youth](#) from playing sports in school. These transphobic bills are based on a theory that transgender kids, especially girls, have an unfair biological advantage over non-transgender girls.

Just as the GOP's stated war on voter fraud is based on an imagined assault on the nation's democracy in order to disguise the real war on voting, the conservative party's stated reason for going after transgender children's access to health care or participation in sports is based on an imagined crisis. Gill-Peterson said, "most of these lawmakers will admit, they've never heard of any issue with transgender participation in sports in their state, and they've never heard of any issue around trans health care in their state, and they don't actually know any trans children."

The GOP's war on voting offers another analog. If the GOP really cared about democracy, they would make voting easier, not harder. Similarly, if the party were truly interested in the safety of girls, it would offer up bills that protect transgender girls in particular, who face very real dangers. Gill-Peterson said, "young trans girls and trans women are extremely vulnerable to sexual harassment and violence because it's not taken seriously." Instead, the bills banning access to health care and sports only fuel greater violence against them. Every year, [dozens of trans women](#) are killed, and [more transgender people were killed in the U.S.](#) in the first seven months of 2020 than all of the previous year. It's no surprise that the spike in violence has coincided with legislative attempts to dehumanize the community.

Just as with anti-voter and anti-abortion bills, the GOP's tactic of pursuing transphobic legislation involves wasting legislative time and money by passing clearly unconstitutional bills that are invariably legally challenged, remain tied up in the courts for years and ultimately end up at the Supreme Court. Last summer, justices [ruled against an attempt to legalize workplace discrimination](#) against

transgender employees, and then in the winter, they left in place a public school's [accommodation of transgender students](#) to use the bathroom of their choice.

Whether the GOP wins or loses on this issue in the nation's highest court is almost beside the point because the party's goal is to distract its anxious base from the fact that their leaders do little to nothing about pervasive problems around inequality and depressed wages, a stagnant job market and the ever-rising cost of living.

Moreover, the GOP's anti-trans bills fulfill part of a larger conservative agenda to create evermore exceptions to government-provided services such as health care and education, whittling away at the state's responsibility for resources to be available to all and rights to be respected universally. If hormone treatments, abortions, and medical treatments for immigrants are exceptions to government-provided health care; if public education is for everyone but transgender kids; then those services are weakened in service of libertarian fantasies of how society should function.

How to combat this brutality and inhumanity? Gill-Peterson pointed out, "the folks who are on the same side of this debate as the Republican legislators include a wide swath of extremist groups: white nationalists, anti-vaxxers, anti-maskers, anti-immigrant groups." To meet this threat will require an equally broad coalition of progressives to stand guard against attacks on transgender people.

The state of South Dakota has been a [testing ground](#) for state-level legislation aimed at trans rights. Bill after bill has [failed](#) in that state, thanks largely to a coalition that has stood firm at every turn to protest them. Alongside [transgender activists](#) are parents, teachers, and doctors as well as national organizations like the [ACLU](#) and the [National Center for Transgender Equality](#). Having a president like [Joe Biden](#) who has reaffirmed the humanity and dignity of transgender people, rather than targeting them for violence as Trump did, is also a huge help. "We need to see trans

rights as integral to a broader agenda for democracy, justice, and public good in this country,” said Gill-Peterson.

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