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How And Why Trans People Have Become The Target Of The Rightwing Conservative
Movement

by

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Under the Direction of Mario Feit, PhD

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ABSTRACT

In an age of debate over the inclusion of trans people in their preferred bathrooms, sports teams, and historical works, this paper explores the groups responsible for the proliferation of anti-trans legislation and their motives. Anti-trans legislation, specifically bathroom bills, works to make the lives of trans people harder, if not impossible to live. The reasoning behind this legislation is due to the desire for wealth and political power. Right wing groups, which work to tarnish the reputation of trans people and trans advocates, push false accusations and draft legislation to garner votes and donations to maintain and increase their level of power and financial benefit. Rallied votes from misinformed citizens combined with economic elite donations for the purpose of pursuing their own agenda, work to undermine democracy and damage the lives of trans people.

INDEX WORDS: Bathroom bills, Right-wing, Trans lives, Anti-trans legislation, Evangelicals, Economic gain

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DEDICATION

To Oak Long, lifelong friend, mentor, and my biggest supporter.

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1 INTRODUCTION

Anti-trans legislation has been introduced in state legislatures at an alarming rate within the past decade, and Republican-governed states are the leaders in passing this legislation (PBS, 2023). Around 652 anti-trans bills have been introduced in forty-one states in 2024 at the time of writing, eighty-seven anti-trans bills passed in 2023, twenty-six anti-trans bills passed in 2022, and eighteen anti-trans bills passed in 2021. Republican led states such as Texas, Oklahoma, Missouri, Virginia, and South Carolina have been the state leaders for anti-trans bill introductions (Clark, 2024 & Moazami, 205). One of the most prominent pieces of anti-trans legislation is Florida's controversial 2022 "Don't Say Gay" bill. The bill outlaws the teaching of sexual orientation and gender identity in kindergarten through third-grade classrooms or "in a manner that is not age appropriate for students" in public schools (Goldberg and Abreu, 319-320). The Don't Say Gay Bill equally targets trans people by stifling discussions about trans identities and families through the institutionalization of ignoring and promoting the stigmatization of trans people (Goldberg and Abreu, 320-321).

Trans people have been barred in certain states from using bathrooms, locker rooms, and dressing rooms that correspond with their gender identity, forcing them to enter gendered areas that correspond with the sex listed on their birth certificate instead of their preferred gender identity (Murib, 159). Trans-student-athletes, particularly trans girls, participating in their preferred gendered sports team have been extensively debated in recent years, resulting in bans of trans students from participating on gendered student athletes' sports teams that reflect their gender identity (Greedy, 156). One-third of states have passed laws banning transgender students from participating in gendered sports teams that correspond with the student's gender identity (Trans Legislation Tracker, 2024). Additionally, around 132 bills have been introduced focused

specifically on denying gender-affirming care for minors and/or adults which ranges from hormone blockers to sex reassignment surgery (Trans Legislation Tracker, 2024). Also, state congressional attacks on gender affirming care for minors have paved the way for sweeping bans on puberty blockers, hormone treatment, and surgeries done on minors so their bodies may better reflect their gender identity (Anderson, 36). These discriminatory measures ensure high rates of "poverty, homelessness, violence, and suicide" for trans people (Branstetter, 2023).

1.1 Why Bathroom Bills?

My main area of focus related to state-sponsored transphobia is regarding bathroom bills. One of the earliest points of contention in the 2010s resurgence of mass media transphobia, bans on the use of gendered public restrooms by individuals who do not identify with their gender assigned at birth have been widely debated and documented; therefore, they are a good starting point and bathroom bills highlight many of the politicized arguments related to trans lives (Vähäpassi, 29). Though my paper mainly focuses on bathroom bills, it would be a mistake to ignore the vast amount of other concerns conservatives have over trans lives and the connections between the teaching of gender in schools, gendered bathrooms, and gender affirming surgery, as these categories lead to one another and affect trans people all the same. However, surveying all anti-trans legislation, even if I were to just focus on the 2000s, would be too herculean of a task to take on and would limit the amount of specificity I could provide on the topic. Focusing on bathroom bills allows for the utilization of a concrete relatively older debate example on trans rights, compared to gender affirming care and trans student athletes which have been introduced into the public consciousness much more recently (Lewis et al., 343). Bathroom bills also highlight a greater history of transphobia while also removing topics of economic costs to assist

and affirm trans people that may be linked to other trans issues with a more material cost, like taxpayer funded sex reassignment surgeries.

1.2 Thesis Argument

With the rise of anti-trans legislation, I ask, why trans people are the primary target of recent legislation are? My goal is to delve into the ways trans people have become antithetical to what right-wing conservatives seem to idolize: white, Christian, able-bodied, heterosexual, cisgender men (Vähäpassi, 38). I posit that the execution of policies that work towards controlling and erasing the lives and experiences of trans people is leading to a "quasi-genocide" of queer people in America, where transness is deemed unacceptable and deserving of discrimination. I argue that right-wing sentiments desire to demonize others to uphold existing power structures that reproduce a capitalistic, white supremacist, patriarchal society in America. Upholding these systems and cracking down on the civil rights of minority groups allows powerful, wealthy elites to establish a sort of fascist control over America and benefit themselves socially, financially, and politically (Vähäpassi, 29 & 39). To garner votes from fearful and angry Americans, maintain statues of privilege, and achieve mass amounts of wealth, conservative leaders distract the public from pressing issues in American society, such as climate change, poverty, homelessness, child malnutrition, racial injustice, etc. By blaming minority groups for many of the societal problems people are facing through skewed moral politics, myths, and outright lies, right-wingers profit off American citizens through the accumulation of economic and political power. Regardless of the beliefs and intentions right wing politicians and elites may hold, the damage done to the transgender community is the same, all in the name of reaping the rewards of a hate campaign (Pepin-Neff & Cohen 647).

1.3 Thesis Roadmap

I intended to develop my argument by first discussing the rise of bathroom bills in America as well as the arguments for and against them. Then I will discuss how long-standing views on trans people have infiltrated modern American talking points which fuel modern anti-trans fervor. Lastly, I will connect this new wave of transphobia to the right-wing MAGA movement and how the pushing of transphobic rhetoric and legislation works to benefit right wing elites socially and economically at the expense of trans people and their supporters. Before elaborating on the perpetrators of anti-trans legislation., we must discuss bathroom bills and transphobic legislation in general.

2 DISCUSSION ON BATHROOM BILLS

The discussion surrounding who can use the men's or women's restrooms has been intensified by baseless and outrageous anti-trans sentiments. "Certainly, the bathroom wars are a bizarrely outsize aspect of a serious subject" is the first sentence of Alexander Davis's book *Bathroom Battlegrounds: How Public Restrooms Shape the Gender Order* (Davis, 3). I point out this quote because bathroom bills are not concerned where trans people use the restroom really. The concern comes from the belief that trans people are predators. The main argument is typically made about trans women, who are often viewed by transphobic people as men dressing up as women to sneak into women's bathrooms for their perverted pleasure. Often, that argument is furthered by the belief that trans women are trying to prey on little girls, which American culture deems to be the most in need of protection for being young and female, both associated with weakness and incompetence (Patashnik, 146). Not to say that trans men are not unfairly judged because they are too, but most of the media focus is on trans women being predators because they are viewed as "testosterone-fueled men" in disguise (Davis, 5).

2.1 History of Bathroom Bills

Gendered restrooms were not always the norm in the United States. In 1887, Massachusetts passed a law to segregate bathrooms between men and women in their factories due to the fears of (white) women in the workplace in a hegemonic patriarchal nation. Sex segregated restrooms came about right alongside the racially segregated bathrooms under Jim Crow laws, but racially segregated restrooms were often not gender segregated as gender was only seen to apply to "civilized races" (Beauchamp 82-84). Women were, and continue to be, viewed as the weaker sex who belong in the domestic sphere and need to be protected by men from other men. Men were and continue to be seen as natural-born leaders who deserve to be in

the public sphere. Separate restrooms relegated women to their own seemingly protected space without perceived male intervention and involvement (Cox, 454). The concept of separate spheres for men and women led to the creation of many gendered areas, including "reading rooms in public libraries, ladies' cars on commuter trains, and women-only parlor spaces" (Borck, 2017) in the later 1800s up into the early 1900s. While those have mostly disappeared, gendered restrooms remain due to the sustaining belief that men and trans women, falsely identified as men, are "naturally lecherous" animals who need to be barred from entering seemingly "private, vulnerable" (Borck, 2017) spaces for women and young girls that are viewed as being incapable of protecting themselves. On the other hand, women are taught to protect their privacy by making their sexuality, and their bodies, a "mystery" to the men around them (Platt & Milam, 184).

Sociologist Phoebe Godfrey argues that the fear-soaked language used to defend bathroom bills harkens back to Jim Crow era rhetoric that presented black people as unclean, disease-ridden, and intruding on personal privacy and safety, regulating them as "The Other" in opposition to the white majority. The beliefs are the same, just the targets of bathroom bills are different from segregation bills; however, black trans people may be subject to increased rates of violence in bathrooms due to the intersection of their gender identity and their racial makeup in presentation due to the intersectionality faced by many minority race queer people (Horne, 3). Bathroom bills mimic practices used to keep black Americans supposedly separate but equal. Though bathroom bills may not appear on the surface to be as blatant of a discriminatory tool as the separation of white's only and black's only water fountains, but both create zones that disparage those who do not belong there. "Bathrooms are the new water fountains...is not about bathrooms, just as it was never about water fountains." (Kurth et al.,

446). Segregated restrooms, whether racially or gender motivated, focus on the need to preserve “hygiene and purity” but the difference is black only restrooms were created to protect white spaces from black Americans whereas women only restrooms were designed to protect and separate women from men (Beauchamp, 84).

2.2 Modern Bathroom Bills

After Joe Biden took office in 2021, anti-trans legislation was introduced and passed at a much greater rate than in recent years. In 2020, 85 anti-trans bills were introduced. In 2021, 155 anti-trans bills were introduced. In 2023, 615 anti-trans bills were introduced and around 652 anti-trans bills have been introduced in 2024. Please note that these statistics do not include how many of these bills passed, which was discussed in the introduction. The amount of anti-trans debate and legislation has increased greatly even in regard to the past three years. Bans on trans students using their preferred gender bathroom, are seen in “Arkansas, Idaho, Iowa, Kentucky, Oklahoma, South Carolina and Tennessee” while “Alabama, Louisiana, Mississippi and North Dakota... Florida and Utah” have bans on trans people using their preferred bathroom in some government buildings (Clark, 2024).

What changed the civil rights issue into a more significantly debatable political issue was the Houston City Council's proposal of the 2015 Houston Equal-Rights Ordinance (HERO), which would have banned discrimination on the basis of sexual orientation, gender identity, sex, race, color, ethnicity, national origin, age, religion, disability, pregnancy, genetic information, and family, marital, and military status" (Borck, 2017) related to business that serves the public and/or the private sector. This was interpreted by the religious right as forcing private businesses to serve members of the LGBTQIA+ community, resulting in 50,000 signatures used to force the ordinance to a vote. TERFS and the religious right utilized the slogan "NO MEN IN WOMEN'S

BATHROOMS" to spread their message, resulting in voters rejecting HERO, also named Proposition 1, from becoming law. Though some protections have been put in place, the bathroom bill fervor has only increased since then (Sumerau, 31).

2.3 What Functions Bathrooms Serve

Women's and men's restrooms often serve similar non excretory functions that often vary between one another. Women's restrooms are an area to retreat from "public scrutiny or surveillance, exercise some authority, or forge bonds of solidarity" (West, 73). Some women may be found chatting, fixing their hair/makeup, and having conversations in restrooms. In contrast, men's restrooms are more solitary in the function that men go to the urinal and generally avoid sight and conversation. For cis male strangers, the unspoken rules of the bathroom follow the concept of "an architecture of surveillance" where men enforce heterosexuality by avoiding each other's sightlines for fear that one person may be caught "sizing up the competition" where either the person is emasculated for potentially having smaller genitals or perceived as being gay for looking at another man's genitals. The fear combined with the need to perform masculinity keeps the men's restroom as a place not of retreat, but cisgender heterosexual enforcement. However, men's restrooms also serves as an area for "homosocial interaction and of homoerotic interaction" between cis male friends who are comfortable talking at the urinal (West, 73). The difference between men's and women's bathrooms is that "whereas men's bathrooms tend to operate as a highly charged sexual space in which sexual interactions are both encouraged and punished, women's rest rooms tend to operate as an arena for enforcement of gender conformity" (West, 73). Restrooms being segregated by gender "represent, reinforce, and communicate assumptions about vulnerability, privacy safety, and the integrity of the body" for the two recognized genders in the United States (Platt & Milam, 184).

Now arguably both restrooms serve as areas of gender conformity but in different aspects. Men's restrooms are places that enforce heterosexuality often through isolation, harassment, and physical violence. Any interaction between strangers in the restroom is framed around not appearing to be anything other than heterosexual; whereas women's restrooms are places that promote more traditional femininity. Putting on lipstick in a men's restroom is taboo but is equally taboo as seeing a male presenting person in a women's restroom doing the same. (West, 73). Cis women's discomfort in women's restrooms more often stems from the view that there is a man in the women's restroom. Trans men who were assigned female at birth and pass as men who are required by law to use the women's restroom may face harassment not from the fact that they are trans but rather because they are viewed as a man intruding in a female space (Platt & Milam, 197).

Cis men have also proved to show more "anti-gay aggression" towards gay men, or trans women falsely viewed as gay men. Male presenting people who are viewed to be not masculine/heterosexual enough are at a higher risk of being the victim of a hate crime. Passing for trans people, especially for trans people using the men's restroom, has been incredibly important to avoid harassment. The knowledge that a trans person is in the same restroom with a cis person has shown to create a higher level of public discomfort (Platt & Milam, 186 & 194). The importance of highlighting the different functions of and actions taken in public gendered restrooms is to show the connection between transphobia and homophobia expressed in main part, but not exclusive to, heterosexual cis men who benefit from the enforcement of patriarchal sexual and gender norms, while also fearing of doing gender presentation "wrong."

2.4 Arguments in Favor of and Against Bathroom Bills

The main argument for bathroom bills is that they provide safety for women and children from trans people who are viewed as not belonging in a bathroom that does not correspond with the trans person's gender assigned at birth. In regard to trans women, bathroom bill proponents argue that trans women are not women but in fact men wearing dresses who wish to do harm to little girls in the women's restroom (Stones, 276 & 283). We will examine the validity of these arguments later on.

In all fairness, public restrooms are an inherently vulnerable space. We expose our private parts in a room full of potential strangers so we may engage in necessary excretion which is inherently awkward and puts people in a vulnerable position (Patashnik, 146 & West, 73). However, does that general anxiety and fear justify the exclusion of trans people?

Opponents of bathroom bills argue that both gendered restrooms may present problems for restroom goers but mainly trans and gender nonconforming people. Trans men face verbal and physical harassment for not being man enough and trans women who use the men's restroom may be accused of being gay, in a derogatory that assumes that all gay people want to (non-consensually) have sex with straight men and face physical violence to prove the attacker's manliness over the trans person (Stones, 277). Bathroom bills work to exclude and belittle trans people because of their gender identity. The overturning of these bills would arguably improve the mental health of trans people by making them feel respected while reducing the negative health effects that occur when trans people are attempting to avoid the bathroom due to the threat of harassment from cis bathroom goers (Kurth et al., 441).

With the current gender restroom set up, trans people in the men's restroom may face a heightened experience of confrontation when they seemingly do not belong in that restroom

which could result in being beat up or killed. Trans people in women's restrooms may face a similar reaction, but Rebecca Stones' research detailed in their article, "Which Gender is More Concerned About Transgender Women in Female Bathrooms?" that cis men were found to be on average more likely to hold and express transphobic belief. Cis men seem to have much more negative reactions to violations of gender norms than cis women which is potentially due to a few factors. Previous research by Westbrook and Schilt bolstered by Stones posits that cis men are less likely to have "cross-gender best friends" and tend to view gender norms as needing enforcement due to gender being viewed by cis-men as unchanging. These attitudes result in cis-men being more homophobic than their cis-female counterparts and then relates to their increased levels of reported violence towards queer people, both gay and trans (Stones, 277).

Before the institution of anti-trans bathroom bills, going into a bathroom with the intent to assault someone was still a criminal offense. Bathrooms are often not monitored, so as long as no one makes a fuss, anyone could theoretically enter any bathroom. There is no evidence that a legal statute or school rule has stopped someone from doing any ill things in a public restroom. The fact is schools that allow trans students to use their preferred bathroom have not resulted in an increase in harassment of cis women. Alberto Arenas states the reason succinctly and effectively: "Transgender girls want to be girls, not boys, and are therefore unlikely to want to expose their male genitalia to other girls" (Arenas et al., 21).

3 IMPACT ON TRANS LIVES AND BEYOND

The Williams Institute reported that 81% of transgender adults have considered suicide, 51% have nonlethally harmed themselves, and 42% have attempted suicide. Twenty-eight percent reported hazardous drinking, and 31% experienced problematic drug use to cope with transphobia (Williams Institute, 2023). The Trevor Project found transgender youth to be 2-2.5 times more likely to experience depression, consider suicide, and attempt it than their cis-LGBTQIA+ peers, who are four times more likely to attempt suicide than their straight peers. Trans people are not inherently mentally unstable or suicidal, but their mistreatment and stigmatization in our society places them at a higher risk of mental illness and substance abuse than their peers (Trevor Project, 2024).

The Trevor Project found that 86% of gender non-conforming youth, including non-binary and trans children, have mentally struggled with the political debates on trans issues. Of that 86%, almost 50% of them have contemplated suicide. Debates on whether trans people deserve respect and access to medical treatments are a massive deterrent to living one's life as an open and proud trans person. These verbal and legislative attacks encourage trans people not to be open about their identity and to hate who they are. The hatred of trans people is not just an external obstacle by ignorant people, but something that can be internalized and metastasized into a deep shame and hatred of one's queerness. Even the everyday struggle of having one's preferred pronouns respected can lead to the continued mental decline of trans people (Narea & Cineas, 2023).

Bathroom bills put extra stress on transgender people who must either decide between breaking the law to use a bathroom they would feel more comfortable in or using the bathroom associated with their sex assigned at birth. The latter can result in confusion and harassment as

well when cis people view a passing trans person to be using the wrong bathroom. Trans people must then stay hyper vigilant deciding when and where to use the restroom in public every time they must for fear of being anything from stared at to physically assaulted (Sumerau, 29).

Following the law does not mean trans people are making others more comfortable because gender policing can occur to anyone who does not seem to belong in that location which is in an attempt to "promote conformity and enforce gender role appearance" for all Americans. The end result for gendered restrooms is that trans people, specifically trans women, are effectively excluded from either restroom due to the potential of gender policing harassment and personal trauma surfacing (Platt & Milam, 2).

The National Transgender Discrimination Survey found that gender policing has resulted in high numbers of trans people, between 60-70%, being denied bathroom entry and harassed for attempting to use their preferred restroom. Using the bathroom can be a life-threatening situation for trans people, who often feel the need to pass as the gender associated with the bathroom, they are using to avoid harassment. Examples of attempting to pass as one gender would be borrowing a purse, making one's breasts more visible, or wearing a visible prosthetic penis to avoid suspicion from questioning bathroom goers. A Virginia survey of transgender people found that they avoid using public restrooms for fear of harassment, which has resulted in "possible kidney infections or gastrointestinal problems" and dehydration when trans people avoid drinking water in public to prevent the need to use the bathroom (Platt & Milan, 5).

Important to note that studies on trans people using public restrooms have shown that cis men are much more likely than cis women to have concerns about trans people as well as inflict physical damage upon a trans person (Stones, 285). The disconnect of what societally we think men and women must look like and act like creates confusion, anger, and fear for some cis

people when seeing a gender nonconforming person in their respective restroom. But the issue of safety of women is not something that is linked to trans women but trans women often putting themselves in dangerous situations that can cause discomfort, embarrassment, forced exposure, and physical harm to a trans person simply for using the restroom (West, 74).

3.1 Female Only Spaces

The creation of female-only spaces, such as gendered restrooms, has led to continued issues with the trans community. The intention to protect women from male violence is worth noting, especially regarding feminist organizations, homeless shelters, domestic violence shelters, and prisons. However, whether intentional or not, these spaces have led to conflicts on whether to allow trans women into these spaces. Not allowing trans women into these spaces with the desire to protect cis women from trans women perpetuates the idea that trans women are not really women and are men with nefarious purposes. Allowing trans women in means to accept that trans women are, in fact, women. I mention this because of the beliefs espoused by trans-exclusionary radical feminists (TERFs) but more often by conservative political leaders who attack trans people in their speeches and legislation, give a reason for some cis women not to accept trans people. The narrative that trans women are evil-doers and not women cause a rift between discriminated classes: trans women and cis women. Of course, not every cis woman is transphobic, but rallying cries against trans people, but mainly trans women, limit unified responses to attacks on personal freedoms. If enough cis people, men, and women, believe trans people are out to hurt women, then they will not advocate for trans people's right to transition and exist. And when enough cis women believe that trans women are a threat to them, they will begin to support politicians who create anti-trans legislation, who are more often than not Republicans (Moazami, 214).

3.2 Anti-trans Legislation Application

The conservative desire to promote the enforcement of gendered bathrooms would require staff to stand near restrooms and inspect people to determine their gender or rely on other restroom goers to self-police which encourages being suspicious of other restroom goers. But how would that be possible when not everyone falls neatly into the two United States legally recognized genders? One option is for restroom goers to be judged by their physical appearance, which can result in trans people being shamed into using a bathroom made for one gender they do not identify. Additionally, cis people who do not appear masculine or feminine enough could be forced to use a bathroom that does not align with their gender identity. Our secondary sex characteristics, “vocal pitch, presence or absence of facial hair, noticeable breast, etc.” are often used to make determinations on one’s gender, but they will never perfectly correlate due to the vast variations in bodies by simply genetic differentiation and personal presentations. Attempts to “cisgender interactions” not only discriminates against gender nonconforming people but simply will not be applicable in real life (Sumerau, 32). The other option would be to have students' genitals inspected, which raises a multitude of safety and privacy concerns and is generally discouraged even by bathroom bill proponents. Both options fail to enforce gender roles in restrooms without legal concerns of both trans and cis families. For many, bathroom bills appear to only affect trans people, which unfortunately leads some to not care about the ramifications. However, cis people are not exempt from bathroom bills (Beauchamp, 100).

3.3 The Mass Impact

These political attacks are about personal bodily autonomy. Bathroom bills are just the start of conservative attacks on trans lives. Calls to have bans on gender reassignment surgery for minors have led to suggestions and legal proceedings that medical providers can enact

conscience rights to deny medical care to trans people if it would conflict with the religious principles of the provider. One speaker at the 2023 Conservative Political Action Conference even called for "transgenderism" to be eradicated, and therein lies the progression of the quasi-genocidal notions to actual genocidal remarks (Narae & Cineas, 2023). These remarks seem limited to trans people, but they have even greater implications for more than just trans people, who still equally deserve protections and respect. All women are potential targets for transphobes and anyone who does not fit into the perception of how one gender is supposed to look and act will also suffer. Girls with short hair and no bust can face discrimination for not looking like a girl, and boys with long hair and a heavier chest may be seen as a girl in disguise. I mention boys and girls and not men and women in this case because one of the main targets of bathroom bills is in primary and secondary schools. If a government stops trans people from obtaining hormones, or at least pulls funding from medical centers that perform gender-affirming care, what stops them from denying a more masculine-looking cis woman from obtaining estrogen for contraception or their hormonal control during menopause because they could be perceived as trans? Cis women still can face the effects of transphobia even when they do not identify as trans, and the same goes for cis men (Narae & Cineas, 2023).

The 2024 Olympics is a perfect example of how cis women who are deemed to be too masculine or at least not feminine enough can face misogyny and transphobic language. Algerian boxer Imane Khelif was accused of being a man by JK Rowling, Logan Paul, Senator Marco Rubio, and Donald Trump, as well as thousands of X, formerly Twitter, users. The accusations hinged on the belief that Khelif was secretly a man who wanted to cheat at the Olympics and hit women. These insults are not based in fact and perpetuate misogynistic and transphobic beliefs: that people assigned male at birth wish to transition to either hurt women or compete against

women in sports, which assumes that all women are biologically weaker than men. Simply being assigned male at birth is seen as this incredibly physical advantage, and the unsaid belief is that if men and trans women deemed to be men by transphobes could compete against women in sports, women would always lose out to men. (Burns, 2024). The highly transphobic alt-right propaganda 2023 movie "Lady Ballers" blatantly presents the narrative that if men could compete in women's sports, women would never win against a man, and this narrative extends to trans women who are again promptly dismissed as being "real" women. (Monteil, 2023). The same narrative is used in women's sports as in bathroom bills; that men are attempting to cheat the system by pretending to be women in an attempt to do something nefarious in areas relegated to women.

Additionally, other queer and alternative lifestyles are placed under attack due to the slightest connection to trans identities. Drag shows and drag show performers have been under attack, especially in Tennessee, for allegedly pushing a queer agenda. Drag performers are not inherently trans, though some are. The connection between gender expression and stylistic expression is crossed resulting in bans on drag shows and criticism of drag performers from doing things like reading books to kids (Moazami, 205 & 207).

4 THE IMPORTANCE OF GENDER ON PAST AND PRESENT TRANSPHOBIA

Being trans goes against the identity of gender being fixed but leads to questions about sexuality that go against the American ideal value of heteronormativity: the expectation and desire for men to date women and women to date men only (Westbrook & Schilt, 48-49). If a trans woman dates only women, are they lesbian? If a trans man dates only men, are they gay? Queer groups seem to agree that yes that person is a lesbian and that other person is gay, but if someone doesn't see that trans women are women and trans man are men, they will have a much different view on the makeup of those relationships and may find it difficult to understand relationships that others and potentially they may experience due to the importance Americans place on identifying who one is based on their sexual preferences. Recent media highlighting that the existence of trans people makes Americans question structures that have been heavily reinforced for over a century, and questioning these structures can be misconstrued as critiquing traditional American values and attacking the identity of cis (often white) men and women (Pyne, 131).

4.1 Compulsory Gender and Sexuality

Within America's patriarchal society, gender is compulsory. We are assigned a sex at birth, if not before, due to modern-day medical technology like ultrasounds, and our gender is dictated based on our genitalia. Laurel Westbrook and Kristen Schilt write about how our parents, teachers, friends, classmates, relatives, and everyone else we encounter work to shape and either affirm or deny our gender identity. We are told what is to be expected of each gender; people assigned male at birth will act more masculine, and people assigned female at birth will act more feminine. However, gender is a performance that we engage in every day, and the actions we do, whether it is putting lipstick on, wearing blue colored clothes, driving a truck,

sitting with one's legs crossed, clutching one's purse, or drinking wine, each action is often associated with either the male or female gender (Westbrook & Schilt, 35-36). That is because American society at large only formally recognizes two genders: male and female. Only in the past ten years has the question of genders beyond cis-male or cis-female become more mainstream and debated on a national level. Gender is compulsory because it is reinforced by the parenting, schooling, and media consumption we are exposed to. The concept of 'doing gender' can be helpful in the understanding of gender as a performance. The steps we take to make our bodies look one way or the other through dress presentation, accessories (or lack thereof), speech patterns, and how we move our bodies all contribute to our gender presentation. Though that presentation can be often misread, especially in the case of trans and gender nonconforming people at large (Shaunty & Coley, 40). Opting out of gender is seen as taboo and/or impossible. Gender is compulsory because our society assumes that the only "normal, natural, and desirable" genders are cis-men and cis-women. Being trans is seen as abnormal since trans identities do not fit neatly into the American cis-normative society (Wilchins, 24-25).

Institutional reinforcement of the gender binary makes being transgender nearly impossible, especially for the less fortunate. The economic and bureaucratic barriers to medical transitioning make impoverished trans people prime for abuse. Lack of access to "hormones, surgeries, facial electrolysis, or other means with which to 'blend in'" prevents low-income trans people from better passing as male or female. Those who are perceived as not fitting neatly in the gender binary and "failing" at their gender are more open to ridicule, harassment, and violence. On the other side, those who want to and are able to pass as male or female may live in fear of being outed to less accepting people: relatives, coworkers, bosses, etc. (Pyne, 132).

4.2 Historical Transphobia

Trans theorists have written extensively about how attacks on trans people are created through the setup of Western society, and their othering is due to placing cis-gender-ness on a pedestal. Being cisgender, the concept of identifying with the gender that is societally corresponding to your sex assigned at birth, is seen as the norm, and made desirable over being transgender or gender non-conforming (Westbrook & Schilt, 35). Trans theory is incredibly helpful in our understanding of transphobia, but I desire to use the historical basis of trans theorists' work to understand the current state of trans marginalization in relation to Republican-led identity politics. Riki Wilchins writes how the early 1990s were an oxymoronic time for trans people as they were seen as deranged killers who sought to invade and steal from women's spaces but also simultaneously rendered invisible and were largely disregarded by the mass public. Transphobia, alongside any variation of queerphobia, is a political invention that is intended to reinforce the gender binary (Wilchins, 25).

Trans sex workers have been and continue to be further marginalized, resulting in them facing insults, arrest, sexual violence, and murder. Though it is a discriminatory stereotype to assume all trans people are sex workers, sex work has been relegated as one of the only options trans people have to make money and stay alive. Many trans people have found themselves down on their luck, abandoned by their families, and unable to get work; therefore, some resort to sex work. Trans sex workers exist to fill sexual needs, which creates a high demand. We see this in metropolitan centers in America around the late 19th century and early 20th century, which gave rise to gay and trans relations with straight cis men that often persisted in secret. In this specific aspect, trans people are needed to fulfill the fantasies of cis men, but their lives are not valued;

therefore, the consequences they face are justified by law. Still, sex work has been and continues to be highly stigmatized (Gill-Peterson, 60-62).

These stereotypes about trans people still exist but have been complicated as newly introduced anti-trans legislation works to reinforce long-held beliefs about trans people and further demonize them with updated narratives. Trans people's association with sex work is more tenuous now, meaning that trans people who used to be viewed as only having sex for money are now more seen as having sex and invading safe spaces for women as an act of deviance thrust upon the unwilling. Trans people are viewed as being “deceivers” even if they have a sex change because American culture focus on genitals decided at birth as revealing a person’s true gender. I use the word “decided” because intersex people’s genitals are often shaped to reflect either a penis or a vagina right at birth to make their gender more legible to others, a problem in itself. The point is one’s genitals do not always provide a universal truth though that is often the determination for other’s when making sense of trans people. Due to trans people’s deceiver status, they are seen by transphobes as not deserving of legal recognition, accommodation, and safety even though their need has been widely documented (Vähäpassi, 36 & 37). Transphobia, as well as homophobia and racism, are not new issues, but they seem to rear their ugly head more prominently during specific eras, and we are in one of those eras.

4.3 Transgender Awareness and Backlash

Increased visibility of trans people has led to a great deal of awareness but also mass backlash toward the trans community. Jamison Green discusses how, over the past 70 years, trans people's legal status has been in flux, and legislative attacks on trans people differ between different areas within the US. However, in the past 25 years, trans visibility has increased significantly due to legal advocacy and educational efforts to inform the public about trans

people. The 1990s in particular saw an explosion of trans activism resulting in some states recognizing legal sex changes on documentation (Stryker, 132). Though strides have been made to provide more civil rights for trans people, there is much more work needed to be done for trans equality to ever occur due to the increase of backlash towards the trans rights movement (Green, 431). Combatting politicized transphobia has done wonders in reducing internalized transphobia but has brought about visibility that results in more organized political attacks on the trans community (Wilchins, 25). Trans people are still seen as perverted sexual deviants. Transness is associated with deviance, mental illness, immorality, and criminality, which regulates them to being marginalized and deserving of harassment, imprisonment, and even death (Howansky et al., 479 & 482). For example, the trans panic defense has been used in the past by trans hate crime committers to avoid jail time with the argument that the, often forced, disclosure of a person's true gender warrants them to be physically assaulted and/or killed, mostly in regard to sexual encounters with cis-men (Gill-Peterson, 18-20).

The internet has contributed to much of the visibility of trans people and to the community building of trans people who, in their everyday lives, may not meet someone who is going through the same experiences as them. Additionally, the medical industry has made significant strides in performing safe and professionally approved medical treatment for trans people, although issues with insurance coverage and high out-of-pocket costs remain (Green, 431). In contrast, the ability to have marriages legally recognized, inheritance claims to be processed, and child custody to be upheld all hinge on documentation that reveals to authorities the sex assigned at birth for trans people. Because of this, trans people are harassed and/or denied these processes based on their gender identity This potentially unwanted outing of trans people

opens them up to legal discrimination, bullying, physical violence, and sexual violence (Green, 432).

The secondary status of trans people though has started to change. Trans people have won some recognition as well as some civil rights, but their full legal acceptance is incomplete. Mainly under Democratic-led states, gender-nonconforming health care for adults and some minors have been made available. Some institutions now formally recognize trans people as well as their preferred pronouns and gender markers on official documents. But because of those wins for trans people, the Republican party has worked to revert the progress made and label progressive efforts as a full-force attack on what it means to be an American, which is abstract enough to garner sympathetic attitudes while hinting at the supremacy of cis heterosexual able-bodied white men and women¹ over queer people (Branstetter, 2023). Though religious values are still heavily present in the Republican party, the vocal outcry and extremist uncompromising policy positions have dominated modern Republican talking points and legislation.

¹ Please keep in mind that when I say the supremacy of cis-men AND cis-women, I mean both having more power over queer people. I still recognize that in a patriarchal country, women are still seen as second-class citizens who are encouraged to be submissive to their husbands.

5 THE MODERN REPUBLICAN PARTY AND ITS FOCUS ON TRANS RIGHTS

The Republican Party as we know it today can be tied back to the legal attacks on segregation in the late 1960s and early 1970s. Specifically, the *Green v. Connally* case upheld a new legal IRS policy that said that racial discriminatory private schools were not entitled to federal tax exemptions. Evangelical leaders faced backlash for segregated schooling and the argument that "religious freedom" allowed for racial segregation was ruled insufficient by the Civil Rights Act of 1964. Fears that the government was interfering with private religious schooling created a rise in evangelical leaders blaming Democrats for not respecting Christianity. The Religious Right was founded on traditional values of the 1950s idyllic white middle-class family which had a cis-male father in a heterosexual relationship with his cis-female wife and two kids: one boy and one girl. Rights that were granted to minoritized groups post-1950, like Black Americans, queer Americans, and women in general, were seen as antithetical to the Religious Right's ideal America, though that usually cannot be admitted aloud by Republicans without mass criticism (Ayoub & Stoeckl, 187-188).

As racial segregation became less of a rallying issue, evangelical leaders turned to fighting the 1973 *Roe v. Wade* case that legalized abortions. Pro-life Republicans combined with persuasive evangelical leaders like Jerry Falwell, Francis Schaeffer, and Paul Weyrich to form the Moral Majority. The Moral Majority worked to rally Christian masses to attack Democrats by blaming them at large for killing babies against God's will and starting a war on Christianity. Though the official Moral Majority dissipated, the creation and expansion of the Religious Right led to the injection of social Christian values into Republican policy. That policy is based on interpretations of the Bible that are anti-abortion, anti-queer, and pro-traditionalist Americanized values that respect only unions between men and women while purporting that there are only two

genders: male and female (White, 2014 & Gitlin, 12). Within rightwing Christian nationalist, not every American is truly apart of the American people. Authentic Americans to them are Christian, heterosexual, cisgender, and white (Miller, 107).

The modern Republican Party, alongside right-wing pundits, criticize woke liberal culture for going too far which includes canceling people for "minor" infractions, promoting sexual promiscuity/abortions/LGBTQIA+ lifestyles, brainwashing children into sex changes, and attacking religion, in which they mean Christianity specifically. Generally, the Republican Party desires a decentralized government and a deregulated economy where states decide what civil rights to protect, and companies can operate in any way to maximize profit. They argue for greater parental control of students' education while removing options for families to decide their own gender identity, sexuality, and reproduction. Power is given to the states but is still centralized in powerful executive and judicial figures, including the President and the Supreme Court, who can enact sweeping changes as seen with the overturning of Roe V. Wade (Alfonseca, 2024).

5.1 Right-wingers and the MAGA Movement of 2016-2024

Republican politicians and the alt-right, over the past decade or so, have worked to push the Republican party much further right on the political spectrum. More specifically, since the election of Donald Trump, the Republican party has moved much further right on the political spectrum. Trump's campaign created an opening that Republicans and the Alt-Right could use to push their agenda. The Republican Party has grown more conservative, and its values reflect that. The modern Republican Party may not be perfectly united, but its members mostly file in line. They support Trump and the platform that he represents, though not always consistently present. Trump's violations of political conventions and norms combined with his "nativist

language" normalized more radical right-leaning ideas in public discourse, especially among Republicans who were fed up with the conventional, organized Republican party prior to Trump's campaign. Now, more right-wing rhetoric could enter the political sphere through less established Republican politicians regarding immigration, Black Lives Matter, and LGBTQIA+ people (Hawley, 116).

The Republican party, including politicians and voters, has delved much more into right-wing politics over the past decade, but they are not the only ones that make up the right-wing. Millionaires and Billionaires that push for hardline social and economic conservatism through their vocal and economic support also make up the right-wing, for the sake of this paper. So, when I refer to "Republicans, Evangelicals, or Conservatives" later in this paper, I am really speaking on right-wingers, as not all Republicans, Evangelicals, and Conservatives wish for these same values. Those groups may have significant overlaps, but, I do not want to call all Republicans right-wingers, though the modern Republican party itself veers much closer to Alt-Rite right-wing attitudes. The leaders that push anti-trans legislation are a part of what I simply call "right-wingers." Those who self-identity or are labeled as being a part of the "right-wing" advocate for "free enterprise and private ownership, and typically favor socially traditional ideas" (Oxford Languages, 2024).

Reading the 2024 Republican Platform "Make America Great Again!" published on the Republican National Committee website relating to the 42nd Republican National Convention, the GOP writes that the Republicans Platform is committed to "keep men out of women's sports, ban Taxpayer funding for sex change surgeries, and stop Taxpayer-funded Schools from promoting gender transition, reverse Biden's radical rewrite of Title IX Education Regulations, and restore protections for women and girls." (RNC, 2024). Without using the word

"transgender" the GOP frames their message as protecting women from men, by attacking and delegitimizing trans women's gender identity.

This messaging is a far cry from what the Republican party, specifically under Donald Trump, focused their policy on. In 2015, Trump was initially viewed as a social moderate, but more far-right evangelical policies seeped their way into his rhetoric and his administrative actions as President. When campaigning, Trump originally stated he would be an advocate of the LGBTQIA+ community, but as President, his administration "made so many policy moves against LGBTQ+ Americans that advocacy organizations branded his leadership [as] The Discrimination Administration." (Sosin, 2022). When accepting the Republican nomination for President in 2016 at the Republican national Convention, Donald Trump vowed "to do everything in [his] power to protect our L.G.B.T.Q citizens from violence and oppression of a hateful foreign ideology" (Williams, 525). At an NBC Today Show in 2016, Trump state that trans people should "be allowed to use whatever bathroom they feel most comfortable with – including at Trump Tower in New York" (Williams, 526).

Furthermore, the 2016 Republican Platform seems to make no mention direct mention of any LGBTQIA+ people, though references to defending traditional American Christian religious, keeping marriage "natural" under one man and one woman, and highlighting the invasion of privacy and danger of rulings generally affecting "restrooms, locker rooms, and other facilities" challenge the validity of queer relationships and identities (The American Presidency Project, 11 & 31 & 35). The 2012 Republican Platform highlights the need to defend marriage from the "court-ordered redefinition of marriage" and does explicitly highlight "same-sex relationships" as going against the idea of a traditional marriage but makes no direct nor indirect mention of trans people (The American Presidency Project, 2012).

Upon taking office in 2017, Trump worked to repeal an Obama administration policy that required schools to allow trans student to use the bathroom of their preference, supported by former Secretary of Education Betsy DeVos, and enacted a ban on trans people from serving in the US military due to the supposed economic cost that trans people need for healthcare and for making our military weak, both of which have since been refuted. Additionally, the Federal Bureau of prisons enacted a ruling in 2018 that would require prisons to house inmates based on their “biological sex” also known as their sex assigned at birth (Williams, 528-529 & 531). Trump also stated that he believed that no one of any age should receive gender affirming care (Moazami, 205).

Attacks on trans people are central to the GOP's agenda, but why them exactly? What changed the focus of the GOP, modern right-wing Republicans, and Donald Trump away from same-sex marriage to trans rights? And why did Trump and other Republicans completely switch their supportive positions on trans people using the restroom of their choice?

5.2 Shifting Opinions

The Obergefell court decision that legalized same-sex marriage led to the shifting of evangelic conservative attacks from gay people to trans people in order to fixate on a target that has not been nationally protected to the same degree (Murib, 160). While same-sex marriage has been federally decided and harder to challenge, right-wing evangelicals latched onto a less decided, more divisive group: transgender people. Americans are much more divided on trans rights than same-sex rights and fear trans women in bathrooms and sports much more than gay people generally. Part of that reasoning is due to the work of gay activists normalizing queer relations, which is commendable, but also likely due to the ease of explaining queer relations than trans identity. Americans can much better understand that people love other people, and

some of those people happen to be of the same gender, than a person who was assigned as male at birth wanting to live their life as a girl and potentially have their genitalia surgically changed to be more physically desirable; and that is only one example of how trans people can live their lives. Gender identity is much less understood by the American public than sexual orientation at this point. Personal identity is often viewed as a choice where sexual orientation has, more recently, been viewed as more immutable. Trans rights argumentation has utilized the idea that being trans is unable to be changed since people are just "born that way," but that idea is not as well accepted compared to cis-queer relationships. Please keep in mind that the aforementioned information does not suggest that gay people have experience full social acceptance, but comparatively, they have received a much greater level of social acceptance than trans people have by 2024 (Miller, 106). Later on, we will discuss the other motives behind the campaign against trans people, but first we must identify what is actually said about trans people.

5.3 Rightwing Rhetoric

There are a few tried and true arguments the Republican party has used over the years to discredit, denigrate, and demonize trans people. Many of them stem from the belief that trans people are mentally ill. Many people and organizations, but more specifically The Family Research Council, designated by The Southern Poverty Law Center as a hate group, and right-wing commentator Ann Coulter have claimed that they "have concerns about the psychological fitness of persons who identify as transgender to serve (because of high levels of psychopathology within that population)" and that being transgender is "an extremely peculiar and rare mental illness". Both of the statements work to remove the validity of trans identity while also just calling them crazy. Although being transgender is no longer considered a mental

disorder by most psychologists, the DSM-5 still mentions gender dysphoria as a mental illness which can bolster some anti-trans sentiments (Pepin-Neff & Cohen 655).

One of the more popular arguments touted by conservatives surrounds the "Protect/Save the Children" platform, which has primarily dominated anti-LGBTQIA+ rhetoric since 1977. This argument, utilized by many but not limited to Donald Trump, posits that accepting trans minors' identities is a form of child abuse. Receiving gender affirming care as a minor is viewed by Republicans at large as genital mutilation, despite the vast well credited and accepted medical procedures that fall under the gender affirming care umbrella term and the continued calling out of false accusations that doctors are performing genital surgeries on minors without parental permission. Right-wingers make the child abuse argument more broadly when it comes to the teaching and promotion of the concept of sex and gender being fluid or beyond just male and female sexes. Conservatives argue that those teachings are inherently wrong, going against biology, and are a slippery slope to permanent infertility, violence, and/or sexual abuse of minors (Ayoub & Stoeckl, 183-185 & Narae & Cineas, 2023).

While still acknowledging the false accusations and damage the "Save the Children" ideology presents, the argument is effective, nonetheless. These arguments create a sense of urgency; children at large, even your child, are being manipulated and experimented on. The question then becomes, what can I do about it to protect the children? With the rise in people, specifically youth, identifying as trans, the issue is made much more prevalent today than it has ever been. (Lewis et al., 351). Although protecting children is a huge motivator for bathroom bill proponents, trans children are not shown the same level of protection. Media campaigns seemingly "adultify" trans youth to make them appear more deviant and thuggish which is a

similar tactic used to segregate white innocent children from children of color who are viewed as dangerous, hypersexual, and immoral. (Sumerau, 34-35).

The grooming argument is more strongly made today furthered by the “Save the Children” movement. The so-called "Trans Agenda" by the "Progressive Alphabet Mob," names used to belittle but also legitimize the threat of woke queer people, is seen as a matter of conquest and spreading the communities' transness over time. Being trans is treated by some as a disease that can only be passed on through grooming and the manipulation of children by adults to coerce them into sexual abuse, which builds on many false narratives associated with previous waves of queerphobia. These lies perpetuate the belief that anybody in the LGBTQIA+ community cannot reproduce biologically; therefore, queer people turn to children to convert them to being queer to add to their masses. The conservative right criticizes the "woke" left and its media presence as tricking and confusing children into thinking that their gender identity is fluid and unstable, something that goes against the beliefs of evangelical conservatives who view gender as being fixed and innate. Children who identify as trans are seen by many conservatives as victims who are not genuinely trans but instead brainwashed by the far left to be confused about their gender identity and then incorrectly view themselves as being trans (Block, 2022).

Republicans argue that elementary and middle school teachers are instructing their students about the LGBTQIA+ community through graphic depictions of sex, and even former President Donald Trump has claimed that children are "go[ing] to school and come home a few days later with an [sex change] operation" (Dale, 2024), neither of which are true. The Republican party perpetuates the notion that trans people, and liberals at large, wish to indoctrinate children into confusion about their identity so they can then sexualize and sexually abuse them. Of course, these narratives are not backed up by any data or reasonable research, but

the myths persist. Books have been banned in public school libraries simply for discussing queer relationships and identities. Conservative demagogues spread their discriminatory, false beliefs about the LGBTQIA+ community by dehumanizing and vilifying them (Block, 2022).

Additionally, conservatives, such as Majorite Taylor Greene, frame trans education and acceptance as an affront to Christian values, as evidenced by her claim that Washington politicians "promised normalcy and gave us transgender visibility day² on Easter Sunday...Let me state this clearly: there are only two genders, and we are made in God's image." This argumentation positions that only one group can "win" at civil rights. Civil rights for trans people are perceived to take away the civil rights of evangelicals, but why? The civil rights some evangelical conservatives call for are the ability to excuse themselves and their businesses from practices and cultures they do not like while forcing practices they do like. Evangelical conservatives do not want to be forced to serve LGBTQIA+ people because they disapprove of trans identities. Any right to protect queer people is viewed as an infringement on religious people's lives, similar to arguments of not wanting to take vaccines or desiring school-sponsored prayers to the Christian God based on abstract religious reasoning. These are not demands of equality or just leaving evangelical conservatives alone but calls to promote American Christian values above all other potential value sets which intend to isolate and damage the lives of queer people (Sosin, 2024).

Another argument used is the infantilizing and condescending trans people and trans advocates regarding their beliefs. Common arguments include conservatives claiming liberals cannot "define what a woman is," utilized by Daily Wire host Matt Walsh, Governor Ron DeSantis, and Donald Trump Jr., in an attempt to posit that liberals are not making arguments

² For reference, Easter is always on the first Sunday after Spring's first full moon, which happened to be on March 31st, 2024. That Easter coincidentally occurred on the Transgender Day of Visibility, which has been celebrated since 2009.

based on logical, concrete terms and are ignoring “biological truths.” Appeals to biology are used by the “intellectual” conservative crowd to discredit trans people. These appeals state that people are born male or female, which ignores the existence of intersex people, and that gender is biologically immutable, an argument that conflates the terms gender and sex while also ignoring the many other animals that do change sex throughout their lifecycles. The main problem with biological argumentation is that when conservatives deem anything as anti-biological such as being transgender, it is viewed as a flaw and goes against what is supposed to be. If any change to our “natural” body chemistry is seen as going against nature, then why are conservatives not complaining about braces, hair transplants, or testosterone boosters for middle aged men? Because those procedures are seen as important whereas trans people taking hormones are seen as bending the rules of society and nature. What is accepted and not is a matter of perspective and mass desire, which renders trans identity and gender affirming care as unnatural and unethical (Sosin, 2024).

Republican governor of Arkansas Mike Huckabee once joked that he wished he "would have found [his} feminine side...to shower with the girls" (Davis, 5). This sentiment is carried by many Republican politicians who wish to and/or work to delegitimize the meaning of being transgender and further the message that trans women are just horny guys wanting to see naked women. Transness is continually linked to perversion, desiring to be a different gender is seen as either a façade to gain access to women's bodies or a deep-seated sexual desire to pleasure oneself as a woman (Davis, 5-6). These associations continually reinforce that women's bodies are inherently sexual. To occupy the same space as women who may not have all their clothes on is made to be a tempting desire for men. It is almost foreign for some to think that transitioning to be a woman can be anything more than a sexual act because women are seen as inherently

sexual objects. Because women's bodies are deemed sexual yet vulnerable, this creates a need to protect women from men. This fear was one of the notions that led to the creation of sex segregated bathrooms where women's "bodies, genitals, and bathroom behavior" is kept out of sight. Within the American patriarchy, women are taught that they should value privacy when it comes to their sexuality and by extension their bodies and that privacy is seen to be at risk when a potential penis having person enters the women's restroom (Platt & Milam, 4-5).

However, a lesser utilized but still widespread belief touted by more "moderate" conservatives is for leaving decisions about trans people's right to use their preferred bathroom and access to medical treatment up to individual state legislatures. Leaving decisions up to the state regarding allowing trans people to use their preferred gendered restroom is a means to allow conservatively led states to create bans against trans people. Federal government rulings would focus on the protection of the civil liberties of minority groups, though that is not a sure assumption. Some states, mostly led by more liberal democrats, would create protections for trans people, but that would not be a universal country-wide effort. Republicans know that as long as states remain able to not criminalize discrimination against trans people, then they can create pockets of the country that will do their bidding. Having the federal government make any decisions, whether positive or negative, for trans Americans, would be a universal precedent that could challenge state law. Until that happens, if it happens, then states will have the authority to continue legally discriminating against trans people (Arenas, 24).

6 THE MOTIVE BEHIND THE MOVEMENT

Minority groups have the least resources at their disposal, making them easy targets, and mass negative public perception combined with reiterated stereotypes, rumors, and lies create an enemy of the American people that problems can be blamed on. Many conservative voters, but not all, do not know or have never met any trans or gender non-conforming person. It is easy to other a group that, despite having around 1.6 million people, is relatively small compared to the mass cis-American population. Not knowing a member of a minority group can be the reason some carry discriminatory beliefs towards them, as those belief holders cannot be directly proven wrong by someone of that minority background (Narea & Cineas, 2023).

Conservatives constantly associate trans women with sexual violence. Women are victims of sexual violence at a much higher rate than men. One in five cis women will be raped, whereas one in seventy-one cis men will be raped (Borck, 2017). Men are the perpetrators of sexual violence 99% of the time. However, that statistic is for cis men. Trans men and women are far more likely to be victims of sexual violence and are much less likely than cis people to be perpetrators of sexual violence (Arenas 2016). One in two trans people will be sexually assaulted at least once during their lifetime. Not only are trans people more likely to be sexually assaulted rather than to commit sexual assault, but cis women are assaulted 80% of the time by someone they personally know. That means that it is statistically unlikely that a random trans woman in the girl's restroom would sexually assault someone using the restroom (Borck, 2017). Despite those facts, the propagation of misinformation about the identity of trans women, as well as their intentions, fuels parental fears that trans women are a threat to their children.

If that is true, then why is the groomer/sexual predator narrative so strongly associated with trans people? I have already discussed the ties to previous narratives lobbied at queer

people, but we are in a different age. The internet has connected us all, allowing misinformation to spread. Misinformation from presumed trusted sources can be more potent than accurate information from sources deemed biased. Additionally, caring if something is true does not discount people's feelings and fears. One could hear that trans people are less likely to commit sexual crimes, but since that number is not zero, fears will persist that their loved ones or self could be sexually violated by this ambiguous fake crossdressing pervert strawman that conservative groups have worked to cultivate as the image of trans people. In any case, where there is a trans person who sexually assaults or kills someone, no matter how few, these individuals are treated as the average trans person. In the case of almost all disparaged minority groups, one member of the minority group is reflected as being the same as the whole community by the majority group. Hearing a news story about a criminal who is trans or just looks gender non-conforming and/or encountering an annoying trans person is enough for some to write off all trans people. One slip-up of one trans person can reinforce stereotypes that trans people are just like that (Narea & Cineas, 2023).

6.1 Private Funding

Earlier, I did not mean to bring up "Lady Ballers" as a one-off example of transphobia because that film actually highlights a more significant argument in this paper. The film is a product of The Daily Wire, a right-wing publications and productions studio that hosts conservative pundits such as Ben Shapiro, Matt Walsh, and CEO Robert Boering. These pundits push anti-trans rhetoric as well as all your expected right-wing talking points: anti-wokeness, anti-DEI, anti-immigrant, anti-Muslim, anti-LGBTQIA+, and pro-Christian education/worship in public schools. The Daily Wire's widespread online presence can be traced back to the initial \$4.7 million provided by Farris and Dan Wilks, two oil fracking billionaires. The Wilks brothers

have funded pro-fossil fuel and pro-evangelical projects, including The Heritage Foundation, Prager U, and, as previously mentioned, the Daily Wire. The Wilks brothers have also funded right-wing Texas politicians like Ted Cruz by donating to SuperPACs, which financially contribute to politicians' campaigns. The Daily Wire, as well as PragerU, make politicized content for all ages, including their "edutainment" videos for children, which are approved for Florida classrooms. Oil money is funding right-wing conservatism rhetoric, which riles up online users, whitewashes American history, and teaches children a Eurocentric view of the world that will only accept them if they fit the mold for what is deemed an acceptable American citizen (Montiel, 2023 & Stone, 2023).

The Wilks brothers represent one of the three types of groups that I have self-identified, fueling the anti-trans movement. There are groups that genuinely do wish to fight against transness but lack the attention and economic resources to push their goals. Their power may seem minimal in isolation, but the mass amounts of anti-trans rhetoric online combined with potential harassment and violence towards trans people are impactful. Even more so is that this group's ability to vote can provide one of the two latter groups with a place of power. The second general group is made up of elites who push anti-trans rhetoric but personally do not practice what they preach. These are the pundits and politicians who vote on anti-trans bills but may have been caught wearing drag or having trans friends before they got into office. Or these are some of the Daily Wire employees who take oil billionaire money in exchange for making fun of trans people online. Though they might not personally hate trans people, their actions work to hurt the trans population all the same. Lastly, and this is where I believe the Wilks brothers fit in, is the loose group of elites who do actually dislike trans people and have the economic means to make a systematic change that benefits themselves alone. Farris Wilks preaches out against same-

gender relationships and trans wokeness while also propagating false claims that climate change is not real. The Wilks Brothers combine the economic laissez-faire, unregulated capitalist gains that fracking gives while downplaying the dangers to the environment with the socially conservative politics that demonize minority groups and those who question their beliefs and practices. Farris and Dan Wilks have the influence and means to provide a platform and economic support to far-right Republicans who can roll back protections for the environment to benefit their oil business, and queer people, to promote their twisted view of American Christianity (Stone, 2023).

Many of these anti-trans bills are funded by interest groups like the Alliance Defending Freedom (ADF) and the American Family Association (AFA) that frame themselves as protecting the freedoms of a majority of Americans while actually fighting against a minority group's desire to be respected and reasonably accommodated. The ADF does not just operate in the United States but has international sister organizations pushing the same ideals in places like Finland (Vähäpassi, 30).

6.2 Moral Panics and The Rightwing Savior Complex

Legislative attacks on trans people serve two primary purposes. First, conservative state legislators can make a stand that they are in opposition to the woke left, which rallies their conservative evangelical base into keeping trans issues into the mainstream conversation, leading to them voting for the conservative state legislators. Second, these legislators, alongside their executive allies, can signal that they are doing important work while ignoring or halting progress on other major political issues. Regardless of the individual lawmakers genuinely believe in their mission, they promote a homogenized view of what Americans should look like and how they should live their lives (Narea & Cineas, 2023).

Donald Trump used Twitter, now X, to create a moral panic by propagating rightwing suspicions surrounding trans people. Moral panics are used to spread fear about a population deemed immoral, trans people in this case, pushing the group into further marginalization by positing them as a dangerous group despite the legislation that is then enacted to put that group into dangerous situations. Moral panics spread faster as they grab media attention, with social media posts exasperating the issue, which then garners political attention, and a self-feeding cycle occurs that blows the issue incredibly out of proportion. Comparisons have been made to the Salem witch trials and the satanic panic due to the outrageous claims made about downtrodden populations. The leaders of the moral panic create a relationship between them and their followers. Donald Trump can present himself as a trustworthy savior looking out for hard working American families, and the people feel they have someone looking out for them. These supporters then want to see their leader take control so they can feel safer, even if no change to their safety actually occurs. Trump can then make himself seem sane and rational but also strong by pointing at the supposed out of touch establishment Democrats for being crazy in their belief that trans people deserve restroom accommodations (Pepin-Neff & Cohen 647 & 653). The furthering of moral panic is then passed down to lower level but still prominent social leaders like J.K. Rowling who spin their own version of discrimination, like through trans exclusionary radical feminism which turns an inclusive movement for all women into something that can marginalize a select group of women (Moazami, 191).

These moral panics are designed to be cruel to those they wish they oppress. Cristina Beltrán identifies the centrality of cruelty to government measures in restricting immigration and punishing undocumented immigrants from receiving any benefits received when living in America. Though we are not discussing immigration, the point of trans exclusion hypes on the

same point of cruelty. Punitive policies for the fitting undesirable group not only show a sign of strength but are deeply engrained in how American democracy functions (Beltrán, 10 & 19).

Right-wing politicians often utilize fearmongering as a means to gain political power and money. It is greed that fuels their actions. Some likely do believe the conspiracies they push and do want a genocide to occur upon trans people, but the vast majority likely could not care less about that. They may not care who gets hurt in the process of their policies, or they ignore those feelings because they wish to benefit from the potential suffering of others. This fearmongering helps neatly explain complex issues. Why is your child gay? The woke mob. Why is your uncle trans? The LGBT cult. Why are you unemployed? Illegal immigrants. Why do you feel unsafe at home? Liberals are trying to take your guns. Why can't you afford food? Bidenomics. Why are gas prices high? Terrorists. Why are there riots in the streets? Crazy BLM and Antifa protestors. And why can't we trust the government? Jewish lizard cultists are pulling the strings. Some of the examples given are not minority groups, but they are painted as such. Liberals are seen as a small number of crazy blue-haired soy boy beta cuck trans groomers who are not like us Americans but also pull all the strings in American politics. The perception that a small view of undesirables needs to be removed from America, combined with the fear that undesirables from outside are trying to infiltrate American families' lives, provides answers to the scared and ignorant plurality. Their problems are not their own or the fault of Republican leaders who do not have their best interests at heart; it is the "other." Only Trump, J.D. Vance, Ted Cruz, etc., can seemingly fix this issue, as long as you send them money and vote them into office. Providing funds to organizations like the American Principles Project, a conservative advocacy group, and the Liberty Counsel and voting for political candidates that promise to fight the "transgender agenda are presented as the only way to save your kids. Therefore, conservatives

can rake in wealth to support themselves and promote their continued crusade against the trans ideology. Do these problems get resolved? No, but people are told things are better, and if they feel things are better, then they must be. Do not get me wrong; I do not want to blame the mass public for seemingly being evil dumb people; they are just imperfect people who have been tricked into supporting a group that makes their lives worse and benefits off it so elites can thrive, and middle class/poorer Americans do all the hard work. (Hawley, 116-117 & Gitlin, 12).

6.3 Monetary Politics

The money that flows into politics has been previously restricted, but court decisions such as *Citizens United v. the Federal Election Commission* have allowed corporations to make unlimited contributions to election campaigns. Billionaire Sheldon Adelson has given \$480 million to Republican candidates since 2014 (Bagchi, 2024). Timothy Mellon has donated \$125 million to Donald Trump's 2024 presidential campaign. Elon Musk has spent \$180 million on a super PAC designed to fund the GOP and even suggested Trump choose J.D. Vance as his running mate. Miriam Adelson's super PAC has put \$100 million into the GOP (Shleifer, 2024). Other wealthy elites such as Dick and Liz Uihlein, Linda McMahon, and Rupert Murdoch have contributed to the more than \$600 million spent in 2024 on political campaigns, a majority of that going to Trump and his favorable Republicans (Reich, 2024).

Of course, there are wealthy elites like Bill and Melinda Gates, Alex and George Soros, Reid Hoffman, Mike Bloomberg, Dustin Moskovitz, and Jeffrey Katzenberg that mainly fund Democratic candidates, including Kamala Harris's 2024 presidential campaign, as almost all of the political process is funded by wealth, but their goals are often not related to the othering of minority groups (Shleifer, 2024). Many of these donors, more often conservative ones, contribute not only to American politics but also send their money or at least support to other authoritarian

leaders in countries like India, Argentina, and Brazil. But why? Corporate leaders like Rupert Murdoch and Elon Musk wish for favorable economic benefits. Musk was able to secure lower import tariffs for his Tesla electric cars and access to lithium for electric batteries due to his political connections here and abroad. Oil executives are reportedly raising over \$1 billion for Trump's campaign in return for the reversal of environmental regulations put in place by Joe Biden, as well as the reduction in taxation on oil companies. The rolling back of regulations, tax cuts, and the opening of business markets all benefit corporations like JPMorgan Chase and mainly their wealthy CEOs, which gives them an incentive to invest in Republican candidates who push their ideals. (Reich, 2024).

What stands in the way of elites, CEOs, and corporations from hoarding more wealth? Democracy. Peter Thiel, who donated \$15 million to J.D. Vance's 2020 senatorial campaign and \$10 million to Blake Master's 2020 primary race, has refuted the 2020 presidential election results, wrote that he "no longer believe[s] that freedom and democracy are compatible" as well as "Since 1920, the vast increase in welfare beneficiaries and the extension of the franchise to women – two constituencies that are notoriously tough for libertarians – have rendered the notion of 'capitalist democracy' into an oxymoron." (Reich, 2024). With democratic election processes repealed, then monied interests can flow into the hands of elites much easier.

6.4 The Results

What are the results of the campaigning against trans people and by extension queer culture? People take it upon themselves to defend traditional American values. The ADF issued a boycott to occur on Target for issuing a statement to accommodate trans people's preferred bathroom. The ADF's campaign created a pledge for boycotting Target:

“I Pledge to Boycott Target Stores

Target’s store policy endangers women and children by allowing men to frequent women’s facilities.

Until Target makes the safety of women and children a priority, I will shop elsewhere.”

(Vähäpassi, 34 & 35).

During pride month in 2023, Target released its pride month collection, as they have done in the past. However, that year’s collection included tuck-friendly swimsuits, designed for penis holders to tuck their genitals for a more feminine appearance. Social media ignited over posts claiming that Target was selling tuck-friendly swimsuits to children. Despite that claim being debunked by Target that they only sell those in adult sizes, patrons have been reported harassing staff members and other shoppers about Target pushing transness onto kids (The Associated Press, 2023). Because of those two events, multiple bomb threats were called at different targets in different states over the store’s inclusion of pride merch (Oshin, 2023). Putting aside the problems with corporations commercializing queer identities for now, Target as well as other stores like Forever 21, are trying to be more accommodating to queer people, and they are punished for it resulting in the forced removal of pride themed items from stores (The Associated Press, 2023). These hate campaigns have real world effects, and this is just one example. Stores will have to choose between inclusivity and risking public backlash, or pull these items to protect shoppers, and their image, while signaling to queer people that they do not belong and are not safe anywhere. Trans people have been and will continue to be harassed because of these campaigns, alongside cis people as discussed before.

7 CONCLUSION

Fearmongering, straw-manning, and scapegoating are not new phenomena, and neither is transphobia. The recent application of those phenomena to create trans panic in the United States has proved effective for right-wingers gaining traction when it comes to political and economic power. Regardless of the individual intentions of those apart of the right-wing, anti-trans legislation works to make the lives of trans people harder for the purpose of benefiting right-wing politicians, CEOs, televangelists, church leaders, etc. Is there a way to stop this from occurring? That is an answer for a different paper, but all I can suggest now is investigating the validity of the claims made by politicians regarding minority groups, who finance their campaigns, and what other benefits they receive from making these claims. Besides that, research who is on your local and national ballot, and vote with knowledge and care.

Though Joe Biden reversed many of the harmful policies enacted by the Trump administration, the reelection of Donald Trump fueled by anti-trans fervor leaves the question of trans wellbeing up in the air (Shauntey & Coley, 38). There is a potential for the overruling of the 2020 Supreme Court ruling that added gender identity as a protected class as has been proposed in North Carolina with HB2 in 2017 with the reelection of Donald Trump as well as the red wave taking over the federal legislature (Patashnik 147). Only time will tell the effects of the most recent election on bathroom bills and trans rights in the United States.

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