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Changing America, and Changing Itself

By: YOAV SIVAN

Imagine it's Wednesday, November 5, 2008 and you're in the mailroom of the Human Rights Campaign headquarters in Washington. There you're surrounded by hundreds of thousands of outbound mailings expressing jubilation. Each envelope is labeled, just underneath the recipient's address, "A Personal Note of Thanks from Joe Solmonese."

Inside, Joe can hardly contain himself.

"We did it!" he writes. "Through your generous support of the Human Rights Campaign, we have a Democratic president and the biggest Democratic majorities in the House and Senate since the 1970s. The Human Rights Campaign couldn't have done it without you. But winning is expensive. Won't you help us with a generous contribution today?"

You can bet the ranch on getting that letter or something like it. Based on every early indication this primary season, including unprecedented Democratic voter turnout and remarkable Republican ennui, the Democrats are going to sweep to power this fall - and the Human Rights Campaign will take credit because, well, the Human Rights Campaign knows how to take credit. And raise money.

There's one little wrinkle for the LGBT community. The election results this fall will also guarantee the continuation of the most dramatic gay soap opera since "Dynasty.

I'm talking about the fight between HRC and the rest of the organized LGBT community in America over transgender inclusion in ENDA, the Employment Non-Discrimination Act.

If the Democrats pick up, say, four to five US Senate seats and 20 or so seats in the House, and Barack Obama or Hillary Clinton takes the oath of office on January 20, there will be no excuse not to pass an ENDA that includes gender identity - and every reason for HRC to join with 300-plus other LGBT organizations in opposing any version of ENDA that excludes it.

But HRC will likely have the same position it does today, asking Congress to first pass an ENDA that leaves the transgender community behind. A clue comes from HRC's recent listening tour, where senior officials from the group visited New York and San Francisco and allowed people to yell at them in a quid pro quo for the group's refusing to change its position on ENDA, even though George Bush isn't signing the bill in any form, with or without gender identity protection.

HRC is stuck in an obstinate rut.

It's not hard to figure out what HRC is thinking: We'll take our lumps with the activists, and once they're satisfied with their pound of flesh, they'll tire out and we'll all move on. After all, real people don't care. Our six hundred thousand members, or a million members, or whatever we're saying our membership is these days, don't give a damn about the inside fights over ENDA.

Wish that it were so. HRC is misreading the political thermometer, which may have been the problem with how the group handled ENDA in the first place. Word of HRC's being caught blindsided by Barney Frank's sudden desire to eliminate gender identity from ENDA - with "blindsided" being a generous interpretation compared to

other possibilities - has reached global dimensions.

As a gay activist in Israel who works closely with other LGBT activists around the world, I can assure HRC that we're all familiar with, and indeed disgusted that, America's most powerful LGBT organization could be either so incompetent or so vicious toward the transgender community.

I can't remember any other time when a schism in the American LGBT community generated so much discussion abroad.

We LGBT activists outside America look to a country like Spain, which in former generations was a stronghold of the Catholic Church, and is now a beacon of LGBT rights.

The government of Prime Minister Jose Luis Zapatero, bolstered by a passionately united LGBT community, was able to include transgendered people among the priority groups listed in the national plan for equality of opportunity and fighting discrimination. Spain's parliament has even passed a law endorsing the right of transgender people to change their names without surgery.

All this, of course, is in addition to the national marriage equality law the Zapatero government enacted in 2005.

And HRC can't even get a law passed that would outlaw discrimination against a human being based on gender identity? Thousands of us around the world are in disbelief.

Make no mistake. The United States and Europe don't share the same political template.

But if HRC's reputation has sunk this low globally, how long will it be before the decline of its political stock spreads from America's activist elite to LGBT lay people from coast to coast?

Perhaps HRC is right. Perhaps the schism in the LGBT community over ENDA in the last three months of 2007 was only inside baseball. Then again, this soap opera may well continue through next year, exploding in the next session of Congress when the LGBT community will have even fewer doubts that all-inclusive ENDA could and should pass.

Should that explosion happen, the loser will not only be HRC, but LGBT people across America.

That is, unless HRC has the courage to change.

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