

# RESPECTING CHOICE FORUM

Thursday, 15 June, 1995

*Speakers:*

- *Phyllis Randolph Frye, Attorney, Executive Director, ICTLEP*
- *Jane Ellen Fairfax, Chairperson of the Board, TRIESS*
- *Martine Rothblatt, Attorney, past Health Law Director, ICTLEP and Author of Apartheid of Sex,*

by Lisa Janet Middleton:

I'm really excited about today's panel and today's discussion. We've got some wonderful events coming up. The first one is a very, very important presentation. The title of this is "Respecting Choice", and it addresses the question of the various options that exist within our community and the various approaches that exist.

To begin, I've asked Phyllis to step up here and to talk to us for just about five, ten minutes at the most, on what are the various legal implications of being a crossdresser, being non-operative or being operative in your approach to transsexualism. Phyllis.

---

## LEGAL ASPECTS OF TRANSGENDERED BEHAVIOR

by Phyllis Frye:



**Lisa Janet Middleton, Health and Insurance Law  
Moderator**

For the listening audience, I'm Phyllis Randolph Frye, the executive director of this organization and I'm very honored to be sharing the podium with the likes of Lisa Middleton and Jane Ellen Fairfax and soon to be, if we can get her out of her room, Martine Rothblatt.

It's early in the morning, and we were up doing a lot of business, and some of us were partying last night, I understand. I've been asked to give you the legal distinctions between the crossdresser and the two forms of transsexuals; that is, the non-surgical transsexual and the surgical transsexual.

In a nutshell, all the law that I know of defers to the medical community. The law defers to the medical community. The judges defer to the medical community. For depositions and arguments and everything else, people turn to medical journals and standards put out by the medical community for definitions of this sort. In the past, they have used the old DSM, which was a real problem for us because it categorized all of us in a clinical diagnosis of having some kind of a disease. And the DSM4 was explained to us by Collier Cole and his brilliant presentation yesterday; it was also argued in George Brown's Treatise which is the American Psychiatric Association.

In explanation of the DSM, George points to the fact that it's new in the definition of fetishes to transvestite, and new in the definition of gender identity disorder. That they don't even have "transsexual" as a term in there anymore gives the component that the only way that you fit in is that you have some type of a mental problem, you have distress, or you have some type of an impairment or difficulty in coping with society or your family or whatever.

So, all of us who are well adjusted, we don't fit in there, and that's a very, very significant thing. Now, as far as the legal distinctions and definitions, the crossdresser is primarily of several types. We have the heterosexual crossdressing male who presents a feminine appearance, either for a short period of time or a long period of time for a multitude of reasons. We have a homosexual male who crossdresses for a variety of reasons.

Up until recently, if you think about it, we had the similar problem socially with women who wanted to wear pants, and women who didn't want to wear make-up and women who didn't want to wear bras. If you think about it, out in the workplace there were a lot of battles that were fought, especially in the '60s and a few lingering in the '70s and a couple on into the '80s. There are still courtrooms in the United States where a woman lawyer will not be heard by a judge unless she is wearing a dress. We've often chatted about big blue IBM and other companies who have a very strict policy that the women couldn't wear pantsuits and this and that and everything else. There are different reasons for women crossdressing, because that's in fact what they were doing, and men crossdressing whether they be homosexual or heterosexual.

This whole dress thing, this whole costume thing, this whole presentation of personality thing on a part-time basis has had very interesting social and even legal ramifications. We're still fighting in the schools for boys to be allowed to grow their hair long, whereas girls can have their hair short. And we're still fighting for boys being allowed to wear earrings, whereas the young girls can decide whether they want to wear earrings or not even if they have their ears pierced. Once their ears are

pierced they do not have to wear earrings that next day if they don't want to.

So, from the crossdressing standpoint it's a mixed bag. It's still very repressive. The only problem that the crossdresser really has from a legal standpoint is if they run into a cop. And we are working that out with respect to the I.D. situation. A lot of the departments of public safety in various states are allowing people to get a real live identification card; not to replace their driver's license, nor in lieu of their driver's license, but to demonstrate a difference face.

We had a hearing recently in Austin, Texas, which is the capital of Texas, over a bill that we were trying to get through. We had a lot of success with it, and I'll talk about it later in another workshop, but the point is that people from DPS came and officially, legally testified that they didn't care what name a person had on their driver's license as long as it was just one name, as long as they just had one driver's license and, you know, we can work out the I.D.s later.

That's really the crossdressing aspect. It's been my argument for a long time that the crossdressers have a very large stake in, and should be cheering on the sidelines, and putting all of their money and effort into the successes of the transsexuals in the legal arenas on these things, because once the transsexuals bust through, it's going to be a cakewalk for the crossdressers. They just ain't going to have a problem with lengthy hair and what kind of clothes they wear, or if their boss finds out they go to a TRIESS meeting on Saturday night. Or if they crossdress on Easter, their boss isn't going to be firing them for crossdressing because they've got transsexuals that work for them. I think I've made the argument very successfully to a lot of our friends in TRIESS community and in the crossdressing community that they have a very strong stake in the success of the transsexuals in coming through on this appearance thing as far as the law goes.



**Phyllis Randolph Frye, Attorney  
Executive Director, ICTLEP**

As far as the law goes on the transsexuals, ICTLEP has been promoting the idea that we have crossdressers of all the different shades that I described, and we have transsexuals. I know that there's a lot of conversation in our community that the non-operative is a transgenderist because they want a separate term; that is, a legal practitioner has explained these things to judges who have testified before legislative committees who have been in Washington talking one on one to United States senators and who have been one on one talking to members of the United States Congress.

It is a whole lot easier for these people to understand if we talk about transsexuals, transsexuals, transsexuals and that you've got three types of transsexuals. And that is someone who starts on the program and they are a pre-operative transsexual and they will remain a pre-operative transsexual until they finally make a decision. And that decision is: I'm complete, I'm finished. I'm as far as I want to go. I'm happy. I am a full and complete 100 percent woman or I'm a full and complete 100 percent man. I am a long-term irreversibly hormonally altered person and that person is a non-surgical transsexual and they have made their decision and therefore they are no longer pre-operative. Or they've made the decision: I am full and I am complete, but I would like a cosmetic option of a genital correction which very few people in this world are ever going to see anyway.

The legislator seemed to understand that easier. The judges seem to understand that easier. Also in my talk on Wednesday, I've been promoting the fact, as Jessica Xavier really hit home last year, that we need to adopt our own terms and instead of using the term male-to-female, we need to call ourselves transgendered women. Instead of using the term female-to-male, we need to call ourselves transgendered men. And Riki Ann Wilchins and Denise Norris of Transsexual Menace also put a similar thing; instead of using male- to-female we are female-to-female because we are female up here in the brain and then we just bring down the female appearance. Instead of female-to-male, we are really male-to-male because we're male up here and we're doing the male transformation. This was gone into in more detail in the earlier talk I made Wednesday.

I found that's easier also for the judges and the legislators to understand because I'm not asking them to make a change from male to female. I'm not asking them to make a change from female to male. I'm asking them to "correct." From a legal standpoint it seems to be flying a whole lot better, and I think that no matter how we see ourselves, psychologically, and no matter how we see ourselves in our writing and all of our emotions and all that other stuff, it's the legal change that's going to free us and that's really where we need to start aiming.

I want to mention one last point concerning the non-surgical transsexual being a full and complete transsexual,. I will stand up for, I will fight for and I will respect surgery for anyone who wants that surgery . But it is a cosmetic choice that they are making, rather than the end product of being transsexual.

I've also talked with the TRIESS community of how important this is for them when they counseled heterosexual crossdressers and married couples. Because quite often in their organizations, the word transsexual doesn't come up because it scares the hell out of the spouses. I understand that the spouses are trying to hang on in a very difficult time, and if we can get the word transsexual to mean someone who's living full time, someone who is fully hormonal, someone who has gone

through having their documents changed and everything else and it does not affect whether or not they've had their genitals changed, their genital change is a choice that they make on a cosmetic standpoint; then we can tell the spouses, hey when your husband says I want to be a transsexual, he may not mean that he wants to have his genitals changed. He may, in fact, mean that, but he may **not** mean that, and you can have the time to cope with the fact that you're going through the gender change, you're going through all these other changes, but he may become a non-surgical transsexual. So wife, please hang on to your marriage and your marriage is valid.

Also, we've been arguing in the family law area that marriages, even though no state in the union other than Hawaii right now, will allow two people of the same sex to get married, any two people are illegally married once they are legally married if one of them changes sex or gender, whichever word is used in that particular state's law, either through surgery or through the non-surgical full-time, long-term hormonal alteration and has a doctor certify that. If I can get a doctor to write the letter, I can take him through the courts. I promise.

Then the marriage is valid. The marriage is valid. The IRS respects them. The doctor should not require it. If they do, they should be sued, their requiring a divorce and I won't – I can't say that firmly enough. They should be sued for requiring a divorce, or even suggesting a divorce. Our family is important to us.

by Lisa Middleton:

Next up we have another lady who needs very little introduction. Jane Ellen Fairfax from TRIESS.

---

## RESPECTING CHOICE: HETEROSEXUAL CROSSDRESSING

by Jane Ellen Fairfax:

How many of y'all see me on the street, 6'3" 275 pounds, talking like this, would mistake me for a genetic woman? Thank you kindly, Pam. But the fact is that's good that essentially nobody raised their hand, because I'm not a genetic woman. I'm a genetic male. I carry a Y chromosome, and the solution for my transgenderism, in my life, has been that of a heterosexual crossdresser.

Now, the term "heterosexual" stirs up all kinds of questions about sexual orientation. One of these days when I get some time, in two years, to fight the "not invented here" syndrome, I'll change that to "heterophillic", because I dress out of emulation for the opposite sex, to express the feminine side of me. For me, crossdressing is a method of self expression, a method of getting in touch with my

femininity. In my life and in our marriage, it's been a very satisfying and fulfilling experience as my wife Francis, my wife of 24 years, will attest.

How do I choose this lifestyle? Well, when I first crossdressed, I was impressed by the sensation



**Jane Ellen Fairfax**  
**Chairperson of the Board, TRIESS**

that these clothes were somehow right for me, but I wondered what was going on, so I went over to the medical library and researched everything I could. Lo and behold, I found I fit the mold perfectly of what was described as a heterosexual crossdresser. I played the mental game, trying to determine who Jane was, who Jane was sexually. Gill likes women. Jane likes women, too.

I ended up making the conclusion that I was shadow boxing. The person who is me is attracted to women. So, if somebody wants to label Gill as heterosexual and Jane as lesbian, you know, go to it, but I'm one person, and I'm a crossdresser and proud of it.

In finding the solution in my life, I found that I had to have my desires tempered by my responsibilities. My first responsibility was my responsibility to God. Now anybody that's a crossdresser will run smack dab into Deuteronomy 22:5, which says crossdressing is an abomination in the eyes of God, but the solution I reached was that I felt free to remain a Christian. And the message I've tried to transmit in the community is be free to be a Christian. Be free to love God, because God loves each and everyone of us unconditionally, and He judges us, even if human beings

don't, based on who we are, not what we do.

I have responsibilities to my wife and family. I'm a professional person. It's my responsibility to provide a living for my family. My wife wants to stay home with the children. She wants to be a wife and mother. That means somebody's got to bring home money: either that or panhandle it. We want to give our children the best possible education, so I'd better not do anything, regardless of what I want to do. And what I want to do is be out there, uncloseted, by Phyllis' side. But I have

a responsibility to my family to provide for them. I have a responsibility to fulfill my vows of loving, honor and cherishing my wife until death do us part. I love her very much. Both of us value our sexual relationship. So for us, I made the decision not to risk taking hormones, not to risk the side effects, and not to risk the sexual side of our marriage.

My wife asked early on, like most wives, "Where is all this going? Does this mean we're going to retire as a couple of little old ladies together?" Well, that's a decision we have to make, mutually. My decision about my crossdressing, what I do with it, is a matter of honoring my wife. Whether we like to admit it or not, society still does not accept us a hundred percent. I mean, it's probably an understatement. How much opprobrium do I want my wife to bear? Well, we'll work this out. She loves me enough to know that my crossdressing and my feminine side is important, and we've set realistic limits on Jane. We play a sort of game-- of course, I'm proud of Jane and I want her to be around, in church and wherever else we go. And my, quote, escalation is to put on a little bit too much light pink lipstick, and the reply from wife and kid is "Too pink, Jane." And that's how we handle that. And she knows what I'm saying is, "I'm proud of Jane." I wish I could be out, open with her presence all the time, but we have realistic responsibilities to our children.

Our children's activities come first. If they want to have somebody over, I don't crossdress. I don't attempt to deceive them. They've known about Jane since Day 1. One thing they've learned, being a part of this community, they've learned about prejudice. They've also learned that's not "our" problem, it's "their" problem.

We have reached some compromises. I don't crossdress within several miles of my office. I don't appear on local or nearby television, no national television. I promote those, however, who work for our rights. And Phyllis is right. We've got our TRIESS chapter coming behind Phyllis and her efforts. You bet, Phyllis, that cross-dressers need to be aligned with you in working for the rights of our whole community. If we're not arm in arm with transsexuals and all the other alphabet soup in the gender community, we're missing a beat.

Our fears make reality worse than reality actually is. My work within TRIESS is geared toward winning society's acceptance of crossdressers as ordinary people with an extra facet. If you polish that facet, it will shine. I've accepted the masculine and feminine aspects of the complete person that is me. Although, every once in a while, Mary has to tell me, "Jane, civilize your brother."

What has crossdressing meant in my life? Well, as I've integrated the feminine with the masculine, I've found out I don't have to win at all costs. I have a greater empathy for others. People tell me, "You seem to know just how I feel." I feel free to touch, free to be vulnerable. I can draw on my Gill mode or my Jane mode as needed to solve problems. This could be an excellent stead during a deposition. I had an attorney just pounding on me, "Well, why don't you remember this?" And "How stupid can you be," and blah, blah. Well, Gil might have fired back at him, but Jane answered the question, "I don't remember these things because you're bullying me." I felt free to be vulnerable.

At the end, when it came out of the deposition, I thought I had done terribly. My attorney was grinning from ear to ear, and she said, "No. He did terribly." And she says, "In fact, if he makes one remark about that deposition during trial, I'm going to move the whole deposition into evidence and the jury will see just what kind of a person he is. So being able to be vulnerable, being free to be vulnerable, helped.

In summation, I would say there are two songs that summarize the transition I've made as I've integrated the feminine into the masculine. Remember the song, "Big Bad John"? That was me during my macho stage. "If you see me coming, better step aside. A lot of men didn't, a lot of men died."

Well, I never killed anybody, but you can kill feelings and you can kill dignity. And unfortunately, I was good at it. And now the song that sums up more where I am today: "Shine over me sun, shine over me song, oh zippity do di da. I'm the happiest girl in the whole U.S.A." And that's the way I feel about Jane today. I've got no interest in converting anybody to be a crossdresser. My only interest in what I'm going to work for and fight for with Phyllis is that everyone of us, every transgendered person, has the freedom to be who they are so they can be happy.

If we meet someone who is not of our orientation, we still have an obligation to provide a helping hand. The best way we can persuade society to accept us, is to live the best lives we can as human beings. Or in the words of Alexander Pope, "Honor and shame from no condition rise. Act well your part. There all the honor lies." That's good enough for me. Thank you.

by Lisa Middleton:

That's a very tough act to follow. It very much is. The next person to come up and speak today is someone who has completed her personal process. That does include an operation, but I suspect we're going to find out that life goes on and that is not a conclusion. Martine.

---

## **RESPECTING CHOICE: GENITAL SURGERY AS AN OPTION**

by Martine Rothblatt:

Thank you, Lisa. Those are two very hard acts to follow, especially since I was substituted in here just yesterday. I don't have a very nice set of prepared remarks. And because I do feel very fondly toward all of you, I will not sing.

If there was a piano or a flute, I might play music. I'm not a bad musician, but I'm a terrible vocalist.



I think this topic was interesting. And I guess one thing that I mentioned to Lisa when she asked if I could do it is I have been a crossdresser and I have been a non-op and a pre-op and a post-op. So in a panel talking about crossdressing, non-ops and post-ops, I've been in each of those categories and I'm glad to, very briefly, share my feelings with all of you in that regard.

For quite a while, I was a crossdresser; and I really felt very much the same feelings that Jane Ellen Fairfax described so eloquently. I said, "Well, I know that there is a female soul inside me and I'm either going to keep it repressed," which I did for a very long time, "or I'm going to let it shine." Every time I did let it shine when I was out in the real world, I felt like I was like the luckiest girl in the U.S.A., very much like Jane Ellen said. And I think that that's a wonderful feeling. The only place I would disagree with Jane is that I DO encourage people to crossdress. I think it's good for everybody's soul. When I meet straight people and we start talking together, if they're a woman I encourage them to crossdress as a man. If they're a man, I encourage them to crossdress as a woman.

Basically, clothes are kind of like the way we paint our soul on our canvas; singing is another way, and dancing is yet another. So I do encourage people to express their soul because I do believe that there's both a feminine and a masculine, and many other sides, to our souls inside each of us. We only live once and so why not let the inside shine?

Every crossdresser does have to make certain compromises almost by definition, because a crossdresser is basically a part time gender explorer, you know. And you do make certain compromises and I made the same ones really that Jane Ellen had mentioned. I said, "Well, I'm definitely not going to crossdress at work." Or I thought she said 3 miles. I probably would have said within 10 miles of my office. Because I was worried, as a person that was financially



**Martine Rothblatt, Attorney  
Author, "Apartheid of Sex" and (Past)  
Health Law Director, ICTLEP**

supporting our family, of doing anything that would jeopardize my income. And I for sure was not going to appear on television locally, nationally or probably even closed circuit. Because once again, a crossdresser often does feel a great deal of fear because of the compromises which are inherent to cross dressing.

That's one of the reasons why in my activism side I do really try to break down gender boundaries. It's really stupid that we have to feel fear just to be able to express part of our soul. I think it's wonderful that the crossdressing community is linking up with us because crossdressing is fine. It's great. I think everybody should try it, but nobody should have to be afraid that they'll lose their job, or they'll lose their livelihood because of crossdressing. That's a totally unnecessary fear.

After a certain amount of time of crossdressing, though, I became more and more curious about going further in the gender exploration. In particular, I really was very curious what it would be like to have real breasts. Okay. So the hormonal ability to develop breasts was very attractive to me.

Two other things got me interested in the non-op approach. One was that when I found that it would stop the course of further hair loss, that seemed to be a beneficial aspect of hormones; I was approaching 40 and I thought it would be a lot harder to be a crossdresser, because I'd have to wear a wig and all this stuff. So, I said I didn't really want to lose my hair. It just seemed an easy way to retain some more youth and vitality. That seemed to me to be a reason to start on hormones.

As far as sexuality goes, my partner and I had very much adapted to a lesbian mode of sexuality, so I did not feel that hormones would interfere with our sex life. In fact, I can say ,after having been a non-op on hormones for several years, it did not interfere with our sex life. I, for one, had just as good orgasms after I was on hormones as I did before.

Finally, when I went to an endocrinologist, I read everything on hormones and I think certainly Sheila Kirk's book is the classic in that field to read. I perceived from reading all of that that if you had regular medical tests, there really weren't any real risks associated with hormones, if you were on a modest dosage. So, I went through all the regular medical tests. I got on the hormones. Finally, the doctors said that I had slightly elevated cholesterol and that the hormones would probably bring down my cholesterol level which, he said, would be a net good. They did bring down my cholesterol level to a female sort of range instead of where it was in the male range. So, at least so far, – and I will knock on wood – being a non-op just on hormones did not have any adverse health consequences. It allowed me to live my female side; to express that on a full-time basis. I completely agree with Phyllis that if you have sex reassignment, or sex confirmation or gender confirmation, whatever you want to call it, you can do that by hormones. Okay. It is totally absurd to have a person's sexual status depend on what nobody ever sees between their legs.

I went full time as a non-op. I had no immediate intention to become operative. I decided to live that life for a while, and I worked on my job. And lo and behold, I found out as, I guess, FDR said the biggest thing about fear is fear itself. I found out that, I was still able to support my family as a full-time transgenderist, or non-op or whatever you want to call it, and that really worked out

quite fine.

After doing that for some amount of time, I guess a year or two, I began to realize that there were really two things that lead me to become all the way, to become operative. One was the amount of hormones that I was taking. Even though it was regularly monitored by a doctor, it was nevertheless a little bit worrisome to me, because I felt that the amount that I was taking was more than I would have to take if I was post-op. Okay. Because it's necessary, at least for my reading, to have both one anti-hormone that suppresses your androgen, and one Premarin type of hormone that promotes your female hormones.

I had some small amount of concern that the anti-androgen might not be all that healthy, necessarily. Secondly, I got to the frame of mind of saying, "well, it's clear that genitals don't matter, because I was living as a woman with a penis, and it really wasn't causing any difference.

Now, some people say, "if genitals don't matter, why do you have SRS?" But to me, you could just as easily take the other conclusion and say if genitals DON'T matter, why not have SRS? I remember one phrase that a reporter asked me at one time, "Well, aren't you going to regret swapping your penis for a vagina?" And the thought that came to my mind was, "you know, half of the people in the world have a vagina and I have not seen any of them jumping off cliffs because of it." So I could not possibly understand what there would be to really be regretting.

Now, my partner and I had been living in extremely close quarters, for some 15 years, and it didn't seem to me that her vagina was anything terrible or awful. I mean, quite the contrary, I loved it, and worship it, I want to tell you. And so I'd said to myself finally, "well, I've had a penis for all these years. I do not want to have any more kids, because we had four kids. It's not my body that makes me who I am, it's my soul that makes me who I am." Just as people are free to pierce their bodies, or tattoo their bodies, or build up their bodies with muscles, or make them bigger by eating, or change their hair color, or what have you, why can't I change my genitals? And I realized that, of course, I could. I went to a psychologist and I explained to her the whole thing, straight up, just as I explained it to you. And she said, "Well, it seems to me that makes perfect sense. And you're adapted. You understand what's going on." I talked with everybody in my family, and they really said, "Well, people already see you as a woman, more or less, so no one is really going to know you have had this surgery."

In fact, when I did have the surgery, virtually nobody really did know that I had the surgery because the people that you meet in day-to-day life are going to expect you look like a woman. You smell like a woman, you pee like a woman, so nobody really knew. I just went away for two or three weeks, and I came back and I don't think anybody even knew that there was any difference.

But I felt a difference in myself. I loved my post-operative body. I can say that quite honestly. When you get out of bed and look in the mirror, or you get out of the bathtub and rub yourself

down, and lay on your bed, my partner and I love exploring each other's bodies, fem to fem.

I went to Dr. Shrang only after extremely careful research, because I'm really not a reckless person and I wanted to make sure that I had the lowest possible risk of anything going wrong. I spent about a year researching doctors. I went to the Harry Benjamin conference, saw each of the doctors give their own slide shows. I used my own kind of legal investigative skills to check things out. I finally became pretty convinced that by going to the wrong doctor, there was a high risk of something going wrong. And going to a right doctor, there was a very low risk of anything going wrong. And, you know, that's just like anything else in life. You go to the wrong lawyer, you're probably going to get screwed. You might get lucky, but you'll probably get messed up. And you go to the right lawyer, you probably come out okay.

So, I came out fine. Okay. And I've now lived as a crossdresser, as a non-op, pre-op and post-op. Each of them were great experiences. If I had, for some terrible reason, died at the end of any one of those facets, and before the next one, I would have said, "I'm so happy I did the face I did. I'm so happy I experienced crossdressing and didn't just die without ever being a crossdresser. I'm so happy that I had a chance to be a transgenderist. And now I'm so, so happy that I've had a chance to transform my body from a male type to a female type."

My final message is: follow your soul. Follow your heart. Don't let other people unduly persuade you, and just do good things. Don't hurt other people, and love yourself and you'll be fine.

by Phyllis Frye:

I wanted to leave the microphone here because I want to make some comments about choice and let Jane Ellen and Martine follow up if they choose, and I know they will. I think respect is what it's all about. I have a reputation of declaring war and picking a war with TRIESS several years ago, and there was a very deliberate reason for that. The deliberate reason was that at the time there were still so few of us who were out, and that even in Houston, Texas, there were so few organizations, that we needed everybody that we could get, and we needed every organization we could get. I felt at that time that segregation was causing very much of a problem and that we really needed to support each other. So I freely admit that at that time, I launched a war.

During the past year, in 1994, it came to my mind, or, it was impressed upon my mind by several people including some of the ICTLEP directors, that during those several years, we as a community not only nationally and internationally, but in Houston, which is of course where I live and do a lot of my advocacy, had grown. We now are reaching a point of critical mass where we had enough people fighting the fight. Of course, we can always use more. And we did have quite a few different organizations that would provide support for everybody to fit in their particular pigeon hole. But, now it's time, not only to declare a truce, but to work together. So I extended the olive branch very much to this woman who grabbed it very quickly, and she and her spouse and I talked at length about the choices and the necessity for alliances and the necessity to work these things out.

It is now critical, at this time in our history, that we do begin to respect our choices and that we quit attacking each other. I believe that I've convinced the heterosexual crossdressing community, as was expounded upon earlier, that they do have a stake in the outcome of the transsexual legal war. I think it's extremely important that transsexuals who have had surgery quit looking upon those who are long term hormonal transsexuals as the ones who chickened out, the ones who aren't really transsexuals. And those of us who are non-surgical transsexuals to quit beating up on those who have surgery and saying, "how foolish it is and that you really shouldn't have this and everybody knows it's not successful." That's silly, and we need to stop. We need to stop that in our writing, because the enemy is out there, folks. The enemy is out there. They're the ones who are wanting to take our visitation rights. And they don't care whether you've had surgery or not, or whether you crossdress part-time or not. They just know you're a goddamn freak, and they're going to do everything they can to keep you away from your children and to destroy your family and to make your home life miserable and to put obscene phone calls on your phones and to try to take away your job and to run you out of the military and all the other things they can do to us, legally. So we've got to band together. We need to quit writing all this ugly stuff about everybody's choices. We need to work together instead of writing articles about "why I'm not a full transsexual because I haven't had surgery" or "why the transvestites should be afraid of transsexualism", or all this other stuff.

We need to write articles about the transvestite or the cross-dresser having a stake in the success of the transsexual, and the non-operative seeing that surgery is a valid option but that it IS an option, and the post-surgical seeing that the non-operative is a full and complete transsexual. We need to embrace that. And something else we've got to do: I said it yesterday, and I'm going to say it tomorrow and I'm going to say it again tomorrow night and I say it everywhere around the country I go and I'll say it again. We've got to get over this racial problem, folks. We've just got to get over it.

This country has been destroying itself since the first boats hit this shore, when we first started practicing racism and genocide against Native Americans, and when we imported people of opposite skin color over here and enslaved them and took away their dignity. We waste so much human potential, and we may waste so much human energy. We've got to get over this racism. And anybody that writes about it needs to be condemned, and we need to have affirmative action within our own organizations.

I'm going to state this AS THE EXECUTIVE DIRECTOR OF ICTLEP : any organization and any executive director of any organization in this community that has the gall and the nerve and the stupidity to write racist articles, I want to tell everybody who is not white that ICTLEP embraces them, ICTLEP welcomes them. ICTLEP wants their energy, and ICTLEP wants their vitality.

And ICTLP recognizes that the men in our community represent a full half of our community and we need their energy. We are wasting the men in our community. The transgendered men, of which we have three speakers at this conference, of which we have several participants, are half of our community and yet they are never represented in those numbers.

We need to go home and write in our newsletter that we want the men involved and that we want the blacks involved and we want the Native Americans involved and we want the Asians involved. We've got to do this. It's to our strength and to our benefit.

by Martine Rothblatt:

I think choice is absolutely the answer. And I could not agree more with Phyllis when she talks about respecting everybody's choices. I think when you start putting down some people, you get it back. What goes around, comes around. And it's true that post-ops look down on non-ops. That not all, but some post-ops look down on non-ops. I think an excellent book is "Gender Outlaw."

by Jane Ellen Fairfax:



I have to say that I admire Phyllis for her articulate definition of just what we need to do to achieve a true community of transgendered people.

I would sum up by saying that the worst problem in

(L-R) Martine Rothblatt; Dallas Denny, Executive Director, AEGIS; Lisa Middleton

our transgendered community is unintegrated testosterone. When you look at it, any time you attack somebody else's choice, any time you say you're better than they are, what you're saying is, "I have to win." If you attack someone's choice, ask yourself this: "What happens if you win?" You've destroyed their credibility. You've lost an ally. You've lost one of our allies. And I would appeal to at least everyone in this room and everyone in the community to respect people's choice, guard each person's dignity as a human being. Honor them.

Sisters and brothers of color, Phyllis again is absolutely right. The Mirror, the Fem Mirror, has been trying for seven months to set up a feature, a full length feature, on sisters of color. The problem is we're not getting the articles. And I would use this opportunity to appeal to sisters and brothers of color in our community to contribute articles to make their needs and feelings known. We're ready to help.

by Lisa Middleton:

Let me open this up for questions from the floor for a minute.

by Dallas Denny:

I don't know if I have a question, but I have a comment. I'm Dallas Denny. I'm the executive director of AEGIS, the American Educational Gender Information Service. First, I'd like to say what a wonderful panel this has been because I think this is an issue that has really needed to be addressed for some time.

I went to the second New Woman Conference and found this incredible amount of elitism. I had a post-op woman stay at my house and she asked my male-to-female pre-op roommates, "Is the toilet seat up or down?" And it's like, "Oh, my God, the toilet seat's up. You know, I'm going to have a conuption here."

Tremendous amount of elitism about surgery. It's a real problem, and it needs to stop. I admire TRIESS for its position of openness. There are some elements in TRIESS, and the heterosexual crossdressing community in general, that are homophobic. We need to fight our homophobia. Every time someone says that most cross-dressers are heterosexual, most transgendered people are heterosexual, or "we're heterosexual, we're not gay or anything.", every time someone who has elected not to have surgery alleges that people who have made the decision to have surgery are incapable of making a rational decision, we must fight all this. It's coming from all aspects of the community. The other thing I'd like to say, and I'll make this quick, is that I strongly believe that we are not THE transgendered community, we are A transgendered community. There are large communities out there that never come to ICTLEP. They never come to IFGE. They don't read Chrysalis. There is a tremendous number of gay crossdressers. If you look at the sales figures for the contact magazines, there's a tremendous number of bisexual transgendered people out there. We need to acknowledge and reach out in as many ways as we can and that may mean, if you're gay and you're poor, you may not like the idea of sitting at a table in a meeting like this all day long, so we got to reach out by going into those communities instead of expecting them to come to ours.

The last thing is that there's entirely too much equating of the bad things in our community having to do with testosterone. Testosterone is a wonderful thing to have if you want it.

by Lisa Middleton:

Others who have comments, questions? Jessica.

by Jessica Xavier:

Jessica Xavier. I think it's important for us to realize where the source of all of this attacking each other comes from. A lot of it comes from shame. This is a community that's redolent with its shame. We bathe in it every single day. Until we deal with our shame issues, we will use each other as comparative targets for our weak, low self-esteems. Until we learn how to become proud, until we learn how to build a transgender pride and instill that in each and every person in this community, we'll be victimizing each other continuously.

That is the main problem. In my estimation of the community right now, that is our largest problem, shame. Because shame prevents us from doing everything. Shame converts into fear, into apathy and despair. With that, we can't accomplish anything and I think that's the central problem. Proud people will not fear.

by Lisa Middleton:

Any others?

by Nancy Sharp:

Another comment will be that we all have a stake in the gay rights liberation and whatnot, as well. If there's one large misunderstanding that it would be helpful to have cleared up in the community, that would be the misunderstanding with the TRIESS organization some kind of way and the impression that they are against the gay rights in some kind of way. Maybe this isn't the correct forum, but if we can present it and start building bridges with TRIESS, which purported to be a heterosexual organization. Because of that, it's purported that they have something against the gay and lesbians. So that's just a comment. I think it would go a long way to helping things and build bridges if at some point they could clear that up.

by Dallas Denny:

A lot of the attacks – I've been reading them for years – are totally unjustified. I guess the best way to clarify is to repeat a couple of things. First, if I'm black, does it mean that I hate whites? If I'm heterosexual, or a member of a heterosexual organization, does that mean that I'm homophobic?

What I want you to do, Nancy, is to avoid judging TRIESS by what other people say about it. Contrary opinions of some people's perceptions are not the same as reality. Look at what we do. TRIESS has allied itself, or is in the process of allying itself, with the movement to gain civil rights for all cross-gendered people. There was in the Mirror a feature article on Stonewall. I don't think you can find anything homophobic, anywhere in the TRIESS of today. I challenge you to produce anything like that.



by Phyllis Frye:

I think that was a good question. I think that was a good answer. And I think we're all growing and we are also all getting over our homophobia. I think the message is clear that we need to get over it, and I think it was a good answer and I think it was a good question.

by Martine Rothblatt:

I'd like to say one other thing about choice that hasn't been said this morning, so it's a little bit on a different subject. But I think it's about time that we started addressing this.

For a long time, when people say, Why are people transgendered? Why are people transsexuals? A hundred years ago, people were saying, "Well, it's environmental. It's the way that they're trained to be." And then the pendulum has swung, almost all the way to the other extreme today and people say, "Well, it's genetic." Or in the middle, it's like -- maybe it's like accidental fluxes of hormonal levels that happen during the prenatal period, whether the mother is in stress or what happens and there's a flux of hormones and that changes the hormonalization of your brain.

We get in a problem because when people say, Well, why are you transsexual? Why are people transgendered? , you have to come up with an explanation. I wonder if we can't all now begin to answer that question always with the first statement that there are several different ways to become transgendered or transsexual. Some people may well be genetically predisposed from the earliest years of their life. Other people may intellectually choose to be transgendered or transsexual or a crossdresser. And this notion that somebody can, out of free choice, choose to be transgendered is a powerful one.

This same debate is just beginning to happen in the gay and lesbian community. Instead of saying that it's environmental, it's genetic or hormonal, people are beginning to say, There are many different ways to become the same gay person. And there's so many different ones of us. I'd like us to start realizing that being transsexual can be a matter of no choice at all. I don't know how much free will a 3-year-old trying on different clothes has.

But also, you can choose to be a transsexual. And I think we have to become comfortable with saying that there are different ways to become the same kind of transgendered or transsexual being.

by Phyllis Frye:

I don't know about you, but a space ship from the planet Zorgeid zapped me when I was 8 years old. And I am a very happy lesbian, and my spouse and I will be married 22 years next week. And I'm a very happy lesbian zapped from the planet Zorgeid.