THE LGBTQ RIGHTS MOVEMENT
1993 – 2016

VIOLENCE AND HATE CRIMES
MILITARY SERVICE
DISCRIMINATION
MARRIAGE
TRANSGENDER
EQUAL RIGHTS
PERSONAL STORY
“Our relationship is truly one bond now. We walk taller. We feel prouder. We feel EQUAL.”

On June 28, 2013, we were the first couple in Los Angeles to get married after the United States Supreme Court held our opponents did not have the legal standing to overturn same-sex marriage in California. It was very important for us to get married as soon as it was legal. We had been part of a lawsuit to reinstate same-sex marriage in California for almost 4 ½ years. We had waited long enough.
We were married at 6:08 pm on Friday, June 28, 2013 live on the Rachel Maddow Show. Our four-plus year journey to the altar lasted a whopping six minutes. With two words we became **EQUAL**. Our lives forever changed. What did saying “I do” mean? You have heard about the rights… over 1,100 of them that are denied people who cannot marry. Those are extremely important to the safety and security of gay and lesbian couples.

But do you know what we were most excited about? The access to the language. We couldn’t wait to say the words “married” and “husband.” These words have true meaning. They are
recognized globally. People know what they mean. Our old nicknames for each other have changed. It’s now, “husband” this and “husband” that. We can’t wait to introduce each other as “husband,” sometimes, even to people who already know us because we just want to say the word. We can say unequivocally, “Being married feels different.” Look, after 12 plus years together, the day to day hasn’t changed much but the feelings have. The love is deeper. The level of commitment is stronger. Our relationship is truly one bond now. We walk taller. We feel prouder. We feel EQUAL.

– Paul Katami and Jeff Zarrillo
Jamie Nabozny was verbally and physically assaulted in school for being gay. When he and his parents complained, school administrators blamed Jamie for the assaults because of his sexual orientation. Jamie attempted suicide, ran away from home, and suffered from post traumatic stress disorder. Eventually Jamie opened a civil suit against his public high school for failing to protect him. In a landmark decision in 1996, the jury ruled that a school could be held accountable for failing to stop anti-LGBTQ abuse.

That case increased accountability for schools to ensure the safety of their LGBTQ students. It led to the nationwide development of sexual orientation anti-harassment policies and programs in schools. Today, GLSEN (Gay, Lesbian & Straight Education Network), PFLAG (Parents, Families and Friends of Lesbians and Gays), and other groups work with schools to support LGBTQ students. Many LGBTQ
students take part in an annual Day of Silence, during which they take a vow of silence to raise awareness to the harassment and discrimination that LGBTQ people often suffer in silence.

The Hate Crimes Prevention Act (HCPA) was introduced in Congress in 1997 to expand federal protection to include those subject to a criminal act on the basis of their gender or sexual orientation. HCPA received renewed interest the next year when Matthew Shepard, an openly gay university student, was brutally beaten and left to die in rural Wyoming. In 1999, HCPA was defeated in Congress, but the measure was later reintroduced as the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, with disability and gender identity added to the list of protected people. The act was signed into law in 2009, becoming the first federal law to offer protection to transgender people.

DEFINITION OF TERMS

As the transgender community became more integrated into gay, lesbian, and bisexual community activism, the term LGBT (or GLBT) became common in the 1990s, while LGBTQ (lesbian, gay, bisexual, transgender, and queer) gained popularly in the 2000s. Alternative acronyms such as LGBTQIA (adding intersex and asexual), LGBTTQQIAAP (adding transsexual, questioning, ally, and pansexual), and other acronym combinations also proliferated in the 2000s. Queer gained increasing usage across this era as a positive all-inclusive umbrella term. Queer studies became an entrenched field in academia for the study and scholarship of gender and sexual identity.
THE MILITARY BAN ON GAY AND lesbia
people first gained nation-
al attention in 1975 with
Time magazine’s cover story
on discharged Air Force Ser-
geant Leonard Matlovich,
the magazine’s first cover
story of an openly LGBTQ
person. Challenges to the
ban on military service con-
tinued through the 1980s and 1990s with prominent cases such as Miriam Ben-Shalom’s fourteen-year
court battle with the military, and Army Colonel Margarethe Cammermeyer successful challenge of her
dismissal after 25 years of service.

In 1982, the military implemented Directive 1332.14, which changed homosexuality from a pos-
sible disqualification for military service to a mandatory one. Democratic presidential candidate Bill
Clinton promised to overturn the military ban; however, when elected, he signed a compromise “Don’t
Ask, Don’t Tell” (DADT) policy that allowed gay and lesbian people to serve in the military as long as
they didn’t come out publicly. Although the policy was intended to allow greater participation of gay
and lesbian people in the military, the discharges continued at a high rate.

Through a combination of legal challenges, political pressure, and publicity, groups supporting
LGBTQ service members were able to introduce a bill to Congress in 2006 to repeal DADT. Under
pressure from a federal court decision that DADT was unconstitutional, a federal repeal of DADT was
signed into law in 2010. However, the military continued upholding DADT policies until 2011 when
a federal court finally ordered it to cease.
DISCRIMINATION

UNITED STATES HOUSE REPRESENTATIVE Bella Abzug introduced to Congress the Equality Act of 1974, the first federal civil rights act to include protection for gay and lesbian people. It failed. Gay and lesbian anti-discrimination bills were reintroduced through the 1970s, 1980s, and early 1990s, and although each garnered increasing support, it was never enough for passage. In 1996, the Employment Non-Discrimination Act (ENDA) was introduced to the floor of the United States Senate, but was defeated by a single vote. As of 2020, ENDA has yet to garner passage.

Executive orders were an easier method to extend LGBTQ protections. In 1998, President Clinton signed an executive order to prohibit discrimination based on sexual orientation in the federal service workforce. In 2014, President Obama signed an executive order to prohibit discrimination based on sexual orientation or gender identity for all federal contractors.

When the United States Supreme Court decided in 1986 that private sexual acts would continue to be deemed illegal in Bowers v. Hardwick, it threatened LGBTQ civil rights at a fundamental level. Many lower courts used the precedent to rule that LGBTQ people could be judged implicitly criminal and unfit for a number of rights. One example was the 1995 Virginia Supreme Court decision Bottoms v. Bottoms, in which Pamela Kay Bottoms won custody of her daughter Sharon’s child in part because Sharon was openly lesbian. Following similar rationales, state supreme courts in North Carolina and Alabama affirmed the removal of children from lesbian and gay parents.

LGBTQ activists and organizations fought off discriminatory state initiatives in Idaho, Oregon and Maine in the mid-1990s. However in Colorado, they were not so successful. In reaction to lesbian and gay anti-discrimination ordinances adopted in Aspen, Boulder, and Denver, Colorado voters passed Amendment 2 in 1992 to prohibit any city, town, or county in the state from any action designed to protect its lesbian or gay citizens. LGBTQ activists fought the measure in the courts, and turned one of their biggest defeats into one of their biggest legal victories. In 1996, the United States Supreme Court ruled in Romer v. Evans that Colorado’s Amendment 2 was unconstitutional. This Supreme Court decision was the first to claim that lesbian and gay people were equal to any other citizens and could not be denied participation in society and politics. Besides providing a legal standing to challenge government discrimination, it checked the power of voters or legislators to deny equal rights to LGBTQ people nationwide.
In 2003, the United States Supreme Court delivered another victory for LGBTQ rights when it ruled in *Lawrence v. Texas* that sodomy laws were unconstitutional. Just as the federal affirmation of sodomy laws had a wide-reaching impact on the LGBTQ community, so too did the abolition. When, in 2004, Massachusetts’ judges ruled that the ban against same-sex marriage was unconstitutional, they cited *Lawrence v. Texas* and its implication that governments should not intrude on “consensual adult expressions of intimacy and one’s choice of partner.” *Lawrence v. Texas* also cast doubt on such far-reaching practices as the deportation of non-citizen same-sex partners of American citizens, the ban of LGBTQ people from military service, and the removal of children from LGBTQ parents.

Although *Romer v. Evans* and *Lawrence v. Texas* were critical decisions in supporting LGBTQ rights, the United States Supreme Court did not indicate by their rulings that LGBTQ citizens necessarily had the same status and rights as other minority groups. The justices ruled in 1995 that an LGBTQ group could legally be excluded from a public parade solely because parade organizers disapproved of their message. In 2000, the judges ruled that the Boy Scouts of America, as a private club, could exclude LGBTQ people because the latter’s presence conflicted with the group’s mission and beliefs. At at time when no gender, ethnic, or racial group could be excluded merely because an organization disapproved of them, these Supreme Court decisions suggested that LGBTQ people did not merit the same equal protection.

SAME-SEX MARRIAGE WAS FIRST publicized in an August 1953 cover story in *ONE Magazine*. That story resulted in the confiscation of the issue by postal authorities, who deemed the topic of same-sex marriage as a violation of obscenity statutes. In the gay liberation movement of the early 1970s, several same-sex couples applied for marriage licenses, but were universally denied. Legal challenges were similarly defeated.

The prohibition of gay and lesbian people from marriage had ramifications beyond the institution itself. It meant that same-sex partners of hospitalized LGBTQ people could be denied visitation and decision-making power. The death of an LGBTQ person left the surviving partner without any of the benefits granted to married couples. Lengthy legal battles were often required to recognize the survivor’s rights in housing, inheritance, and child custody. Same-sex partners were barred from tax and insurance benefits. American citizens could not keep non-citizen same-sex partners from being
Although marriage permits could not be issued for same-sex marriages, couples still underwent marriage ceremonies across the country to affirm their commitment and love for one another. These marriage ceremonies took place (clockwise from upper left) in San Francisco (1973), Los Angeles, CA (1970); Jackson, MS (1989); and Philadelphia, PA (1957).
deported. Same-sex partners could be excluded from adopting. LGBTQ status could be used to dismiss the custody claims of separated gay or lesbian parents.

In 1996, the Hawaii State Supreme Court ruled that the state could not legally deny same-sex couples the opportunity to marry. Although Hawaiian voters approved an amendment prohibiting the implementation of same-sex marriage, the court’s decision ignited a backlash across the nation. By the end of 1996, sixteen states had implemented laws banning same-sex marriage, and the federal government had passed the Defense of Marriage Act (DOMA). DOMA denied same-sex couples the federal benefits and rights of marriage, even if a state legally recognized the union.

In 2000, Vermont passed the nation’s first civil unions law, which conferred upon same-sex couples all the state’s rights and benefits of married heterosexual couples. In 2004, the Massachusetts State Supreme Court ruled that the prohibition of same-sex marriage was unconstitutional, and the state became the first to officially recognize gay and lesbian marriages. In reaction, twenty-two more states instituted legislation banning same-sex marriage. An amendment to the United States constitution to ban same-sex marriage was proposed but defeated in 2004 and 2006.

Between 2004 and 2012, only six more states legalized same-sex marriage. Then from November 2012 to December 2013, 11 more states legalized same-sex marriage, bringing the total to 18. When Thea Spyer died in 2009, Edith “Edie” Windsor, her partner of over 40 years, was denied the federal
estate tax exemption for surviving spouses because of DOMA and was sent a tax bill for $363,053. She sued, and in 2013, the United States Supreme Court ruled in *United States v. Windsor* that DOMA was unconstitutional, thereby granting same-sex married couples the same federal rights as heterosexual couples.

By 2015, multiple challenges to state bans on same-sex marriage had made their way through the court of appeals, with four rulings against the ban, and one upholding the ban. Consolidating the cases under *Obergefell v. Hodges*, the Supreme Court ruled that the Fourteenth Amendment to the United States Constitution gave same-sex couples the right to marry across the United States. The ruling overturned all state bans on same-sex marriage and granted all gay and lesbian United States citizens the right to marry regardless of where they lived.
PERSONAL STORY
"I only have six months to live. I am sad, angry, and scared, but more than any of these things, I am grateful...to live for at least a short time as Michael, the man I was born to be."

“I hereby grant your petition for a change of name and gender." With these five words by the judge, my life-long dream was realized; I was officially male! Growing up, I was told I was a girl and that no matter how much I wanted it, I would never be the boy that I wanted to be. At school, I was teased by classmates,
and by the age of five, I had learned to be ashamed of who I was. At eleven, I started to develop breasts, the hideous foreign objects that tormented me every moment of every day. My attempts to hide them proved futile and I could not have been more disgusted and ashamed of my body.

I came out as a lesbian at nineteen, before coming out as transgender at thirty-two. Telling people you’re a transman takes a whole different type of courage. While I ached for the love and support of my family, it was not to be. The good news is that the LGBTQ community embraced me, creating a new and more meaningful family of queer kinships.
Like most trans-identified men, I was socialized to adhere to female gender norms. Thus after coming out, I was constantly questioning my gender expression. Am I trans enough? Am I enough of a man? What makes a man a man? But I learned that I am a man simply because I say I am and I get to choose how to express my gender. Like sexuality, gender identity is fluid. It constantly evolves and each of us must find his or her authentic self in a hodgepodge of deeply ingrained stereotypes and expectations.

On August 13, 2014, I was told that due to brain cancer, I only have six months to live. I am sad, angry, and scared, but more than any of these things, I
am grateful. I am grateful that my dream came true and that I had the opportunity to live for at least a short time as Michael, the man I was born to be.

– Michael Saum
ALTHOUGH THE 1980S SAW THE emergence of Lou Sullivan’s FTM (female-to-male) International and Myrissa Sherrill Lynn’s International Foundation for Gender Education, a national movement did not coalesce until the early years of the 1990s. The first Southern Comfort transgender conference began in 1991 and soon became one of the largest transgender gatherings in the country. Future Texas Judge, Phillis Frye, organized the first of six annual transgender law conferences the next year and also helped organize local transgender activists into a national contingent at the 1993 March on Washington. Fantasia Fair, a week-long conference for heterosexual MTF (male-to-female) cross-dressers that started in 1975, blossomed in the 1990s into a world renowned event for all transgender people.

**Andrea Jenkins**

1961 –

Andrea Jenkins was the first openly transgender black woman elected in the United States, when she took office in the Minneapolis City Council in 2018. As of 2020, she served as vice president of the council and as chair of the Race Equity Subcommittee. In her previous work as a policy aide, curator, and artist, she long advocated on behalf of transgender voices.

**Kim Coco Iwamoto**

1968 –

Kim Coco Iwamoto became the highest-ranked openly transgender official in the United States when she won a seat on Hawaii’s Board of Education in 2006. Iwamoto has continuously advocated and worked with LGBTQ youth as a licensed therapeutic foster parent, lawyer and public figure. She was appointed to the Hawaii Civil Rights Commission in 2012.
Historically, murders of transgender people have been under-investigated, under-convicted, and under-punished. For example, when pioneering transgender activist Marsha P. Johnson was found floating in the Hudson River in 1992, the suspicious death was ruled a suicide with minimal investigation. When police refused to arrest transgender Brandon Teena’s rapists in 1993, the rapists later hunted down and murdered Teena.

Legal and police practices regarding transgender victims has gradually improved. After the killers of Gwen Araujo tried to use a trans panic defense in 2004, California enacted legislation restricting the use of the victim-blaming tactic. The killer of Angie Zapata, murdered in Colorado in 2008, was the first to be convicted of a hate crime against a transgender person. A year later, Lateisha Green’s murderer was convicted of a hate crime in New York.

Hate crimes and murders still disproportionately affect the transgender community. The brutal 1998 murder of Rita Hester led to a candlelight vigil in her honor and inspired Gwendolyn Ann Smith to start the Transgender Day of Remembrance the next year. The Day of Remembrance has since become an annual worldwide event held on November 20 to honor and raise awareness of those who die from transgender hate crimes every year.
Anne Ogborn created Transgender Nation within the San Francisco chapter of Queer Nation in 1992, with other chapters soon opening across the United States. Transgender Nation introduced a confrontational style of advocacy that had not been seen since Sylvia Rivera and Angela Davis in the 1970s. Riki Wilchens used this kind of activism in 1994 with her group Transexual Menace, which conducted vigils at court houses where transgender hate crime perpetrators were being tried.

Transgender issues had been historically neglected by mainstream gay and lesbian advocacy organizations. Gay and lesbian anti-discrimination measures often did not include protections for transgender people. However, transgender activists during this era increasingly integrated transgender issues into a broader LGBTQ movement. Although transgender people were unmentioned in previous Washington, D.C., marches, the 2000 Millennium March on Washington was the first to include a transgender plank. This more cohesive LGBTQ advocacy, combined with the emergence of local and national transgender advocacy groups, has had the power to affect greater political and social influence.


In 2012, the federal government released a statement that transgender students are protected from discrimination under the provisions of Title IX, a federal law that prohibits sex discrimination in schools. The United States Department of Education issued guidelines for Title IX protection in 2014, a position later supported by the Justice Department. In 2013, California passed a law to require that public schools recognize a student’s gender identity and to provide access to facilities based on that gender identification. The law was the first to specifically protect the rights of transgender students.

The mismatch of personal identity and official documentation creates huge challenges for those who have transitioned their gender identity. In 2010, the federal government changed their policy to allow gender changes on passports without requiring sex reassignment surgery. As of 2019, some states permit gender changes in state identity documents, others allow the change but only with proof of sex reassignment surgery, while two other states do not permit gender changes in state documentation. In 2017, Oregon became the first state to allow non-binary "X" gender markers on state identification documents, a move quickly followed by nineteen other states.