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SPEAKERS

Speaker 15, [Together], Speaker 16, Jimmy Carper, Speaker 14, Diane Williams

J

Jimmy Carper 00:02

Yeah. Did you like that, Greg? It was for you. But you knew that, didn't you? This has been Jimmy with QMZ, the queer music zone music by gay, lesbian, bisexual, transgenderal artists for the same. And we'll see you again next week. What we want to do now is go into a short interview that Deborah Bell did with Phyllis Randolph Frye. And it's concerning the International Conference of Transgender Law and Employment Policy. This is pretty good. I'm glad to see Phyllis Randolph Frye back into the public eye. She, she's been out of it for too long and she's, she's a really good political person. She gets into it and doesn't let go. And she's a great speaker, she, she did a couple of things for the Switchboard. And it was the most fascinating thing I've ever seen. So this ought to be pretty good.

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Speaker 14 01:28

Houston, August 26 through 29th at the Hilton southwest hotel. This is Deborah Bell and with me is Phyllis Randolph Frye. Phyllis is a Houston attorney and activist and is the executive director of the sponsoring organization for the conference. She represented the transgender community as a speaker at the April 25 March on Washington. First of all, let's get a definition what, what is the definition of transgender, who is included in that?

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Speaker 15 01:57

Transgendered persons include cross dressers pre-op, no-op transsexuals, and post-op transsexuals. Either male to female or female to male of any sexual orientation of all races, creeds, religions, ethnic backgrounds, nationalities, ages and degrees of physical impediment.

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Speaker 14 02:18

So there is a wide range of diversity among people who might identify with the term transgender, what are some of the issues that face transgendered people in regards specifically

to legal issues?

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Speaker 15 02:32

Well, a lot of people think it, it just has to do with keeping from getting arrested if you're merely a crossdresser, or having your identification read, in case, you want to cash a check. Actually, it's a very small part of the law as to how it affects transgendered people. And this is our second conference. And we're addressing some areas that are carryovers from first conference. And new areas is for instance, employment law and employment policy is the main thing that we are interested in. And consequently, we incorporated it into the name because, as with the lesbian, gay and bisexual community, a transgender person can put up with just about anything, be it family rejection, be it neighbors, be it harassment by police, they can put up with just about anything if they can keep their job and keep their income coming in. And so employment loan policy is our first and foremost thrust. But we also are interested in developing and discussing law in areas of health law, and military law, imprisonment, family law, as well as personal identification, which I alluded to earlier, insurance law, intervention, law, intervention law is the same thing that the gay lesbian and bisexual activists do, for instance, at the last Republican convention, what you can do to be civilly disobedient without breaking the law, or if you do break the law, choose very carefully which laws you do break, as well as trying to develop under the banner of the law conference, the various and sundry versions of a gender Bill of Rights.

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Speaker 14 04:21

So if you have a job, and you were hired as a male, and then you wanted to live as a woman, you wanted to maybe go through the surgery and become a woman. The company might have some attitude about that.

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Speaker 15 04:38

The company also often has attitude about it. And if a person is fired, or for whatever reason wants to change career, and especially if they're in transition, it's the devil to get a job.

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Speaker 14 04:52

And so if you were fired under those circumstances, is there any legal protection?

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Speaker 15 04:58

Not really, not really. What little bit there is we develop, we actually develop what legal protection we had in the last law conference. And we published a 322 page transcribed proceedings, along with case law in the areas of family law, criminal law and other areas, and a employers handbook, so that employers who were progressive or wanted to handle this within the company, as I told you, we've had people who are beginning to transition at work. And a lot of larger companies with higher and upper middle management that are beginning, that are or

have transitioned, companies are learning that they lose more money by losing this very valuable upper middle manager rather than counseling their coworkers on how to handle the transition, and keeping this person on the job. So it is getting better.

 **Speaker 14 06:02**

To me, transgendered is an ally to the gay and lesbian community, because we have what I call the queer perception, all those people who are perceived as being queer and therefore are discriminated against for all the same reasons. What ways do you think it's the same and what ways would you say are different?

 **Speaker 15 06:23**

Well, I think your use of the word queer is a very good umbrella. And that queer, I think, encompasses gay and lesbian, bisexual and transgendered. Because society that discriminates against us and dislikes us, discriminates and dislikes for the same reason, they think of us as being queer. However, being transgendered, and having gender identification is nothing to do with sexual orientation. Some transgendered people are gay or lesbian, and some transgender people are straight. I think we are allied.

 **Speaker 14 06:59**

I think I read something that you said about that, the transgendered people are going to be the ones at the forefront of same sex legal marriage rights. Can you elaborate on that and why you said that?

 **Speaker 15 07:13**

Well, my spouse, and I've been together for over 20 years, we were legally married before I transitioned, and we did have our 25th anniversary recently. Before we met, I did disclose that I might, that I was transgendered, and I didn't know where this was going to take me. My spouse said to me, that she loved me. And that if that was all that was wrong, she was gonna hang on for the ride. And that was over 20 years ago. Now, we are still married. And the way the laws are written, especially, the one I'm most very familiar with, is the Texas Family Code. Being married in the same sex is not against the law, there's no statute against being married the same sex, it's getting married, it's getting the marriage application. That's the problem.

 **Speaker 14 08:06**

they won't issue a license.

 **Speaker 15 08:08**

That's right. In Texas, they will not issue a marriage license except to people of opposite sex. If

a heterosexual couple is married, male and female, it's a recognized legal marriage. And one of the partners does go through a procedure to change their sex and the other partner wants to stay in the relationship. I know of no law. I know of no law, anywhere that requires, it forces them to be divorced. And so after surgery, you have two people of the same sex who are married. And they will remain married. They can continue to file jointly, we can, we've been filing jointly on our tax returns for 20 years. And all the other benefits that go on with a contractual legal marriage relationship. So I really think we're gonna be on the forefront.

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Speaker 14 09:02

This is Deborah Bell with Lesbian and Gay Voices. I'm talking to Phyllis Frye about the upcoming International Conference on Transgender Law and Employment Policy. One of the issues that is scheduled this time is military, and that seems to be a very hot topic with all the issues about gays and lesbians in the military. How are transgendered identified people affected?

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Speaker 15 09:27

The military law right now, we're not too sure on because the policies just been enacted. But our military law person is an attorney and was involved in the judge advocate score as marine during her tenure in the military. And she has a lot of experience and published a report and has a project going on right now where she is collecting data from military people. And so the subject will continue to be discussed the second conference.

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Speaker 14 10:00

So who is this conference for? Do you have to be an attorney? Do you have to be transgendered?

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Speaker 15 10:05

No, no, this conference is designed for both attorneys and non-attorneys. Any attorney who wishes to attend, we have 12 hours of CLE from the State Bar, Texas, including one hour of ethics, if that's of interest to you. And we've made the standard of instruction high enough so that those attorneys can get those legal credits. But their workshops revolve around questioning and input by non-attorneys, and by other people, both transgendered and lesbian, gay, or even heterosexual, who experienced the lack of legal employment protection in their daily lives. This conference welcomes non-transgendered. We have, last year, and this year also, several attorneys not only present, but who moderated, that were lesbian, gay, and some that were non-transgendered. And they were really taken by the fact that a lot of the issues that are, are transgendered are different than the gay lesbian issues, but a lot of other issues are extremely parallel. This conference is being cosponsored by the Bar Association for Human Rights here in Houston. And our Thursday night event will not be at the hotel, but will be at the courthouse club, in association with Bar Association for Human rRights. We have prices ranging from full attendance all the way to monitoring without the meals and so it can fit within everybody's pocket book. And so, you know, that's not a problem. We we did want to mention, though the health law. Right now, there is no actual health law, dealing with transgender

people, it's all de facto, in that the courts rely on the American Psychiatric Association's Diagnostic and Statistical Manual, DSM. And there is the Harry Benjamin Society, which is, which evolved from Harry Benjamin, who was Christine Jorgensen's surgeon, and they've tried to come up with standards of care. And there is also in Europe, a protocol. And Martine is a very astute attorney. And she went to Europe and attended one of their conferences, and she has picked apart in her draft to the second conference, she's picked apart the, the DSM, as well as the Benjamin standards as well as the European protocol and picked them apart and tended to put together something that is a marriage of the three and yet it is a quantum leap above the three. It's exciting. It's very exciting.

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Speaker 14 12:51

This has a lot to do with self determination, doesn't it?

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Speaker 15 12:54

We, of the transgender community are tired of everybody defining us legally. And we are going to begin to define ourselves. That's the other reason why we are publishing the proceedings. We'll have a court reporter present and we will have proceedings, and I do want people to get a hold of me if they're interested in coming. I'm here in Houston at 723-8368. And if you will call, I have an answering machine and either tell me you want a brochure, I'll mail it to you, leave your address, or if you have a fax machine, just give me your fax number and I'll fax you the brochure. It's a four pager. And my phone number again is 723-8368.

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Speaker 14 13:43

Thank you, Phyllis. This is Deborah Bell for KPFT World Radio 90.1.

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Diane Williams 13:58

Hey, I'm glad you pulled up to this bumper, it's After Hours. And that was the lovely Grace Jones.

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Jimmy Carper 14:07

We're gonna have the reason we played Grace Jones.

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Diane Williams 14:09

That's right.

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Jimmy Carper 14:10

Is because she is very androgynous. And she was requested last week but I didn't have this. Yes. And that kind of goes along with what we played before that, which was when Wendy Carlos, who use to be Walter Carlos.

D Diane Williams 14:29

And now he's a she.

J Jimmy Carper 14:30

Yes. So we have a transgenderal person and I thought that fit very well tight after Phyllis Randolph Frye.

D Diane Williams 14:38

Phyllis was at the banquet and received an award for her services to the gay and lesbian community. She was at the banquet this evening and she spoke very eloquently. She always, she always does, and Phyllis is very adamant about coming out of our closets, that's where the thrust of her speech went. Her rather brief for Phyllis speech as matter of fact I do have a note, the shuffling pay. Did you hear my name? Let's see what did Phyllis say?

J Jimmy Carper 15:05

At the actual event, huh?

D Diane Williams 15:06

I was there. Phyllis said a good thing. She said, come out. There's no excuse, come out. Transgenderal communities and gay lesbian communities are different. They're distinct, but they do overlap. There's a lot of homophobia in the transgender community that needs to be addressed. Because of the name calling, you know, they call us cross dressers and they call transgenders gays and that's not always the truth.

J Jimmy Carper 15:35

And a lot of it, a lot of it is because we are uneducated.

D Diane Williams 15:40

That's right. And we have the same enemies. She said that we, she feels like we're natural allies and we should be allies in the movement for civil rights for everyone. She mentioned several people that are going to be doing workshops at her, at the conference she's helped organize. Among them are Ray Hill doing a workshop on imprisonment issues. Connie Moore is

doing a section on family law. Jim Coons is going to do one on insurance. Keith Stewart is going to do one. So the gay and lesbian community is gonna really represented within that conference, I think it's going to be a learning experience for everybody. Phyllis is living as a lesbian, because she is still married to her wife, which makes her at least visibly, takes, she takes on the identity of a lesbian, although she's also a transgendered person. So she lives with lots of stigmas.

J Jimmy Carper 16:40

Phyllis is a unique situation because Phyllis, before the sex change, was married, right and has continued to be so. So although Phyllis is officially on birth certificate a woman, Phyllis is legally married to a woman.

D Diane Williams 16:58

That's right. And Matt and I were just talking about how that is going to be the forefront of the gay and lesbian marriages movement, because how can you state in one breath that two women can legally be married? And yet you can't in another. Yeah, and, and that's in essence, what's happening right now because they're saying that their mount marriage is legal and valid, although they're living, breathing, acting and doing almost everything as a lesbian couple.

J Jimmy Carper 17:28

There you go.

D Diane Williams 17:29

So go figure. It's in our future. I think it's going to be helping. We should all be working together on this. We shouldn't be divisive. We should be unified. So if you have any problems with this, you have any weirdness about it, go talk to somebody, talk to your doctor, talk to a transgendered person.

J Jimmy Carper 17:44

What else was going on tonight at that dinner?

D Diane Williams 17:47

Wow. Lots and lots of stuff. I got for ya, something real quickly. I did get a quick interview with Torie Osborn. She like I said she wanted to come down to the station, but this evening, she just couldn't do it. She's got an interview early in the morning. She's got a banquet to go to. I will tell you that she's a fireball. She's about 5'4. Maybe she's about my height, probably. Kind of redhead blondish, Irish person with lots of energy, and

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Jimmy Carper 18:18

That's amazing because I saw her at the March on Washington on TV and she looked like she was about six foot five.

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Diane Williams 18:25

She feels, you just get that from her whole presence. She was looking me right in the eyes the whole time. We were standing just inches apart because we had to because of getting this interview and she was just staring me down. She's very intense person. And I really enjoyed the quick, very, very quick interview with her. We talked about many things. I'm going to read you just a little bit of the speech she gave the conference, I will tell you she was wearing a black suit. She's wearing a black pants, black tuxedo jacket, black shirt, and a white diamond studded long tie and cowboy boots, which is not in any way shape or form what I expected. I expected an executive dyke I expected somebody in a suit, a lady's business suit, and I got a dyked out woman and I, not only do I appreciate that, it set me off guard for an instant. So it was a little weird for me. I don't know why, I'm used to that. I just wasn't expecting it from someone from Washington DC who does business in the vortex of evil which she now calls by the way the vortex of confusion because our enemies are not so clear cut anymore. She talked about several things, she talked about, we've had 20 years of building the momentum of the gay and lesbian rights movement. Every institution right now is grappling with homophobia, every one of them, and churches, schools, military, everything, we're all getting talked about and whether or not that's good or bad, we're getting talked about. She feels like the two main strands of the movement are the legal, political side and then the cultural and social side, and they're going to be worked on separately, but it's going to be a really hard thing to do. She said that right now in 1993, 60% of people think gay and lesbian, 60% of people who do not know any gay and lesbian people think gay, lesbian, gay and lesbians are immoral, less than 50% feel like they know any gay people at all. And 70% of people that know gay people, support gay and lesbian civil rights. That's kind of confusing, but basically, like 70% of people that do know someone gay, feel like civil rights should be supported. So basically,

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Jimmy Carper 20:45

They know us.

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Diane Williams 20:46

That's right. And she feels like everybody has a sphere of influence of 250 people, whether you work with them, shop with them, whatever. Each of us, is acquainted with, in some way, shape, or form, 250 people and if we come out to those 250 people, we have change, we have influence.

T

[Together] 21:03

Come out, come out, wherever you are

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Diane Williams 21:06

That's right. She also feels like we need to stop bashing our leaders and stop our infighting and stop being hateful and vicious. And we need to develop a code of ethics and work from that. So she's trying to be a unifying force. This is an interview that we did very hurriedly. And I wanted to continue in the After Hours tradition of making it very homey and comfortable. So I just kind of got right in with why are you here? And what's happening? Why are you working within the gay and lesbian civil rights movement? So here's Torie Osborn. Well, I want to know a little bit about what got you motivated. What, what were you doing for a living? How did you decide to get involved in the gay and lesbian community?

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Speaker 16 21:49

Well, I think what got me here was falling in love with Barney Hagan back in when I was seven, if you really want to know the truth, and that combined with the fact that I'm really a child of the 60s, I got involved in the Civil Rights Movement, put me down to be actively above. But I watched it on television, it stole my heart when I was 13, 12, 13. And I got involved in the antiwar movement, the anti Vietnam War movement, the student movement of the 60s and and once I was there, I was sort of hooked on the idea that the world could be made better. And I'm really am a classic child of the 60s and I got involved in the early women's movement in 1969, 70. In my own, I had my first lesbian experience when I was 15, but really ran away from it because it was terrifying and shameful to me. So I still went out and got a boyfriend and tried to be as straight as I could be, until I was about 20 and 21, 20, 21. My second couple years in college was a lot of campus organizing and the women's movement, and the anti war movement and came out of the closet. And I've basically been active in the women's movement, where the lesbian feminist movement in the 70s and worked a lot on women's music, ran Holly Near's record company did a lot of concert production promotion, women's festival, rallies and building lesbian culture. And then, then, they, then got involved in the gay and lesbian movement, you know, during the Anita Bryant time in the mid 70s, and so forth. And then I don't know, Then on its work, running campaigns fighting Lyndon LaRouche, fighting these right wing, right wing jerks with LaRouche in California. So I've really been somebody who's worked in the movement for a long time, I feel incredibly honored that I've been able to make my living and also help make people's lives better. So I ran the Gay and Lesbian Center in Los Angeles for the last five years before I came, sort of went national, became National Gay and Lesbian Task Force, and that was an organization that was both an advocacy group and, and did a lot of media work and did a lot of lobbying and, and street activism, but also ran social services. We had a youth shelter, we did lots of youth raids and a whole youth program, had a lesbian health center, we had the largest AIDS service provider in Los Angeles. So what I was really proud of, sort of shaping was a multicomunity, community, a unifying force that serve the women's community, the men's community, of all colors, we had 50 different men and women on staff, 165 staff people, 40% people of color. It was really an incredibly exciting time to be able to bring together and unify people with a base in social services, helping people we have coming out, rap groups and you know, all that kind of basic services under one, under one roof, we built the \$8 million facility that was sort of my final kind of legacy to the center was helping to initiate a new building, a new facility. So that was really wonderful. But, but I guess I see what's, what's really important now is that we're at this very critical time when America's finally acknowledging who we are, not always happily I mean, the military issue

shows that most people are willing to accept, you know, people in the, only if we're in the closet, because that's what the military not lifting of the ban was. But so I think it's a really kind of exciting time. And what brings me, why I do this work is the same reason I've done it for 25 years. I mean, less people heard about me, but I haven't ever, I haven't ever really held a regular job if you want to know the truth, that's not true, I taught college for two years. But other than that, I've run a lesbian record company, a radical newspaper, you know, political campaigns against the far right. And then some nonprofit business management. I do have an MBA, that's my one concession to yuppie yays. But basically, I really tried to help organize, I'm an organizer in my soul. That's really what I am.

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Diane Williams 25:37

Well, I'm interested, a little bit of finding out, our listeners, I think, I've asked a few people and they all have two kind of sets of questions. One, what is, how is the military ban issue any different now than it was before with the Don't Ask, Don't Tell and, and what kind of policy you see actually coming through? And the other thing they want to know is about Texas. How do you think, usually, you know, when people think of gay America, I think most of us tend to think of Los Angeles and Hollywood and you know, California and New York, maybe even DC to an extent, but New York. I think, for me, there's been a whole new movement of uprising from Middle America and southern America. And I think I see a little bit of change there. And I'm wondering if you, if it's visible to other people in the south. I feel it but I'm wondering if it's visible to other people. What do you see? Where do you see Texans political power and cloud? What do you see for Texas in the future, Texas gays and lesbians.

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Speaker 16 26:36

Well, people, Texas gays and lesbians are gonna have to answer that question better than me. I can't pretend after spending five hours here that I have the answer to that question. But I don't think it's much different than it is in the other places that I've been, that are kind of not the big urban ghettos. I've traveled all around Michigan, I've traveled all around Colorado, I've traveled around center of places in California that aren't Los Angeles, and San Francisco. And what I'm seeing is that we are moving our issue, our social revolution, that's the way that I see it, is that this is the kind of consciousness raising, the social revolution of the nineties, the gay and lesbian nineties, is that, is moving out of the gay ghettos in the big urban areas and into the small towns and into middle America. We are in the face of middle America. And that is a dramatic change. Small towns, this issue, and that's really why the military issue even though we lost on the military issue, and it is virtually no difference for the queers who were in the military, their experience is really no different than what it was. The fact is, we won big time because we got ourselves, this issue catapulted us, I think something else would have if this hadn't, quite frankly, I think that historic moment, but this was the issue that catapulted us onto the front pages in small town newspapers, small town radio stations of America. And, and when you deal with gay and lesbian issues, when you deal with the closet, it is about denial, it is about lies, it's about hiding, it's about silence. So breaking the silence is the most important thing. And quite frankly, it doesn't matter if you're having the lies and disinformation out there, at least people are talking about us. I would rather have the rantings of Jesse Helms about Roberta Achtenberg, because all people of good conscience go, oh my God, who is this jerk? And how dare he treat somebody who has her track record, who, wherever she is. And we're, that's where we're at. We're confronting what I call the yuck factor. Most straight people don't

want to think that they're discriminating. They don't think of themselves as bad people. They don't want to be discriminating against us. But they don't really like that. And they certainly don't want us to get married, to raise kids, to teach their kids in school, or to have their school children, you know, be taught about gay and lesbian lives as a perfectly acceptable normal alternative to heterosexuality. And so I think we're really right at that place where we're having this kind of awkward dialogue with America, about gay and lesbian life. And, and there's just the factor, this is kind of like I don't know why, but they're just not normal. And that's what we're dealing with. But the minute you break through the silence, and the minute that it comes out of the urban gay ghettos and into the small towns, even if you're just talking to her, I always say this is a, this is a struggle for equality, that will be won around the Thanksgiving tables of America, not the halls of Congress. The military issue showed us that Congress follows, it doesn't lead, it follows, and as long as the closet is the norm, you're gonna get the closet codified. That's with the Don't Ask Don't Tell is, it's the closet. You know, it's like saying, they said earlier, it's like saying, you know, you can be Catholic but you can't say you're Catholic and you can't practice Catholicism. That's what that so called compromise says. It's not a compromise. It's discrimination in an executive order. So but, but the military ban, we cannot deny the victory of just having the issue out on the open, number one, and number two, we're gonna win in the court. I mean, it's patently absurd at, we have the president capitulate and Congress capitulated to the far right. You know, it's not thought, it's absurd. It's irrational. And, you know, it doesn't make any sense, this thing so it's gonna fall in the courts, on us and speech issues, I think, What do you mean you can't say you're gay, you'll get kicked out if you're gay, this is absurd. Basically, you will be in the military as long as we're in the closet. So it's the fact that we're out in the open and that's the most important thing because that means we move forward and we get more and more people out of the closet and that's how we win.