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## Not Just Women: Trans Representation in Print News Media Following the Overturn of Roe v. Wade

TL Jordan  
*Minnesota State University, Mankato*

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**Not Just Women:**

**Trans Representation in Print News Media following the overturn of *Roe v. Wade***

By

TL Jordan

A Thesis Submitted in Partial Fulfillment of the Requirements for the Degree of

Master of Arts

in

Gender and Women's Studies

Minnesota State University, Mankato

Mankato, Minnesota

May 2023

**Endorsement**

27 April 2023

Not Just Women: Trans Representation in Print News Media following the overturn of  
*Roe v. Wade*

TL Jordan

This thesis has been examined and approved by the following members of the student's  
thesis committee:

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Dr. Laura Harrison, Advisor

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Dr. Maria Bevacqua, Committee Member

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Dr. Dan Cronn-Mills, committee Member

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## Table of Contents

Endorsement .....	i
Acknowledgements.....	ii
Abstract.....	v
Chapter One: Introduction .....	1
Current Study .....	6
Organization of Chapters .....	7
Chapter Two: Literature Review .....	9
Anti-Trans and Anti-Choice Legislation and Policy.....	9
Anti-Choice Legislation .....	10
Anti-Trans Legislation.....	13
Transgender Healthcare and Reproductive Justice .....	20
Bodily Autonomy in Trans Rights and Reproductive Rights .....	26
Defining Bodily Autonomy .....	26
Bodily Autonomy in Reproductive Rights .....	30
Bodily Autonomy in Trans Rights.....	33
Connected Through Autonomy .....	37
Chapter Three: Methodology and Methods .....	40
Research Statement .....	40
Feminist Methodology and Epistemology .....	41
Methods and Rationale.....	43
Data Collection Parameters.....	44
Positionality and Reflexivity.....	46
Chapter Four: Analysis and Conclusion .....	48
Overview of Data .....	49
General Observations .....	50
Use of Gender-neutral Language.....	51
General Trans Representation .....	52
Overview of themes .....	57
Connection Between Queer, Trans, and Reproductive Rights .....	57
Fear of What Comes Next .....	61

Transphobia ..... 66

Positive Trans Representation ..... 76

Conclusion..... 81

Works Cited ..... 86

## Abstract

An abstract for the thesis of TL Jordan for the Master of Arts in Gender and Women's Studies at Minnesota State University, Mankato, Minnesota

Title: Not Just Women: Trans Representation in Print New Media following the overturn of *Roe v. Wade*

2022 and 2023 have seen continually increasing attacks on both transgender rights and reproductive rights, which have escalated since the overturning of *Roe v. Wade* in June 2022. Not only have these movements experienced recent attacks in the social and political realm, but trans rights and reproductive rights both share related, but distinct, questions of bodily autonomy. Despite their similarities, the reproductive rights movement has only recently begun to incorporate transgender people within their frameworks to varying degrees of success. With inclusion of transgender people in the reproductive rights movement being a new phenomenon, representation of trans people in media coverage of reproductive rights is still being shaped. In this research I seek to determine how transgender people were represented in legacy print media coverage of the overturning of *Roe* through qualitative media analysis. Second, I ask if themes of bodily autonomy between trans rights and reproductive rights emerge within print news articles. This research builds from three bodies of knowledge: anti-trans and anti-choice legislation and policy, transgender healthcare and reproductive justice, and bodily autonomy in trans rights and reproductive rights. I examine four main themes that emerged within the research to determine provide insight into dominant ideologies and rhetoric at the intersection of trans rights and reproductive rights.

## Chapter One: Introduction

On June 24<sup>th</sup>, 2022, the Supreme Court of the United States (SCOTUS) overturned *Roe v. Wade*, a long-standing ruling which protected access to abortion at the federal level through the right to privacy. This came in the Court's official decision in the *Dobbs v. Jackson Women's Health Organization* case following a leak of the ruling on May 2<sup>nd</sup>, 2022 (C. Johnson, 2022). As a result of *Dobbs*, federal protections to abortion were removed, and the right to abortion is now decided on a state-by-state basis. This ruling has led to landslide of abortion restrictions being put in place across the country, including total abortion bans, bans at certain weeks of pregnancy, and bans with exception of rape or incest. At the time of this writing, 19 states have bans which have eliminated access to some or all abortions (Planned Parenthood Action Fund, 2023).

In contrast, one of the first bills the Minnesota Legislature took up following the overturning of *Roe v. Wade* was the Protect Reproductive Options (PRO) Act (HF1/SF1) which aimed to codify reproductive freedom into law in the state of Minnesota (Minnesota Legislature, 2023). The PRO Act sought to codify the reproductive freedom that Minnesotans already had established by the state constitution, and previously determined by Minnesota's state version of *Roe*, the case *Doe v Gomez* (1995). During the nearly 16-hour Senate debate, multiple amendments were offered to this bill by Republican senators, including an amendment which said, that said "Reproductive health care does not include gender reassignment surgery involving an individual who is younger than 18 years of age" (Minnesota Senate, 2023, p. 75).



Like every amendment introduced that evening, it was not adopted, and the bill was passed into law unamended, but why was the amendment offered in the first place? The bill sought to establish the “fundamental right to make autonomous decisions about the individual’s own reproductive health” and clearly defined reproductive health care (Minnesota Legislature, 2023). The bill made no mention of gender affirming care or transgender people. Why would an amendment related to gender affirming care of young people be brought up on a bill related to reproductive freedom? Though not explicitly named by the Republicans who offered the amendment, it is not a coincidence that reproductive rights and trans are often linked. The two movements are directly connected, both in their wins and their losses.

Indeed, 2022 was one of the worst years for both anti-choice and anti-trans legislation and policy (A. H. Johnson, 2022). Hundreds of anti-trans bills were introduced in legislatures across the country, including bills that banned trans students from competing in athletics, bills that banned gender affirming care for minors, and bills that banned the discussion of LGBTQ identities in grade school classrooms. Unfortunately, the 2023 legislative session has already overtaken 2022 as the worst year for anti-trans legislation with 492 anti-trans bills introduced at the time of writing, already doubling the number from 2022 (Trans Legislation Tracker, 2023).

The rise of hostile anti-choice policy and rulings has coincided with a rise in anti-trans policy; which makes sense given the two movements share fundamental questions about bodily autonomy and self-determination. Bodily autonomy, also referred to as self-determination and self-governance, can be thought of as “the ability to reflect on one’s

situation and make rational decisions” (Denbow, 2015, p. 2). In the case of reproductive freedom, this looks like the ability to decide when to be pregnant, when not to be pregnant, and what kind of reproductive care you would like to receive. In the case of transgender rights, this looks like the ability to choose how you identify, determine your own gender, and choose the care you wish to receive to affirm your gender. The roots of these movements are centered in the ability to make decisions about your body and your identity, and having access to the medical care that is needed to fulfill that autonomy.

Although reproductive rights and trans rights share a lot of common themes, transgender people have historically been excluded from the conversation about reproductive rights and abortion. The fight for reproductive rights has centered upon women for decades and has been a large component of the women’s rights movement. Given women are a dominant identity group that does reproduce, it makes sense reproductive rights would be embedded in women’s rights. As Rosalind Pollack Petchesky writes, “Reproduction affects women as women; it transcends class divisions and penetrates everything—work, political and community involvements, sexuality, creativity, dreams. (Petchesky, 1990, p. 5). Some women have seen trans inclusion as an attack on women’s rights; legal scholar Chase Strangio argues that is due in part to the Supreme Court case *Geduldig v. Aiello*, in which the court determined that pregnancy discrimination was not sex-based discrimination, “it is understandable why the women’s rights movement would be wary of decentering ‘women’ ... because the framing does not include the experiences of trans people” (Strangio, 2016, p. 233). The fear of decentering women is reflected in some women’s resistance to include trans people in the

reproductive rights movement, fearing women's erasure and losses of what had been fought for in the past (Burkett, 2015). Columnist Katha Pollitt argues "removing 'women' from the language of abortion is a mistake," and called it "rendering invisible half of humanity" (Pollitt, 2015). Yet, through the critical wins that the women-centered reproductive rights movement has faced, "this erasure of reproductive trans bodies has shown up uncritically in much of the legal scholarship engaging with questions of reproductive autonomy, pregnancy discrimination, and reproductive health" (Strangio, 2016, p. 234). This historical exclusion is especially daunting because trans people do seek abortion care and reproductive care, and the loss of *Roe* may indicate future threats to transgender people and trans rights.

The inclusion of trans people within the mainstream reproductive rights movement has been a recent addition to the movement overall. After years of queer and trans activists and medical professionals urging the inclusion of trans people, the fight began to reach the mainstream movement. Organizations like the New York Abortion Access Fund led this effort, shifting their mission statement in 2013 to intentionally name transgender people within their framework (NYAAF, 2013). As the organization states, "We realized that embracing gender inclusivity is about more than not assuming the gender pronouns that our callers use or replacing 'woman' with 'people' everywhere on our website. Becoming gender inclusive is an important part of our values as an organization" (NYAAF, 2013). Other organizations began to change their names to remove explicitly naming women, like Fund Texas Women changing their name to Fund Texas Choice (Pollitt, 2015). Medical professionals have begun to explicitly name the

inclusion of transgender people in reproductive health, giving more weight to the argument of trans inclusion (Moseson et al., 2020). These changes have not been met without resistance, as articles and tweets denouncing them demonstrate, indicating fears about the erasure of women have continued alongside the increase in inclusion (Burkett, 2015; Paul, 2022; Pollitt, 2015). Trans inclusion still has a way to go, but the progress has been promising and continues to gain larger support from the reproductive rights movement overall.

As advocates for transgender inclusion in reproductive rights have fought to create inclusive spaces, new, more inclusive movements have formed in reproductive freedom spaces. One of these new movements, born out of exclusion of women of color, is the movement for reproductive justice. SisterSong, the founding coalition for reproductive justice, defines the movement as “the human right to maintain personal bodily autonomy, have children, not have children, and parent the children we have in safe and sustainable communities” (Zavella, 2020, p. 2). Utilizing a framework that includes abortion and other issues may impact one’s ability to parent or not parent makes reproductive justice an ideal framework for the inclusion of transgender reproductive health issues which do not center upon abortion and birth control alone. In terms of transgender reproductive issues, this might look like fertility considerations and preservation of gametes, medically assisted reproduction, and nonbiological parenting options (Chen et al., 2018; De Sutter, 2001). Gender affirming care can also be included within the reproductive justice framework, particularly when sex reassignment surgeries are still required by some states to change the gender on a birth certificate (Ostrowsky,

2020). While the inclusion of trans issues in reproductive spaces has improved, it has not kept up with the ever-increasing anti-trans rhetoric.

Anti-choice and anti-trans rhetoric and policy have taken up a lot of space within print news media in 2022 which has continued into 2023. While print media is purported to be objective it largely functions to “support and purvey dominant ideologies to readers” (Hesse-Biber, 2014, p. 270). Legacy print news media organizations remain at the core of national conversations, especially with the expanded accessibility of both print and web presence (Langer & Gruber, 2021). Given this, there are likely dominant ideologies being formed around reproductive rights and trans rights through legacy print news coverage. The news coverage of the overturn of *Roe* can provide a wealth of information about the progress of transgender inclusion within mainstream representations of the reproductive rights movements.

### **Current Study**

This thesis aims to uncover how transgender people have been represented in discussions about reproductive rights in legacy print media covering the overturn of *Roe v. Wade*. Second, this thesis asks if themes of bodily autonomy emerge in media representations of trans people post-*Roe*, and what those themes look like. To answer these questions, I conducted a media analysis of legacy news print media based on qualitative content analysis. By determining what themes emerge between articles discussing trans people and the fall of *Roe*, we will get a better sense of what dominant ideologies are present within these news media spaces covering trans people. I argue news media discussion of the overturn of *Roe* did indeed intersect with analyses of trans

rights and included (to a certain extent) trans people, health, and rights. I argue evidence exists of the inclusion of trans people within the media coverage, but it was not sufficient to suggest substantive progress towards trans people being truly included in the reproductive rights movement. I note while themes of bodily autonomy emerged as a link between trans rights and repro rights, this was primarily addressed by trans people. This link is important because the two movements have a shared base framework which can be used to join the two movements together and strengthen the solidarity of the trans and reproductive rights movements. Seeing how trans people were discussed in the context of a reproductive rights case can give us insight into where the cohesion between trans rights and reproductive rights stands, and how we can continue to build on those connections to create a multi-issue movement set to utilize its power to protect autonomy and self-determination of all people.

### **Organization of Chapters**

The following chapter, the literature review, discusses three key bodies of knowledge and places this thesis within current scholarship. The first body of knowledge provides historical context for anti-trans and anti-choice legislation and policy in the United States. This section covers *Roe v. Wade* and the subsequent policy landscape of abortion, including descriptions of current day anti-choice legislative efforts. In terms of anti-trans legislation, this section first engages with historic anti-trans violence through policy and then explores the scope of the current day legislative efforts to control trans people, particularly trans youth. In this body of knowledge, trans rights and reproductive rights are connected through how political actors have tried to control people deemed

incapable of self-governance. The second body of knowledge focuses on the intersections between transgender healthcare and reproductive justice. This section defines reproductive justice, while detailing transgender specific reproductive care. The final body of knowledge is centered on a key connection between trans rights and reproductive rights: bodily autonomy. This section defines bodily autonomy and vulnerability in the context of trans and reproductive rights, and then summarizes current scholarship of bodily autonomy in each respective movement.

Chapter three, methodology and methods, begins with my research statement, explains my use of reproductive justice and grounded theory as feminist methodologies, and then details my research rationale. I then explain the methods used within my content analysis and conclude with a reflexivity statement. In Chapter four, analysis, I document the findings of the content analysis by walking through themes that emerged from the news articles. In this section I discuss four main themes: the connection between LGBTQ+ rights and *Roe*, the fear of what comes next following *Roe*, transphobia, and positive trans representation. In this section I situate the findings within my data with existing research on trans rights and reproductive rights, and the current anti-trans political climate within the United States.

## **Chapter Two: Literature Review**

This thesis seeks to understand how transgender people were represented in legacy print media covering the overturn of *Roe v. Wade*, and if themes of bodily autonomy emerge within those media representations. This literature review provides foundational information to understand the connections between trans rights and reproductive rights, and how these two separate fields of study are not only related but intertwine with each other. In the first section, I will discuss the history and current state of both anti-trans and anti-choice legislation and policy to better understand the time before the fall of *Roe v. Wade*, and the aftermath. Next, I will detail the intersections between transgender healthcare and reproductive justice. Finally, I will discuss the concept of bodily autonomy through the lens of trans rights and reproductive rights to better understand the conceptual similarities between reducing access to reproductive care, and reducing the ability for trans people to access the care and services they need.

### **Anti-Trans and Anti-Choice Legislation and Policy**

Law professor I. Glenn Cohen et al. (2022) and sociologist A.H. Johnson et al. (2022) have declared 2022 as one of the worst years on record for both anti-trans and anti-choice legislation. It is not a surprise that there has been a rise in both anti-abortion and anti-trans legislation recently; as queer theorist Anne Caldwell (2020) argues, both the abortion rights and trans rights movements “deeply threaten social conservatives” by “undermining traditional gender roles” and decreasing the “basis for differential treatment of the sexes” (p. 497). Sociologists Barbara Sutton and Elizabeth Borland (2018) also note this threat to traditional gender roles, and name trans rights and



reproductive rights as connected by questions of bodily autonomy. To introduce or pass anti-choice or anti-trans bills, A. H. Johnson (2022) says lawmakers “manufacture and encourage the spread of harmful rhetoric and ideology” (p. 165) necessary to support the legislation they are attempting to pass and rely on that rhetoric to create hostile social climates around their issues. Law scholar Shayna Medley (2017) adds to this by naming that anti-trans and anti-choice bills rely on fear and politicians’ claims that those bills are created in the interest of women’s health and safety. While trans rights and reproductive rights may seem like separate issues, the negative legislation dominating those fields share multiple similarities and strategies to change policy or social acceptance.

### ***Anti-Choice Legislation***

With the overturn of *Roe v. Wade* and the preceding leak of the SCOTUS decision, the year 2022 has drastically shifted the reproductive rights landscape. Although the leak of a Supreme Court decision was novel, the overturning of *Roe* has been foreshadowed in both policy and sentiment for a long time. According to Supreme Court Justice Ruth Bader Ginsburg (1984), *Roe v. Wade* was a Supreme Court case that said that women had a “fundamental” right to abortion, tying this right to personal autonomy and privacy through due process. Ginsburg (1984) and political scientist Candace Johnson (2022) agree *Roe* clearly defined what state regulation of abortion was allowed and set up the trimester framework as the rule for if and when an abortion was permissible.

Even pro-choice scholars like Justice Ginsburg and Jeffery Rosen argue that the ruling of *Roe* itself sparked backlash around the abortion movement and emphasize the

case as an example of the damage that can be done by judicial intervention to the democratic process. Justice Ginsburg (1984) believed that “the court ventured too far in the change it ordered and presented an incomplete justification for its action” (p. 376). Rosen (2006) builds on Ginsburg’s belief, specifically naming *Roe* as the catalyst for abortion opponents to act and form interest groups while leading to drastic (and seemingly permanent) polarization between Republican and Democratic beliefs on abortion and other social issues. In contrast, other law scholars like Mary Ziegler (2014) Linda Greenhouse & Reva B. Siegel (2011) argue that this “beyond backlash” framing of *Roe* fails to thoroughly consider how deeply intertwined abortion was in political parties in the years before *Roe*, and neglects to mention that political restructuring around *Roe* didn’t actually begin to emerge until the late 1970’s. Regardless of if *Roe* was the catalyst to the polarization of abortion, it was perceived that way by many, and thus the ruling itself began the path towards its downfall.

Another significant ruling around abortion rights was *Planned Parenthood v Casey* in 1992 which, as described by C. Johnson (2022), weakened *Roe* by allowing for restrictions on abortions through the new lens of undue burden (a law or ruling cannot make it too difficult for a person to access their fundamental rights, such as needing a spouses’ permission to get an abortion), and replaced the trimester system with the viability system which was much more open to interpretation than its predecessor. Rosen (2006) names *Casey* as a reflection of the complicated public opinion around abortion; a win for the pro-choice movement in that *Roe* was not overturned, but a win for the anti-choice movement in that the additional restrictions were allowed to stand.

In the years following, abortion rights continued to be attacked at the legislative and judicial level across the country. Scholars have continued to see booms in anti-abortion laws. In the 1990s, political scholar Michael J. New (2011) documented a rise in anti-abortion laws around informed consent, waiting periods, and parental involvement. Scholars have continued to see this trend in increasing numbers of abortion restrictions through the 2010s (Bentele et al., 2018) and into the 2020s (Cohen et al., 2022). Health law scholar Glenn Cohen et al. (2022) specifically names 2021 as the year with the most abortion restrictions since 1973, with 19 states passing more than 100 restrictions on abortion.

Anti-abortion legislation since *Roe* has continued to diversify in type, range, and severity. In their analysis of anti-abortion legislation from 2008 to 2014, sociologist Keith Gunnar Bentele (2018) and colleagues categorized anti-abortion legislation into five different types: restrictions on when someone may receive an abortion, restrictions that create significant burdens for those seeking abortion (waiting periods, counseling sessions with inaccurate information), restrictions that limit coverage in health plans, or symbolic legislation that does not impact abortion services but outlaws uncommon practices like “partial birth abortions” or abortions based on race or sex. Many anti-abortion bans fall into the category of the TRAP (Targeted Regulation of Abortion Providers) law, which call for mandates that aim to make it difficult for abortion providers and abortion facilities to function. Bentele et al. (2018) documented multiple types of TRAP laws in their research, such as those “restricting where abortions are provided, requiring abortion providers to pay annual licensing fees, and requiring

providers to comply to facility (e.g., doorway size) and personnel regulation that do not apply to other medical offices and clinics” (p. 495).

Regardless of the type of abortion restriction, there is corroborating evidence that the increase in anti-abortion legislation is directly connected to growing Republican Party control and reflects the measure of Evangelical influence within the Republican party (Bentele et al., 2018; Greenhouse & Siegel, 2011; Ziegler, 2014). C. Johnson (2022) suggests the overturn of *Roe* is the first of many political and judicial decisions to be instated or revisited and that SCOTUS believes that other currently held rights should be revisited, like contraception access, same-sex marriage, and same-sex sexual activity. It is not surprising that contraception and LGBTQ rights are seen as next to be taken away; just like abortion, those rights share themes of bodily autonomy. With the new legal precedent set post-*Roe*; it is likely that other questions of bodily autonomy will be brought before courts around the country.

### ***Anti-Trans Legislation***

Transgender people have faced multiple forms of violence through legislation and governmental action simply due to their existence. Political science scholars Mieke Verloo and Anna van der Vleuten (2020) describe trans people’s existence as having challenged the societal notion of sex and the sex binary in both social spheres and political spheres. Due to challenging societal notions, transgender people have faced, as Taylor et al. (2018) writes “constraints imposed by endured expectations that have caused isolating personal struggles” (p. 15). Queer and trans people have been criminalized, outlawed, and regulated all throughout the history of the United States. In her

documentation of transgender history, trans studies scholar Susan Stryker (2017) notes that in around 1850 US cities began to pass local ordinances making it illegal for a man or a woman to dress as the opposite sex. As transgender care advanced, feminist scholar Evan Vipond (2015) argues that transgender people gained more scrutiny and medicalization, “which reaffirms that trans persons suffer from a mental illness, [and that] trans persons remain pathologized and subject to medical and legal regulation” (p. 5). Stryker (2017) continues by noting a rise in public transgender visibility through the 1950-70s coinciding with increased government violence and criminalization of queer and trans people, and ultimately led to widely known events such as the Stonewall Riots and Compton Cafeteria Riots. While seeing increases in activism around trans rights and acceptance, both Stryker (2017) and Vipond (2015) mention that the increases in rights often were only granted if trans people allowed themselves to be pathologized, “treated” their medical condition, and assimilated into heteronormative structures.

Violence against trans people has paralleled trans people’s existence in society, but specific anti-transgender legislation is a relatively new phenomenon. Prior to 2000, political science professor Jami K. Taylor et al. (2018) documents there were very few transgender specific bills introduced into state legislative bodies, but that number has dramatically grown at the state and federal level since. Largely, the 2010s saw an increase in positive LGBTQ+ bills and policies aiming to protect LGBTQ people and expand existing rights, as well as a general increase in social inclusion. Political scholars Amy N. Farley and Bethy Leonardi (2021) mark this era of inclusion by the expansion of same sex marriage, LGBTQ military recruitment, LGBTQ representation in media and

proliferation of queer and trans scholarship (Farley & Leonardi, 2021; Stanley, 2021). However, this proliferation of policy which expands the rights of gay and lesbian interests often did not include trans people or was in opposition to queer and trans interests.

Though there has been an increase in policy protecting queer and transgender people, it has not always truly addressed the needs of queer and trans people. In their book, *Normal Life*, legal scholar Dean Spade (2015) gives multiple examples of how these policy decisions center “formal legal equality demands” while limiting the “potential of those demands to transform the conditions facing highly vulnerable queer and trans people” (p. 33). One example Spade (2015) lists is the legalization of same-sex marriage, which was policy pushed by mainstream gay rights organization to fix multiple problems related to spouse recognition like citizenship, hospital visitation, recognition of family, and sharing health benefits. While mainstream gay rights organizations fought for same sex marriage, queer and trans organizations were asking for universal healthcare, transgender healthcare, abolition of immigration imprisonment and deportation, and recognition of family structures beyond opposite or same sex couples. As Spade writes, “Overall the lesbian and gay rights agenda has shifted toward preserving and promoting the class and race privilege of a small number of elite gay and lesbian professionals while marginalizing or overtly excluding the needs and experiences of people of color, immigrants, people with disabilities, Indigenous people, trans people and poor people” (p. 34). Gay and lesbian rights organizations often promote policies that focus on the single issue of sexual orientation, and fail to include trans people within their

frameworks, which has led to differing public opinions between gay and trans issues. The continued exclusion of transgender people from policy, or the failure of that policy to make change in favor of transgender interests has kept trans people from being protected by legislative harms and keeps them vulnerable to governmental influence. Whether it be trans-specific legislation or broad protections, transgender people continue to be at risk for any political violence, specific to trans rights or not.

While there has been a dramatic shift in public and political opinion on people who are not heterosexual, LGBT rights scholars Melissa Michelson and Brian Harrison (2020) have argued that the support for trans people has lagged far behind. Farley and Leonardi (2021) describe this as a paradox in terms of trans specific legislation: the gain of rights and a massive increase in positive public opinion around positive trans policy has simultaneously occurred “with dangerous and regressive responses” and policies (p. 275). Transgender studies scholar Eric Stanley (2021) argues this is not necessarily a paradox, but a result of increased acceptance for mainstream gay rights which has normalized state violence while creating the illusion that “anti-trans/queer violence is an aberration of democracy-belongs only to a shadowed past” (p. 6). Taylor et al. (2018) corroborated the normalization of state violence, reporting that since 2017 anti-transgender bills became the dominant type of transgender policy. The increase in state violence has largely been pushed forward by partisan lines; Michelson and Harrison (2020) showed most Republicans (80%) believe that gender is what you are assigned at birth and over half of Democrats (64%) believe that gender can be different than what was assigned at birth. Almost all anti-transgender legislation has been moved forward by

Republican politicians, whether that be bills and laws or attempts to amend other laws to exclude transgender people. One common type of anti-trans legislation is bathroom bans that seek to keep transgender people from utilizing the bathroom of their chosen gender. Farley and Leonardi (2021) describe bills that attempt to determine how to accommodate trans people within the binary bathroom as “fixated on the physical form and allows the cisgender gaze to determine the authenticity and acceptability of trans bodies” (p. 280). These types of bills continue to “evoke notions of gender binarism, assimilations, and violence and protection” in order to protect societal norms and standards (Farley & Leonardi, 2021, p. 280).

Over the past few years there has been a marked increase in bills aiming to keep transgender people (youth in particular) from playing on sports teams of their chosen gender, as well as accessing the gender affirming care that they need. Medley (2021) documents the rise in transgender sports bans that attempt to protect women and girls from transgender students by distorting Title IX and other sex discrimination laws. In 2021, 22 states introduced bans of gender affirming care (hormones, puberty blockers, surgeries) for anyone under 18; health behavior scholar Landon D. Hughes et al. (2021) showed that many medical providers believe that laws banning gender affirming care for trans youth and adults would see a direct increase to adverse mental health effects, the need to move to another state to access care, and even increased suicide. These bills ultimately take away the autonomy for trans people to choose the gender they live as and make choices in their lives to allow them to thrive. These kinds of bans mirror anti-choice



legislation, in their efforts to reduce the ability for people to make choices about their own bodies and lives.

Recent anti-trans legislation not only impacts trans individuals, but their allies as well. Communications professor Lore/tta LeMaster (2022) describes a marked increase in accusations of grooming or child abuse towards allies and people who are supportive of trans people. Not only is this “groomer” rhetoric pervasive in social conversations around trans people but is being used within new anti-queer and anti-trans legislation. Following the introduction of the “Don’t Say Gay” bill in Florida, which says that educators cannot mention or teach anything related to gender identity or sexual orientation in K-3<sup>rd</sup> grade; Governor Ron DeSantis’ press secretary, Christina Pushaw, took to social media to call the bill an “Anti-Grooming” bill, and claimed that anyone against the bill was a groomer or complicit in the grooming of young children (LeMaster, 2022). By focusing on punishing and criminalizing people who are supportive of trans individuals, A. H. Johnson (2022) argues anti-trans actors are threatening allyship, one of the most important tools to help cope with the trauma and consequences of stigma, discrimination, and other stress around being trans.

Some of the consequences of these bills are not just impacting allies, but people within proximity of the bill’s focus. For example, Medley (2021) notes legislation that aims to keep trans people from playing on sports teams that align with their gender often will have clauses to implement sex testing or genital inspection for all students who wish to participate in their sport. The people who may have to go through this sex testing may even be supportive of such a discriminatory bill but are negatively impacted and

controlled by the state because of their efforts to stop a specific group of students.

Transgender issues quickly become cisgender issues because the basis for them is so deeply rooted in the social construction of sex and gender, and people's attempt to keep those constructs within very specific margins.

Anti-trans legislation has a significant impact on the ability for trans people to stay alive and thrive. Global health scholar Amaya Perez-Brumer et al. (2015) shows there are increased suicidal ideation and attempts by trans people and their peers in states with anti-trans legislation than in states without. Professors of education policy Suzanne Eckes and Maria Lewis (2021) specify that these policies often create school environments that are hostile to trans youth impacting safety, relationships, learning, and the general environment. The combination of anti-trans legislation and hostile school environments make it difficult for trans people, especially trans youth, to feel supported. A. H. Johnson (2022) argues that peer support is crucial for the well-being of trans people attempting to survive against continued attacks that destabilize the community, but places additional burden on the trans community to care for itself and simultaneously weather the storm of violent legislation. As mentioned earlier, A. H. Johnson (2022) notes that these anti-trans bills rely heavily on rallying the public along with them, leaning on "tropes that stigmatize trans, nonbinary, and gender diverse people as dangerous, predatory, deceptive, and sociopathic" (p. 164). It is not only anti-trans legislation and policy that has made it dangerous for trans people to exist. This anti-trans rhetoric is so pervasive in society it compounds the hostility towards trans people created by policy and societal norms. This anti-trans rhetoric does not just harm transgender people, but also

their families and support networks. In Farley and Leonardi's (2021) study, one parent mentioned "the covert micro aggressions of a society normed toward cis-kids and heteronormative families is alive and well in the school and causes internal incongruence for my child and her siblings" (p. 293). The continued enforcement of gender binaries and vilification of transgender people is perpetuated through policy at the detriment of transgender individuals.

The attempts to control what trans people do with their bodies are yet another way that political actors have attempted to control the bodies of people they deem to be incapable of self-governance, such as trans people and those capable of reproduction. This can be named as misogyny, as anti-abortion rhetoric is extremely gendered in its attempt to control women while marginalizing transgender people. Misogyny and transphobia often intersect, and in the case of trans rights and reproductive rights, autonomy is that place of intersection. This concept of autonomy continues to be a pervasive and important part of the anti-choice and anti-trans legislation that we see proposed today.

### Transgender Healthcare and Reproductive Justice

Reproductive justice, as defined by SisterSong Women of Color Reproductive Justice Collective, is "the human right to maintain personal bodily autonomy, have children, not have children, and parent the children we have in safe and sustainable communities" (Zavella, 2020, p. 2). As written in reproductive justice scholar Patricia Zavella's (2020) book documenting the reproductive justice movement, this term and movement were created in 1994 by Black women and other women of color who felt

unrepresented and ignored in the reproductive rights movement and wanted a movement that not only included women of color, but addressed “multiple forms of reproductive oppression or injustice” (p. 3). Since its creation, reproductive justice has become a movement that seeks to include multiple identities and cultures, particularly communities that continue to face forms of reproductive injustice, like “lack of information about sexuality and sexual health; discrimination in the health care system; lack of access to sexual and reproductive health care; and poor quality of sexual and reproductive health information and services” (Zavella, 2020, p. 3).

These injustices extend to multiple communities of people and, as Women’s Studies professor Kimala Price (2018) argues, because of reproductive justice’s framework of intersectionality the movement is an excellent candidate to incorporate queer and trans issues. Price (2018) names reproductive justice as a suitable home not only because the framework extends beyond just reproductive health care but is already built as an intersectional coalition working within overlapping interests and able to easily incorporate the issues of another identity. Law professor Marie-Amélie George (2019) notes that when queer people are included in conversations about reproductive rights, they tend to center solely on contraception and abortion and fail to include “sex education and insurance coverage, as well as assisted reproductive technologies” (p. 673). They go on to add that the needs of a queer and trans person in terms of reproductive justice “implicate the same fundamental concerns as other reproductive rights- dignity, autonomy, privacy, liberty, and equality” (p. 673). Despite the similarities, there are still

needs that are specific to the queer community, and even more so the transgender community in terms of reproductive justice.

Although reproductive justice is a logical movement to uplift queer and trans reproductive needs, reproductive justice advocates and organizations often ignore the reproductive issues of queer and trans people (George, 2019). This is even more true of trans specific reproductive justice, which is still a growing body of work, according to Francisco Fernández Romero (2020) in their paper on trans activism in reproductive justice in Argentina. They note that although scholars have identified connections between reproductive rights and transgender rights repeatedly, in the political and social movement sphere the two issues are still rarely connected or made visible (Fernández Romero, 2020). ACLU Staff Attorney Chase Strangio (2016) argues that one of the reasons trans people and issues are absent from reproductive advocacy spaces is because of the fear that including trans people would decenter women within reproductive issues, especially since past Supreme Court decisions have de-gendered pregnancy by saying pregnancy discrimination is not gender or sex discrimination. The second reason, Strangio (2016) adds, is that it is not strategic for advocates to highlight trans people's reproductive ability and desire because trans bodies are still highly pathologized and seen as less than. Strangio (2016) also notes that often medical professionals and reproductive advocacy groups assume that trans people are either not capable of reproduction or are seeking removal of those organs due to gender dysphoria and therefore "reproductive rights advocacy fails to account for reproductive trans bodies" (p. 224). Legal scholar Laura Nixon (2013) corroborates by naming that "for many years it was expected - stated

or unstated - that transgender people forfeit their ability to reproduce in exchange for gatekeeping professionals to approve their requests for certain medical treatments to transition” (p. 78). Transgender reproductive healthcare is not even an issue that many LGBT advocacy organizations include in their movement, leaving trans reproductive rights to be largely studied and advocated in piecemeal in a still growing research area.

From the reproductive justice movement to how sexual and reproductive health is accessed and taught to trans people, trans people are often excluded, deterred, or discriminated against. Reproductive health scholar Heidi Moseson et al. (2020) has described the focus of reproductive health on cis women as directly harmful to trans people, citing examples like gendered and exclusive language and gaps in knowledge about reproductive health of transgender people. Nova Bradford et al. (2019) notes that exclusion in sexual and reproductive health for trans youth often begins with the sex education that youth are provided. In their study, trans youth said that their sex ed was not LGBTQ inclusive, fails to cover gender identity and sexuality, and often is simply not relevant to their needs as trans people (Bradford et al., 2019). Similar findings were seen in pediatric doctor Samantha G. Haley’s (2019) interviews of trans students on sex education. However, Haley’s study additionally specifies that not only does sex ed fail to provide trans individuals with the education they need, but if they do get LGBTQ specific information it is inaccurate or misleading. Both Bradford (2019) and Haley (2019) mention their participants sought out sex education from online educational resources, trans peers, and pornography.

Not only is the specific access to sexual and reproductive care more difficult for trans people, but trans people often face more negative social determinants of health and health disparities than cisgender people. The report of the 2015 US Trans Survey showed many trans people report that they are unable to access medical care or delay access to medical care due to discrimination, misgendering, lack of insurance, lack of housing, unemployment, and many other environmental factors. (Boylan, 2014; James et al., 2016). In transgender health scholars Justin E. Lerner and Gabriel Robles' 2017 study analyzing barriers to transgender people seeking care, one prominent theme was the lack of medical providers who have knowledge about transgender health care, and transgender issues in general. This is corroborated in the 2015 US Trans Survey, where 24% of surveyed transgender people had to teach their provider about transgender issues and health in order to receive care (p. 96). As documented by psychologists Elizabeth Pascoe and Laura Smart Richman (2009), communities facing additional stigma and discrimination are more likely to have poor health, both physical and mental, and this is corroborated by the findings in the 2015 US Trans Survey. This creates a vicious cycle where trans people are more likely to have poor health, but just as likely to not seek out care and have their lives and stability impacted.

Transgender people also have specific fertility considerations that differ from cisgender people. Transgender people are often faced with questions about their own fertility early in their life due to the desire to access gender affirming procedures. Adolescent medicine scholars Jamie Mehringer and Nadia Dowshen (2019) recommend counseling on fertility, reproductive options, and family planning prior to starting most

gender-affirming treatments, but they also report that very few transgender youths complete any fertility preservation prior to their gender-affirming care. Diane Chen et al. (2018) describes a wide range of interest in starting families in the future, with half of their participants expressing a desire to parent, whether that be through adoption or biological parenthood. Fertility doctor Petra De Sutter (2001) says historically, most transgender people have considered the loss of fertility and reproduction as a price to pay in order to receive their gender affirming care. This loss of fertility is not always a choice; law scholar Jon Ostrowsky (2020) notes that “at least fourteen states and one territory” in the US require sex-reassignment surgeries in order for transgender people to change their gender on their birth certificate, which is ultimately compulsory sterilization (p. 273). Mehringer and Dowshen (2019) build on the lack of choice in reproductive ability by naming “dysphoria related to the fertility preservation procedures, invasiveness of procedures, cost, lack of coverage of these services by insurers, concerns about delaying or pausing gender-affirming care to undergo fertility preservation, and lack of affirming providers and facilities that offer fertility preservation” as barriers to preserving gametes prior to transitioning (p. 5).

Non-biological parenting options, such as adoption, are also fraught with barriers. Participants in a study by Chen et al. (2018) expressed fear in the stigma involved in non-heteronormative parenting, whether that be the impact on them as parents or on their potential child for having transgender parents. The ability for transgender people to parent or not parent has more barriers than that of their cisgender counterparts due to discrimination and specific reproductive health needs.



Reproductive justice is a critical movement for trans people because of the increased barriers that they must face to receive medical care, have children, live in safe communities, and be represented in broader society. Although transgender people face unique considerations to their reproductive health and decision to parent, these issues center on the same themes of autonomy, self-determination, and regulation of bodily rights that reproductive rights do. For the purposes of this thesis, reproductive justice seems to be a fitting home for trans inclusion within the reproductive movement, as the movement is already built to include other decisions that are crucial for reproduction and having the ability to choose how one live. Finding points of similarity and shared values between trans rights and reproductive justice will ultimately serve to build power and allow more people to band together to fight for the shared desire to have autonomous decisions over one's body.

## **Bodily Autonomy in Trans Rights and Reproductive Rights**

### ***Defining Bodily Autonomy***

Trans rights and reproductive rights both bring up questions about what rights individuals hold, which are synonymous with conversations about bodily autonomy, or bodily self-determination. Autonomy over the body is directly related to being human; as political scientist Rosalind Petchesky (1990) writes, "Control over one's body is an essential part of being an individual with needs and rights, a concept that is the most powerful legacy of the liberal political tradition" (p. 4). Some scholars argue that autonomy is limited in its scope due to its reliance on the strict division between self and society. Marilyn Friedman (2003) summarizes this criticism; because individuals are

directly influenced by society and actively depend on other people, autonomy is not actually possible. She adheres to a reconceptualization of autonomy in which “self-determination is possible, but it is socially conditioned” (Friedman, 2003, p. 37). Judith Butler (1993) favors the concept of agency over autonomy, describing it as “directly counter to any notion of a voluntarist subject who exists quite apart from the regulatory norms which she/he opposes” (p. 15).

Though some scholars argue that autonomy is not possible because of societal influence, others contend that autonomy can include identity, political, and social influence. Friedman (2003) argues that “socialization and social influences endow human individuals with capacities to carry certain processes out on their own, without further need of input from those social conditions” (p. 38). Therefore, if the individual is able to act based on their own desires, regardless of their influence, they are acting autonomously. Professor of political science Jennifer Denbow (2015) draws influence from both agency and autonomy and focuses on the “political and social transformation” aspects of autonomy that emphasize the individual as a site for transformative and liberatory action. (p. 8). For the purpose of this literature review I will be working with the definition of autonomy as written in Denbow (2015), recognizing that “autonomy is necessarily developed and expressed in a social context,” while bringing direct attention to the role of the individual within society and ability to make societal changes (p. 8). In this definition a person’s autonomy is shaped by things like socio-economic status, gender, race, and other identities, and recognizes that autonomy may be made more or less possible by those social contexts. Since this definition does recognize the impact of

society on autonomy, it creates the ability for a person to make a decision with the potential for larger disruption of social norms and the ability to make transformative change. Both reproductive rights and transgender rights, based on their questions of autonomy, have the ability to be sources for large disruptions of social norms, which makes them more dangerous to those who seek to uphold those norms. In terms of this research, recognizing the potential for societal norm disruption, and the active desire for politicians to curb that autonomy, is yet another thing that the trans and reproductive rights movement share and shares clues how the two movements can use their power to disrupt the current status quo.

Another crucial aspect of autonomy to consider is the way that vulnerable classes are determined, or how we determine the people who we may consider to be not capable of self-governance. The concept of vulnerability, like autonomy, can be used to help or harm groups of people. Professor of Gender and Women's studies Katie Oliviero (2018) describes humans as pre-disposed to vulnerability, and often political or social spheres can produce or mitigate that vulnerability through social policy and institutional structures. While it may be logical to assume that identifying vulnerability in a political sense would lead to structural change to reduce that precarity, Oliviero (2018) says "institutional responses to vulnerability frequently reinforce dominant nationalist, gendered, and racialized sites of privilege, often further disenfranchising more marginal groups" (p. 8). In this way vulnerability can be weaponized alongside autonomy for political gain. Throughout her book, Oliviero (2018) shows examples of governmental bodies adopting vulnerability when it behooves them, whether that be the vulnerability of

a group of people, or the vulnerability of a societal norm. In the case of reproductive rights and transgender rights, both are exploited in legislative efforts as well as societal perception.

Women<sup>1</sup> and trans people as populations are both considered vulnerable because of their increased susceptibility to gender related abuse, health conditions, violence, and other risk factors. These factors, as argued by Oliviero (2018), can be directly linked to larger structural forces which maintain systemic inequality against vulnerable populations. In the case of women, Denbow (2015) notes that political actors have seen women as incapable of self-governance, and therefore in need to protection from the state. This ultimately creates “an exclusionary political practice grounded in some people’s supposed lack of intelligence, reason, or independence,” and a vicious cycle of women being susceptible to harm simply because the political and societal apparatus placed them as less than (Denbow, 2015, p. 35). Transgender individuals are similarly situated according to Edward McCann and Michael Brown (2018) who name a thorough list of potential risk factors for transgender people that ultimately can be tied back to societal discrimination and the view of trans people as sub-human. This is especially true for trans youth who are made vulnerable for the same reasons as trans adults but are additionally vulnerable due to their status of being a minor. Philosophy scholar Alexander Bagattini (2019) argues that childhood is “the most vulnerable period of

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<sup>1</sup> I use the term women throughout the thesis at times when discussing autonomy because it matches the terminology of Denbow (2015) and represents the identity of the vast majority of individuals who get abortions (and are thus treated as incapable decision-makers) but I recognize that not just women have birthing reproductive potential, and not just women are harmed by the framing that women have less autonomy.

human life” due to children being dependent on others to meet their basic needs (p. 1). Because of this, children are seen as non-autonomous and in need of an autonomous adult or guardian to help make decisions; in the case of transgender youth, their lack of autonomy means their gender identity and experiences are not taken seriously or seen as misguided. In their study of experiences of transgender youth, Arnold Grossman and Anthony D’Augelli (2006) saw that many of their participants were not affirmed in their gender and often verbally or physically abused by family, teachers, and peers because of their gender identity. Nearly all those participants also named a lack of safe spaces and lack of trans specific resources, which built an environment in which being trans was not acceptable and wrong (Grossman & D’augelli, 2006). The vulnerability of women, trans people, and trans youth directly impact the ability for these groups to make autonomous choices, and lead to over regulation by political bodies who have determined their need to be “protected” via legislation and law.

### ***Bodily Autonomy in Reproductive Rights***

Arguments on both sides of reproductive rights have used bodily autonomy to bolster their perspective. Denbow (2015) writes that political actors have used autonomy as a veil for “increased surveillance and management of women’s bodies and reproductive decisions” while maintaining the appearance of caring about women’s rights (p. 3). One example Denbow (2015) lists is laws that mandate the viewing of ultrasounds prior to an abortion because the state hopes “that a woman will bond with *her* fetus” and in doing so, creating a coercive environment for that woman to make a decision on abortion or pregnancy (p. 115). These political actors often frame these laws as a

woman's right to hear the fetal heartbeat or see the fetus, but in reality, they are thinly veiled violations of "a woman's bodily autonomy" and a way to "use her body to produce the state's message" (Denbow, 2015, p. 115).

The connection between the reproductive rights movement and bodily autonomy has been well documented, and well utilized in messaging around the movement. The idea that bodily autonomy is a fundamental human right in the context of reproduction has been used by so many reproductive organizations in their activism that Judge et al. (2017, p. 374) saw "threats to bodily autonomy and reproductive autonomy" emerge as a theme when surveying women about the future access of contraception (p. 374). They write that not only do women see abortion as necessary for reproductive autonomy, but it increases their ability to have control over their health and their families (Judge et al., 2017). This is corroborated by Diana Greene Foster in *The Turnaway Study* (2020), which reported that participants viewed their decision to get an abortion as a deliberate choice to take care of their family, their career, or their health. In the study, many women who were not able to get an abortion felt trapped as a mother because of a child they did not want and were less likely to financially support their new child, or struggled to support children they already have (Foster, 2020). In this way, reproductive autonomy is directly linked to how women want to live, parent, raise families, and operate their life overall. This full concept of reproductive autonomy impacting beyond just pregnancy is a core tenant of reproductive justice, and truly shows how reproductive autonomy touches multiple aspects of a person or a family's ability to survive and thrive.

In contrast the anti-choice movement will often argue that women are vulnerable and use that as a guise for passing reproductive legislation. As Denbow (2015) describes governmental bodies both hold women as incapable of self-governance, while simultaneously existing as vulnerable (due to their reproductive capability) and therefore need to be protected against precarity. One example that Denbow (2015) uses is the prevalent argument that women need to be protected from harm, risk, or even regret, claiming that “women undergo psychological trauma and severe regret after abortion” (p. 66).

The anti-choice movement will not only frame women as vulnerable and in need of protection, but Oliviero (2018) argues will also place the fetus as the populations in need of protection from women who cannot make the “correct” decision. These political actors will pick and choose who is the vulnerable population to match their political goals and policy decisions, and often make references to the lack of autonomy of the woman or the fetus in order to further arguments on who should be protected from abortion. Oliviero (2018) adds that not only are populations recognized as vulnerable depending on political gain, but “nostalgic national mythologies and icons” such as “cultural and territorial borders, the heterosexual family, and the fetus as a future citizen” are framed as threatened to fuel “bodily and emotional discourses” (p. 9). In this way not only are groups of people placed as vulnerable in the abortion discourse, but so are entire ways of life and cultural norms.

The way that women’s autonomy and vulnerability is called upon in the political governance of reproductive rights is often contradictory. Denbow (2015) writes, “In other

words, regulatory apparatuses and cultural discourses call on them to be autonomous, but also judge them to be incapable of properly governing themselves” (p. 86). Andrés López Cabello and Ana Cecilia Gaitán (2021) add to this by arguing not only do women have their autonomy constrained by their own will, but also by sociocultural and legal conditions which will both promote women’s ability to make choices but then demonize those choices as the wrong ones. And as mentioned previously, sometimes women are placed as the vulnerable party in need of protection, and other times the fetus is placed as the vulnerable party in need of protection from women depending on political alliance and goals (Oliviero, 2018).

There seems to be no definitive agreement on who is the vulnerably party and who deserves rights between pro and anti-choice camps, as well as within the camps themselves. What seems to be clear is that autonomy is at the center of the abortion conversation, whether that is to protect abortion or remove abortion.

### ***Bodily Autonomy in Trans Rights***

The same autonomy over the body used in reproductive rights spaces can be extended to the right of transgender people to make decisions about their bodies, gender, and existence. Weiss (2013) argues that transgender people have the right to gender autonomy, or the “right of self-determination of one’s gender, free from state control, and the right to self-identify as that gender, free from state contradiction.” (p. 340). Similarly, to how some scholars argue that the right to an abortion was protected under the 14<sup>th</sup> amendment, legal scholar Laura Langley (2006) argues that “to fully realize the Fourteenth Amendment’s promise of liberty, people must be able to determine gender for



themselves” (p. 1). Langley (2006) positions gender self-determination as “a logical and humanitarian imperative” that would disrupt the gender binary which many legal rights and social spaces have relied on in the past (p. 102). Both Caldwell (2020) and Farley and Leonardi (2021) explicitly name that this disruption of long held societal norms is why many are opposed to a non-binary system of gender, and its potential political and social implications.

The ability for a person to determine their own gender is an important question of autonomy but is often made less autonomous because of societal norms. Walsh and Einstein (2020) agree that self-identification of gender is “a radical act of personal and political autonomy” but argue that the pressure of cisnormativity and heteronormativity not only distorts that autonomy but may further the dysphoria one feels and create a pressure to seek out gender affirming medical treatment (p. 63). They additionally argue that society places pressure on trans people to meet binary sex and gender standards, which often means the use of medical intervention, but with difficulty in receiving gender affirming treatment “the bodily autonomy trans people are often denied when seeking treatment is a further violation following the social processes that have enhanced or even at times created the necessity for that treatment” (Walsh and Einstein, 2020, p. 63). In other words, in the current system of binary gender, the ability to self-determine gender is hampered by societal pressure and therefore that ability is not truly autonomous, as it often is discouraged or is unsafe because of current laws, or current public perception of trans people.

This right to gender autonomy can be utilized in how care is provided to transgender patients. Philosophers Alessandra Lemma and Julian Savulescu (2021) argue that the start to the inclusion of autonomy in transgender medical care begins “if the clinician is willing to ‘accept’... that the transgender individual’s claims have validity, if only insofar as they reflect their current best understanding of their predicament and their belief that is the body that needs to change in order to improve wellbeing” (p. 2). Medical director of transgender health Timothy Cavanaugh et al. (2016) adds to this concept by emphasizing the use of informed consent when managing the gender affirming care of transgender individuals. This relies on “the principle of respect for patient autonomy” and “the belief that clinicians will work to facilitate patients’ decisions about the course of their own lives and care” (Cavanaugh et al., 2016, p. 1147). Spade (2008) adds that valuing self-determination can be a form of liberation, and that people who are oppressed have unique understandings of their oppression and therefore, unique understandings of their needs.

Unfortunately, not everyone conceives of autonomy in a way that trusts the transgender individual to know what is in their best interests. Cavanaugh et al. (2016) argues that many of the current standard practices of transgender care rely on a mental health evaluation before allowing transgender people to access gender affirming care, which ultimately undermines the autonomy that the trans person by placing undue burden and a paternalistic doctrine of care. Ultimately, they say, this type of care leads transgender people to distrust mental health professionals before seeking care, and “patients might feel tempted to tell a stereotypical narrative of gender identity

development and dysphoria” that doesn’t line up with their own experiences of gender and dysphoria” (Cavanaugh et al., 2016, p. 1150). Lemma and Savulescu (2021) add that this is also a consequence of treating the transgender experience as a monolith, rather than as “the subjective experience of embodiment, on the body’s unconscious identifications and hence the psychic function of the modification of the body” (p. 5).

Anti-trans political actors often do not trust transgender people’s experiences of gender, which further fuels their political violence. Professor of law Jillian Weiss (2013) argues that part of the distrust of trans individuals is due to “transgender people’s gendered behavior [being described as] not conforming to their perceived birth sex, rather than have a protected ‘gender identity’” (p. 336). Transgender individual’s non-conformance to societal norms of gender is seen as a threat to standard understandings of society (Wells, 2022), which creates contradictions about the vulnerability of transgender people and the threat of transgender people. As described in survey data analyzed by Michelson and Harrison (2020), transgender people are recognized as heavily discriminated against and therefore vulnerable. At the same time the authors note that transgender people pose a threat to cisgender identity and heteronormative standards, which suddenly become the vulnerable party. According to Farley and Leonardi (2021), anti-trans movements describe transgender people as a threat to society and an even more specific threat to women and their safety. This destabilization of gender norms has been a consistent part of transgender history, as described by Stryker (2017), and will continue to shape the perception of transgender people in society, and ultimately how they are governed.

### ***Connected Through Autonomy***

The reproductive rights movement and trans rights movement both share connections to concept of autonomy. From the ability to control what we do with our bodies as described by Denbow (2015) or the ability to determine our gender and means of gender expression as described by Weiss (2013), governmental bodies often see women and transgender people as in need of governance and protection, but (Denbow, 2015) argues this is often because the government sees them as beings in need of control. These movements also share paradoxes of vulnerability in order to further political means. Political actors will sometimes evoke women and trans people as vulnerable and in need of protection (Denbow, 2015; Michelson & Harrison, 2020), while turning around and naming women as threats to vulnerable fetuses or transgender people as threats to women (Farley & Leonardi, 2021; Oliviero, 2018). The contradictions in these concepts of autonomy and vulnerability are rarely addressed, but rather, Oliviero (2018) argues, only recognized by the government when it seems to suit political gain. Ultimately, women and transgender people are both threats to long standing societal norms around gender, whether that be the ability for women to make decisions about their body that may not conform with societal notions (Denbow, 2015) or the ways that gender autonomy begins to unravel the notion of the binary gender and pose threats to the stable binary categories (Weiss, 2013).

### **Conclusion**

Transgender rights and reproductive rights have been hot beds for political and legal battles, as well as potential disruptors of social norms. Though often seen as two

separate topics, transgender and reproductive rights have both garnered increased hostility over past years, because the movements are both questions of autonomy. The two movements are constantly battling for the right to choose what one does with their body, against politicians who seek to limit and control bodily autonomy based upon their conception of societal norms. This literature review provides context for two the long-standing political battles of transgender and reproductive issues, as well as how transgender people and transgender health care fits into the reproductive justice framework. Lastly, the review interrogates the central question of bodily autonomy found at the root of transgender and reproductive rights, which have linked the two movements together and will continue to be the central questions which be prominent in future battles for individual rights. Together, these bodies of knowledge set up a framework for this thesis, which seeks to better understand how trans people are currently represented within media covering the overturn of *Roe*.

With 2022 being a peak year of anti-trans and anti-choice rhetoric and political violence, and 2023 well on its way to being equally, if not more hostile, the two movements must not only build off each other, but include each other in the coming political battles. Though relatively recent, the inclusion of trans people within the reproductive rights and reproductive justice framework is crucial to not only protect reproductive rights in the future but protect transgender people from future challenges to their autonomy to self-identify and exist in the future. Multi-issue movements are ultimately stronger than single issue movements and have more power to make change in the world and limit the destructive potential for legislation which seeks to limit autonomy

and uphold the status quo. A reproductive rights movement which fully integrates trans rights is ultimately stronger, which the movement needs in face of the overturn of *Roe*. The trans rights movement is ultimately stronger when it recognizes the reproductive capability of trans people and finds ways to help people relate to the movement through autonomy. Together, these two movements have the ability to fight back against their constant attacks; they just aren't quite integrated enough for that power to fully develop.

## Chapter Three: Methods

### Research Statement

My thesis aims to uncover how trans people have been represented in legacy news media discussions about reproductive rights after the overturn of *Roe v. Wade*. With 2022 not only seeing the fall of *Roe*, but also being one of the most dangerous years in terms of anti-trans legislation, conversations about trans rights and reproductive rights have been continually present throughout news cycles. The increase in anti-trans and anti-choice legislation in 2022 also comes with an increase in anti-trans and anti-choice rhetoric which is crucial to push forward those oppositional agendas, regardless of public acceptance. For example, despite increases in the general public's acceptance and awareness of transgender people in the United States, there continues to be a simultaneous increase of anti-trans policy, rhetoric, and violence (Farley & Leonardi, 2021). This rhetoric is critical to continue introducing new legislation and stokes the flames of bigotry by relying on tropes which further stigmatize transgender people by painting them as "dangerous, predatory, deceptive, and sociopathic" (A. H. Johnson, 2022, p. 164). This rhetoric is so pervasive that we see it emerging across major political events, such as the fall of *Roe*, which may further additional anti-trans lawmaking down the road. This research allows us to see how trans people are being discussed in legacy print news media and get an idea of what dominant ideologies are emerging and possibly influencing the people who read that media.

Transgender rights and reproductive rights not only share increased scrutiny this year but share similar (yet distinct) questions about bodily autonomy and policy. Rules

and regulations around reproductive rights often treat women as if they are unable to direct their own lives, and when it comes to reproductive potential this perceived inability to make the “correct decision” around reproduction justifies government intervention (Denbow, 2015, p. 59). Related questions of autonomy are often brought up in discussions around transgender affirming care, transitioning, and even the act of being trans on its own; often the trans person is framed as not knowing what is best for them, or having their best interests in mind (Lemma & Savulescu, 2021, p. 2). This research hopes to uncover any connections about bodily autonomy in transgender rights and reproductive rights, which has yet to be studied in depth. Further inquiries about these connections of bodily autonomy might create new ways to build a more inclusive reproductive rights movement and build stronger solidarity between trans rights and reproductive rights to stop the restriction of bodily autonomy.

### **Feminist Methodology and Epistemology**

I will be using both the reproductive justice framework and grounded theory as feminist methodologies in this research. Reproductive justice is a movement and framework started by women of color in the 1990s in part as a response to the reproductive rights movement not being inclusive of the needs of women of color (Zavella, 2020). Multiple women of color centered organizations joined to become part of the SisterSong Women of Color Reproductive Justice coalition, which began constructing the movement. Reproductive justice, as defined by the organization Forward Together is a movement in which “all people having the social, political, and economic power and resources to make healthy decisions about their gender, bodies, sexuality, and families for



themselves and their community” (Zavella, 2020, p. 13). This definition in particular focuses on the similar ideas of bodily autonomy that both reproductive rights and trans rights share. In Forward Together’s definition, gender affirming care and other related trans issues fall into the reproductive justice framework, further tying together trans rights and reproductive rights in this space. Throughout this thesis I will be discussing reproductive rights through a reproductive justice lens as it not only is the most inclusive framework and intentionally includes trans people in the conversation but covers a wide range of reproductive decisions that is not just abortion or birth control.

I will also be using portions of grounded theory as a part of my feminist media analysis. Grounded theory is an inductive research methodology that seeks to create a new theory through the utilization of open-ended and iterative data collection, coding, and memo-writing (Cho & Lee, 2014). Grounded theory contains four main tenants: minimizing preconceived notions about the research, simultaneous collecting data and completing analysis to inform each other, being open to varied explanations of the data, and focusing data to construct an emerging theme (Charmaz, 2008). Grounded theory is often used to “generate a substantive theory that will explain a phenomenon in a specific context” often used when a theory does not exist (Cho & Lee, 2014). For the purposes of this thesis, I will not be seeking to construct a new emerging theory from this data, instead focusing on emerging themes and utilizing the first three tenets to address my positionality with the subjects of trans rights and reproductive rights. I am also using grounded theory in my research design, in that I will begin analyzing the data prior to completing data collection and using initial analysis to further guide my data collection

(Cho & Lee, 2014). This will allow me to discover new search terms which may lead to articles I may have missed otherwise or adjusting my initial categories of analysis.

### **Methods and Rationale**

In order to answer my research question, I conducted a feminist media analysis of United States legacy print news sources from May 1<sup>st</sup>, 2022, to November 30<sup>th</sup>, 2022. Legacy print media is defined “as media organizations developed from traditional daily newspapers” (Nygren et al., 2018). Legacy print news was chosen because legacy news media organizations remain at the core of national conversations around news topics, and with most legacy print news sources having both a print and online presence, continue to use their brand and increased accessibility to produce quality content (Langer & Gruber, 2021). In addition, while print media is purported to be objective, scholars agree that print media largely functions to “support and purvey dominant ideologies to readers” (Hesse-Biber, 2014, p. 270). Because of the trust and reach that legacy print media continues to have, plus print media’s influence on dominant ideologies, legacy print media is a good candidate for media analysis.

Through the analysis of trans representation in legacy print media covering of the overturn of *Roe* we will gain insight into the language and rhetoric used to discuss transgender people, and ultimately, how dominant ideology is forming around trans people and reproductive rights. While this may not be an exact reflection of people’s thoughts and opinions on the matter, this analysis would point to cultural norms and themes which may influence people who are consuming that media (Hesse-Biber, 2014). As Cynthia Bogard writes, “... as dominant and elite voices in the public conversation

about a social problem these media sources are important sites of reality construction” (Bogard, 2001, p. 431). It also allows us to get a glimpse into the predominant cultural norms in a unique time period which overlaps a record year for anti-trans legislation and the fall of *Roe* which may give unique themes that may not be found in other coverage of this time period.

### **Data Collection Parameters**

Because the overturning of *Roe* is an event with direct impact on the United States, legacy print media outside of the United States was excluded to avoid introducing different sets of cultural norms. May 1<sup>st</sup>, 2022, was selected as the start of the date range to gather data that is reflective of the conversations before the fall of *Roe*, as well as data that covers the leaked SCOTUS opinion of *Dobbs v Jackson Women’s Health*. November 30<sup>th</sup>, 2022, was selected as the end of the date range to allow for ample news coverage following the overturn of *Roe* while also capturing articles written following the 2022 midterm elections which were heavily influenced by the overturning of *Roe*. Data collection included the print and/or web versions of legacy newspapers and included national, regional, and local newspapers. ProQuest US Newsstream was used to source and collect articles for analysis. ProQuest US Newsstream includes the following news databases: CBS News 60 MINUTES, US Hispanic Newsstream, US Major Dailies, US Midwest Newsstream, US North Central Newsstream, US Northeast Newsstream, US South Central Newsstream, US Southeast Newsstream, and US West Newsstream.

To collect the data, the following search terms were used in combination (ex. trans AND *Roe*): trans, transgender, nonbinary, *Roe*, *Roe v. Wade*, *Roe vs. Wade*, *Dobbs*,

*Dobbs v Jackson Women's Health, Dobbs vs. Jackson Women's Health*, abortion, reproductive rights, reproductive health, and reproductive justice.

After completing all searches of terms with the above parameters and removing duplicates, 561 articles were found. This set of articles was then run through a series of exclusions to remove non-relevant articles. If an article was not about *Roe* in some way or focused on trans rights without being explicitly tied to *Roe*, it was excluded. If trans rights and *Roe* were mentioned in the same article but did not connect the two (ex. an article about a politician who opposed *Roe* and was in favor of trans bans) it was excluded. If an article quoted a trans person or was written by a trans person, it was included. If an article was about trans rights issues but cites *Roe* or *Dobbs* as influential to the issue it was included. If the article mentioned an impact on LGBTQIA rights, it was included. Following these parameters, 175 articles remained and underwent coding and analysis.

I used qualitative content analysis to analyze my data following collection, in order to find emerging themes within the data. Although similar to grounded theory, qualitative content analysis does not seek to create new theory, but “to answer questions such as what, why and how, and the common patterns in the data are searched for” (Cho & Lee, 2014, p. 6) I used an inductive category development process as described by Cho and Lee (2014), in which I began my analysis with open coding and memoing, determined preliminary codes, which were then used to develop categories and themes that my articles fall into. I will be utilizing Leavy (2006) and Croucher and Cronn-Mills (2014) to develop my coding and analysis practices as well.

### **Positionality and Reflexivity**

The perspective and knowledge that I bring to this research question is directly informed by my lived experiences. I come to this research as a white, queer, and trans person with years of access to the higher education system in the United States. I hold degrees in Biology, Immunology, and (soon) a degree in Gender and Women Studies following the completion of this thesis. I have spent three years working as an organizer at a Planned Parenthood Affiliate and was actively organizing during the SCOTUS leak and fall of *Roe v. Wade*. Most of my life has been spent in the United States, specifically in the Midwest region.

My position as a trans person working in reproductive rights situate me as uniquely qualified to research this topic, and means I am intimately familiar with conversations about trans people as it relates to the fall of *Roe*. While this certainly is a boon in that I have lived experience around this topic, it also means that I am acutely more aware of the negative experiences and rhetoric that trans people face in conversations around reproductive rights and reproductive health. I utilized portions of grounded theory to help manage my own experiences and preconceived notions as a trans person working in reproductive rights by keeping myself open to other experiences and allow openness for trends to emerge within my data. By beginning analysis while I was completing my data collection, I was able to allow for new search terms or initial coding to be developed based on the texts rather than leading with my experiences and assumptions about the data.

Similarly, my experience organizing on the ground around the fall of *Roe* had me talking and listening to people across the state about their concerns around abortion and reproductive rights, has likely influenced how I understand the event, and how people felt about the overturn. These conversations provided direct insight into how people reacted to the fall of *Roe* but may not be the kinds of conversations that are reflected in media sources. Media representations are not direct reflections of what is occurring in real life, rather, they are views of dominant ideologies and cultural norms being created (Hesse-Biber, 2014, p. 266). Since I have this unique perspective of working in reproductive rights as a trans person, I will utilize that insider knowledge in my coding and analysis, while leaning into grounded theory to reduce my preconceived notions.

It is also important to note that my interest, experience, and knowledge of reproductive rights and transgender rights are specifically informed by my location within the Midwestern United States. The discussions of trans people and reproductive rights in this research is specific to trans people and reproductive rights within the United States and does not reflect the vast experiences of trans people outside of the United States, or the state of reproductive rights in other countries. This research is also specific to the year 2022 and does not discuss how conversations about trans people and reproductive rights have changed over time, in order to capture the unique time frame in which *Roe v. Wade* fell coinciding with continued increased violence toward trans people. It is my hope that this research begins larger conversations about how the trans rights and reproductive rights movements can build power through solidarity and give important context to how these conversations are currently being framed.

### Chapter Four: Analysis and Conclusion

In this chapter, I examine 175 articles that discussed the overturning of *Roe* and mentioned transgender people or transgender rights, and the themes which emerged from coding and memoing of those articles. Through qualitative content analysis I shed insight on how transgender people were represented in legacy print news media covering the fall of *Roe*, as well if themes of bodily autonomy emerged within those media representations. In this section I argue that the coverage of *Roe* did intersect with analyses of trans rights, and to a certain extent included trans people and trans health. While there is evidence that trans people were included in this media coverage, this coverage was not sufficient to suggest substantive progress towards trans people being included in mainstream discussions of reproductive rights. I also argue that the link between trans rights and reproductive rights emerged through discussions of bodily autonomy, but this theme was primarily addressed by transgender people themselves.

In this chapter I begin with an overview of the data, and key observations that emerged from the construction of methods and data collection. I then discuss general observations made within the data set that were not substantial enough to create a theme, but still provide key insight into trans representation in reproductive rights legacy news media. I then discuss the four main themes which emerged from the articles studied: the connection between LGBTQ+ rights and *Roe*, the fear of what comes next following *Roe*, transphobia, and positive trans representation. As I discuss each major theme, I situate my findings within existing research, as well as the current political climate.

## Overview of Data

Data collection began by searching ProQuest US Newsstream using the search terms: trans, transgender, nonbinary, *Roe*, *Roe v. Wade*, *Roe vs. Wade*, *Dobbs*, *Dobbs v Jackson Women's Health*, *Dobbs vs. Jackson Women's Health*, abortion, reproductive rights, reproductive health, and reproductive justice.

Initially, the terms “pregnant person” and “birthing person” were utilized as search terms, based on the expectation that both gender-neutral terms inherently include transgender people. This search resulted in a pool of 2,524 articles, which was too large for this study. Upon further analysis, a vast majority of the articles which used these terms did not specifically mention transgender people, despite transgender people being technically included in the use of gender-neutral language. For example, many of the articles used the term “pregnant person” when describing exceptions to ban on abortion (such as incest or rape of the pregnant person) or when talking about abortion broadly with no specific reference to trans people, or even LGBTQ people. One example of this comes from an article about Michigan’s abortion access. In this article, the term pregnant person is used in describing abortion ban exceptions, stating “Planned Parenthood argues the Michigan Constitution protects the right to abortion, therefore rendering the 1931 law criminalizing all abortions except those performed to save the life of a pregnant person unconstitutional” (Boucher, 2022). This article uses the term “pregnant person” rather than woman but does not go on to address trans-specific reproductive care concerns. Though trans people were not centralized in many of the articles, the increase in use of gender-neutral language does signal a change in how abortion is being discussed, and is



moving further towards trans inclusivity. Although the gender-neutral terms “pregnant person” and “birthing person” were not included as search terms in this research, the prominence of those terms in the initial data collection, as well as the use of those terms in the articles which were ultimately coded is still an important observation to better understand current trans representation in reproductive rights legacy news media coverage generally.

After excluding “pregnant people” and “birthing people” from the search terms, the data set was limited to 561 articles. I then applied exclusion and inclusion parameters; I included articles which mentioned an impact on LGBTIA rights, quoted or were authored by a trans person, and articles which were about trans rights issues but cited *Roe* or *Dobbs* as influential and I excluded articles which were not about *Roe*, focused on trans rights and did not tie it to *Roe*, and articles that mentioned trans rights and *Roe* but did not connect trans rights and *Roe*. The final data set included 175 articles, which I then analyzed using open coding and memoing. Four themes emerged from this coding and memoing which I will discuss further: the connection between LGBTQ+ rights and *Roe*, the fear of what comes next following *Roe*, transphobia, and positive trans representation.

### **General Observations**

The data analyzed for this content analysis held many insights into trans representation in coverage of the overturning of *Roe*, though not all those observations translated into a theme. The first observation centers on the use of gender-neutral language not only within our final data set, but observations made while “pregnant person” and “birthing person” were still included within search terms. There were also

some general observations about how trans people were represented in the articles analyzed, and different ways in which trans people were mentioned in the articles.

### *Use of Gender-neutral Language*

As mentioned earlier, there was a large presence of gender-neutral language used in the articles seen in the initial search, and as a part of the dataset. Part of the increase of gender-neutral language may be due to the Associated Press Style Book explicitly naming the use of “pregnant people” and “pregnant person” within their style book, in addition to reproductive rights and reproductive justice organizations such as Planned Parenthood and NARAL continuing to emphasize the importance of gender-neutral language in conversations around abortion (Associated Press, 2023; NARAL, 2021; PPF, 2022). In their topical stylebook on abortion Associated Press names, in addition to pregnant women being acceptable phrasing, that “Phrasing like pregnant people or people seeking abortions is also acceptable to include minors or people who have those experiences but do not identify as women, such as some transgender men and some nonbinary people” (Associated Press, 2023). Ultimately, the use of gender-neutral language in the abortion conversation is becoming more common which signals the beginning of trans inclusion, although using gender-neutral language alone does not always mean transgender representation. Although there is implied transgender inclusion in gender-neutral language, the use of this language is not consistent nor completely accepted (Pollitt, 2015; Strangio, 2016). That does not mean that trans people are being completely excluded from the movement, but the prominent use of gender-neutral language fails to translate into inclusion because it does not actually address transgender

issues or make space for transgender experiences. Without giving space for transgender reproductive rights issues, the use of gender-neutral language alone is just implied inclusion, rather than substantive inclusion. Additionally, the use of gender-neutral language did not mean the sole use of gender-neutral language in an article; often authors would use gender-neutral language a few times and then return to using woman centered language or would center women's reproductive issues in the remainder of their article. While the use of gender-neutral language is becoming more mainstream, the fact that there are still articles being written critiquing the use of terms like 'pregnant people', and the failure of the reproductive rights movement to actually integrate transgender reproductive issues signals that while gender-neutral language can be considered progress, it is not enough progress to make the movement inclusive (Moseson et al., 2020; Strangio, 2016).

### ***General Trans Representation***

Of the 175 articles that specifically mentioned transgender people within the data set, there was a wide range of how transgender people were included and discussed within the articles. A vast majority of the articles had a passing mention of transgender people, or implied inclusion within an acronym (like LGBTQ). Due to this, most of the representation of transgender people within our sample of legacy news media was neutral, in which the word trans was used within the article, or by an interviewee but had no substantial content to go along with the mention. Some of this passing mention of trans people looked like inclusion of trans people in lists of chants, protest signs, or rally speeches from rally coverage (Crimaldi & Stoico, 2022; Figueroa, 2022; Krauss, 2022).

However, after this passing mention, many articles did not go on to address trans reproductive health or rights issues in further depth. For example, an article covering a rally post-*Roe* in Eugene, Oregon mentioned trans people only once among a list: “The protesters also chanted in support of other minority groups such as women of color, transgender people, and those in jail. Later on, protestors began chants condemning the police, with chants of ‘all cops are bastards’” (Krauss, 2022). The rest of the article did not mention transgender people or transgender reproductive issues in any other way, and consistently used women, and women’s rights to describe the protest.

Other times trans people were included in lists that named groups of people who would be most impacted by the overturn of *Roe* or were most vulnerable to the attacks on reproductive rights but were then never mentioned again in the article. In coverage of a youth rally for *Roe*, the *Oakland Post* cited student Tai-Ga Min’s speech in which they mentioned trans people as vulnerable: “I think, regardless of age, you have to be aware. There’s no time in your life where you should stop learning about rights or fighting for your own or other people’s rights. I think it’s definitely true that young women, trans people, [and] disabled people are most vulnerable to being harmed by this [the overturning of *Roe v. Wade*] so it’s important to know what your rights are and to fight for them” (Williams, 2022). Articles like this one in the *Oakland Post* are importantly naming that trans people are often the most impacted by anti-choice legislations and are the most vulnerable to this kind of medical discrimination, as corroborated by the already difficult nature of accessing care as a transgender person (Boylan, 2014; James et al., 2016). It is also worth mentioning that the naming trans people as most impacted, or

vulnerable, to the overturning of *Roe* was most often included in a quote from a rally speaker, or by an interviewed person. This might suggest that the realities of transgender people's marginalization in the context of reproductive rights is understood by those who may be invested in the reproductive rights movement.

The third type of passing mention common among the data set was the implied inclusion of trans people in acronyms like LGBT or LGBTQ. Since the T in the acronym does indeed stand for transgender, trans people are technically included within the conversation, but the articles were likely to not have specific or substantive mention of trans people outside of the acronym. One article covering *Roe/Dobbs*' impact on pride month, uses the term LGBTQ+ multiple times throughout the article, but the word trans only gets mentioned twice in the article through one brief mention of anti-trans legislation in one sentence and a brief mention of the phrase "the current discussion of trans rights" named in another sentence, with no additional explanation (Beckerman, 2022). The article itself focuses mainly on gay rights and same sex marriage and leaves out any in depth discussion of trans rights being at risk. The sole use of the acronym LGBT/LGBTQ does not actually translate into representation, similarly to how the sole use of gender-neutral language does not translate into representation. Trans people cannot be actually included in LGBTQ if trans issues are barely discussed and the article centers on issues that gay people are facing (a group which already has increased support and social acceptance over trans people) and whose issues do not impact transgender people (Taylor et al., 2018).

Though there were many examples of trans people only being represented in passing mention in the data set, there were many articles where trans people were explicitly mentioned by someone who was interviewed. Twenty-four percent of the articles included transgender people only when a cisgender interview subject mentioned trans people in an interview. These quoted sources similarly only mentioned transgender people in passing, but some specifically named the need to include transgender people, or how transgender people are impacted by the overturn of *Roe*. In one article, rally attendee Henry Rotter said, “I’ve got a gay brother at home, a transgender cousin...and I worry about what the overturning of this will do to their rights as human beings” (Garner, 2022). Like Rotter, many interviewed people brought up trans people in their lives, ranging from family, to partners, to fellow students. Other people interviewed were naming trans people as needed to be included in the conversation. “‘It’s not just women’s rights being taken away. ...It’s also the rights of trans people, of nonbinary people,’ said Joycelyn Shroulote” (Silva, 2022). The inclusion of transgender people and transgender issues in the interviews of non-trans people signals the beginnings of transgender inclusion in the reproductive rights movement. Trans people and reproductive rights are becoming common enough, and being seen as important enough that it is no longer only trans people who must be responsible for their own inclusion.

These three types of passing mention, and explicit mention of trans people by interviewees can certainly count as transgender representation in the coverage of *Roe* but lack much substance. The mere mention of transgender people does not signal active inclusion within larger understandings of reproductive rights and is probably more akin to

tolerance or potentially acceptance. The reporters make decisions on what to include in the article to adequately cover the topic they are writing on, and the choice to include the mention of transgender people or include a quote that does include trans people is still an active choice to do so. This passing mention of trans people likely fits better within the framework of tolerance, rather than acceptance or inclusion. As described by Suzanna Danuta Walters, tolerance has been posited as a necessary step towards overall inclusion of gay people, though she argues that “a goal of tolerance and acceptance rather than a deep claim for full civil rights” is actually damaging to the overall fight for queer rights, and the way that acceptance of gay people has been marketed so heavily it further alienates those who do not wish to assimilate (Walters, 2014, p. 3). It could be argued that a majority of trans representation is in this tolerance phase, where “banal inclusion, normalization” and minimal mention of trans existence is largely how trans people have been represented over the past few years (Walters, 2014, p. 8). Walters argues that “Tolerance allows bigotry to stay in place and shores up irrational hatred even as it tries to corral it”, which seems to align well with the current increased anti-trans political climate and vitriol (Walters, 2014, p. 10). Until very recently, trans people were merely tolerated and as the presence of trans people has increased and grown in acceptance in some ways, that bigotry and hatred that emerged has become dominant social commentary. This concept of tolerant inclusion of trans people, coupled with the double edged sword of visibility has been seen as “the primary path through which trans people might have access to livable lives”, but instead has allowed anti-trans sentiment to continue to exist and be stoked by any kind of increase in trans representation (Gossett,

Stanley, and Burton, 2018, p. xiv). In terms of the articles within this study, does that mean that the mere passing mention of trans people is a bad thing? No, I do not think it is a bad thing, but it also does not signal any true kind of progress towards inclusion that is tangible or is able to combat the vicious hatred of the current climate. But it is also inaccurate to say that trans people are going completely unmentioned in discussions around *Roe*.

### **Overview of themes**

In the 175 articles within the data set, four main themes emerged during the coding process: connection between queer, trans, and reproductive rights, the fear of what comes next after *Roe*, transphobia, and positive trans representation. The following section will go over each theme, bring examples from the article set, and connect the findings back to relevant bodies of research.

#### ***Connection Between Queer, Trans, and Reproductive Rights***

The first theme among the data set was connections being made between queer, trans, and reproductive rights. Articles which brought up queer rights and trans rights often connected those two movements with the movement for reproductive rights. Some articles connected trans rights and reproductive rights, some connected LGBTQ rights and reproductive rights, and others made connections to all three movements.

Eighteen percent of articles made explicit connections between trans rights and reproductive rights. Often the connection was made by sources, such as individuals who were interviewed in the articles. Another source for connections between trans and reproductive rights were activists like speakers at rallies, such as one unnamed speaker at



a Rhode Island rally who stated, “Abortion rights are human rights. Abortion rights are trans rights. Abortion rights are worker rights.” (Caporizzo et al., 2022). When the connection between trans rights and reproductive rights was made by those interviewed, autonomy was often named as a link between the movements. Emily Szabo, a protestor in Alabama, made this connection between bodily autonomy and the right to privacy: “*Roe v. Wade* is not just about abortion,” Szabo said. ‘It’s about having privacy. *Roe v. Wade* allowed for gay people to get married. It allowed for trans rights. It allowed for so many different things- for you to have the right to do what you want with your body” (Beveridge, 2022). Having those who are interviewed consistently connect trans rights and reproductive rights signals that the link between the movements may be more commonly made than one might think. Though in some cases article authors interviewed experts, activists, or trans people who may be more likely to draw a line between trans and repro rights, but often the people interviewed were protestors, or people who happened to be present at an event. It is certainly a sign that the connections between trans and reproductive rights are not only apparent to experts or trans people, but the connection is clear enough that many kinds of people are able to name it. This shows positive progress in the overall integration of the two movements and shows that perhaps more people are ready to see the movements unite in solidarity than the social climate around trans people may suggest.

When trans people were prominently featured in articles that covered *Roe*, many of them were quoted making the explicit connection of autonomy between trans rights and reproductive rights. In the aptly named article “*Roe Is About Privacy and Bodily*

Autonomy,” senior instructor at the University of Oregon, Ty Warren, wrote “Forcing any human capable of bearing a child to do so is an invasive and violent act. The same can be said for forcing trans bodies to live without gender-affirming health care. Bodily autonomy and the right to privacy- particularly for historically oppressed populations- may not be a “deeply rooted tradition” in this country, but that is not an admirable or honorable history to emulate” (Warren, 2022). Warren himself identifies as a trans man and sees privacy and bodily autonomy as crucial for not only reproductive rights but access to gender affirming care. He was also one of numerous trans people who named privacy and bodily autonomy as links between trans and reproductive rights, which will be discussed later in this analysis.

Bodily autonomy and privacy were often cited within the data set as commonalities between trans rights and reproductive rights. Privacy and the 14<sup>th</sup> amendment are key legal arguments for both abortion and trans rights, so it is not surprising that the two movements would be connected through the right to privacy (Langley, 2006). The Fourteenth Amendment’s due process clause is often cited to keep state governments from creating laws that infringe on privacy and was used in the argument of *Roe v. Wade*. Similarly, autonomy is not only fundamental to reproductive rights and trans rights, but the government views both women and transgender people as populations that need to be controlled (Denbow, 2015; Weiss, 2013). Women have long been viewed as being’s incapable of self-governance or in need of protection due to vulnerability by politicians and are therefore controlled by abortion bans and similar legislation (Denbow, 2015; Oliviero, 2018). We have now reached the point of anti-trans

vitriol that there are calls for trans people to be controlled, to protect children and the general public from “trans ideology,” evidenced by the rise in bills to ban gender affirming care for minors, and bills which criminalizes trans adults from using bathrooms that affirm their gender. The fact that many of those interviewed in articles covering *Roe* can name crucial connections between trans rights and reproductive rights is a hopeful trend. It might be that more people understand universal concepts like autonomy and privacy better than large movements currently represent, and those universal concepts could be key to bridging the gaps between trans rights and reproductive rights.

Trans rights and reproductive rights were not the only movements that were connected in the article set. Articles cited rights of many minority groups as impacted by the fall of *Roe*, and as generally under attack through the law and judiciary. One article quotes Attorney General Dana Nessel of Michigan on the connections between movements through the 14<sup>th</sup> amendment, arguing, “People should see the connection between reproductive rights, LGBTQ rights, women’s rights, interracial marriage— these things are all connected legally.” In another article, executive director of Boston Alliance of LGBTQ Youth, Sterling Stowell not only connects trans rights and reproductive rights as part of the same issue, but also adds attacks on “Jews, Asian Americans, immigrants, and people in the trans community— are part of a broader right-wing extremist movement” (Leung, 2022). People interviewed in the articles consistently named that movements were connected through attacks by “right-wing extremists,” Republican politicians, or as one interviewed person named, the “fundamentalist Christian agenda” (Judd & Silva, 2022; Leung, 2022). People who were interviewed were able to piece

together the attacks on *Roe* as part of larger political agendas, and that these issues touch more than just those who get abortions or trans people. As Gathegu Gatungo said in one article, “They’re not just coming after our reproductive women, our reproductive rights—they’re coming after the LGBTQ community, they’re coming after our parents of trans kids, they’re coming after anybody and everybody who does not align with their whole fundamentalist Christian agenda and the vision that they have in store for this country and this world” (Judd & Silva, 2022). Abortion rights and trans rights are named as part of broader movements which are challenging ideology that is resistant to seeing societal norms change, whether that be gender norms or the ability for a person to make decisions about their pregnancy.

### ***Fear of What Comes Next***

The next prominent theme, referencing the connectivity between movements, was a fear of what rights would be next impacted because of *Roe* being overturned. A vast majority of the connections between *Roe*, LGBTQ rights, and trans rights were discussed in the context of what rights may be at risk next. Often the articles referenced Supreme Court Justice Clarence Thomas’ concurring opinion on the *Dobbs* case, calling for reconsideration of “*Obergefell v. Hodges*, a case protecting same-sex marriage; *Griswold v. Connecticut*, a case protecting contraception for married couples; and *Lawrence v. Texas*, which protects private sexual activities” (Webb & Sampson, 2022). All these cases represent significant gains in rights for groups of people, similarly to what *Roe* was when it was first ruled. If decades long precedent can be overturned, it is logical to

wonder what rights might be at stake next (especially when they are named in the concurring opinion of the case which overturned *Roe*).

Thirty-six percent of the articles in the data set centered LGBTQ specific topics when discussing what rights might be impacted following the overturn of *Roe*. As mentioned previously, the inclusion of T in LGBTQ does not always signal substantive inclusion of trans issues in this context. Most often the articles focused on same-sex marriage, contraception access, same-sex relationships and sodomy, and other rights that hinge on the 14<sup>th</sup> amendment's protection to privacy (Baitinger, 2022). While trans people do gain rights because of same sex marriage, it is not a trans rights issue specifically and is often considered an issue of gay and lesbian rights (Spade, 2015). In fact, one article titled "What's next after the reversal of *Roe*? LGBTQ couples fear their marriages could be targeted" did not include any interviews of trans people who were worried about their marriage, and only mentioned trans people in one sentence referencing anti-trans laws (Baitinger, 2022). The framing of these articles covering LGBTQ issues but only referencing issues in the context of gay rights, is an example of trans people being excluded from conversations about reproductive rights, but also of trans issues being deprioritized in comparison to gay rights. This may be because there have not been many high-profile Supreme Court cases which won rights for transgender people in comparison to the broader gay rights movement. But, because transgender people are still impacted and receive rights from those gay rights cases, the absence of the trans experience around gay marriage, contraception, or private sexual activities is still noticeable. To truly include trans people when referencing LGBTQ rights that could be

lost next, the conversation needs to actively include how trans people would be impacted by that loss, and not just have it represented by gay and lesbian perspectives.

Only 8% of the articles in the data set included gender affirming care as being at risk because of the overturning of *Roe*; some articles only listed gender affirming care among the other rights while others had further discussion of trans rights issues within the article. In an article covering the responses of Louisianians to the overturning of *Roe*, ACLU Executive Director Alanah Odoms named “These politicians won’t stop here. The same anti-abortion extremists seeking to control the bodies of pregnant people are coming for our right to access birth control and gender affirming care, marry who we love and vote” (White et al., 2022). Odoms’s quote was the only place that gender affirming care was mentioned within the article, but she did list gender affirming care in the same space as the right to marriage, birth control, and voting. This gives gender affirming care more legitimacy as a right at risk when it is paired with other more commonly mentioned rights. Other articles gave more space to the potential attacks that *Roe* opened on gender affirming care, naming that *Roe* was “a significant basis for rulings on same sex marriage, gender affirming care for trans individuals, and even contraception”, as well as explicitly naming that “Gender affirming care is linked to reproductive care”, and that “other states want to take these rights [gender affirming care] away” (Arnott, 2022). Some articles even named active attacks on gender affirming care that were occurring because of the overturn of *Roe*, citing Alabama submitting a court case to ban gender affirming care for minors by citing part of the *Dobbs* decision on rights that are “not deeply rooted in the nation’s history and traditions” (Chandler, 2022).

The risk of losing gender affirming care was covered in varying degrees of depth but was covered most in depth when the article centered gender affirming care or trans issues as a whole. In more reproductive rights focused articles, gender affirming care was often only listed among other rights to be lost, with no further discussion. This mirrors how trans people were discussed throughout these articles, through passing mention, rather than substantive representation. This passing mention is especially noticeable, since gender affirming care as a right is undergoing active political attacks via legislation, where birth control and gay marriage have remained under potential threat.

There were a few articles which gave more space to current attacks on gender affirming care, and named the right as being actively threatened. In an article following the leaked *Dobbs* decision, constitutional law professor Anthony Michael Kries noted that the draft was “hostile” towards rights not named in the constitution. According to Kries, “If the right to privacy is lost in the abortion setting, for example, states could argue they have an interest in imposing their will on other private medical decision, like treatments for transgender patients, especially children and adolescents” (McGaughy, 2022). Kries’s prediction was correct, as immediately following the overturn of *Roe* the state of Alabama cited the *Dobbs* case in an effort to ban gender affirming care for young people. One article in the *Boston Globe* specifically claimed that the overturning of *Roe* has increased the attacks on gender affirming care, impacting both patients and those who provide that care. The article reported on the increase of harassment that children’s hospitals were facing for providing gender affirming care for minors, citing the medical director at Children’s Minnesota; “[Angela Kade] Goepferd also said she thinks the new

levels of vitriol around gender-affirming care are related to the Supreme Court's overturning of *Roe v. Wade*, which took protections away from reproductive health providers" (Bannow, 2022). Connections made between gender affirming care and reproductive rights are becoming increasingly crucial, as abortion and gender affirming care bans get put into law, more and more people will be forced to seek care in another state or move to another state all together (Hughes et al., 2021). As gender affirming care continues to be attacked across the country, connecting that care back to the loss of abortion rights might be an important piece of getting more people to actively support trans healthcare. Having those connections being made in print news articles may allow for other connections to be made between the movements. For example, reproductive health clinics like Planned Parenthood are also providers of gender affirming hormone therapy, and if the clinic is shut down or sees an increase in harassment it will impact both trans patients and abortion patients seeking care. In this way both trans people and proponents of reproductive care have a shared interest in sustaining access to the medical care that they need, and fighting against those who seek to take away their rights. People are able to consistently name that the loss of *Roe* will inevitably impact other long fought for rights, and that those rights hinge on the same concepts of autonomy and privacy. Those connections are the first step towards building a multi-issue movement which aims to stop rights from being taken away; and signals that perhaps a united front between trans, LGBTQ and reproductive rights is closer than it seems.



### ***Transphobia***

While most of the representation of transgender people in articles covering *Roe* was neutral, there were examples of negative representation of transgender people, or transphobia. Transphobia was discussed in two different ways, accounting for 19% of the articles: articles which gave space to transphobic arguments (2%), or articles that were naming active transphobia happening in the context of *Roe* being overturned (17%). The discussions of transphobia most often focused on gender affirming care, how gender-neutral language harms women, and *Roe* being used as a platform for transphobia.

Within the data set, none of the articles took an actively negative stance towards gender affirming care. Rather, the articles addressed transphobia in relation to gender affirming care. Two articles reported on Michigan's proposition 3 (also known as the Right to Reproductive Freedom Initiative), which amended the state constitution to codify reproductive rights. In both articles the authors discussed how opponents of the proposition were claiming that the proposition "would allow children to undergo 'gender change therapy without parental consent,' although the amendment has no mention of gender affirming care or trans people within it (Hendrickson & Boucher, 2022; Wells, 2022). The idea that gender affirming care for young people causes sterilization is a common anti-trans talking point, despite there being no evidence that puberty blockers cause infertility or sterilization, and the talking points do not consider the medically backed practices of gender affirming care for young people (Mehringer & Dowshen, 2019). The fact that these anti-trans talking points about gender affirming care were brought into articles covering reproductive care policy shows how commonly the trans

movement is pitted against the reproductive rights movement. It is likely that those opposing reproductive health decisions also see the connections between trans rights and reproductive rights, and therefore act as if gender affirming healthcare is included reproductive health, even when trans care is not explicitly mentioned, to further their own opposition.

With trans rights and reproductive rights being connected through autonomy, the opponents seem to continually bring up gender affirming care in order to argue against laws and amendments which enshrine the full spectrum of reproductive care. For example, in the case of Prop 3 opponents argued that “A constitutional right to ‘sterilization’ surely included a right to be sterilized to align one’s sex and gender identity...The majority of voters do not support a 12-year-old girl’s right to sterilization without her parent’s notice or consent. But that is the implication of giving this right to very ‘individual’, no matter their age” (Hendrickson & Boucher, 2022). Opponents to abortion and trans affirming care do indeed seem to understand connections between trans and reproductive rights, to a degree that their anti-trans sentiments are mentioned in articles reporting on reproductive policy. Not only are pro-choice individuals connecting trans rights and reproductive rights, but the opponents are too.

The extreme scenarios that opponents claim will happen when reproductive freedom is allowed are strikingly similar to the arguments made for why women (and people who can become pregnant) cannot be trusted to make reproductive decisions themselves. This is often based in claims that women are incapable of self-governance or rational decision, and must be protected from potential harm (Denbow, 2015; Oliviero,

2018). This additionally follows with the thinking that children (or fetuses) are vulnerable and need to be protected, whether that be from women who are seeking abortions, or from transgender people (Oliviero, 2018). An article in the *Springfield News Leader* quoted Missouri Democratic candidate, Trudy Busch Valentine, focusing on the vulnerability of children in her dissent against gender affirming care — ““But in this transgender thing, that’s a different issue and that’s an issue that people have to come to on their own,’ she continued. ‘They need the guidance of parents. They need doctors intervention. I don’t think anything should be done until they’re adults that lasts forever. But I think if they begin things like estrogen or testosterone and they can stop those things so people can get a second look at things”” (Sullender, 2022). This kind of thinking creates scenarios where women are seen as monsters who abort their children on a whim, and even while actively giving labor (which is not something that happens) or gives rise to the “groomer” rhetoric, that transgender people are actively grooming children to become trans and forcing them into irreversible medical procedures. Whether it be opposition to gender affirming care, or opposition to abortion, the arguments used against them bear striking resemblance through their roots of vulnerability politics and autonomy.

Similar arguments about the vulnerability of women were made in reference to the use of gender-neutral language throughout the article set. Multiple articles covered transphobic remarks about the use of gender-neutral language, including three articles focused on comments made by Bette Midler and Macy Gray. On July 4<sup>th</sup>, 2022, Bette Midler tweeted “WOMEN OF THE WORLD! We are being stripped of our rights over

our bodies, our lives and even of our name! They don't call us "women" anymore; they call us "birthing people" or "menstruators", and even "people with vaginas"! Don't let them erase you! Every human on earth owes you!" (Midler, 2022). Three articles all covered why Midler's tweet was transphobic, but also gave space to Midler's response to the backlash, where she claimed her tweet was not transphobic or intending to exclude anyone while defending her tweet by citing a transphobic piece in the *New York Times*, "The Far Right and Far Left Agree on One Thing: Women Don't Count". While an article in the *Citizens' Voice* (2022) article mostly focused on Midler's response, the articles by Branigin (2022); Ushe (2022) took time to address why the tweet was transphobic, and gave space for trans people and trans allies to address her transphobic remarks, but also brought up transphobic comments by Macy Gray and JK Rowling (Branigin, 2022; Ushe, 2022). Sarah Kate Ellis, the president and CEO of GLADD addressed those comments in Ushe's *USA Today* article and said, "recent anti-transgender rhetoric" from public figures such as Milder and Gray is "contributing to the dangerous and completely inaccurate narrative that trans people are somehow threatening the overall rights of cisgender women" (Ushe, 2022). When reporting on transphobia gives space to address misinformation or harmful narratives, readers can be equipped with correct information, and ways to counter transphobia that they hear in everyday life. The claim that gender-neutral language harms women might seem convincing to well-intentioned people, especially people who do identify as women or have experienced erasure of women in other places of their life. Having the transphobic argument addressed alongside

the trans inclusive standpoint can be an important tool in keeping transphobia from further spreading.

Bette Midler is one of many women who do not support the reproductive rights movement shifting towards trans inclusive language. As the use of gender-neutral language has increased and calls for transgender inclusion in reproductive rights has become more prominent, people often return to the claim that women are harmed or erased by that language. Legal scholar Chase Strangio emphasizes that the root of that fear isn't completely unfounded; women have struggled to have pregnancy be considered a gendered issue, and there is merit to being concerned about "undermining the already precarious access to reproductive health care" and is ultimately "grounded in a fear of losing access to reproductive health care for everyone" (Strangio, 2016, p. 230). It is important to note that "this erasure of reproductive trans bodies has shown up uncritically in much of the legal scholarship engaging with questions of reproductive autonomy, pregnancy discrimination, and reproductive health" and that trans reproductive bodies are often the first to be left off, or seen as encroaching in space within the movement (Strangio, 2016, p. 234). This is similarly mirrored to arguments that trans women are not women, which Strangio addresses in the same article. According to Strangio, "the idea that a trans woman's claim to womanhood harms or erases non-transgender women is just as logically incoherent as the claim that marriages between same sex-couples would undermine the completely unrelated marriages of different-sex couples" (Strangio, 2016, p. 230). These arguments also mirror anti-trans talking points which claim that transness is a "social contagion" or that "transgenderism" as a "political ideology" is actively

harmful to society, which as discussed in the literature review, corroborates with the fact that the simple existence of trans people does disrupt societal norms, and so perhaps makes people feel their way of life is being harmed or destroyed (Serano, 2022, 2023a, 2023b). This fight over language is an active one within the reproductive rights movement right now, and it makes sense that there would be reporting covering the resistance to taking up gender-neutral language. Where it can get troublesome is if the only reporting we see on the use of gender-neutral language are stories of people claiming it is harmful. Even if the articles allow space for people to explain why gender-neutral language is important and give the trans perspective, the focus on the rejection of gender-neutral language in legacy news media creates the image that gender-neutral language is rejected. In reality, many reproductive rights organizations are actively including gender-neutral language throughout their organization, but reporting solely on the minority of voices who reject it gives the image that gender-neutral language is rejected more than it has been accepted.

Another prominent way that discussions of transphobia emerged was the overturning of *Roe* being used to platform transphobia. This included discussion of court cases being filed to ban gender affirming care, or comedians making transphobic jokes about *Roe*. Multiple articles were written on Alabama's attempt to ban gender-affirming care for youth because of the ruling of *Roe*. Merely two days after *Roe* was overturned the case was submitted and the Alabama Attorney General's office argued "that gender transition treatments are not 'deeply rooted in our history or traditions,' and thus the state has the authority to ban them" which is the same argument used by the Supreme Court

when ruling that abortion was not a constitutional right (Chandler, 2022). Not only were states utilizing the *Roe* ruling to enact harm on transgender people, but anti-choice and anti-trans people utilized the ruling to further their beliefs and spread hate. Comedians The Hodgetwins faced protest to one of their comedy shows in one article, where it mentioned they tweeted “‘Overturning *Roe v. Wade* is not an attack on women because men can have babies too!’ with three laughing emojis” and a video in which the Hodgetwins were laughing at a transgender protestor being struck by a police officer (Appleton, 2022). There were also articles which covered transphobic remarks being made in the context of *Roe*, and events following the ruling. One example of this was reporting on a senate hearing post-*Roe* where Sen. Josh Hawley followed a transphobic line of questioning when he asserted “No, I don’t think men can get pregnant” while disparaging the attempts of professor of law Khiara Bridges to utilize gender-neutral language and explicitly name that Hawley’s “line of questioning is transphobic and opens up trans people to violence” (Scanlon, 2022). While the article was mostly focused on the events within the Senate hearing, documenting active transphobia by politicians can be important for constituents to hear whether they support the transphobia or not. It is also another example of opponents of abortion bringing up trans people in context of reproductive rights, though the actual hearing was about *Roe* and abortion.

Anti-trans rhetoric following *Roe* was often seen alongside anti-LGBTQ rhetoric, which is not surprising given the close connections of their respective movements. One article in the *New York Times* reported on the general increase of anti-trans and anti-LGBTQ sentiment following the overturning of *Roe*. The article cites an increase in anti-

trans and anti-LGBTQ laws, calls to overturn same-sex marriage, and an increase of “officials and television commentators on the right [accusing] opponents of some of those new [anti-trans] restrictions of seeking to “sexualize” or “groom” children” (Trip, 2022). Grooming in this context is used to “evoke past false accusations that “homosexuals are pedophiles” who are out to “recruit children”, whereas the term grooming is typically used to “refer to when an adult befriends a child and builds up their trust over time in order to make it easier to eventually sexually exploit or abuse them” (Serano, 2022). While seeing these transphobic remarks in legacy news media can certainly be harmful to people who read them and may potentially embolden those who think this line of anti-trans thinking is correct, it ultimately is important that these articles are able to report on this transphobia, while connecting it back to *Roe*. This reporting on transphobia is important, particularly because it does provide evidence that the transphobia is happening and is connected to the overturn of *Roe*. The connections between abortion bans and anti-trans bans through autonomy is stark, and both types of bans are explicitly an active loss of rights for groups of people. When articles covered transphobia following *Roe*, they paired reporting on transphobic commentary with a pro-trans response. One example of this is in the article discussing Bette Midler’s transphobic tweet which had multiple pro-trans responses including one from Irish drag queen and gay rights activist, Panti Bliss: “Don’t fall for the anti-trans panic fake nonsense. No one is erasing women...In a few small healthcare cases where appropriate they are using trans inclusive language. That’s all” (Ushe, 2022). Because newspapers are still sites of dominant ideology creation, providing accurate information and pro-trans voices to pair with transphobia can give



readers facts and information to refute transphobic claims, and potentially help them to respond transphobic remarks they hear in their day to day.

Although articles that were actively transphobic were few, harmful transphobic rhetoric was still given a prominent platform. Two of the articles which featured prominent transphobia focused on how gender-neutral language was harmful to women. These articles were prominent opinion pieces in the *New York Times* titled “A Vanishing Word in the Abortion Debate: ‘Women’” by Pamela Paul, and the above mentioned “The Far Right and Far Left Agree on One Thing: Women Don’t Count” by Michael Powell, which focused on the transphobic idea that women are being erased from the reproductive rights movement because of the use of gender-neutral language (Paul, 2022; Powell, 2022)<sup>2</sup>. Both articles were included in a call out of the *New York Times*’ transphobic and biased opinion pieces, as named by national organizations such as GLAAD and the Human Rights Campaign, as well as through an open letter by *New York Times* contributors (GLAAD, 2023; NYT contributors, 2023). Paul and Powell’s articles

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<sup>2</sup> The *New York Times* has shown a recent pattern of publishing transphobic articles which seem to be skewing their coverage to focus on anti-trans and transphobic talking points and responses. This patterned continued outside of the parameters utilized in our data collection, with a collective of *New York Times* contributors and subscribers writing an open letter to the newspaper criticizing its skewed coverage, as well as prominent LGBT rights organization GLAAD publicly calling out the *New York Times* for its editorial bias in reporting on transgender people (GLAAD, 2023; NYT Contributors, 2023). In the letter, contributors wrote “Plenty of reporters at the *Times* cover trans issues fairly. Their work is eclipsed, however, by what one journalist has calculated as over 15,000 words of front-page *Times* coverage debating the propriety of medical care for trans children published in the last eight months alone” (NYT contributors, 2023). GLAAD notes that the *New York Times* as “been the standard for excellence in journalism: A media outlet that New Yorkers, Americans, and people around the world looked to for ethical, thorough reporting, and thoughtful opinion pieces” (GLAAD, 2023).

are actively transphobic and did not allow room for any thoughts that are supportive of the trans community. This may cause people to take what is said in the article as truth, especially coming from a prominent newspaper. In Pamela Paul's opinion piece on gender-neutral language, she sympathizes with women who have been actively transphobic such as JK Rowling, saying they are merely "publicly express[ing] mixed emotions or opposing views" (Paul, 2022). Many people often look to newspapers for credible information and cutting-edge reporting (especially in the case of the *New York Times* which is a nationally renowned paper). Combined with the fact that many people aren't able to distinguish between op-eds and news articles, op-eds have become sites of active policy agenda setting (Coppock et al., 2018; Tompson, 2018). With print media having the ability to influence their readers and shape dominant ideologies about issues, the fact that prominent newspapers actively publish transphobic articles and op-eds is troubling (Coppock et al., 2018; Hesse-Biber, 2014). It would not be a stretch to assume that people would read an op-ed in the *Times* and potentially take the article as fact, and not realize that the article is indeed opinion and not the unbiased reporting you would see in an editorial or news reporting. The unchecked transphobia in well-known newspapers surely has some impact on shaping what readers believe, as we saw Bette Midler quote Pamela Paul's piece in support of her own stance (Citizens' Voice, 2022). It seems that actively transphobic articles are largely confined to legacy news media op-ed pages or shows up as transphobia that is not paired with a pro-trans response. Despite being low in number, these articles do have potential to shape someone's viewpoint on trans people,

and it is crucial to check transphobia with pro-trans arguments to keep transphobia from being taken as fact or truth.

### ***Positive Trans Representation***

Given the general hostility towards transgender people over the course of 2022 and 2023, it may come as a surprise that there was a good amount of positive representation of transgender people, as well as the inclusion of transgender issues in articles discussing reproductive rights and *Roe*. Twenty-four percent of the articles included an interview of a self-identified transgender person. Not only were transgender people interviewed, they also often talked specifically about trans issues around abortion and the overturn of *Roe*. In their interview, Iris Olson named that trans people who are able to reproduce are just as impacted by *Roe* as women. ““As someone who is transmasculine and gender fluid, I have a uterus," Olson said. "I have a reproductive capacity ... it directly affects me in that I am seen as a vessel, by the Supreme Court and by our legislators and representatives, to continue to create a fetus, whether or not that's something that I want to do with my body”” (Stinelli, 2022). Not only is Olson naming that specifically that trans people are able to reproduce (and want to reproduce), but their talking points mirror similar talking points in the reproductive rights movement which center autonomy by centering being a person and not just a site of reproduction.

The articles which featured positive trans representation often quoted multiple trans people or were authored by trans people themselves. One article focused on centering trans voices titled, ““Erased out of the conversation’: Transgender, nonbinary Hoosiers frustrated by proposed abortion ban,”” featured multiple trans people talking

about different trans issues around reproductive health. One trans person interviewed, Tyne Parlett, brought up a common trans experience, dysphoria: “I have had top surgery and wouldn’t be able to give breast milk,” Parlett said. “I have body dysphoria that would make pregnancy quite challenging” (Kane, 2022). In the same article, Alexa Ryan mentions how trans people, like herself, are erased from the reproductive rights movement: “This massively affects trans men and nonbinary people who were assigned female at birth because they still need access to reproductive care,” Ryan said. “Unfortunately, they are being erased out of the conversation to an extent” (Kane, 2022). Trans people even discussed the slippery slope of losing rights, and how that might impact them down the line; “People are truly terrified, I mean as a parent I sit here and think about just even my own self as a trans woman... with mixed legal government documentation, what does this mean for me?” [Allison] Scott said” (Honosky, 2022). One of the easiest ways to include trans people in print news media is to quote them directly and allow them to share their stories. Trans people know themselves and their own experiences better than anyone else, and actively give a platform to a marginalized community who is often silenced or erased.

When many different trans people are interviewed, or have their stories represented in news media, more varied, positive representation is able to reach the general public. Oftentimes the trans community is seen as a monolith, and as having one universal trans experience. This is why often times people do not consider trans people to be reproductive, because some trans people are not because of surgery or dysphoria, and therefore people assume that stereotype (Strangio, 2016). Reading personal stories of

trans people, which may go against that stereo type or make trans people more relatable to the reader, can go a long way in breaking down stereotypes and building positive representation. Having such diversity of trans stories is likely to be more novel within legacy print news media and does show there is progress in trans representation as a whole. It was not the dominant kind of representation within the data set (neutral representation being dominant) but being nearly ¼ of the articles is still significant. Positive transgender representation was also more present than transphobia or hostile coverage of trans people.

Through the interviews of trans people, the fuller range of trans emotions and experiences around pregnancy reproductive decisions as a trans person were reflected. One trans man, Elijah Earnest talked about his desire to give birth as a trans person and how *Roe* might impact his ability to make decisions about his pregnancy: “In my spirit, I pray to have a healthy baby, but you always want to be able to do whatever you can to protect that child and yourself. Health complications happen, you know, different things come about,” (Webb & Sampson, 2022). Earnest also named that *Roe* being overturned felt like a direct attack on his identity, and not only may force him to give birth, but impact other critical trans rights (Webb & Sampson, 2022). In contrast, Sam Hammar expressed that being forced to carry a baby as a trans person he would resort to suicide: “If I had to carry a baby to term, I would not make it...If I was forced into that position, I wouldn’t be here still,” Hammar said. “That’s...terrifying...that something that can’t breathe yet is seen as more important than me... that people with uteruses are seen as less valuable” (Neufeld, 2022). Having representation of the full range of emotions and

experience of pregnancy, and having multiple trans stories represented also helps to humanize trans people. With the rise in people utilizing terms like “trans ideology,” “trans social contagion,” and “transgenderism” it is clear that trans people are actively being dehumanized and reduced to a disease that spreads (Serano, 2022). Trans people’s personal stories being represented in coverage of *Roe* could be crucial for helping someone address their prejudices of trans people, or trans people within reproductive rights.

Though newspapers are sought out for their news reporting, anecdotes and stories are powerful ways to enhance a news article or persuade someone through an op-ed. Storytelling can be a powerful way to make change and has been integrated into persuasion organizing tactics. Utilizing deep canvassing, which is a long-form conversation style of canvassing that heavily relies on stories and the centering of values and universal experiences, canvassers can address prejudice and persuade the person to their side (Broockman & Kalla, 2016). One study explicitly names deep canvassing as an effective tactic and combating transphobia, and those effects persisted for up to three months (Broockman & Kalla, 2016). If deep canvassers can utilize shared values and personal stories to reduce transphobia, then similar effects can be seen with people who read the stories of trans people in the paper. The reproductive justice movement has been utilizing this tactic of storytelling to not only give spaces for voices that are typically unheard, but to do “culture shift work” (Zavella, 2020). And in the case of reproductive rights, might make people less resistant to including transgender people within the

movement, and help women to better understand their shared experiences of reproductive health and bodily autonomy with transgender people.

Trans people often brought up autonomy when discussing how *Roe* impacted them. Most often the connection of trans rights and repro rights through autonomy was made by trans people themselves during interviews. In the 42 articles in which trans people were interviewed, 26% of them featured a trans person connecting trans rights and reproductive rights through autonomy. One article covering a protest in West Tennessee interviewed co-founder of West Tennessee LGBTQ+ Support Tristyn Fletcher, who was quoted saying, “My biggest worry as an LGBTQ+ person-I’m trans-is that this decision can be used as a citation in cases involving other healthcare decisions, like trans healthcare,” she said. “But in the end, it’s an issue of bodily autonomy. If you can say this is what the government can do with your healthcare, where does it stop? It’s not their job, it’s the doctor’s job” (Latham, 2022). Not only were trans people able to make the autonomy connection between trans health and reproductive health but named the boundary of keeping politicians out of medical decisions. Trans people have faced a long history of having their bodily autonomy restricted through policing, violence, and medicalization; it is not a surprise that so many trans people would name autonomy as their reproductive rights are restricted too (Stryker, 2017). If trans people are more readily able to make connections between trans rights and reproductive rights, including their voices within print news media might be critical for helping non-trans individuals see those same connections, or find places to relate. To truly build cohesion between trans and reproductive rights we must utilize values, universal feelings, and personal

stories as the main tool to bridge the gap. The inclusion of trans voices can be a crucial step to helping people see those connections for themselves and be more open to a trans inclusive reproductive rights movement.

## **Conclusion**

This thesis aimed to uncover how trans people were represented in discussions about reproductive rights in legacy print media which covered the overturn of *Roe*. Within our data set, four main themes emerged: the connection between LGBTQ+ rights and *Roe*, the fear of what comes next following *Roe*, transphobia, and positive trans representation. Although not direct themes, there was also some general observations of the prominent use of gender-neutral language to discuss reproductive rights and the overturning of *Roe*, as well as the frequency in which non-trans interviewees addressed trans rights. Taken together, these themes and general observations suggest evidence of trans inclusion within media coverage of *Roe*. This inclusion is necessary, but not sufficient to suggest substantial progress towards trans people being truly included or accepted in the reproductive rights movement. Active inclusion of trans people would look like trans reproductive issues being discussed, rather than just named in a list, and. This would ideally include the full range of the trans reproductive experience, and not solely addressed in the binary of man or woman. Trans people were more often procedurally included as part of the LGBTQ acronym. When reporters and interviewees were expressing their fear of what rights may fall after *Roe*, there was some discussion of trans people but more often focused on things like same sex marriage or sodomy laws, which do impact trans people but are more often considered gay rights. This focus could



be characterized more as tolerance, or with the recent sharp increase in anti-transness in society and politics, tolerance that has turned into intolerance following a breaking point. Although the representation was largely neutral, there was a fair amount (24%) of positive representation of trans people through personal stories and interviews within the article set which can be a crucial part to helping someone understand why trans issues matter within the reproductive rights movement. The positive trans representation was also greater than the coverage of transphobia, both active transphobia within the articles, and coverage of transphobia occurring because of the overturn of *Roe*. Even though there were not as many articles categorized as with transphobic as those categorized as positive articles, the harm of active transphobia within legacy news media should not be understated, especially when the articles are in prestigious national newspapers such as the *New York Times*.

This thesis also asked if the connection of autonomy between trans rights and reproductive rights was represented within the article set, and it was represented most often by trans people who were interviewed and named the connection explicitly. The fact that trans people were the ones most often making the explicit connection between trans rights and reproductive rights, suggests that trans people are much more equipped to articulate connections between the movements because trans people have been forced to fight to be included, and therefore need to be more aware of those connections as they argue for representation. Autonomy connections were also made between the LGBTQ rights movement, trans rights, and reproductive rights movements, further evidencing that people do seem to understand that collective movements fighting for fundamental rights

are more similar than not. Not only do these movements share roots in autonomy and privacy, but they share opponents who use similar playbooks to curtail the ability for people to make autonomous decisions about their bodies and futures.

There is an increasingly hostile trend of anti-trans sentiments sweeping across the United States, between legislative attacks, physical violence, and increased acceptance of active anti-trans hate in social spaces. Trans people, especially trans youth, are being forcibly detransitioned and denied medical care, while some are attempting to uproot their lives to move to a new state to safely exist as trans. It is hard to not see the parallels between the impact of anti-trans legislation and anti-choice legislation, as we see people fleeing states without abortion access, or making long and out of the way journeys just to receive basic reproductive care. Although the trans rights movement did not have a single turning point, the way the reproductive rights movement had with the overturning of *Roe*, we are still seeing similar impacts to people beings stripped of their rights at the state level and having politicians interfering in medical decisions. The parallels between the two movements boils down to autonomy, and the way the government fails to recognize the autonomy of people or seeks to restrict that autonomy. Given the parallels, one would think it would be strategic for trans rights and reproductive rights organizations to lean on each other in solidarity and use their joint power to work towards re-building autonomy of the people the movement serves. As mentioned in the literature review, reproductive justice might also be a natural home for the inclusion of trans reproductive issues, given its wide scope and focus on access in addition to rights. Within the articles used in this thesis, reproductive justice was not often mentioned, which mirrors the fact reproductive

rights continues to be the more known and well-funded movement. So, while both reproductive justice and reproductive rights should be integrating transgender issues within their movements, integration into the reproductive rights movement would likely reach more people, and become more commonplace.

Unfortunately, as this thesis suggests, we are not yet at a point where the trans rights movement and reproductive rights movement are able to be integrated with each other in a way that would help trans people or help to persuade someone that trans people do indeed belong within the reproductive rights movement. Instead, discord continues to be sown through arguments about the use of gender-neutral language as a tool of inclusion, or about the erasure of women within reproductive rights. We still do not see the complete integration of trans reproductive issues within reproductive rights organizations, rather banal inclusion that does not go past the mention of trans people. We also do not see trans rights organizations taking up reproductive freedom as an issue critical to trans liberation, or actively lifting trans specific reproductive issues themselves. The two movements are still quite siloed, which keeps them from ultimately building power to protect the people who are most vulnerable to anti trans and anti-choice politics. Although we do not see evidence of this, seemingly apparent, partnership between the movements, it is clear that trans people are being discussed more within reproductive rights contexts, by both trans people who speak out, but by non-trans people who are recognizing the lack of inclusion.

Simple inclusion is not enough to fight for trans rights, when the opponents continually name that they are tired of being tolerant and allowing trans people to take up

space. Increased visibility of trans people comes at a cost when acceptance and active protections for trans people are put in place, and movements refuse to go fight for trans people in political spaces. Reproductive justice has the potential to be a radical space in which trans people can be accepted and have their issues addressed in the same way that the movement tackles other disparities that keep people from living full and happy lives. It is time for reproductive rights movements to begin more active inclusion of transgender people within their frameworks, and not seeing trans issues as separate from the issues impacting reproductive rights. If the same people are actively attacking reproductive rights, trans rights, and LGBTQ rights, then the same rights-based movements need to band together and lift the most marginalized voices within them to face their opposition together. Reproductive rights movements can begin by taking firm stances where trans issues are supported, and transphobia is addressed. Until trans people are seen as an important part of the movement, and not a political liability, we will not see the full potential of a multi-issue, intersectional reproductive rights movement.

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