



## 2008 PRESS REVIEW

# NSRAP— Thoughts from the Chair

I'm pleased to be able to report a flurry of recent activities for NSRAP. You won't be surprised to hear about the recent and continuing "Pride Flag Flap" in Truro, Nova Scotia. NSRAP was asked to make some public comments on the issue—but the bulk of the attention fell to Truro Pride. I was happy to offer some support to Charles Thompson of Truro Pride, but mostly, I continue to learn a lot from Charles and others about what advocacy looks like outside my own home of Halifax. On a related issue, NSRAP was also asked to comment on some recent ads that were published in the Chronicle Herald and the Daily News. The ads were published by Pastor Perry Rockwood's "People's Gospel Hour" mission, and pointed to Bible passages which—on the Pastor's interpretation—condemn homosexuality. These ads were a direct response to the Truro issue.

Of course the ads are disappointing to those of us who care about equality, as they remind us how many people still condemn our "lifestyle." I encouraged people to disagree with Rockwood's interpretation, which they did in letters to the editor and elsewhere. I

firmly believe that most Nova Scotians and most Christians disagree with Pastor Rockwood, and I said so.

What I didn't say was the magic words, "hate speech." Instead, I recognized that the opponents of equality have a right to state their views, so long as they refrain from extreme filth and violence. The Bible, as much as I disagree with some of it (or the way it is interpreted), isn't hate speech in my view. The right response is to point out our disagreement with that kind of speech, but not to try to shut it down by calling it "hate speech."

It was a tough call, but I think it turned out to be the right call. Pastor Rockwood was picking a fight, as he's known to do. His attitude has always been "just try to stop me." The Rainbow Community didn't try to stop him, we just respectfully and loudly disagreed. As a result, he didn't get the fight he was looking for, and the People's Gospel Hour faded back into obscurity until the next time they come looking for a fight. I think that's a good day for equality.

Truro, though, was a different issue. There, the mayor wasn't just expressing a religious opinion—that's his right as a citizen. Instead, he was turning his own religious views into public policy. That's crossing a line and it's harmful to equality, and I'm glad that Truro Pride is following up with a human rights complaint. When your religious views impede on my rights, that's when the rainbow community needs to take action.

I'm honoured that NSRAP will have the opportunity to contemplate these issues further when, working with Truro Pride, we participate in a public forum in Truro on September 23. It promises to be an interesting and dynamic discussion, and I'm glad we can contribute to it.

And, that's what NSRAP's been up to lately. Looking forward to an active fall! As always, if you have any ideas or issues to bring to our attention, please contact us at [nsrap@nsrap.ca](mailto:nsrap@nsrap.ca).

(Source: *Wayves* – October 2007)

# Vital Statistics Act Discriminates Against Lesbian Mothers

by Kevin Kindred, NSRAP

**G**iving birth should be a cause for celebration, not discrimination. But as Jamie and Emily O'Neill discovered last month, for lesbian couples it can turn out to be both.

When Emily gave birth to their daughter on August 7, the couple expected to go through what all parents go through—a lot of love, a lot of learning, and some legal paperwork to ensure their family was recognized at law.

If Jamie had been Emily's husband, that's exactly what would have happened. But Jamie is Emily's wife, and because of that, the Vital Statistics Act prevents them from getting equal treatment.

On August 28, NSRAP wrote to the appropriate Ministers on the O'Neills' behalf. The government's response was to recognize the problem, and to say they've—very recently—started looking for a solution.

The issue is, in a lot of ways, pretty simple. When an opposite sex married couple has a baby, the husband has the right to be named a parent on the birth certificate. He doesn't have to prove he's the father; the law gives husbands the right to be named as father (unless the mother actually goes through the effort to establish that he's not the father).

But the legislation says specifically that: "husband" and "father." There's no equivalent right if the married couple are both female. Before same-sex marriage, maybe that made sense. But since 2004, that's no longer the case, and the Legislature has done nothing so far to fix the problem.

Being named the parent on the birth certificate is important to a parent. It gives that person real rights in regard to the child's future, and is a legal and social statement recognizing the validity of the family unit. Same-sex couples like the O'Neills deserve this treatment, too.

In other provinces with similar legislation, couples have had to go to court and tribunals to fight for their equality. And they've won, every time—judges and adjudicators have looked at this exact issue in BC, New Brunswick and Ontario, and found discrimination every time. And those cases started in 2001—plenty of time for Nova Scotia to recognize the problem and look for solutions.

So, to make sure the government solves the problem, NSRAP is supporting the O'Neills in a human rights complaint. We know it's a problem that will take some effort for the government to solve—equality isn't always easy. But NSRAP thinks this human rights complaint is the right way to keep the pressure on the government and to get justice for the O'Neills. This brave couple has been willing to go through public scrutiny to achieve equality. We wish that wasn't necessary, but we're glad that the rainbow community in Nova Scotia continues to stand up and fight for equality.

(Source: *Wayves* – October 2007)

# Truro Town Hall Talks

by Kevin Kindred

On September 22, Truro Pride and the Nova Scotia Rainbow Action Project (NSRAP) put on a “Town Hall on Religious Freedoms and Equality Rights,” in order to facilitate a community discussion of the potential “clash” of religious and equality rights. About fifty people were in attendance, and, based on the nature of the discussion and follow-up, the event was a great success.

The panelists included Elaine Craig, Dalhousie Law Professor and NSRAP Board member; Nancy Erhard, who teaches Comparative Religious Ethics at Saint Mary’s University; and Rev. Eldon Hay, a United Church Minister and longtime LGBT rights activist. The panelists each made short statements setting out their perspective, but most of their time was spent listening to, and responding to comments, from members of the community in attendance.

“The idea for this Town Hall came in response to the Town’s decision not to fly the Pride Flag, and the debate that raised in the Community,” said Charles Thomson, who organized the event. “But the discussion was much broader than that. We heard a lot about the law, about

religion, and about people’s personal views on the equality and freedom.”

The discussion lasted over two hours, with many community members staying behind to talk to the panelists afterwards. In attendance were LGBT community members, representatives of religious groups, several town officials (including Mayor Bill Mills), and many other interested citizens of Truro and surrounding areas.

“I was really impressed by the level of the discussion,” said NSRAP Chair Kevin Kindred, who moderated the event. “I can’t think of another event I’ve been to where people came together, not necessarily to agree on a controversial issue, but to sincerely learn and listen to each other.”

“I hope it’s something that we can make happen in other communities,” he added.

(Source: *Wayves* – November 2007)

# Jordyn (now) Has Two Mommies

By Kevin Kindred

Jordyn (now) has two mommies

One problem with Vital Statistics Act resolved, others continue

It seems like an overnight solution was found to the problem that couldn't be solved overnight.

Last issue, NSRAP reported on our efforts to support Jamie and Emily O'Neill in their fight for equality. The couple, married and with a new baby, wanted recognition as their daughter's legal parents, the same way a heterosexual married couple would be recognized. The problem—Jamie wasn't the birth mother, and wasn't the "husband"—so the Vital Statistics Act didn't have any process short of adoption.

A lot of people, uninformed of the facts, asked us why that was discriminatory. Isn't the birth certificate about biological parents? Of course, it isn't. If a married woman has a baby, her "husband" gets automatically registered as the "father"—even where he isn't, as in cases of artificial insemination. In those cases—for

opposite sex couples only—the Act makes the married family unit more important than biological parentage. That's the same recognition the O'Neills wanted.

And, that's what they'll ultimately get. Thanks to increased scrutiny and political pressure, the Tory government found what it called a solution. They announced it in a press release, after spending a few days in the media talking about how it was a complicated problem, and it would take time to resolve.

They did not consult with NSRAP, who laid out the problem for them in correspondence and a human rights complaint. Nor did they consult the O'Neills, or the many other couples who came forward to NSRAP to tell their stories. We have reason to believe they consulted with Department of Justice lawyers, but everyone else we spoke to at the government was as surprised as we were when Minister Jamie Muir announced that new regulations had been passed.

However they got there, the solution seems workable—as far as it goes. Where couples conceive using an anonymous donor, they will now have the right to be recognized as legal parents without having to adopt. In fact, it won't matter whether or not the couple is married—there is a process for unmarried couples as well.

Unfortunately, the one restriction is that the couple must conceive using an anonymous donor. If the donor is known, then the old rules still apply—meaning one set of rules for opposite sex couples, and another set for same-sex couples.

Anonymous-donor inseminations are a preferred method for many same-sex couples. But it's an expensive choice, and some couples prefer to know their donor. Whatever the reason,

it's clear that a solution that only helps anonymous-donor couples is an incomplete solution.

Did the government know that it was creating this inconsistency? Was it making a judgment call about which gay families were truly worthy of recognition? Or was it simply reacting so quickly that it didn't have time to thoroughly consider the solution—let alone consult groups like NSRAP, who understand the problem?

NSRAP will continue to deal with the government on this issue. What are our thoughts? Are you impacted by the issue? Has the new, partial solution worked for you, or has it left your family out? NSRAP welcomes your input via phone (444-7887) or email (nsrap@nsrap.ca).

However things resolve, the whole community owes a big round of applause to Jamie and Emily, and the other couples who were willing to tell their stories to further the fight for equality.

(Source: *Wayves* – December 07)

Transplantation d'organes

## Dons refusés

### Marc-Antoine Ruest rapporte les réactions de la communauté gaie et du milieu médical.

Santé Canada a resserré ses règlements concernant le don d'organe à la fin de l'année dernière. Les dons provenant d'hommes ayant eu des relations sexuelles avec un partenaire du même sexe dans les cinq années précédentes ne sont plus acceptés.

Dans un courriel envoyé aux médias, Santé Canada soutient que la réglementation entourant la sécurité des dons d'organes souligne certains facteurs de risques qui pourraient augmenter la transmission de maladie infectieuse.

Le ministère ajoute qu'un homme ayant eu une relation sexuelle avec une personne du même sexe dans les cinq dernières années est considéré comme un facteur de risque.

### Communauté déçue

Le règlement est en vigueur depuis décembre dernier. Gaston Saulnier, membre du Nova Scotia Rainbow Action Project, en veut à Santé Canada.

« On est préoccupé du manque de consultation avec à la fois la communauté médicale et la communauté gaie et lesbienne. On sait qu'aujourd'hui, nous avons les technologies et les

moyens de dépister des maladies dans le sang et les organes », déclare Gaston Saulnier.

« On semble vouloir cibler une communauté. »  
— Gaston Saulnier

### Des médecins protestent

Les médecins craignent que cette décision rende encore plus difficiles les transplantations, car les donneurs ne courent pas les rues.

Le Dr Mark Walsh, un spécialiste du domaine, affirme qu'on ne peut refuser les dons d'organes. Il explique que tout don refusé prive des patients de leur chance de survie et que certains d'entre eux vont mourir.

Au Canada, en 2006, on a effectué plus de 2000 transplantations d'organes. Présentement, 4000 patients attendent une greffe d'organe.

Interdire les dons d'organes provenant de certains groupes en particulier risque de diminuer le nombre de donneurs et le nombre de transplantations.

Dans le cas des membres de la communauté gaie qui avaient signé une carte de don d'organes, ce document n'a plus aucune valeur.

Source :

Ruest, Marc-Antoine. (January 10, 2008). "Dons refusés". Retrieved June 28, 2008 from Société Radio-Canada, Nouvelles, Ontario:

[http://www.radio-canada.ca/regions/Ontario/2008/01/09/013-dons-organes\\_n.shtml](http://www.radio-canada.ca/regions/Ontario/2008/01/09/013-dons-organes_n.shtml)

## **Young Grits want N.S. to pay for sex-change surgeries**

By AMY SMITH – The Chronicle Herald

Nova Scotia Young Liberals think the province should foot the bill for sex-change operations.

The idea is one of two dozen resolutions Grits will debate this weekend at the party's annual meeting in Halifax.

Resolution 11 said transsexualism is a congenital birth condition where there is a mismatch between the physical outward appearance of a person's gender and his or her inner perception.

"Other congenital birth conditions, such as limb malformation, heart and nervous system defects and genetic disorders such as a predisposition to a heart attack or heart disease, are currently covered under the Nova Scotia health-care system," the resolution says.

It goes on to say that human rights tribunals in British Columbia, Ontario and Quebec have ruled those provinces must pay for gender reassignment surgery.

The resolution said Nova Scotia should bring in a transsexual health program similar to one in B.C. that would pay for "gender reassignment surgery for transsexual individuals, along with pre- and post-surgery care and counselling."

J.T. Davis with the Youth Project, a group that represents lesbian, gay, bisexual and transgender youth, said transgender individuals often struggle

with depression as well as barriers to employment. Finding enough money to cover the surgeries, which can cost tens of thousands of dollars, is also very difficult.

"It's a serious mental health issue to have your body not feel right," Ms. Davis said Thursday.

"It's absolutely time" for Nova Scotia to cover the cost, she said.

Health Department spokeswoman Pamela Hafey said the surgery is not an insured service under the province's Health Services and Insurance Act.

"We don't cover it because it is not considered a necessary surgery," she said Thursday.

A total of 26 resolutions are on the agenda for the meeting, which starts tonight with a speech by Liberal Leader Stephen McNeil at the Westin Nova Scotian hotel. The meeting will also include a session with federal MPs, a discussion about federal fundraising, a talk from motivational speaker Jack Ettinger and a report on election readiness. The Liberals are now in third place in the House of Assembly and in recent polls.

"I've had the opportunity over the last 10 months to go around the province and the optimism is a lot higher than people have been acknowledging," Mr. McNeil said in an interview Thursday.

"I think it's an opportunity for us as a party to just show that collectively as a group and use it as

a springboard as we move towards a spring session of the legislature."

The Grit boss said he didn't want to give his opinion on any of the resolutions until party members have had a change to debate them.

One resolution from the party's standing committee on provincial policy development urges the province to work with Ottawa to bring in legislation that would ban the possession of handguns in private homes. It said handguns could only be owned if they are locked securely at a rifle range or shooting club and remain on those premises.

"Cutting off the ability to own and possess handguns will help limit the chance these guns will fall into the wrong hands," the resolution said.

Other resolutions include a proposal by young Liberals that the voting age in Nova Scotia be dropped to 16 from 18.

"Voter turnout has been falling at an astonishing rate," the resolution says. "Individuals between the ages of 18 and 25 are the least likely to vote of any demographic. Individuals who vote in the first election for which they are eligible are more likely to vote thereafter and individuals who do not are less likely."

The party will also discuss a resolution to urge the province to set a goal of generating 75 per cent of Nova Scotia's electricity from renewable sources by 2028. Another urges all Nova Scotians to stop using the term Come From Away when



## **Young Grits want N.S. to pay for sex-change surgeries**

By AMY SMITH – The Chronicle Herald  
(Continued)

addressing newcomers and call them citizens who "come from anywhere."

Resolution 7 backs Halifax Clayton Park MLA Diana Whalen's fight to have the third Monday in February made a statutory holiday honouring Joe Howe.

Another resolution urges the province to work on getting better mass transit, such as high-speed trains, between Nova Scotia cities and other parts of the Maritimes in order to reduce carbon emissions.

Source:

Smith, Amy. (February 29, 2008). Young Grits want N.S. to pay for sex-change surgeries. *The Chronicle-Herald*. Retrieved June 29, 2008 from the Coalition des transsexuelles et transsexuels du Québec website :  
[http://www.cttq.org/index2.php?option=com\\_content&do\\_pdf=1&id=76](http://www.cttq.org/index2.php?option=com_content&do_pdf=1&id=76)



## **Grits pass sex-change proposal but it's low priority, McNeil says**

By David Jackson – *The Chronicle Herald*

Liberals think the province should be paying for sex-change operations, but party leader Stephen McNeil said the policy is on the back burner.

After a lively half-hour debate Sunday morning, Grits voted 80 to 48 in support of a resolution calling for the province to pay for transsexuals' gender-reassignment surgery. Young Liberal Neil MacIsaac, whose group moved the resolution, said transsexualism is a congenital birth condition in which someone is trapped in the body of the opposite gender.

He said such people are prone to depression and one in five attempt suicide. He estimated the cost of providing operations for the roughly 47 transsexuals in Nova Scotia at about \$1.2 million.

"Fundamentally, this is neither a health-care issue nor a cost issue," Mr. MacIsaac told the party's annual meeting in Halifax.

"It is an issue of equality, accessibility, and at the heart of it, it's just simply the right thing to do."

Some speakers said there are much more pressing issues for the province to deal with.

Allan Aucoin from Queens County wondered what he should say to someone from Cheticamp who must go to hospital in Sydney or Antigonish

to give birth, or someone waiting in a hospital hallway for two or three days for a bed.

"Right now, we have to get our basics done, and we don't have our basics done," he said.

Other speakers said the policy isn't good politics.

Dolores Atwood ran for the party in Yarmouth in 2006, and said she couldn't see herself defending the policy on the doorsteps of rural Nova Scotia.

"They are very conservative-minded people," she said. "This is one of the issues that would piss them off."

Digby-Annapolis MLA Harold (Junior) Theriault also thought the policy would be a tough sell, especially with almost half his constituents not having a family doctor. Mr. Theriault said he has a dear friend who is transsexual. The MLA said his friend has accepted the condition.

"She's a strong woman in a man's body and she is living and coping with it very (well) because she's accepted that," Mr. Theriault said.

"No matter what's wrong with us, we can accept it. There's a lot of people, though, in pain, with hips and cancer, that are trying to accept it, but that's real, real physical pain.

"There's 6,000 people (in Digby) without a doctor, and we're going to adopt this, and they're not going to understand it."

Halifax Clayton Park Liberal David Eng said the policy would distract people from other issues the party talks about, and it should wait until the Liberals win government and sort out provincial finances.

"This will come up as the best we can do, and the Conservatives will have a field day with this," he said.

But some party members, like Glenn Horne of St. Francis Xavier University, thought the issue gets to the core of what it means to be a Liberal.

"These people are not being represented by the NDP. These people are not being represented by the Conservatives. They need to be represented by us — by a caring, compassionate, forward-looking, advanced party — the Liberal party," he said.

The accepted resolution says that human rights tribunals in British Columbia, Ontario, and Quebec have all ruled those provinces must pay for sex-change operations, and that Nova Scotia should adopt B.C.'s transsexual health problem.

Though the debate split largely along generational lines, silver-haired former federal candidate Martin MacKinnon spoke in support, as did a woman who said a female senior citizen should speak up in support.

"God help the person who's born with that type of problem, and God help the parents who have to go through agony with this person," she said.

## **Grits pass sex-change proposal but it's low priority, McNeil says**

By David Jackson – *The Chronicle Herald*  
(Continued)

Mr. McNeil said after the meeting that there are other priorities for the province's health-care system.

"We'll be focusing on the health-care issues that matter to Nova Scotians," he said. "We're looking (to make) sure that we have doctors and nurse practitioners, and community health centres are there and available — that Nova Scotians have access to the quality health care that we all expect should be there for us, and that's what we'll be focusing on."

The resolutions adopted Sunday now go to senior Liberals for further study and costing, and may or may not become part of the party's election platform.

There were several other health-related policies approved, which party vice-president John Gillis, an emergency room doctor, said combine to make a plan for health in the province.

The party would like to give up to 20 medical students free tuition if they agree to stay in Nova Scotia for five years after graduation.

Medical student Alexis Smith said the 20 seats at Dalhousie University now reserved for New Brunswick students will be freed up after that province establishes a medical school.

Liberals also want to see more nurse practitioners in rural areas, more community health centres, and improve health information technology. Another resolution called for a system of getting doctors to fill in at other hospitals so emergency rooms don't close, and another pushed for better care for the elderly.

One resolution that didn't pass was to encourage people to stop using the term "come from away." Mr. Eng said he had never heard of it before, and doesn't see how it could be derogatory.

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Source:

Jackson, David. (2008, March 3). Grits pass sex-change proposal but it's low priority, McNeil says. *The Chronicle Herald* [online edition], retrieved March 17, 2008, from <http://www.thechronicleherald.ca/NovaScotia/1041500.html>

# Thank you for being a... fiend?

By Kevin Kindred

I had mixed feelings recently, reading of the passing of local Christian Evangelist and agitator Pastor Perry Rockwood. I'm not sure whether to follow the guidance of Mary Sunshine ("There's a little bit of good in everyone") or Alice Roosevelt ("If you don't have anything nice to say about someone ... come sit by me.")

Pastor Rockwood, if you don't recognize the name, was the 90-year-old leader of Halifax's Mission Bible Church and the man behind a worldwide radio program, the People's Gospel Hour. You might be a bit more familiar with some of his public comments about homosexuality. Most recently, you might have seen ads he placed in the local media in August—"THE BIBLE SPEAKS ON THE SIN OF SODOMY," followed by some select Bible quotes. (Not the ones about loving your neighbour.)

The literature promoted by his Ministry shows that homosexuality wasn't the only social issue he cared about. "God or Evolution" and "What's Wrong with Dancing?" make for pretty good reads, as does the (perhaps inevitable) "Watch What You Read!" Pastor Rockwood seems to

have spent most of his time fighting the things I hold nearest and dearest—dancing, sodomy, liquor, pornography, the Pope. (Okay, we might have agreed on the Pope.)

Actually, the Pope was far from the only enemy Pastor Rockwood found within the ranks of religion. His entire ministry was founded on a high profile split with the local Presbyterian Church, whom he criticized for modernist trends—in 1943. He went on to vocally criticize such bastions of liberalism and sin as John Paul II, Jack Van Impe, Billy Graham, and any Christian who read any Bible translation other than King James'.

His was a kind of Christianity that made no allowances for modernity, left no room for evolution (in science, or in culture.) He dedicated his life to a keeping the world from progressing—a fight that, almost by definition, he was destined to lose. In a perverse way, I can't help but admire that kind of conviction.

More lately, he was becoming a bit of a pathetic figure in my mind. His ad campaign in August struck me as a desperation move, a few last sad blows from a man who had long ago lost the battle. A reporter told me that, in interviews over the situation, he was clamoring for a fight, expecting a lawsuit, a human rights complaint, maybe criminal charges. What he got was a lukewarm dribble of media attention, quickly drowned out by some story of violence that I can't remember now.

We as a community took up his challenge, and learned, I think, that the most effective way to deal with some vehement homophobes is to wait for time to pass them by. By watching Pastor Rockwood's activity, I gained a bit of insight into what makes our opponents tick—sometimes it seems to be fighting for fighting's sake, as much as anything.

I can't say I saw eye to eye with him on just about anything, but for what I learned from Pastor Rockwood, I have to give him his due.

Kevin Kindred is the Chair of the Nova Scotia Rainbow Action Project

(Source: *Wayves* – April 2008)

## **DSM-V & Kenneth Zucker**

Jenn Burleton  
Executive Director  
TransActive Education & Advocacy

### **FOR IMMEDIATE RELEASE**

**TransActive Education & Advocacy strongly opposes the appointment of Dr. Kenneth Zucker to Chair the Sexual and Gender Identity Disorders work group that will revise and develop the fifth edition of the American Psychiatric Association's (APA) Diagnostic and Statistical Manual of Mental Disorders (DSM-V).**

**This position is based upon his approach to clinical treatment of transgender and gender non-conforming identity in children & youth. Portland, OR. (May 9, 2008) –**

On May 1, 2008 the American Psychiatric Association (APA) released the names of those appointed to the work groups that will revise and develop the fifth edition of the APA's *Diagnostic and Statistical Manual of Mental Disorders (DSM-V)*. Dr. Kenneth Zucker, who heads up the Centre for Addiction and Mental Health in Toronto, Ontario, Canada has been selected to Chair the Sexual and Gender Identity Disorders work group.

TransActive strongly opposes the appointment of Dr. Kenneth Zucker to Chair the Sexual and Gender Identity Disorders work group that will revise and develop the fifth edition of the American Psychiatric Association's (APA) Diagnostic and Statistical Manual of Mental

Disorders (DSM-V). This position is based upon his approach to clinical treatment of transgender and gender non-conforming identity in children & youth.

Dr. Zucker, along with colleagues Dr. Ray Blanchard (also appointed to the DSM-V workgroup) and Dr. J. Michael Bailey are proponents of the theory that, in the vast majority of cases, gender non-conforming identity in children and youth is merely an indicator of an eventual homosexual identity in adulthood.

In a recent interview broadcast on National Public Radio (NPR), Dr. Zucker said:

*"Suppose you were a clinician and a 4-year-old black kid came into your office and said he wanted to be white. Would you go with that? ... I don't think we would."*

This cavalier equating of racial identity to gender identity clearly illustrates his belief that transgender identity in children & youth is nothing more than a delusional and unrealistic fantasy.

Zucker says: *"It is legitimate for parents to establish limits for their children on cross-gender behaviors. If not, the behavior is, in effect, being reinforced."*

Dr. Zucker chooses to see parental support for their child's innate sense of their own gender identity as a "reinforcement of cross-gender behaviors." Again his distinctly cissexist consideration of transgender identity in children and youth as a "behavior-centric" issue rather than an core identity issue is deeply troubling.

Zucker further believes that transgender children and youth should only be considered for puberty delaying or cross-gender hormonal treatment if they prove resistant to psychosexual treatment. This is another clear indication that Dr. Zucker does not recognize the inherent difference between gender identity and sexual orientation.

*Note: A psychosexual disorder refers to a sexual problem that is psychological rather than physiological.*

Zucker has stated that a secure gender identity possibly prevents the development of later homosexuality. This raised several red flags for those of us who work with gender non-conforming children, youth and their families. TransActive's position is that "prevention of homosexuality" should not be the concern of childhood gender identity specialists.

The second and perhaps most troubling red flag is the assumption that transgender children and youth are insecure in their gender identity. This is a cissexist notion that has historically done much damage to our gender non-conforming children and is particularly of concern when expressed by the currently appointed Chair of the work group that will be developing the DSM-V.

All of the children and youth that TransActive has worked directly with are not the least bit insecure about their own gender identity. The insecurity, if any exists, comes not from within, but from their fear of how those who fail to understand them will react. We believe that Dr. Kenneth Zucker and colleagues of his such as Blanchard, Bailey, George Rekers, Warren Throckmorton and Joseph Nicolosi are some of

## **DSM-V & Kenneth Zucker**

Jenn Burleton  
Executive Director  
TransActive Education & Advocacy  
(Continued)

the people these children and their families have reason to fear.

On behalf of the children, youth and families we serve, and transgender and gender non-conforming children and youth everywhere, TransActive Education & Advocacy stands opposed to the appointment of Dr. Kenneth Zucker as Chair and Dr. Ray Blanchard as a member of the Sexual and Gender Identity Disorders work group.

Source:

Burleton, Jenn. (Saturday, May 10, 2008). "DSM-V & Kenneth Zucker" [Blog]. Retrieved June 29, 2008, from <http://transactive.blogspot.com/2008/05/dsm-v-kenneth-zucker.html>

**Editor's Note:** The paragraph spacing from the original online blog posting have been lost during the transfer to this document and have been modified.

## Political homophobia in 2008

By Kevin Kindred

As I write this, we're watching what will probably be the dominant "homophobia" story of 2008 unfold in the national news. The thing is, it embodies precisely the opposite of what I want to say about political homophobia in 2008.

If you haven't seen the 1991 video of Conservative MP Tom Lukiwski, you've probably been hiding under a rock. (Perhaps that's where you got that dirt under your fingernails.) Lukiwski was filmed at a party with some of his political cohorts, making what seems to be an unfunny joke with some pretty vicious comments about homosexuals. Seventeen years later, the tape emerges and opposition parties fall over themselves to see who can be most offended.

It's not that I'm endorsing mean jokes about homosexuals. (At least, unfunny ones made at parties that I wouldn't be invited to.) It's not even the context of the comments—though faulting a guy, even a politician, for a seventeen-year-old drunken joke at a party feels a bit like thought-policing to me. I already know not to be a fan of Lukiwski for his political stands, like gay marriage; I don't think I need to reach into his private history to bolster that conclusion.

No, what frustrates me about this story is just how on-the-nose it is. Politician

A makes anti-queer comment B, invoking reaction from politicians X, Y, and Z. Fill in the blanks, if you've been following politics for the last decade or so—Roseanne Skoke, Bob Ringma, Larry Spencer, Elsie Wayne. Good old-fashioned homophobes making public asses of themselves. And politicians and activists, responding on queue with the right mix of outrage and opportunism.

There's a place for that kind of outrage, of course, and a real need for it. There's a place for that kind of opportunism, too. My fear, though, is that this has become our model for what homophobia looks like, our dominant homophobia narrative, with a villain and a posse and a showdown and—sometimes, anyway—a hanging.

That narrative is getting old. This time around, we had to reach back to comments made in the early nineties. There may be voters in the next election who weren't alive when that tape was made. Homophobia is savvier now. It knows—for the most part—how to avoid the spotlight. Elsie and company are a little old school, and aren't likely to be replaced by a fresh crop of black hats.

I worry. Will this dull our senses when it comes to whiffing out homophobia in politics? Will we still see homophobia when it doesn't come with a clear villain attached? Will we detect it when it hides in the cracks, deep into policy that doesn't discriminate on its face?

When politicians happily endorse "Pink Shirt Day"—so long as there's no mention of the antigay stereotypes and gender norms that underlie so much school bullying? When health officials invoke (quasi-legitimate) health risks to ban blood and organ donations based on gay men's sexual practices?

When government tries to eliminate tax benefits for films with content that it—or its friends in the Christian right—deem offensive?

When our municipalities refuse to raise anyone's flag, just to avoid the possibility of being asked to fly the Rainbow flag at Pride?

Those of us who are politically active in the Rainbow community will always be on the look out for those issues, and even subtler forms of homophobia. Probably a large part of the Rainbow community will continue to care, too. But will the public still see the homophobia in stories like that?

If we train the public to see only the same old homophobia narrative, if the only story they know is the Skoke/Ringma/Spencer/Elsie/Lukiwski story, if we keep telling them that homophobia looks like scandal rather than policy, then I fear we're going to lose them on the important equality issues ahead. I fear that when there's no offensive quote, no caught-on-video moment, no sexy headline, then they'll stop recognizing homophobia when it's right in front of them.

## **Political homophobia in 2008**

By Kevin Kindred  
(Continued)

Tom Lukiwski isn't my ideal politician, and I hope he's not yours. But when it comes to homophobia, I hope we can start looking at the present and the future, rather than the past.

Kevin Kindred is Chair of the Nova Scotia Rainbow Action Project.

(Source: *Wayves* – May 2008)



# Sex, Laws and Harperism

By Kevin Kindred

You probably didn't notice, but on May 1 the Harper government gave gay men another kick in the rear.

That's the date when the government raised the age of consent for sex (or, as they'd prefer to rebrand it, the "age of protection") from 14 to 16. After 116 years, it seems the Conservatives thought it was time to "protect" more young people from the ability to consent to sexual intercourse.

I don't like this law, though, for two reasons.

First, in general, I think laws should accomplish something, other than making the Conservatives feel good about themselves. I was at the committee hearings into this law, and I didn't hear anything convincing me that the existing age of consent was a real barrier to protecting kids from sexual exploitation. Everything that should be illegal on that front pretty much is. We need more support for law enforcement, and more support for kids at risk—not more laws.

Changing the age of consent is a political solution, because it allows the government to look like they're doing something when they're really not. And, it plays particularly well for the Conservatives. It satisfies their craving to legislate about sex and our private lives, without having to actually grapple with a complex social problem that might require spending tax money on useful social programs. As a bonus, it avoids the need to engage young people in the solution and thus—horrors!—acknowledge them as maturing sexual creatures.

Secondly—and the real reason I was at the Committee hearings—the Harper government ignored calls from activists to finally, finally remove the special laws targeting anal intercourse.

Did you even know that the Criminal Code says anal intercourse is illegal? In my experience, most don't. We've been sold the story that Pierre Trudeau took the state out of the bedrooms of the nation, and legalized gay sex.

That's part of the story, but not the whole story. In reality, Trudeau's government was able to put some major limits on the criminalization of homosexuality, but not to eliminate them completely. After 1967, the Criminal Code still said that "buggery" was illegal. But there were now defences which excused the crime when committed by two adults over the age of 21, if there were no others present. Svend Robinson tackled this issue

in the 80's, and could only get the age lowered to 18, where it stands today.

So the Criminal Code allows you to have sex at 16, anywhere that isn't a public place—unless you get the butt involved. Then, it's 18; and "public" suddenly means anywhere with more than two people—even your own bedroom.

Sound discriminatory? Courts in Ontario, Quebec, BC, Alberta, and here in Nova Scotia have told us so, since gay men are clearly targeted, though they certainly aren't the only ones having anal intercourse. In the Nova Scotia case, the accused had to make his own arguments on the issue in front of the Court of Appeal (though NSRAP was able to provide some support).

And yet, with all that history, when the Harperites decided to finally "modernize" the age of consent, they conveniently ignored the anal intercourse law. Groups ranging from the Canadian Bar Association to Egale Canada to medical organizations called on the government to correct that historical wrong, but they buried their heads in the sand. Then, when we reached the Committee hearings, we were told that—oops!—since anal intercourse wasn't part of the Government's original bill, it was too late to make amendments. We were told, of course, that the government might choose to pass a law about this at some point in the future. I'm not holding my breath.

So, when it comes to "protecting" teenagers from sex, Harper is more than

## **Sex, Laws and Harperism**

By Kevin Kindred

(Continued)

happy to get involved, even without evidence of effectiveness. But when it comes to protecting gay men from discrimination in the Criminal Code, the Conservatives are nowhere to be found.

Luckily, though, Stephen Harper's old enough to consent to having his own head up his ass.

Kevin Kindred is Chair of the Nova Scotia Rainbow Action Project

(Source: *Wayves* – June 2008)