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Marie-Amélie George is an Assistant Professor of Law at Wake Forest University, where she teaches courses on civil procedure and family law. Prior to joining the Wake faculty, Marie-Amélie was the Berger-Howe Fellow in Legal History at Harvard Law School and an Associate in Law at Columbia Law School. Marie-Amélie received her Ph.D. in history with distinction from Yale University, her J.D. from Columbia Law School, and a M.St. in Women's Studies from the University of Oxford. In 2018, she received a Dukeminier Award, which is conferred on authors of the country's most influential sexual orientation and gender identity scholarship.

## *Framing Trans Rights*

In the wake of marriage equality, opponents of LGBT rights refocused their attention and made transgender rights their main target. To persuade voters to maintain gender identity anti-discrimination protections, LGBT rights campaigns have presented trans identity in a specific but limited way, emphasizing gender-conforming transgender individuals and thereby implicitly reinforcing the gender binary. Although LGBT rights groups have succeeded in their efforts, their messaging may undermine the movement's broader litigation strategy and render even more vulnerable the substantial portion the transgender community that identifies as non-binary.

The trans rights framing choices thus raise questions about how the LGBT movement's advocacy decisions blur the lines between success and failure, advancement and retrenchment. To illustrate this tension, this Article details the history of marriage equality campaign strategies, identifying how and why LGBT rights groups applied those frames to trans rights. Using these events, this Article analyzes the factors that both motivate and circumscribe social movements' framing decisions more generally to identify whether and how to alter trans rights advocacy.

How trans rights are framed is a significant subject that extends far beyond whether a specific city or state maintains or eliminates its gender identity protections. Although political positioning in an electoral campaign may seem far removed from the work of courts, legislatures, and administrative advocacy, this Article demonstrates how porous the boundaries are, such that the frames of the former have a substantial impact on the latter. Drawing on the scholarly literatures on acoustic separation and popular constitutionalism, this Article identifies why it is that LGBT state and local ballot measure contests cannot be separated from the movement's broader strategies. It consequently provides suggestions for reframing transgender ballot measures.