Assessing Voter Registration Among Transgender and Gender Non-conforming Individuals

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Abstract
Although public attention to transgender (trans) politics has increased dramatically in recent years, the scholarly community still has a limited understanding of how trans and gender non-conforming (GNC) individuals participate in the political system. Trans/GNC individuals are faced with a dual reality. On one hand, they are part of a highly organized and activated group whose rights depend on political engagement; on the other hand, individuals often face barriers to political participation including a lack of proper identification and low socioeconomic status. In this paper, we explore the effects of these competing forces on trans/GNC voter registration. We use the theory of oppositional consciousness to hypothesize that being part of a political and highly mobilized population helps trans/GNC individuals overcome barriers to participation. Using data on over 5000 self-identified trans/GNC individuals from the 2011 National Transgender Discrimination Survey we show that, though individuals are less likely to participate if they lack gender-conforming identification, on the whole trans/GNC individuals in this survey register at rates that are consistent with or higher than the general population. The evidence points to the importance of the trans political movement in activating and developing oppositional consciousness in its members. We explore the implications of these findings and what they mean for future research.

Keywords Transgender · Political participation · Voter registration · Gender non-conforming
Introduction

In 2015, Barak Obama became the first President to say the word “transgender” in a State of the Union Address (Steinmetz 2015). This act was more than a symbolic gesture; it created a place in mainstream U.S. politics for both the inclusion and exclusion of transgender (trans) and gender non-conforming (GNC) bodies. Although transgender is often used as an umbrella term for persons whose gender identity, expression or behavior does not align with the sex they were determined at birth, for the context of this paper we use trans to specifically refer to individuals who were determined one sex at birth but identify and present as the opposite sex. We use gender non-conforming as an umbrella term to refer to those who identify their gender and/or presentation as existing outside of the male/masculine and female/feminine binary. We believe this distinction to be particularly important in assessing how these communities engage the world and how the world responds to them. Cisgender refers to individuals whose sense of identity and presentation corresponds to the sex they were determined at birth.

Over the last few years, the country has seen a rise in anti-trans legislation as well as more visible activism by trans people and their allies. At the same time, awareness of and support for trans and GNC people has grown (see e.g., Halloran 2015). Together these trends have increased visibility and encouraged the public to identify trans and GNC people as a political group (Willis 2016). Despite this, we have an incomplete scholarly understanding of how trans and GNC individuals engage the political system and choose to be politically active.

Two key issues have limited our understanding of trans and GNC political participation. First, it is only recently that surveys have started to consider and include questions measuring gender identity and presentation. Second, even when gender identity and presentation is included, trans and GNC populations are very small. Although estimates of the GNC population are limited, scholars suggest that only about 0.6 percent of the entire population identifies as trans (Flores et al. 2016). This would mean that in a 1000 person survey only six individuals would identify as trans, making the group very difficult to study in general surveys. The vast majority of studies that do exist on trans and GNC populations are within disciplines focusing on mental and physical health and traditionally highlight the adverse implications of having a trans status. These include higher rates of suicide (Clements-Nolle et al. 2006; Grossman and D’augelli 2006; Grossman and D’Augelli 2007; Liu 2005), homelessness (Keuroghlian et al. 2014; Shelton 2015), drug and alcohol abuse (Jordan 2000), experiences of bullying in school and at work (McGuire et al. 2010; Toomey et al. 2013), an increased risk of contracting HIV (Stieglitz 2010), and barriers to healthcare (Knight et al. 2014; Kosenko et al. 2013; Poteat et al. 2013). Outside of health fields, social science has largely focused on public attitudes about trans people and not on trans and GNC people themselves (see e.g., Flores et al. 2018; Tadlock et al. 2017; Taylor et al. 2012). Only a handful of studies have explored trans politics, and they rarely investigate trans political participation (see e.g.; Herman 2012, 2016; Murib 2015).
The current paper begins to respond to this gap in the literature by investigating two things: the rate at which trans and GNC individuals register to vote and the factors that predict this registration. Since registration is a necessary prerequisite to voting and voting is essential for group representation, exploring the drivers of individual decisions to register is an essential first step in understanding broader trans/GNC politics. There are good reasons to believe that trans and GNC individuals have distinct registration patterns. On one hand, these individuals have the potential to be mobilized by marginalization and an increasing group political presence; on the other hand, many individuals face barriers to participation from things like voter identification (ID) laws and extreme poverty. We build on the handful of studies on trans politics and the concept of oppositional consciousness, which suggests that group marginalization can motivate political engagement, to argue that recent and historic efforts to marginalize trans and GNC individuals facilitate political engagement, likely helping overcome barriers to participation.

We use data from the National Transgender Discrimination Survey (National Transgender Discrimination Survey 2012) to explore the push and pull of these two competing forces (political culture and mobilization from oppositional consciousness vs barriers to registration). We use a sample of over 5000 trans and GNC individuals to evaluate the predictors of voter registration, finding that although trans and GNC people are negatively affected by barriers to political activity, their membership in a politically active and mobilized community seems to limit the effects of these barriers, resulting in relatively high registration rates.

Background and Theory

Research on trans and GNC individuals’ political participation is limited, and to the authors’ knowledge, there are no studies that explore voter registration. The studies that do exist, suggest that trans (and possibly GNC) people are subject to distinct barriers to voting (see e.g. Herman 2012, 2016). Importantly, though they are often lumped together, trans individuals may have distinct experiences from GNC individuals. There is significant variation in the GNC community, with some individuals, for example, living their GNC identity full time and others part time, some skirting the edge of conventional gender norms, and others existing fully outside of them. Further, many GNC individuals’ identities do not lead them to need or desire the legal and medical changes that trans people need. As a result, we try to differentiate between these two groups where relevant.

Barriers to participation are not unique to the trans or GNC communities, individuals across the identity spectrum face a variety of challenges ranging from a lack of education to a lack of mobilization; however, for trans and GNC individuals, three barriers have the potential to particularly impact registration rates: voter and registration ID laws, lack of gender-conforming photo identification, and socioeconomic status (SES).

There is growing recognition that laws requiring government-issued photo ID to vote disproportionately impact marginalized communities (see e.g., Alvarez et al. 2008; Watts 2013). Thirty-three states have enacted voter ID laws, with
nearly half requiring government identification to vote (ID 2017). Though they have received less attention, 42 states also require photo identification or documents that require identification (for example utility bills that require photo identification, legal name, social security number etc. to establish an account) to register to vote.

For trans and some GNC people, these laws have the potential to diminish registration for two reasons. First, obtaining proper identification that matches an individual’s gender identity and/or presentation can be challenging, and thus requirements to present identification can potentially depress registration. Changing one’s gender and name on identification can be arduous since the process is controlled at the state level and often requires medical and legal documentation. The standards for changing one’s ID vary widely across the U.S. states. For example, in Maine to change one’s name and gender an individual needs to provide any document that reflects a name change (i.e. passport, social security card, or court order) and fill out a gender designation form signed by either a doctor or social service provider; in contrast, in Alabama an individual must provide a court order of name change, change their name and gender with the Social Security Administration, have undergone sex reassignment surgery, and provide a signed letter from a surgeon stating that sex reassignment surgery has been completed in order to get gender conforming identification (ID 2017). Since states with strict voter and registration ID laws are also more likely to have the highest barriers to obtaining gender conforming identification, the effects of these laws may be particularly pronounced. Though scholars have not investigated the effects of these laws on individual trans/GNC political participation, the Williams Institute estimates that voter ID laws potentially affected 25,000 trans people in the 2012 election (Herman 2012) and 34,000 individuals in the strictest voter ID states in the 2016 election (Herman 2016). This same study found that up to 41 percent of transitioned individuals did not have identification matching their current gender.

Second, though these laws have the greatest potential impact for trans people who have been unable to acquire correct identification, they may also affect both trans and GNC individuals who do not visually conform to gender norms and have concerns about harassment or difficulties with registration and/or future voting. In the former case, individuals may be uncomfortable presenting documents that do not reflect their true self, avoiding registration; in the latter, they may fear facing scrutiny or harassment from election officials if they do not conform to a gender or have one that is different from their identification, potentially discouraging registration. A recent personal account demonstrates what this might look like. Reflecting on her experience trying to vote, trans woman Dawn Ennis (2016) wrote: “Transgender voters are routinely disenfranchised by voter ID laws and complicated requirements for changing one’s legal name and gender.” Even though she had the appropriate documents- her name and gender had been legally changed- voting records had not been updated. In a crowded room she had to convince the election official that the woman standing there had registered and voted under a male name in the past. Though, Ennis had the resources and wherewithal to do this, others could easily be turned away. Potential embarrassment or difficulties could discourage both trans and GNC individuals.
In addition to ID laws, poverty and low SES present a distinct barrier for trans/GNC registration. A substantial literature has demonstrated that lower income individuals participate at lower rates than higher income ones (see e.g. Miller and Shanks 1996; Wolfinger and Rosenstone 1980; Rosenstone and Hansen 1993; Verba et al. 1995). A recent survey of over 6000 trans and GNC individuals highlights the fact that they are more likely to live in poverty, being four times more likely to be extremely low income (under $10,000/year) than cisgender individuals, face higher rates of unemployment, and are more likely to face workplace discrimination. These figures are magnified for people of color, trans women and trans youth (see e.g., Gay 2010). As a consequence, trans and GNC communities may face lower overall registration rates because of the high degree of socioeconomic disadvantage in the population.

Although one might assume that such barriers would disincentivize political action, the theory of oppositional consciousness suggests otherwise. The theory proposes that group social exclusion and oppression can motivate high levels of engagement. When applied to trans and GNC individuals, it implies that by being part of a group that has been subject to public ridicule and contempt, trans/GNC individuals may be more politically engaged than the average person, helping them overcome barriers to registration. According to Mansbridge and Morris (2001), “Oppositional consciousness…is an empowering mental state that prepares members of an oppressed group to act to undermine, reform, or overthrow a system of human domination. It is usually fueled by righteous anger over injustices done to the group and prompted by personal indignities and harms suffered through one’s group membership” (pp. 4–5) (see also Sandoval 1991).

Although any form of consciousness is inherently individual, oppositional consciousness derives from the social world. When individuals are labeled, referred to, and treated in disparaging ways because of their group identity, they find each other and create social communities where their identities can be reimagined in valuable narratives. These communities form cultural and social norms. As positive perceptions of the identity are reaffirmed by others, individuals pool resources and begin to amass collective power to address marginalization. Oppositional consciousness develops through seven requirements: (1) perception of injustice (ideally backed by statistics), (2) righteous anger, (3) solidarity, (4) emotional involvement and commitment of members, (5) a belief in the group’s power, (6) ideational resources—ideas that can be developed in a community and 7) institutional resources (Mansbridge and Morris 2001). These requirements function as a feedback loop so that engaging in one enhances the others and feeds back to the original; for instance, increasing institutional resources (requirement 7) allows more ideational resources to be engaged (requirement 6), which ultimately leads to additional institutional resources. In this respect, oppositional consciousness is an iterative process, where political engagement is both a part of the process and an outcome.

Oppositional consciousness has been used to explain political engagement and activism in a variety of marginalized groups including undocumented youth (Negrón-Gonzales 2013), people with disabilities (Groch 1994), teenage girls (Taft 2006), Asian Pacific Islander youth (Kwon 2008), and black urban youth (Phillips et al. 2005), among others. In applying the theory to trans and GNC communities,
we would expect that, though personal and structural barriers can diminish political participation, oppositional consciousness can serve to help individuals overcome these barriers. Below, we discuss how the seven requirements of oppositional consciousness have manifested in trans and GNC communities, detailing the ways that this is likely to affect voter registration.

**Perceptions of Injustice and Righteous Anger**

Social exclusion drives perceptions of injustice (requirement 1) and righteous anger (requirement 2). For trans and GNC communities, social exclusion has a long history that includes personal attacks and discrimination, hate crimes, and, more recently, legal efforts to limit rights. Social exclusion is often based on perceived gender non-conformity, regardless of whether the individual has decided to medically transition. Recently, there have been legal efforts trying to limit the rights and behavior of trans individuals. Though GNC communities are not the formal target, the reality is that those who do not conform to societal gender norms are often the most visible members of the trans/GNC population; as a consequence, they are likely to be harassed or targeted by these efforts. In 2015 alone, 44 anti-trans bills were introduced in 16 states, with 23 targeting trans youth in what the Human Rights Campaign described as an “unprecedented” attack on trans Americans (Human 2015). Among other things, these bills include proposals that restrict access to bathrooms by birth sex, prohibit a person from changing their gender marker on their birth certificate, allow student groups to discriminate against trans people, and limit non-discrimination ordinances. Although problematic in themselves, this legislation is also symbolic of broad-based discrimination against trans/GNC people. For instance, in the National Transgender Discrimination Survey (2012), 63 percent of trans and GNC participants had experienced serious acts of discrimination that had major impacts on their life due to their gender identity or presentation such as loss of job, eviction, extreme bullying or harassment, physical assault, sexual assault, homelessness, denial of medical care, loss of a relationship or incarceration. Perceptions of injustice that are based in a statistical reality can insight righteous anger, especially when information about these injustices is shared across the trans/GNC community.

**Solidarity, Belief in Power and Commitment**

Solidarity, sustained commitment, and belief in the group’s power are additional requirements in establishing oppositional consciousness. Multiple studies across the racial, disabilities, and lesbian, gay, bisexual, trans, questioning/queer (LGBTQ) literatures have shown that strong group identity often leads to political cohesion (Dawson 1995; Huddy 2003; Schur et al. 2005; Tate 1994), but that an individual’s identity is most likely to translate into political behavior when there is sustained mobilization (see e.g., Bergan et al. 2005; Dale and Strauss 2009; Gerber and Green 2000; Philpot et al. 2009; Tate 1994; Verba et al. 1995). At its base, this argument
reflects the contention that individuals need help to translate a personal attribute into an engaged political identity.

Lesbian, gay and bisexual (LGB) political mobilization and participation form perhaps the closest corollary for predictions about trans/GNC people. Multiple scholars have argued that the community’s distinctive and largely cohesive political behavior stems from a collective identity (Hertzog 1996) that is promoted through social networks, organizational membership (Bailey 2013) and a shared understanding of grievances (Sherrill 1996). Within trans politics research, scholars have argued that strong social networks and community-level mobilization create a vibrant community of politically engaged trans/GNC individuals. Pinto et al. (2008) and Lombardi (1999) identify strong social networks as key to trans individuals’ social and political engagement. In particular Lombardi (1999) finds that trans individuals who are involved in the LGBT community, especially those who have large social networks and attend trans-specific meetings, are more likely to be politically engaged. This research suggests that the combination of a strong trans movement (solidarity), the importance of trans identity to many of the community’s members (commitment), and the prominence of political rights and advocacy for the average trans individual (belief in power), likely influences individual political participation.

**Ideational and Institutional Resources**

Mansbridge and Morris (2001) define the sixth requirement of oppositional consciousness, ideational resources, as “ideas available in the culture that can be built upon to create legitimacy” (p. 7). By drawing on existing oppositional cultures, a community can get ideas, rituals, “and long-standing patterns of interaction that overt political struggle can refine and develop to create a more mature oppositional consciousness” (p. 7). Murib (2015) argues that a trans movement emerged as a political force in the late 1980s and 1990s after years of being deliberately excluded or ignored in the larger LGB community (see also, Denny 2006; Spade and Currah 2008). Yet, in recent years, the trans/GNC movement has borrowed from and been incorporated into the larger oppositional consciousness narratives of the LGB movement, helping to lend credibility and institutional resources.

Over the last decade, traditional LGB organizations like the Human Rights Campaign (HRC) and the National Gay and Lesbian Task Force (NGLTF) have increasingly incorporated trans and GNC rights into their goals and mission, using their substantial resources and influence to amplify mobilization and policy efforts (Nownes 2014). Numerous local and national organizations have emerged over the last two decades to represent trans political interests and draw on ideational resources to promote trans equality (see e.g., Nownes 2014). For instance, the National Center for Transgender Equality (Take 2016) produces commercials, educational materials and websites to educate individuals about anti-trans legislation, hate crimes, etc., both encouraging trans political participation and educating trans and GNC individuals about their rights.

For the trans and GNC communities, institutional resources and the ability to organize and develop a mobilized, collective identity have been amplified by the growth of
the internet, where individuals who were once isolated, can now find a community (Austin and Goodman 2017; Cipolletta et al. 2017; Goldberg 1996; Soriano and Reyes 2014). Collective spaces create opportunities for community cohesiveness and allow vibrant subgroups (Davidson 2007). In addition, a great deal of work has gone into formalizing networks through conferences, support groups, social gatherings, political meetings and remembrance days. For instance, events like the Transgender Day of Remembrance mobilize community members to reflect and remember injustices, which ultimately increase community solidarity (Lamble 2008).

**Outcomes of Oppositional Consciousness**

Together, the oppositional consciousness that results from an awareness of social exclusion and injustice combined with a collective identity and mobilization are likely to help trans and GNC individuals overcome barriers to political engagement such as those seen around voter registration. This leads to five testable hypotheses about our sample:

**H1** Group identity and consciousness help overcome barriers to registration so that registration rates among the trans/GNC sample are not markedly lower than the general public.

**H2** Individuals who live in states that require identification to register and/or vote will be less likely to register; this will affect both trans and GNC individuals but will have the greatest effect on trans individuals.

**H3** Individuals who do not have access to gender appropriate identification will be less likely to register to vote and this will be magnified in states with registration and voter ID laws; this relationship will primarily affect trans individuals.

**H4** Income will be negatively related to registration for both trans and GNC individuals.

**H5** Both GNC and trans individuals with a group identity and oppositional consciousness will be more likely to register.

**Data**

Data come from the 2011 National Transgender Discrimination Survey (National Transgender Discrimination Survey 2012) conducted by the National Gay and Lesbian Task Force and the National Center for Transgender Equality.¹ This is the first

¹ A replication dataset and code file are available on Political Behavior’s Dataverse site https://doi.org/10.7910/DVN/M0NGKW.
extensive survey of trans individuals ever undertaken. Because of the difficulty in acquiring a sufficient sample size of trans/GNC individuals using random sampling, the survey uses a purposive sampling method. Respondents were recruited through 800 trans-serving organizations and 150 online forums from all 50 states in the U.S. (Grant et al. 2011). In addition to an online survey, a paper survey was distributed to hard-to-reach subgroups of the community, including rural, homeless, and low-income communities. Phone interviews were conducted with individuals who could not complete the survey online or on paper and surveys were available in multiple languages to increase accessibility. The full set includes data on 6456 trans and GNC people; after accounting for missing data, our sample includes 4128 trans individuals and 1085 GNC individuals. For this analysis, we drop 273 individuals who report they are not U.S. citizens, since these individuals are legally prohibited from registering to vote. Because of the potential difference between trans and GNC individuals, we analyze these groups separately. We divide these groups based on NTDS classification in a composite measure they titled “complex gender.” The trans group includes those who identify as either a male to female trans person or female to male trans person; the GNC group includes those who cross-dress or otherwise identify as GNC. Table 1 provides descriptive statistics for all variables.

Though the survey focuses primarily on health and discrimination, it also asks whether individuals are registered to vote. Because registration is the only political question asked, we are unable to evaluate several characteristics that are common in political behavior research such as partisanship, ideology and political interest. We are also limited to a single type of political participation: registering to vote.

| Variable                  | Transgender sample (N=4128) | Gender non-conforming (N=1085) |
|---------------------------|-------------------------------|---------------------------------|
| Registered to vote        | 0.920 0.271 0 1              | 0.935 0.332 0 1                 |
| Generally out             | 0.624 0.484 0 1              | 0.497 0.500 0 1                 |
| Quality of life           | 3.537 1.135 1 5              | 3.106 0.830 1 5                 |
| Hardship events           | 1.792 1.949 0 11             | 0.917 1.392 0 10                |
| Has not changed ID docs   | 0.477 0.500 0 1              | 0.527 0.499 0 1                 |
| Visibly trans/GNC         | 3.415 1.151 1 5              | 3.266 1.223 1 5                 |
| Income                    | 3.080 1.511 1 6              | 2.806 1.487 1 6                 |
| Age                       | 37.862 13.077 18 98          | 33.40 12.58 18 81               |
| Some college              | 0.875 0.330 0 1              | 0.896 0.304 0 1                 |
| White                     | 0.835 0.371 0 1              | 0.870 0.336 0 1                 |
| Latino/a                  | 0.055 0.229 0 1              | 0.052 0.222 0 1                 |
| Lives in south            | 0.181 0.384 0 1              | 0.187 0.389 0 1                 |
| State has strict voter ID law | 0.179 0.383 0 1         | 0.181 0.385 0 1             |
| State requires ID to register | 0.102 0.303 0 1       | 0.115 0.318 0 1             |
| State requires docs to register | 0.711 0.453 0 1    | 0.748 0.434 0 1             |
| State makes ID change difficult | 0.258 0.437 0 1   | 0.274 0.446 0 1             |
Nonetheless, we believe this is a valuable contribution for two reasons. First, to the authors’ knowledge there are no broad-based, publicly available\textsuperscript{2} political surveys of trans and GNC individuals that could provide more detailed data, making this an important, albeit limited, cursory examination. Second, registration is a prerequisite to other forms of participation like voting and in some cases signing a petition; thus, understanding what predicts registration in this subgroup has important implications for other types of political behavior. Registration thus serves as our dependent variable and is dichotomous, coded one if the individual reported registering to vote and zero if they did not.

Our hypotheses suggest competing forces, with mobilization and group identity promoting political engagement, while barriers such as a lack of gender-conforming identification discourage it. We include three proxy measures of oppositional consciousness. First, we include the number of trans/GNC-related hardships respondents report as a proxy for events that may encourage oppositional consciousness and motivate gender-based political engagement. Hardship includes “Lost job due to bias, eviction due to bias, school bullying/harassment so severe the respondent had to drop out of school, teacher bullying, any physical assault due to bias, any sexual assault due to bias, homelessness because of gender identity/expression, lost relationship with partner or children due to gender identity/expression, denial of medical service due to bias, incarceration due to gender identity/expression,” (NTDS 2012, p. 177). This is a count variable ranging from one to 11. Second, and relatedly, we include respondents’ answers to the question: “Because I am trans/GNC, life in general is...” (NTDS 2012, p. 20) where answers align with a five-point scale ranging from much worse (1) to much improved (5).

Finally, we include whether an individual is generally out about their trans/GNC identity as a proxy for group identification and potential mobilization. Here, “generally out” is a composite measure coded one if individuals say they are out to either family and close friends or to work colleagues or peers at school and zero if they are not. The degree to which this measure reflects potential group identity and mobilization is likely to vary between trans and GNC individuals. We work from the assumption that individuals who are out about their trans status are more likely to have a group identity and connect with the trans political movement in ways that expose them to political mobilization. GNC individuals may or may not experience this type of identity mobilization. On one hand, being out may connect GNC individuals to the larger LGB or trans movements; on the other hand, individuals, particularly those whose gender-nonconformity is part time, may not connect their gender identity with the broader movement and its political goals. A straight man, for example, may crossdress on the weekends, but feel little connection to the broader political movement.

\textsuperscript{2} In 2015 there was a second iteration of this survey conducted called the United States Transgender Survey. This survey asks more political questions; however, at time of press these data were not publicly available. The 2016 Cooperative Congressional Election Survey also included a single measure of transgender identity; however, this measure does not differentiate between trans and GNC identity.
To account for barriers to participation, we include four variables. First, we use a dichotomous variable of whether an individual has changed their ID/documents to reflect their gender identity if needed. This is coded one if the person has been able to change at least some of their identification documents or didn’t need to and zero if they have been unable to change any of their documents. This is likely to have the strongest effect on trans individuals who are living their day to day lives as the opposite gender and thus would need appropriate documentation to be able to participate in the political process. This is likely to be less of a barrier for GNC individuals, who frequently do not need or wish to change documents.

Second, we include a self-identified measure of whether the individual is visibly trans/GNC. We include this measure because individuals may be more likely to have difficulty participating if they are not seen as either their preferred gender or as the gender on their documents. Being visible has the potential to discourage both trans and some GNC individuals. For example, non-binary individuals who visibly diverge from societal gender norms may face stigma and possible trauma that is similar to trans individuals and may choose not to register to avoid awkward and potentially threatening interactions with officials. Respondents answered the question: “People can tell I’m transgender/GNC even if I don’t tell them.” This is an ordinal variable ranging from always (1) to never (5).

Third, we include income, which is a five-point scale ranging from 1 “under $10,000” to 5 “over $100,000.” Finally, we account for state-level identification laws. We include three state-level policy variables: whether the state has strict identification laws to vote; whether the state requires photo identification or documents that would require gender-conforming information to register; and the ease with which an individual can change their identification documents. Though registration laws are the most directly applicable to our analysis, we include voting laws as well, since fear of the voting process may decrease the likelihood of registering. All variables are dichotomous. Strict voter ID laws are coded one for the 11 states that require either a strict photo or strict non-photo id to vote (Voter 2017). Eight states require photo identification to register to vote while 42 states require either photo identification or a document that would require updated documentation, such as a social security number or utility bill (Thought 2012). We code both those states that require photo ID and those that require identification-dependent documentation as one (coding only picture ID as one does not change the outcome). Finally, we code the difficulty of changing one’s gender on official identification. We consider the 30 states that require medical proof of full transition, gender reassignment surgery or irreversible medical treatment as difficult, coded one, and those that allow a letter describing one’s identity, whether from a professional or from one’s self, as relatively easier, coded as zero (ID 2017). Since state voter and registration ID laws may compound individual challenges arising from an inability to change identification documents, we also include an interaction between changing one’s identification and living in a state that requires identification to register. We expect registration ID laws to have the greatest impact on those who have not yet changed their ID.

In addition to these variables, we control for age cohort 18–25 (1), 26–29 (2), 30–39 (3), 40–49 (4), 50–59 (5), 60–69 (6), 70–79 (7), 80–89 (8), 90–100 (9);
college education, bachelor’s degree or more (1) or no bachelor’s degree (0); race, white (1) or not-white (0); Latino/a identity, Latino/a (1) or not-Latino/a (0); employment status, employed (1) or unemployed (0); and, to account for a history of voter suppression, whether an individual lives in the south (1) or not (0). In the following analysis we use descriptive statistics, a difference of means test, and logistic regression with robust standard errors clustered by state to evaluate trans voter registration.

Results and Discussion

The descriptive statistics in Table 1 detail a relatively high self-reported voter registration rate among both trans and GNC individuals. A pairwise comparison of means demonstrates that as a group, GNC individuals have a registration rate 1.5 percent higher than trans individuals; this is statistically significant at the 0.05 level. Because the NTDS does not use a random sample, we cannot directly compare these results to those of the general public; however, as a point of reference, in the 2012 American National Election Survey, 88 percent of adults reported registering to vote (American 2012). Our data show that 92 percent of trans people and 93.5 percent of GNC individuals report being registered. Ideally, future work would include representative samples of both cisgender and trans individuals so that a direct comparison would be possible. Until that time, it appears that this sample of trans and GNC individuals’ report registering to vote at relatively similar rates to those of the general public, providing loose support for Hypothesis 1.

To evaluate what drives these registration rates, we use logistic regression with robust standard errors clustered by state for both trans and GNC individuals. Given the potential correlations between state-level policy variables, we performed diagnostic testing for multicollinearity. The results of these tests are provided in Appendix A and reveal low levels of collinearity, giving us confidence in our results. Table 2 lists the odds ratios and 95 percent confidence intervals for models with and without the interaction term (coefficients are provided in Appendix B). The results suggest several important things. First, what predicts voter registration differs between trans and GNC individuals, suggesting that these groups are subject to distinct political influences and that scholars should use caution in lumping them together. Second, while the barriers examined do depress participation among trans individuals, the advantages of oppositional consciousness, as measured by being out and quality of life, increases the likelihood of registering, potentially helping to overcome these barriers. Finally, state identification policies do not appear to affect trans or GNC registration rates.

Hypothesis 2, 3 and 4 suggest that barriers created by inaccurate ID, state ID laws, and low SES decrease registration. We find mixed support for these hypotheses. Trans individuals are significantly impacted by some of these barriers; however, GNC individuals appear to be largely unaffected. Among trans individuals, not having gender-conforming ID decreases the odds of registering by nearly 40 percent. Similarly, moving down one income bracket decreases the odds of registering by roughly 15 percent. However, state laws do not significantly influence the
| Variable                        | Transgender (N = 4128) | Transgender interaction | GNC (N = 1085) | GNC interaction |
|--------------------------------|------------------------|-------------------------|----------------|----------------|
|                                | Odds ratios            | 95% CI                  | Odds ratios    | 95% CI         |
| Generally out                  | 1.285*                 | 1.011–1.632             | 1.284*         | 1.011–1.632    |
| Quality of life                | 0.880**                | 0.801–0.966             | 0.880**        | 0.801–0.966    |
| Hardship events                | 1.012                  | 0.950–1.078             | 1.012          | 0.950–1.078    |
| No ID docs                     | 0.623***               | 0.493–0.785             | 0.585***       | 0.493–0.785    |
| Visibly trans                  | 0.990                  | 0.874–1.122             | 0.990          | 0.874–1.122    |
| Income (reverse)               | 1.149**                | 1.027–1.285             | 1.149**        | 1.027–1.285    |
| College                        | 3.861***               | 2.602–5.727             | 3.861***       | 2.602–5.727    |
| White                          | 1.303                  | 0.934–1.818             | 1.301          | 0.934–1.818    |
| Latino/a                       | 0.977                  | 0.668–1.606             | 1.036          | 0.668–1.606    |
| Lives in south                 | 1.099                  | 0.623–1.582             | 1.099          | 0.623–1.582    |
| State strict voter ID law      | 1.128                  | 0.721–1.766             | 1.128          | 0.721–1.766    |
| State ID to register law       | 0.931                  | 0.702–1.233             | 0.886          | 0.702–1.233    |
| State difficult change ID      | 0.853                  | 0.498–1.462             | 0.853          | 0.498–1.462    |
| State ID to register × indiv. changed ID | 1.088 | 0.769–1.539             | 1.088          | 0.769–1.539    |
| Constant                       | 5.101***               | 2.276–11.429            | 5.301***       | 2.429–11.568   |
|                                | Psuedolikelihood = −978.39 | Wald Chi² = 383.76***  | Psuedolikelihood = −978.35 | Wald Chi² = 453.96*** |
|                                | Psuedo R² = 0.090       | Psuedo R² = 0.090       | Psuedo R² = 0.090 | Psuedo R² = 0.090 |
|                                |                         |                         |                |                |

|                                | Odds ratios            | 95% CI                  | Odds ratios    | 95% CI         |
|                                | 1.029                  | 0.608–1.741             | 1.029          | 0.610–1.737    |
|                                | 1.003                  | 0.809–1.243             | 0.809–1.243    |
|                                | 1.086                  | 0.675–1.747             | 0.514–2.153    |
|                                | 1.067                  | 0.806–1.413             | 0.806–1.413    |
|                                | 0.985                  | 0.801–1.211             | 0.801–1.211    |
|                                | 1.046                  | 0.851–1.272             | 1.041          | 0.851–1.271    |
|                                | 1.114                  | 0.567–2.192             | 0.565–2.193    |
|                                | 2.633                  | 0.864–8.044             | 0.862–8.039    |
|                                | 1.358                  | 0.774–2.384             | 0.776–2.367    |
|                                | 0.949                  | 0.493–1.794             | 0.493–1.794    |
|                                | 1.129                  | 0.647–2.080             | 0.448–2.849    |
|                                | 1.087                  | 0.626–1.889             | 0.626–1.889    |
|                                | 1.047                  | 0.411–2.669             |                |

*Sig ≥ 0.05, **sig ≥ 0.01, ***sig ≥ 0.001
probability of registering. Further, the insignificant interaction term suggests that challenges associated with accessing proper identification are not magnified by state voting/registration laws.

Hypothesis 5 suggests that oppositional consciousness and group identity increase the likelihood of registering. The analysis suggests that these forces are important for trans individuals, but not for GNC individuals. To account for oppositional consciousness, we use hardship, quality of life, and being out as proxies. Though the number of hardships is not significant, it is in the expected direction, with more hardship correlating to an increased likelihood of registering. Quality of life is statistically significant and consistent with expectations so that those with a higher quality of life are less likely to register and those who experience decreased quality of life are more likely to register; trans individuals increase their likelihood of registering by 12 percent as they identify the quality of life resulting from their trans status as being increasingly worse. For trans people, being out, which is used as a proxy for group connection and mobilization, increases the odds of registering by nearly 29 percent.

In addition, as with the general population, education plays an important role in trans and GNC political participation. Having a bachelor’s degree increases the odds of trans individuals registering by 386 percent and the odds of GNC individuals registering by about 450 percent. Finally, two non-findings merit a bit of discussion. Although trans and GNC communities of color face significant challenges, for example they are more likely to be the victims of violence (Violence 2017), these challenges do not appear to translate into disparate registration rates. Race and Latinx identity were statistically insignificant. In addition, although southern states have a legacy of voter suppression, have some of the harshest voter ID laws in the nation, and have been at the forefront of the anti-trans political movement, those living in the south were no more or less likely to be registered to vote. This may well be another piece of evidence speaking to the power of a collective trans identity shaped by oppositional consciousness.

Conclusion

Scholars argue that the trans/GNC community is highly politicized, organized and motivated largely because it continues to face social and political discrimination (Murib 2015). Anecdotally, the evidence is striking. LGBTQ groups have organized to tackle local and national anti-trans legislation with increasing effectiveness. However, scholarship that systematically tests trans/GNC political engagement is extremely limited. Nonetheless, this question is particularly important as trans and GNC people continue to face both formal and informal political attacks. For instance, in July 2017 President Donald Trump tweeted “…the United States Government will not accept or allow trans individuals to serve in any capacity in the U.S. Military.” This tweet re-opened the previously closed debate on allowing trans people to openly serve in the U.S. military, launching a year-long political and legal
battle. While these types of actions limit individual freedoms, they may also fuel oppositional consciousness that leads to politicization and organization among trans and GNC people.

Our study adds to the broader discussion of trans/GNC political participation by specifically looking at voter registration among trans and GNC individuals. By evaluating trans and GNC people separately, we are able to tease out unique political positions. Our findings show that among our sample, trans and GNC people—a group often considered marginalized—report registering to vote at rates that are similar to the general public and similar to the broader LGB population (Egan et al. 2008; Perez 2014). This is in spite of the fact that these groups face significant potential barriers to registration from limited access to proper identification, state voter and registration ID laws, and low socioeconomic status.

Importantly, access to identification and low SES do significantly decrease the probability that trans individuals register to vote, though they have no effect on GNC populations. This difference is likely responsible for the small, but statistically significant difference between GNC and trans registration rates. It is striking, however, that state voter and registration ID laws do not influence the probability of individual registration. There has been considerable fear expressed by trans/GNC individuals and community groups that these laws dampen trans/GNC political voice. This research suggests that, at least in the case of registration, this is not the case. We have suggested this is likely because of an oppositional consciousness that produces political engagement. Future research should explore ID laws’ impacts on individual voting behavior, which may be more susceptible.

We argue that oppositional consciousness helps trans populations overcome barriers to participation. The theory suggests that the combination of social exclusion/injustice, group identity and institutional resources encourages high levels of political participation among marginalized groups. We find evidence for this among trans populations, where being out—a proxy for group identity—and identifying a lower quality of life because of trans identity increase the likelihood of registering to vote. It is likely that trans people develop a stronger oppositional consciousness because they are the targets of social and political exclusion. Exclusionary laws and policies readily reference trans people, but seldom acknowledge the existence of GNC folk. This is largely because GNC identity is not based on transitioning or medical implementation, making the identity harder to define not just for the general public, but also for GNC individuals whose more multiplicitous identities and presentation may make it more difficult to create a strong social and political network. This is not to say that GNC individuals do not have an oppositional consciousness, just that it may not manifest as readily as those who are direct targets of social and political exclusion. There are some limitations to this component of the analysis. Because we use proxies to evaluate this expectation, future work should more directly evaluate the theory’s applicability to trans/GNC populations. Unfortunately, our study says very little about registration behavior among GNC individuals, likely highlighting the
group’s diversity and distinct political identity. Future research should use caution in lumping trans and GNC individuals together and should explore GNC politics to a greater extent.

Our study is limited by available data. Additional studies are needed to assess how and when trans and GNC individuals engage in other forms of political participation, as it is easier to register than it is to actually vote, for example. Trans and GNC individuals are likely to face similar barriers to voting; however, our study suggests that some of these may be mitigated by the intensive political culture trans and possibly GNC individuals experience. Additional research needs to explore this possibility directly and evaluate whether there are differences in political socialization and participation among trans men, women and those who identify outside of the binary.

In particular, the authors are not aware of studies addressing the political participation and awareness of GNC individuals. It is likely that their experiences, both short and long term, are significantly different than those of trans individuals who transition, present and are perceived as the opposite sex. Although being visibly trans/GNC was not a significant predictor of registering to vote, it may be a predictor of voting, especially if mail in ballots are not available. Lastly, scholars should assess whether there are political socialization tools in the LGBTQ + community that could be used to increase the general political participation of non-LGBTQ + individuals. If the key is simply social and political discrimination, a final question is how political participation will be affected as LGBTQ + youth, and particularly trans youth, gain rights and recognition. Though these questions are important, they are challenging to evaluate because of the difficulties in accessing these populations. Scholars should consider adjusting gender questions on all of their studies to capture gender diversity (for advice on question wording see GennIUS 2014) and large surveys like the ANES may consider doing gender oversamples similar to racial oversamples. These efforts are essential because as Vice President Joe Biden so aptly noted in 2012, trans rights and politics are “the civil rights issue of our time” (Transgender Law Center 2012).

Appendix A

See Table 3.
Table 3  Tests of multicollinearity

| Variable                        | VIF  | Tolerance |
|---------------------------------|------|-----------|
| Registered to vote             | 1.04 | 0.9615    |
| Generally out                  | 1.15 | 0.8684    |
| Quality of life                | 1.1  | 0.9085    |
| Hardship events                | 1.12 | 0.8936    |
| Has not changed ID docs        | 1.17 | 0.8576    |
| Income                         | 1.2  | 0.8332    |
| Visibly trans/GNC              | 1.22 | 0.8198    |
| Cohort                         | 1.11 | 0.9023    |
| White                           | 1.15 | 0.8701    |
| Latino                         | 1.11 | 0.8978    |
| BA                             | 1.14 | 0.8747    |
| Lives in south                 | 1.56 | 0.6402    |
| State has strict voter ID law  | 1.25 | 0.8018    |
| State requires docs to register| 1.18 | 0.8449    |
| State makes ID change difficult | 1.77 | 0.5645    |
| Mean VIF                       | 1.22 |           |

Appendix B

See Table 4.
| Variable                 | Transgender (N= 4128) | Transgender interaction | GNC (N= 1085) | GNC interaction |
|--------------------------|-----------------------|-------------------------|---------------|----------------|
| Coef.  95% CI            | Coef.  95% CI         | Coef.  95% CI           | Coef.  95% CI | Coef.  95% CI |
| Generally out            | 0.251* 0.011–0.490    | 0.249* 0.011–0.490      | 0.029        | −0.496 to 0.555 |
| Quality of life          | −0.128** −0.221 to −0.337 | −0.128** −0.222 to −0.334 | 0.003        | −0.211 to 0.22 |
| Hardship events          | 0.012 −0.051 to 0.075 | 0.012 −0.051 to 0.075   | −0.085       | −0.262 to 0.093 |
| No ID docs               | −0.474*** −0.706 to −0.241 | −0.535*** −0.733 to −0.338 | 0.083        | −0.391 to 0.558 |
| Visibly trans            | −0.009 −0.134 to 0.116 | −0.009 −0.134 to 0.115  | 0.065        | −0.215 to 0.346 |
| Income (reverse)         | 0.139** 0.027–0.251   | 0.139** 0.027–0.251     | −0.015       | −0.222 to 0.192 |
| Cohort                   | 0.132** 0.039–0.225   | 0.132** 0.039–0.225     | 0.039        | −0.161 to 0.240 |
| College                  | 1.351*** 0.956–1.745 | 1.351*** 0.957–1.745    | 1.503***     | 0.881–2.125 |
| White                    | 0.265 −0.068 to 0.598 | 0.263 −0.068 to 0.594   | 0.108        | −0.567 to 0.784 |
| Latino/a                 | 0.035 −0.403 to 0.473 | 0.035 −0.403 to 0.473   | 0.969        | −0.146 to 2.084 |
| Lives in south           | 0.095 −0.392 to 0.581 | 0.095 −0.392 to 0.581   | 0.306        | −0.256 to 0.868 |
| State strict voter ID law| 0.121 −0.327 to 0.569 | 0.119 −0.329 to 0.569   | −0.061       | −0.706 to 0.584 |
| State ID to register law | −0.072 −0.353 to 0.209 | −0.121 −0.401 to 0.159  | 0.149        | −0.434 to 0.732 |
| State difficult change ID| −0.158 −0.697 to 0.380 | −0.158 −0.696 to 0.380  | 0.084        | −0.467 to 0.636 |
| State ID to register × Indv. changed ID | 0.085 −0.262 to 0.432 | 0.046        | −0.889 to 0.981 |

*Sig ≥ 0.05, **sig ≥ 0.01, ***sig ≥ 0.001
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