Articulating Transgender Subjectivity:
How Discursive Formations Perpetuate Regimes of Power

ERICA CISZEK
The University of Texas at Austin, USA

NATHIAN SHAE RODRIGUEZ
San Diego State University, USA

In this article, we bring new insights and add to existing conversations both about the discursive contestations around transgender subjects and about the theory of articulation. We argue that transgender subjectivity has become a part of a larger hegemonic struggle to define the purpose and modalities of contemporary politics and has become a key moment in political power struggles between hegemonic projects. We provide a detailed and closely analyzed example of how articulation allows us to parse apart the linkages through which signifiers are given meanings. We display how different political actors articulate the same signifier within diverging discourses, showing how gender identities are caught up within relations of power that seek to exclude and marginalize.

Keywords: articulation theory, transgender, campaigns, political communication

Over the past several years, transgender[1] people have gained visibility in American consciousness and within mainstream media discourses. Amidst this increase in visibility, transgender people face a precarious legal environment, and efforts to include gender identity in policies have been met with both victory and defeat. Policies affecting gender minorities are often established within legislative contexts and play out within the court of public opinion. Recently, new legislation has been enacted affecting public restroom use for transgender people, and restrooms continue to be a political battleground constructed as a site of gender panic (Westbrook & Schilt, 2014). We focus on one highly contested legislative case, the Houston Equal Rights Ordinance (HERO), a referendum that became known around the United States as "the bathroom bill," which put transgender people at the heart of a political battle. We bring to light the complex relations between mediated transgender representations and the everyday lived experiences of queer and transgender people involved in the referendum. We focus on bringing in evidence from a contemporary case to show the processes

Erica Ciszek: erica.ciszek@gmail.com
Nathian Shae Rodriguez: nsrodriguez@sdsu.edu
Date submitted: 2019-10-23

[1] We draw on Tadlock's (2014) conceptualization of "transgender" as an umbrella term that encompasses several identities and subgroups, including gender dysphoric individuals who seek medical intervention to alter their bodies, genderqueers, two-spirits, drag queens, drag kings, and transvestites, among others.

of articulating transgender subjectivity, and we engage with vital issues to demonstrate how gender identities are caught up within relations of power that seek to exclude and marginalize.

In this article, we explore the connections between campaign production and transgender representations, and we interrogate the power of chains of meaning in constructing transgender subjectivity as a signifier. We use the theory of articulation to analyze the dominant discourse and contexts surrounding the HERO referendum. There is a level of urgency to this article, as the topic under investigation demonstrates how discursive formations enable and advance particular structures of power. Within the context of HERO, we examine which discourse became dominant and produced a longer lasting articulation and why. We draw on local and national news media coverage of HERO, campaign materials from proponents and opponents of the ordinance, and interviews with individuals formally and informally involved with HERO. Adding to the chorus of transgender media and communication scholarship, we explore how the bathroom myth has enabled a delimited transgender subjectivity by illuminating processes of production behind this signifier to understand how certain hegemonic discourses come to dominate. The original contribution of this article is its illustration of a detailed and closely analyzed example of how the theory and method of articulation allows us to parse out the linkages that give concepts meanings through signification, which consists of articulation and rearticulation.

The Case: Houston Equal Rights Ordinance

In May 2014, the City Council of Houston, Texas, enacted the Houston Equal Rights Ordinance (HERO), banning discrimination on the basis of 15 categories: sexual orientation, gender identity, sex, race, color, ethnicity, national origin, age, religion, disability, pregnancy, genetic information, family status, marital status, and military status (Morris, 2014a). Despite the 15 categories of discrimination, conservatives focused on the category of gender identity, and resistance arose surrounding the ordinance's protection of "transgender residents' ability to use the restroom consistent with their gender expression, regardless of their biological sex" (Morris, 2014a, para. 13). Shortly after the ordinance was enacted, opponents of the ordinance, led by local Christian pastors and political conservatives, drafted a petition and gathered signatures to add the measure to the November 2014 ballot for repeal.

For a successful veto referendum petition, the city law required 17,296 valid signatures from registered Houston voters, and on July 3, 2014, opponents presented nearly 50,000 signatures (Morris, 2014b). The petition was invalidated because of problems with the petition sheets, and in reaction, groups supporting the repeal filed a lawsuit against the city (Ambrosino, 2014). The lawsuit went to trial on January 19, 2015, and a jury issued a verdict on February 13, 2015, stating that though the petitions did not contain instances of fraud, they did contain forgeries and instances of failure to follow proper procedure. This verdict resulted in a recount. A Houston judge ruled on April 17, 2015, that opponents of the ordinance had not gathered enough valid signatures (Driessen, 2015). Opponents asked the Texas Supreme Court for a writ of mandamus against the city of Houston in May 2015, and in July, the court granted this request, ruling that the city must either repeal or include the ordinance on the November 2015 ballot.

Between July and November 2015, proponents and opponents of the ordinance planned and executed communication campaigns. Proponents rallied under the collective Houston Unites, composed of

local and national stakeholders, including participants from the American Civil Liberties Union, Gill Foundation, Gill Action, the Human Rights Campaign, Texas Freedom Network, and Freedom for All America. On the other side of the debate, a group calling itself the Campaign for Houston, which was described as an anti-LGBT hate group by the Southern Poverty Law Center ("Anti-LGBT," 2015), used paid and earned media to rally voters against the ordinance, claiming it would allow predatory men to enter women's restrooms. Early on, the Campaign for Houston aired an advertisement featuring a man in a women's restroom, which spurred debates over legal access to public restrooms and locker rooms. On November 3, 2015, Houston voters rejected the ordinance by a vote of 61% to 39% ("Official," 2015).

The discursive articulations of and around the ordinance drew attention to the ways in which transgender subjectivity was defined and represented by competing campaigns. In this research we focus on the discourse and contexts surrounding the signification of transgender subjectivity as part of a contemporary social and political struggle. Therefore, we start by reviewing literature on transgender representations in media and communication to contextualize the contemporary case.

Transgender Representations in Media and Communication

Transgender representations are not a new phenomenon; however, issues around transgender lives have recently gained prominence in the United States' political sphere (Billard, 2019a, 2019b). The identification of transgender as an identity category is a discursive construction of both individual and social identity; it is an identity that is dynamic, shaped by conflict and backlash, and it serves as a site of mediated representation (Murib, 2015). Early research on transgender visibility demonstrates the misrepresentation of transgender identity (e.g., MacKenzie & Marcel, 2009; Schilt & Westbrook, 2009), depicting transgender lives within a narrative of deception (Barker-Plummer, 2013; Willox, 2003), portraying transgender people as "tricksters" (e.g., Sloop, 2000; Squires & Brouwer, 2002), and objectifying transgender bodies (e.g., MacKenzie & Marcel, 2009; Sloop, 2000). More recent research on transgender visibility has centered on mediated representations of transgender celebrities and the cultural politics of representation (e.g., Brady, 2016; Glover, 2016; Lovelock, 2017). Lovelock (2017) explores the burgeoning of transgender celebrities examining how transgender subjectivity becomes visible through hegemonic political projects and how transgender representation and transgender people are located within what he calls "grids of exclusion, power and privilege" (p. 4). News media serve as one of these grids, with research demonstrating how, overwhelmingly, there has been a historic underrepresentation and underreporting of transgender perspectives by journalists (Kenney, 2008; Mackenzie & Marcel, 2009; Sloop, 2000). Historically, news coverage of transgender people has been sensationalistic (Arune, 2006; Cloud, 2014; Hackl, Becker, & Todd, 2016; Meyerowitz, 1998), often relegating transgender lives to tabloids (Billard, 2016) and soft news stories (Capuzza, 2014, 2016). Additionally, contemporary mainstream news media often trivialize, exclude, and silence transgender perspectives (Åkerlund, 2019). Although recent studies on news coverage suggests more positive portrayals of transgender issues, reporting remains sparse and often lacks nuance (Capuzza, 2016; Tadlock, 2014). Regardless of the valence of coverage, all kinds of media can influence public opinion of transgender people and can therefore influence social policies impacting the lives of gender diverse individuals.

Restrooms, which are one of the most recent representational arenas of transgender people, have long been a site of cultural contestations. Sociologist Alexander Davis (2020) reminds us of the significance of public restrooms as sites of deliberation and scholarly inquiry:

> Far from being taboo social spaces or an inconsequential dimension of our everyday lives, then, public restrooms serve several symbolic functions. Their availability implicitly suggests which bodies, identities, and communities are not expected or welcome. . . . Restrooms are thus crucial sites through which categorical inequalities—that is, those based on group differences like race, disability, or social class—have long been maintained and magnified in the United States. (p. 8)

Contemporary public accommodation debates are part of a long history of cultural conflict over public restrooms. Media studies scholar Mia Fischer (2019a) explores the biopolitics of bathrooms, highlighting the conservative backlash and increased surveillance and regulation of transgender people, which has manifested in these antitransgender bathroom bills (Fischer, 2019b). In the 2017 U.S. legislative session, 16 states considered bills that would restrict the use of restrooms by transgender people (Kralik & Palmer, 2017). Schilt and Westbrook (2015) argue these ballot initiatives place transgender people at the heart of political debates in a way that "has never been a more visible issue than it is today" (p. 27). This article joins the recent corpus of research that looks at transgender representations within the landscape of local and state level legislation, examining how conflicts about bathroom use have ignited debates concerning the nature of transgender identity (see Graber, 2018; Jones, Brewer, Young, Lambe, & Hoffman, 2018; Murib, 2019; Schilt & Westbrook, 2015; Wuest, 2019).

Moving beyond a preoccupation with media coverage of transgender representations, in this article we provide a different analysis of the formation of transgender subjectivity. Instead of grappling with issues of transgender visibility and mediated representations, we seek to understand transgender as a discursive signifier that is part of political struggle. Through the lens of HERO, we look at how different projects construct transgender subjectivity. Our goal is not to define transgender; we aim to analyze the different, contradictory, and disparate projects that come to shape the articulation of transgender subjectivity. By excavating a contemporary referendum case, we add to the work of scholars of transgender media studies, arguing that the transgender subject has become what post-Marxist philosopher Laclau (2005) defines as a "floating signifier," a signifier employed in different and opposing political projects as a means to construct political identities, conflicts and antagonisms.

We identify the dominant discourse that shapes and symbolizes articulation of transgender subjectivity as a floating signifier and the conditions in which voters of the referendum understood transgender people. We develop this argument in three stages. First, we account for Laclau's notions of floating signifiers and their link to hegemonic struggles. Through articulation analysis, we highlight how transgender representations have become a key component of local politics within attempts to reproduce or challenge existing power struggles in civil society. We conclude with a discussion on the cultural implications of transgender subjectivity as a floating signifier and the implications on the lived realities of transgender and gender-diverse people.   ·

Signification and Articulation

The framework delineated here uses the concept of signification described by Laclau and Mouffe (1985) and later developed by Laclau (1994, 1996, 2000) and Hall's (1986) notion of articulation as the processes that guide analysis. "Signification" is the process by which discourses are constructed and represented, how strings of signifiers come together, and how particular arrangements of signifiers adhere to discursive formations, which is a process Laclau and Mouffe call "articulation." "Articulation" encapsulates both expression and joining together (Hall, 1986), whereby elements within discursive fields are constantly coupled into strings of signifiers, which are in turn articulated in discourse (Laclau & Mouffe, 1985). According to Laclau (1990, 1996), reality acquires meaning through articulation, and the meaning of a moment is relational and arises from its association to other moments, emerging through struggles and contestation. Because discourses can only be articulated through signification, our analysis centers on identifying how transgender subjectivity became a floating signifier within the dominant discourse that emerged in the HERO case, the conditions that made it possible, and, ultimately, how meaning was assigned to transgender people. Floating signifiers tend to be sites of discursive and interpretive struggle that are "lodged in-between different hegemonic projects seeking to provide an image of how society is and ought to be structured" (Farkas & Schou, 2018, p. 298). The term "floating signifier" is not a case of polysemy, nor does it equate with Laclau's (1996) empty signifier, which refers to the opposing position of a generalized signifier within a chain of equivalence. Rather, it describes a historical conjuncture whereby a particular signifier is employed as "part of a battle to impose the 'right' viewpoint onto the world" (Farkas & Schou, 2018, p. 302). In this article, we explore transgender subjectivity as a floating signifier to examine how rival pressures in a political contest work to secure a hegemonic position. In particular, the research question guiding this study asks which discourse was dominant and why it was dominant. To address these questions, we showcase how transgender subjectivity functions as a floating signifier whose meanings were sought to be (re)signified by rival sides in the debate. In the following section, we explore the dominant discourse that emerged and the conditions that made this possible.

Method

Sample

In this study, we drew on three sources. The primary source was archival newspaper articles. We analyzed two years of local, state, and national media coverage of HERO between May 13, 2014, when Houston's then-mayor, Annise Parker, held a press conference to unveil what would be known as HERO, and May 13, 2016, two years after the introduction of HERO. To collect data, we searched the terms "bathroom bill," "HERO," "Houston Equal Rights Ordinance," "Houston Unites," and "Campaign for Houston," within online databases (Infotrac's Expanded Academic ASAP, ProQuest Complete, and LexisNexis Academic). From all identified materials, a total of 360 news articles were used: 194 articles from Houston newspapers, 106 articles from Texas-based newspapers, and 60 articles from national newspapers.

The secondary source of data was interviews with individuals who had been involved with HERO. We used interviews to gain community voices and to acquire insight into campaign processes. Informants included local (Houston), regional (Texas), and national (United States) participants. The first interview was conducted with the Transgender Programs Coordinator for Equality Texas, a statewide political advocacy organization

championing LGBT rights and leading proponent of the HERO. Interviewees referred subsequent potential participants that were involved with the ordinance, using snowball sampling (Noy, 2008). When potential informants were identified, the referrers were asked to act as intermediaries to establish contact, resulting in a total of 14 individuals who participated in interviews lasting between 60 and 90 minutes that yielded more than 300 pages of transcripts. Interviews with informants began with "grand-tour" questions (see McCracken, 1988; Spradley, 1979) pertaining to their involvement with the referendum and their experiences with campaigns. Although several campaign strategists and decision makers participated in this study, some individuals involved in the efforts did not follow through with requests for interviews. Additionally, we reached out to Steve Hotze, the President of Campaign for Houston, but we did not receive a response. Therefore, interview data are focused on the perspectives of individuals willing to participate in this research. Lastly, the third source of data included information relating to HERO from the Web pages and social media sites of Campaign for Houston and Houston Unites to see how they functioned in the articulation of transgender subjectivity.

As queer communication scholars, both researchers recognize that their interest in this case emanates from a larger research interest in media, communication, and queer subjectivities. The first author identifies as a White, nonbinary, masculine-centered queer, and the second author identifies as a cisgender[2] queer of color Latinx. They acknowledge that their research positionalities straddle the line between scholar and activist; therefore, they acknowledge the significance of their "situated knowledge" (Boellstorff, 2006). At the time of data collection, the first author was living in Houston, and their queer identities and geographical location helped gain entrée to and develop rapport with informants. Importantly, this researcher spent four years closely connected to this case and living in its aftermath.

Analysis

On completion of data collection, the authors engaged in a "long preliminary soak" (Hall, 1975, p. 15) in the data to get a broader sense of the emergent discourse and contexts, as well as how they fit together. Hall (1986) states that articulation theory is "both a way of understanding how ideological elements come, under certain conditions, to cohere together within a discourse, and a way of asking how they do or do not become articulated, at specific conjunctures, to certain political subjects" (p. 53). The collected data were analyzed using theoretical concepts of articulation to uncover and map the dominant discourse found throughout the data. An articulation analysis focuses on the conditions of possibility of meaning-making, signification, and floating signifiers. As opposed to other ways of analyzing discourses and debates (e.g., framing), the unique vantage point of articulation theory is that it shows the formation of chains of meaning. Guided by theoretical principles of signification, through close textual analysis we looked at the symbolic linkages and sought to understand "the struggle to temporarily define meaning" (DeLuca, 1999, p. 334) in the HERO case.

Findings

In this section we bring present new insights and knowledge, adding to existing conversations about the discursive contestations around transgender subjects and building on the theory of articulation.

---

[2] Cisgender refers to people whose gender identity matches the sex that they were assigned at birth.

Transgender subjectivity represents a discursive concept whose meanings were sought to be defined (resignified) by competing sides of the debate. The concept of transgender subjectivity functions as a signifier in the articulation process, a concept that has preexisting meaning within culture and emerges as prominent within the debate, but the concept also remains somewhat abstract and takes on new meaning. The example of HERO shows the struggle over signification at work. Transgender subjectivity serves as a seemingly abstract concept that is subject to pressures within political and cultural landscapes where rival forces seek to attach meaning. Because meaning is central to communicative processes, we explore how discourse and power are leveraged in the case of HERO to (re)define transgender subjectivity. We show how political actors articulate the same signifier within diverging discourses, illustrating how transgender subjectivity has become a floating signifier used within discourses to delegitimize and exclude the lives and experiences of transgender people in opposing political projects.

The Bathroom Panic: The Dominant Discourse

At the onset of the political debate surrounding the ordinance, a coalition of conservative pastors argued HERO infringed on their religious beliefs regarding homosexuality; however, they later employed what journalists called the "bathroom predator" theme (Floyd, 2016). The Campaign for Houston issued a multimedia communication campaign, calling the ordinance "filthy," "disgusting," and "unsafe" (Wright, 2015), positioning the restroom as a site of gender-based anxiety, hostility, and unease (Cavanagh, 2010) by employing propagandistic strategies (Jowett & O'Donnell, 2018) in their ads, including ominous music, dramatic lighting, and camera angles, framing the referendum as a public safety concern. In a one-minute radio advertisement targeting female voters, a female narrator states,

> There are already federal and state laws that prohibit discrimination against pregnant women, but this ordinance will allow men to freely go into women's bathrooms, locker rooms, and showers. That is filthy, that is disgusting, and that is unsafe. (Campaign for Houston, 2015, 0:21)

In another 30-second television advertisement, opponents of the ordinance employed rhetoric that envisaged a tension that Houston business owners felt between their responsibility to protect female patrons from "simply by claiming to be a woman that day" (Campaign for Houston, 2015, 0:09) and their failure to comply with the ordinance. The ad noted that failure to comply could result in monetary penalties and jail time.

In the case of HERO, the bathroom panic discourse proved to successfully hegemonize the social and political landscape, winning the struggle against other possible discourses and thereby repressing other forms of meaning (Laclau, 2005). With the refrain of "no men in women's bathrooms," opponents focused the campaign on the part of the ordinance related to the use of public accommodations—specifically, restrooms—by transgender women. The bathroom panic discourse was echoed and emphasized by state leaders. In October 2015, Texas Lieutenant Governor Dan Patrick released a half-minute video in which he said, "City of Houston Prop 1 is not about equality. That's already the law. It's about allowing men in women's locker rooms and bathrooms" (Oberg, 2015, 0:19). In a *Houston Chronicle* article, the Governor of Texas,

Greg Abbott, noted, "It's a matter of not having men in women's restrooms" (Ward, 2015, para. 1), a sentiment he later echoed on Twitter.

Consistent with extant research, opponents capitalized on an opportunity to create a moral panic over the threat of gender-deviant people (Taylor, Haider-Markel, & Lewis, 2018), attacking the ordinance for promoting immorality and upending gender (Morris & Driessen, 2015). At an election-night party, Patrick told opponents, "It was about protecting our grandmoms, and our mothers and our wives and our sisters and our daughters and our granddaughters," adding: "I'm glad Houston led tonight to end this constant political-correctness attack on what we know in our heart and our gut as Americans is not right" (Fernandez & Smith, 2015, para. 4). Patrick's rhetoric exemplifies and validates the opposition's chains of meaning of transgender as a threat to public safety by connecting morality and nationalism to the revocation of the ordinance. This signification was not limited to the campaigns and politicians, it was also reified through the press and left unchallenged by the erasure of transgender representation in proponent narratives.

Conditions of the Discursive Landscape

Mediated Conditions: Reification by the Press

News media reinforced the discourses of Campaign for Houston and strengthened the link between the ordinance and public restrooms, illuminating the role of the press in systemic issues. The press provided key moments of meaning-making that were prominent within the discourse of HERO (Jørgensen & Phillips, 2002), functioning as "privileged signifiers that fix the meaning of a signifying chain" (Laclau & Mouffe, 1985, p. 112). In their coverage of the referendum, the press further substantiated the ordinance as a "bathroom bill" by including the phrase in article titles or mentioning it in the body of the story. For example, headlines from the *Houston Chronicle*'s coverage of the case read, "Houston again appeals anti-transgender bathroom petition" (Dempsey, 2015) and "Bathroom bogeyman" (Graber, 2018), perpetuating the falsity that the ordinance was about gender identity and public restrooms. A *Wall Street Journal* headline projected, "'Bathroom Battles' Erupt Over Transgender Issue" (Bauerlein, 2016), whereas a headline in *The New York Times* read, "The Equal Rights Fight Over Houston's Bathrooms" (Swartz, 2015). On a national level, a journalist from *The New York Times* reported,

> Opponents said the measure would allow men claiming to be women to enter women's bathrooms and inflict harm, and that simple message—"No Men in Women's Bathrooms"—was plastered on signs and emphasized in television and radio ads, turning the debate from one about equal rights to one about protecting women and girls from sexual predators. (Fernandez & Smith, 2015, para. 4)

A national Associated Press article quoted a Houston voter:

> I don't know why anyone would think that men going into a women's bathroom or swimming pool or locker room would be a good idea. . . . It's not just a good idea. It's not safe and these people need to find another solution. (Lozano, 2015, para. 6)

On the local level, the press reified and solidified chains of meaning among public safety, gender deviance, and the ordinance. A communication specialist involved in the Houston Unites campaign emphasized the role of the press: "The comments that came out in the Houston media market were irresponsible, inaccurate, in some cases defamatory, and so we still have a lot of work to do to change and improve how the media covers transgender issues" (Personal communication, August, 2016, 29:38). He placed much of the blame on the misinformation of the ordinance and its demonizing of transgender people on the local news media. This sentiment was echoed by a Black transgender activist who recounted that whenever reporting on the ordinance, the Houston news media flashed a picture of a rainbow flag or restroom. She noted, "They just kept on hammering that bathroom predator over and over again," (Battle For LGBTQ Non-Discrimination panel, November, 2016, 17:35) emphasizing the role of the press in skewing the focus of the ordinance on LGBTQ issues and othering gender minorities. Overwhelmingly, informants felt betrayed by national and local news coverage of the ordinance, a finding that is consistent with reductive and demeaning reporting of transgender communities and issues by mainstream news media (see Fischer, 2019b).

Importantly, transgender people and issues affecting transgender communities were discussed in roundabout and indirect ways, and at local and national levels, the press failed to include the perspectives of transgender people, a finding that is consistent with extant research that points to historical underrepresentation and underreporting of transgender perspectives by news media (Kenney, 2008; Mackenzie & Marcel, 2009; Sloop, 2000). Data also illuminated the erasure and marginalization of transgender perspectives from these mediated discourses and campaign production. In the next section, we attend to the structural conditions that shaped the discursive landscape.

Structural Conditions: Erasure of Transgender Perspectives

Amidst a debate dominated by the rhetoric of "no men in women's bathrooms," data point to the glaring absence of transgender representation in campaign discourses. Fischer (2019b) draws our attention to questions of who gets to be seen in the media, noting that the significance of visibility varies greatly for different constituencies within queer communities. Though Campaign for Houston activated the bathroom panic strategy, Houston Unites excluded transgender people and perspectives from campaign production and messaging, resulting in the perpetuation of lies about transgender people that had deleterious representational consequences and public policy implications.

Early on, outside of the formal campaign leadership of Houston Unites, supporters of HERO sought to create their own chains of meaning to rearticulate the discourses put forth by Campaign for Houston. A Black gay man on the Mayor's LGBTQ Advisory Board noted the importance of amplifying positive transgender representations, specifically Black transgender people. Despite efforts to get Houston Unites to put transgender people at the heart of the campaign, informants expressed a sentiment of defeat. One Black queer activist pinpointed a turning point when Houston Unites fired a transgender woman who attempted to be vocal about the ordinance in the Latinx community. A leader of Houston's Black Lives Matter movement noted, "One of the things that was glaringly obvious was that we needed trans folks to actually go out and confront our right-wing opposition" (Battle For LGBTQ Non-Discrimination panel, November, 2016, 7:20).

Informants emphasized that the populations and identities most affected by the lack of nondiscrimination protections were excluded from research and planning phases of the campaign.

According to campaign documents, leadership was disproportionally White and male: All executive committee representatives were White; two were women; all but one director-level campaign staff member were White; and seven of nine director-level positions, including the campaign manager, were held by men (Pandit, 2015). Individuals from national organizations were flown into Houston to help with campaigning, and according to informants, often, campaign strategists and employees did not understand the culture and issues that resonated with Houston's residents. A Black lesbian and former head of Houston's LGBT political caucus recalled that the Houston Unites campaign "brought someone in from the outside" that did not know the local sociopolitical landscape (Personal communication, November, 2016, 9:24). One informant from a national organization noted that his time in Houston ended when HERO failed, and he, like many others, went home. He noted that Houston Unites mainly functioned as a "revolving door," with supervisors and national field directors coming in only for weekend meetings. Several informants expressed that outsiders from national organizations did not jive well with local activists. An activist on the Houston Mayor's LGBT Advisory Board noted that many of the national representatives took up all the oxygen in the room—dominating the conversation: "We needed them actually showing up in meaningful ways, a lot of times which means being in the room and shutting the hell up" (Personal communication, November, 2016, 51:28).

Several informants shared that there was a sense of ignorance and transphobia at the Houston Unites' decision-making table—particularly, the gays and lesbians in positions of power did not prioritize clarifying misinformation around gender minorities, suggesting the "T" in LGBT was alone in fighting against the opposition. A Black queer activist noted, failure was "not allowing the trans community to speak for itself. It was a very grievous mistake. We brushed the trans people aside because . . . they didn't want to make people uncomfortable" (Personal communication, November, 2016, 11:48). Several informants echoed this sentiment that campaign strategists did not invite transgender people to weigh in, nor did they give them a platform to share their experiences and perspectives that could have humanized transgender people. Several informants believed the choice to not include transgender people in campaign messages was intended to prevent discomfort of Houston voters, suggesting the images of transgender people would backfire and cause people to not support the ordinance. Rather than tackling the propaganda put out by opponents and reified by news media, campaign leaders within Houston Unites pivoted away from the bathroom rhetoric to focus on camaraderie and community.

Channeling local and state allegiances, Houston Unites rallied around messages including "Houston unites against discrimination" and "We fight on because we believe in Houston," employing the hashtag #webelieveinHouston. To supplement paid media, proponents held press conferences and issued news releases emphasizing the diversity of Houston's residents, a diversity they were hoping would serve as the strategic thread across the campaign. One activist argued the strategy was not compelling because "the other side had made this such a scary, scary argument and based on the real misunderstanding with the transgender community" (Personal communication, November, 2016, 18:36). Though the opponents' refrain reverberated through the airwaves, Houston Unites made a strategic decision to move attention away from the bathroom debate. As a result, the Campaign for Houston dominated chains of signification and

maintained an advantage in the political power struggle, and the discourse of bathroom panic dominated the ordinance.

Discussion

As transgender subjects have gained prominence and visibility in public domains, opposing political actors have sparred over the meaning of transgender lives. The discourses within the HERO case embody the political and cultural struggles over signification at work. Articulation theory allows us to see how seemingly abstract concepts—in this case, transgender subjectivity—are subject to competing pressures within the political discourse. We contend that an analysis that centers discourse and power functions as a fruitful framework to understand the processes at play in articulation, particularly as it relates to controversial sociopolitical issues.

Our analysis reveals that transgender subjectivity became lodged between opposing and antagonistic projects and represented a larger hegemonic struggle to define the processes and function of contemporary politics. Through advertising, media relations efforts, and galvanization of religious leaders, the Campaign for Houston "dominate[d] the field of discursivity" (Laclau & Mouffe, 1985, p. 112), establishing a link between transgender people and bathroom predators. This discourse tapped into a broader public misinformation about gender minorities and was reflective of a broader cultural discourse of transgender people. On face value, the bathroom panic is absurd; however, this rhetoric plays into decades of mediated representations of transgender people as deceptive and dangerous (see Barker-Plummer, 2013; Bettcher, 2007; Billard, 2019a; MacKenzie & Marcel, 2009; Sloop, 2000; Squires & Brouwer, 2002; Willox, 2003). In response to these insecurities and anxieties, characteristically White, Christian males take it upon themselves to defend the "safety and purity of white cis women" (Fischer, 2019b, p. 176), as seen in the work of Campaign for Houston, and transgender people "have become fodder for political, and often partisan, debate" (Bowers & Whitley, 2020, p. 1).

In conjunction with scholars of transgender media and communication, we argue that transgender subjectivity has become a deeply political concept used to delegitimize political opponents and construct hegemony. However, the contributions of this article are empirical and methodological, as we pair discourse with process to illuminate the production of signification and how these insights can highlight which discourse dominated. Articulation provides an analytic lens through which scholars can examine the making and unmaking of linkages to reveal the connections between discursive elements. Our analysis demonstrates how political campaigns function as discursive spaces where opposing projects work to define transgender subjectivity, evidencing the rival pressures signifiers are subjected to. Theories of discourse remind us that discourses are historical and contingent, and they emerge through contestation. The theory and method of articulation allows us to parse out the linkages through which concepts are given meaning by way of articulating and rearticulating. A subject, like who or what is considered transgender, as communication scholar Kevin DeLuca (1999) notes, is not simply interpellated by one discourse; rather, it is the result of an assemblage of conflicting discourses and is subject to competing pressures. Furthermore, when the subject of the signifier is a community of people, the meaning held by the signifier can have repercussions that impact the lived experiences of this group. This case evidences that transgender people are being used for political gains while concurrently being excluded from the conversations that are vital to furthering transgender rights. Although

mediated depictions of transgender people in popular culture have increased and are slowly becoming less homogenous, the political discourses surrounding their very existence are often still controlled by those hegemonic structures of power. It is a paradox that future research should address.

Recall Laclau's (2005) proposition that the floating aspect of a signifier becomes most visible in periods of organic crisis, when "symbolic systems need to be radically recast" (p. 132). Whether the contemporary era of transgender politics and visibility constitutes one of these Laclauian crises is to be decided. However, findings illustrate that HERO represents the articulation of fundamentally different hegemonic projects, whereby the floating signifier of transgender subjectivity comes to represent a power struggle. The pluralization of transgender representations suggests that defining who or what is a transgender subject has become a central contemporary political project. The discursive struggle of HERO points to the hegemonic battles instituted by the floating nature of transgender subjectivity, and political campaigns are evidence of a potential organic crisis and a stake in the struggle to produce new modes of representation. Pragmatically, those who have the power to shape the meaning of signifiers may ultimately be able to shape the outcome of the issue at hand.

Discourses, like "no men in women's bathrooms," are formations that are historical and are composed of sociocultural ensembles that are made, unmade, and remade. Importantly, a theory of articulation asks us to consider what rearticulations are possible. To break the chains of meaning, forces are needed that challenge the hierarchy of campaign production, making space for the voices of transgender people in campaign processes. Additionally, though communication campaigns need to include myriad perspectives, the media should also be held accountable for their reporting and need to provide nuanced coverage of complex issues, such as in the case of HERO, attending to the experiences of transgender people and providing platforms and resources to share their voices.

Our analysis is significant because these discursive struggles do not remain within the symbolic realm, but unvaryingly have material consequences. Simultaneously, they place transgender lives at the center of a political debate while further marginalizing the experiences and perspectives of transgender people. Importantly, discourses like those that emerged in the context of HERO increase visibility of transgender and gender-diverse people. However, greater media visibility of transgender lives and attention to issues affecting gender minorities is a double-edged sword and paradox (Berberick, 2018); there is an improved awareness of needs, but with this comes increased vulnerability (Bockting et al., 2019). Representations of transgender lives, as philosopher and gender theorist Judith Butler (2004) asserts, "have a potential and actual impact on political life at its most fundamental level, that is, who counts as a human and what norms govern the appearance of 'real' humanness" (p. 28). Proponents failed to place into consideration the implications of the lack of local, state, and federal protections of transgender people and the elevated levels of violence and discrimination against these groups. Discourses and the responses they generate have very real impacts; for example, according to the 2015 U.S. Transgender Survey, more than half (59%) of respondents avoided using a public restroom because they were afraid of confrontations or other problems they might experience (National Center for Transgender Equality, 2015). This fear is substantiated through data from the Williams Institute, which reported that 70% of transgender people have experienced harassment in restrooms or changing facilities, and 9% of those respondents reported physical violence (Herman, 2013). These material consequences can be extended to influencing public policy. For example, in their analysis of 71 bills introduced

between 2014 and 2018, political science scholar Zein Murib (2019) found these bills (1) legalize discrimination against transgender and gender nonconforming people, and (2) make transgender or gender nonconforming embodiment a criminal act. Laws and legislation that put restrooms at the heart of the debate result in increased scrutiny of gender in public restrooms (Platt & Milam, 2018). Cases like HERO have public health consequences (Reisner et al., 2015), impacting the mental and physical health of transgender and gender diverse individuals (Seelman, 2016), and further stigmatizing and criminalizing their lives, leaving transgender people susceptible to discrimination, harassment, and violence (Movement Advancement Project & Center for American Progress, 2016).

As the sociopolitical divide deepens, it becomes increasingly vital for communication campaigns centered around marginalized group rights to consider both the construction and opposition to hegemonic structures of meaning and interpretation. Processes of signification are deeply political and are part of a larger struggle to define contemporary society. Future research might try to explore and understand how and why such hegemonic discourses have gained traction. Is it because they resonate or reproduce existing fears and doubts? Or do they suggest a larger organic crisis facing our society? The construction of transgender subjectivity is a site of political struggle that has grave implications. Ultimately, what lies at stake in this case is who obtains the power to define transgender subjectivity, who can portray it, and in what ways they portray it. To come to terms with the complexities of communication campaigns, various methodological perspectives are needed. In this article, we offer an in-depth look at one case of a referendum vote, and we invite scholars to explore additional discursive sites where transgender representations are constructed and contested.

References

Åkerlund, M. (2019). Representations of trans people in Swedish newspapers. *Journalism Studies*, *20*(9), 1319–1338.

Ambrosino, B. (2014, October 16). Houston mayor scales back controversial subpoena of local pastors' sermons. *Vox*. Retrieved from https://www.vox.com/2014/10/16/6987297/houston-is-requiring-pastors-to-hand-over-their-sermons-for-an

Anti-LGBT groups ramp up transphobia before Houston vote. (2015, October 26). Retrieved from Southern Poverty Law Center website: https://www.splcenter.org/hatewatch/2015/10/26/anti-lgbt-groups-ramp-transphobiahouston-vote

Arune, W. (2006). Transgender images in the media. In L. Castañeda & S. Campbell (Eds.), *News and sexuality: Media portraits of diversity* (pp. 111–133). Thousand Oaks, CA: SAGE Publications.

Barker-Plummer, B. (2013). Fixing Gwen: News and the mediation of (trans)gender challenges. *Feminist Media Studies, 13*(4), 710–724.

Bauerlein, V. (2016, March 24). 'Bathroom battles' erupt over transgender issue. *The Wall Street Journal*. Retrieved from https://www.wsj.com/articles/bathroom-battles-erupt-over-transgender-issue-1458862031

Berberick, S. N. (2018). The paradox of trans visibility: Interrogating the "Year of Trans Visibility." *Journal of Media Critiques*, *4*(13), 123–144.

Bettcher, T. M. (2007). Evil deceivers and make-believers: On transphobic violence and the politics of illusion. *Hypatia*, *22*(3), 43–65.

Billard, T. J. (2016). Writing in the margins: Mainstream news media representations of transgenderism. *International Journal of Communication*, *10*, 4193–4218.

Billard, T. J. (2019a). 'Passing' and the politics of deception: Transgender bodies, cisgender aesthetics, and the policing of inconspicuous marginal identities. In T. Docan-Morgan (Ed.), *The Palgrave handbook of deceptive communication* (pp. 463–477). New York, NY: Palgrave Macmillan.

Billard, T. J. (2019b). Setting the transgender agenda: Intermedia agenda-setting in the digital news environment. *Politics, Groups, and Identities, 7*(1), 165–176. doi:10.1080/21565503.2018.1532302

Bockting, W., Barucco, R., LeBlanc, A., Singh, A., Mellman, W., Dolezal, C., & Ehrhardt, A. (2019). Sociopolitical change and transgender people's perceptions of vulnerability and resilience. *Sexuality Research and Social Policy*, *17*(1) 162–174.

Boellstorff, T. (2006). Queer studies under ethnography's sign. *GLQ: A Journal of Lesbian and Gay Studies, 12*, 627–639.

Bowers, M. M., & Whitley, C. T. (2020). What drives support for transgender rights? Assessing the effects of biological attribution on U.S. public opinion of transgender rights. *Sex Roles*, 1–13. doi:10.1007/s11199-019-01118-9

Brady, A. (2016). Keeping away from the Kardashians: Celebrity worth and the re-masculinising of Caitlyn Jenner. *Celebrity Studies*, *7*(1), 115–118.

Butler, J. (2004). *Undoing gender*. London, UK: Routledge.

Campaign for Houston. (2015). Campaign for Houston Radio Spot–Rashinique [Video file]. Retrieved from https://www.youtube.com/watch?v=Bi4J2rM2vM0

Capuzza, J. C. (2014). Who defines gender diversity? Sourcing routines and representation in mainstream U.S. news stories about transgenderism. *International Journal of Transgenderism*, *15*(3/4), 115–128.

Capuzza, J. C. (2016). Improvements still needed for transgender coverage. *Newspaper Research Journal*, *37*(1), 82–94.

Cavanagh, S. L. (2010). *Queering bathrooms: Gender, sexuality, and the hygienic imagination*. Toronto, Canada: University of Toronto Press.

Cloud, D. L. (2014). Private Manning and the chamber of secrets. *QED: A Journal in GLBTQ Worldmaking*, *1*(1), 80–104.

Davis, A. K. (2020). *Bathroom battlegrounds: How public restrooms shape the gender order*. Oakland, CA: University of California Press.

DeLuca, K. (1999). Articulation theory: A discursive grounding for rhetorical practice. *Philosophy & Rhetoric*, *32*(4), 334–348.

Dempsey, M. (2015, August 8). Houston again appeals anti-transgender bathroom petition. *Houston Chronicle*. Retrieved from https://www.chron.com/news/houston-texas/houston/article/Houston-again-appeals-anti-transgender-bathroom-6433146.php

Driessen, K. (2015, November 4). Voters soundly reject equal rights ordinance. *Houston Chronicle*. Retrieved from http://www.houstonchronicle.com/politics/election/local/article/Voters-soundly-rejectequal-rights-ordinance-6609246.php

Farkas, J., & Schou, J. (2018). Fake news as a floating signifier: Hegemony, antagonism and the politics of falsehood. *Javnost–The Public*, *25*(3), 298–314.

Fernandez, M., & Smith, M. (2015, November 4). Houston voters reject broad anti-discrimination order. *The New York Times*. Retrieved from https://www.nytimes.com/2015/11/04/us/houston-voters-repeal-anti-bias-measure.html?_r=0

Fischer, M. (2019a). Piss(ed): The biopolitics of the bathroom. *Communication, Culture & Critique*, *12*(3), 397–415.

Fischer, M. (2019b). *Terrorizing gender: Transgender visibility and the surveillance practices of the U.S. security state*. Lincoln: University of Nebraska Press.

Floyd, J. (2016). Dan Patrick shamefully targets vulnerable kids to score political points in transgender bathroom wars. *The Dallas Mornings News*. Retrieved from https://www.dallasnews.com/news/2016/05/11/dan-patrick-shamefully-targets-vulnerable-kids-to-score-political-points-in-transgender-bathroom-wars/

Graber, S. M. (2018). The bathroom boogeyman: A qualitative analysis of how the Houston Chronicle framed the Equal Rights Ordinance. *Journalism Practice*, *12*(7), 870–887.

Glover, J. K. (2016). Redefining realness? On Janet Mock, Laverne Cox, TS Madison, and the representation of transgender women of color in media. *Souls*, *18*(2/4), 338–357.

Hackl, A. M., Becker, A. B., & Todd, M. E. (2016). "I Am Chelsea Manning": Comparison of gendered representation of Private Manning in U.S. and international news media. *Journal of Homosexuality*, *63*(4), 467–486.

Hall, S. (1975). The rediscovery of 'ideology': Return of the repressed in media studies. In M. Gurevitch, T. Bennett, J. Curran, & J. Woollacott (Eds.), *Culture, society and the media* (pp. 61–95). New York, NY: Routledge.

Hall, S. (1986). On postmodernism and articulation: An interview with Stuart Hall. L. Grossberg (Ed.). *Journal of Communication Inquiry, 10*(2), 45–60.

Herman, J. L. (2013). Gendered restrooms and minority stress: The public regulation of gender and its impact on transgender people's lives. *Journal of Public Management and Social Policy, 19*, 71–76.

Jones, P. E., Brewer, P. R., Young, D. G., Lambe, J. L., & Hoffman, L. H. (2018). Explaining public opinion toward transgender people, rights, and candidates. *Public Opinion Quarterly*, *82*(2), 252–278.

Jørgensen, M.W., & Phillips, L. J. (2002). *Discourse analysis as theory and method.* London, UK: SAGE Publications.

Jowett, G. S., & O'Donnell, V. (2018). *Propaganda & persuasion*. Thousand Oaks, CA: SAGE Publications.

Kenney, R. (2008). The real gender-bender: The curious case of the coverage of the Steve Stanton story. *Florida Communication Journal*, *36*(1), 1–11.

Kralik, J., & Palmer, J. (2017, July 28). "Bathroom bill" legislative tracking. *National Conference of State Legislatures*. Retrieved from https://www.ncsl.org/research/education/-bathroom-bill-legislative-tracking635951130.aspx

Laclau, E. (1990). *New reflections on the revolution of our time: Ernesto Laclau*. London, UK: Verso.

Laclau, E. (1994). *The making of political identities*. London, UK: Verso.

Laclau, E. (1996). Why do empty signifiers matter to politics. In E. Laclau (Ed.), *Emancipation(s)* (pp. 36–46.) London, UK: Verso.

Laclau, E. (2000). Identity and hegemony: The role of universality in the constitution of political logics. In J.P. Butler, E. Laclau, & S. Zizek (Eds.), *Contingency, hegemony, universality: Contemporary dialogues on the left* (pp. 44–89). London, UK: Verso.

Laclau, E. (2005). *On populist reason*. London, UK: Verso.

Laclau, E., & Mouffe, C. (1985). *Hegemony and socialist strategy: To a radical democratic politics* (W. Moore & P. Cammack, Trans.). London, UK: Verso.

Lovelock, M. (2017). "I Am . . .": Caitlyn Jenner, Jazz Jennings and the cultural politics of transgender celebrity. *Feminist Media Studies*, *17*(5), 737–754.

Lozano, J. A. (2015, November 3). Houston equal rights measure in hands of voters. *The Associated Press*. Retrieved from https://www.elpasotimes.com/story/news/national/2015/11/03/houston-equal-rights-measure-hands-voters/75114122/

MacKenzie, G., & Marcel, M. (2009). Media coverage of the murder of U.S. transwomen of color. In L. M. Cuklanz & S. Moorti (Eds.), *Local violence, global media: Feminist analyses of gendered representations* (pp. 79–106). Bern, Switzerland: Peter Lang.

McCracken, G. (1988). *The long interview* (Vol. 13). Thousand Oaks, CA: SAGE Publications.

Meyerowitz, J. (1998). Sex change and the popular press: Historical notes on transsexuality in the United States, 1930–1955. *GLQ: A Journal of Lesbian and Gay Studies*, *4*(2), 159–187.

Morris, M. A. (2014a, May 29). Council passes equal rights ordinance. *Houston Chronicle.* Retrieved from https://www.chron.com/news/politics/houston/article/Council-passes-equal-rights-ordinance-5510672.php

Morris, M. A. (2014b, July 3). Equal rights law opponents deliver signatures seeking repeal. *Houston Chronicle*. Retrieved from http://www.houstonchronicle.com/news/politics/houston/article/Equal-rights-law-opponents-deliver-signatures-5599272.php?cmpid=twitter-premium&t=63159f4ad9cf61987c#/0

Morris, M., & Driessen, K. (2015, October 25). 'Fear' aiming to take HERO. *Houston Chronicle*. Retrieved from https://www.houstonchronicle.com/news/houston-texas/houston/article/Fear-aiming-to-take-HERO-6589831.php

Movement Advancement Project, & Center for American Progress. (2016, May). *Unjust: How the broken criminal justice system fails transgender people.* Retrieved from https://www.lgbtmap.org/policy-and-issue-analysis/criminal-justice-trans

Murib, Z. (2015). Transgender: Examining an emerging political identity using three political processes. *Politics, Groups, and Identities, 3*(3), 381–397. doi:10.1080/21565503.2015.1048257

Murib, Z. (2019). Administering biology: How "bathroom bills" criminalize and stigmatize trans and gender nonconforming people in public space. *Administrative Theory & Praxis, 42*(2), 1–19. doi:10.1080/10841806.2019.1659048

National Center for Transgender Equality. (2015). *The report from the 2015 U.S. Transgender Survey.* Retrieved from http://www.ustranssurvey.org/

Noy, C. (2008). Sampling knowledge: The hermeneutics of snowball sampling in qualitative research. *International Journal of Social Research Methodology*, *11*(4), 327–344.

Oberg, T. (2015, October 19). VIDEO: Anti-HERO ad paid for by Lt. Gov. Dan Patrick campaign [Video file]. *ABC13 Eyewitness News*. Retrieved from https://abc13.com/politics/video-anti-hero-ad-paid-for-by-lt-gov-dan-patrick-campaign/1041205/

Official–Harris County, Texas–General and Special Elections. (2015, November 3). Retrieved from https://www.harrisvotes.com/HISTORY/20151103/cumulative/cumulative_9.jpg

Pandit, E. (2015). Fallen HERO: The campaign that couldn't save Houston. *The Texas Observer*. Retrieved from https://www.texasobserver.org/fallen-hero-the-campaign-that-couldnt-save-houston/

Platt, L. F., & Milam, S. R. (2018). Public discomfort with gender appearance-inconsistent bathroom use: The oppressive bind of bathroom laws for transgender individuals. *Gender Issues*, *35*(3), 181–201.

Reisner, S. L., Hughto, J. M. W., Dunham, E. E., Heflin, K. J., Begenyi, J. B. G., Coffey-Esquivel, J., & Cahill, S. (2015). Legal protections in public accommodations settings: A critical public health issue for transgender and gender-nonconforming people. *The Milbank Quarterly, 93*(3), 484–515.

Schilt, K., & Westbrook, L. (2009). Doing gender, doing heteronormativity: "Gender normals," transgender people, and the social maintenance of heterosexuality. *Gender & Society*, *23*(4), 440–464.

Schilt, K., & Westbrook, L. (2015). Bathroom battlegrounds and penis panics. *Contexts*, *14*(3), 26–31.

Seelman, K. L. (2016). Transgender adults' access to college bathrooms and housing and the relationship to suicidality. *Journal of Homosexuality, 63*(10), 1378–1399.

Sloop, J. M. (2000). Disciplining the transgendered: Brandon Teena, public representation, and normativity. *Western Journal of Communication, 64*(2), 165–189.

Spradley, J. P. (1979). *The ethnographic interview*. New York, NY: Holt, Rinehart & Winston.

Squires, C., & Brouwer, D. (2002). In/discernible bodies: The politics of passing in dominant and marginal media. *Critical Studies in Media Communication*, *19*(3), 283–310.

Swartz, M. (2015, October 27). The equal rights fight over Houston's bathrooms. *The New York Times*. Retrieved from https://www.nytimes.com/2015/10/28/opinion/the-equal-rights-fight-over-houstons-bathrooms.html

Tadlock, B. L. (2014). Issue framing and transgender politics: An examination of interest group websites and media coverage. In J. K. Taylor & D. P. Haider-Market (Eds.), *Transgender rights and politics: Groups, issue framing, and policy adoption* (pp. 25–48). Ann Arbor: University of Michigan Press.

Taylor, J. K., Haider-Markel, D. P., & Lewis, D. C. (2018). *The remarkable rise of transgender rights*. Ann Arbor: University of Michigan Press.

Ward, M. (2015, November 2). Abbott to Houston: Vote no on Prop. 1. *Houston Chronicle*. Retrieved from https://www.chron.com/politics/texas/article/Abbott-to-Houston-Vote-no-on-Prop-1-6605209.php

Westbrook, L., & Schilt, K. (2014). Doing gender, determining gender: Transgender people, gender panics, and the maintenance of the sex/gender/sexuality system. *Gender & Society*, *28*(1), 32–57.

Willox, A. (2003). Branding Teena: (Mis)representations in the media. *Sexualities*, *6*(3/4), 407–425.

Wright, J. (2015). *Pro-HERO ad shuts down trans bathroom myth.* Retrieved from Project Q Houston website: https://www.projectq.us/houston/pro_hero_ad_counters_trans_bathroom_myth

Wuest, J. (2019). The scientific gaze in American transgender politics: Contesting the meanings of sex, gender, and gender identity in the bathroom rights cases. *Politics & Gender*, *15*(2), 336–360.