

Why This ACLU State Leader Resigned

A few years ago, Maya Dillard Smith invited controversy when she argued the Ku Klux Klan had the right to sponsor a highway trash pickup.

Last weekend, she did it again by announcing to a liberal Atlanta news outlet she was resigning her post as interim director of the Georgia ACLU over its advocacy for “transgender rights.” She said the ACLU has become “a special interest organization that promotes not all, but certain progressive rights. In that way, it is a special interest organization not unlike the conservative right, which creates a hierarchy of rights based on who is funding the organization’s lobbying activities.”

“Transgender rights,” she added, have “intersectionality” with other competing rights, particularly women’s rights. She also said she shared her own personal experience with the ACLU in which she took her own daughters to the bathroom only to have a group of men who claimed to be transgender come in after them.

“[T]hree transgender young adults over six feet with deep voices entered,” she said in a statement announcing her resignation. “My children were visibly frightened, concerned about their safety and left asking lots of questions for which I, like many parents, was ill-prepared to answer.

“Despite additional learning I still have to do, I believe there are solutions that provide can provide accommodations for transgender people and balance the need to ensure women and girls are safe from those who might have malicious intent.

“I understood it to be the ACLU’s goal to delicately balance competing rights to ensure that any infringements are narrowly

tailored, that they do not create a hierarchy of rights, and that we are mindful of unintended consequences. Thus, I found myself principally and philosophically unaligned with the organization.”

The Georgia ACLU has already begun searching for her replacement. The announcement came at a time when the organization has been applying pressure to Georgia Gov. Nathan Deal, who vetoed a bill to provide religious freedom over the gay marriage issue, and while it continues to wage a battle with North Carolina Gov. Pat McCrory over that state’s HB 2 “bathroom law.”

“Cheryl” Courtney-Evans, a Georgia transgender advocate, said he thought Smith “did the right thing” by resigning.

“If she couldn’t defend our rights any better than that, she deserves to leave—she doesn’t need to be in that position,” he said. “The ACLU is supposed to stand up for everybody’s rights—if we’ve got a president and an attorney general that recognizes our right to be, what do we need with her then?”

Smith poured gasoline on the fire, however, by launching her own organization, called Finding a Middle Ground. Its website features a video that includes a young girl discussing her confusion over the transgender bathroom issue:

“Boys in the girls’ bathroom? I don’t know about that. There’s some boys who feel like they’re girls on the inside, and there’s some boys who are just perverts.”