

U.S. Supreme Court Allows Trans Military Ban

The Supreme Court has sided with the Trump administration, allowing the ban on transgender individuals in the military to proceed as litigation continues.

The court order said that Justices Sotomayor, Kagan and Jackson dissented.

Lambda Legal and Human Rights Campaign Foundation called the decision a “devastating blow to transgender servicemembers.”

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In April, the Trump administration requested that the Supreme Court review a lower court ruling that blocked its ban on transgender individuals in the military. U.S. District Judge Benjamin Settle found in March that the Trump administration “falls well short of its burden to show that banning transgender service is substantially related to achieving unit cohesion, good order, or discipline.”

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“Although the Court gives deference to military decision making, it would be an abdication to ignore the government’s flat failure to address plaintiffs’ uncontroverted evidence that years of open transgender service promoted these objectives,” Settle wrote.

A similar injunction was issued against Trump’s order by U.S. District Judge Ana Reyes.

Trump’s executive order targeted the presence of “radical gender ideology” in the Armed Forces, which sought to “appease activists unconcerned with the requirements of military

service like physical and mental health, selflessness and unit cohesion,” the order said.

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“Beyond the hormonal and surgical medical interventions involved, adoption of a gender identity inconsistent with an individual’s sex conflicts with a soldier’s commitment to an honorable, truthful, and disciplined lifestyle, even in one’s personal life,” the order added. “A man’s assertion that he is a woman, and his requirement that others honor this falsehood, is not consistent with the humility and selflessness required of a service member.”

A February memo from the Pentagon also highlighted the removal of transgender individuals. Individuals who “have a current diagnosis or history of, or exhibit symptoms consistent with, gender dysphoria is incompatible with military service,” the memo read. “Service by these individuals is not in the best interests of the Military Services and is not clearly consistent with the interests of national security.”

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