

## “GENDER IDENTITY” PROTECTIONS (“BATHROOM BILLS”)

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Various localities, states, and the federal government are being urged to expand the protected categories under existing civil rights laws to bar “discrimination” in employment, housing, and/or public accommodations on the basis of “gender identity.” “Gender identity” is typically described as “a gender-related identity, appearance, expression, or behavior of an individual regardless of the individual’s assigned sex at birth.” These bills would provide special protections for “transgender” individuals – an umbrella category that includes transsexuals (people who have had “sex-change” surgery), transvestites (cross-dressers), “drag queens” and “drag kings” (people who cross-dress for entertainment purposes only). Among the implications of these bills is that the use of sex-specific facilities, such as men’s and women’s public restrooms, locker rooms, and showers, could no longer be limited on the basis of a person’s actual biological sex. As a result, these bills have been dubbed “Bathroom Bills.”

1. To suggest that the identification of a human being’s sex at birth represents merely an “assignment,” as though it were entirely a social construct agreed upon by the child’s parents and physician, is absurd. Sex is an objective biological reality, identified based on the presence of external genitalia, internal sex organs, and chromosomes, which in the overwhelming majority of cases are entirely consistent and unambiguous at birth. It is simply foolish to treat this as a characteristic that can be changed at will.
2. Such bills often state that an employer can still maintain “appearance, grooming, and dress standards.” However, most ordinary Americans would consider dressing in ways that are culturally appropriate for one’s biological sex to be the most fundamental “appearance, grooming, and dress standard” that could be conceived of – yet requiring that is exactly what these bills are designed to forbid. Likewise, for any job involving customer service or contact with other clients, dressing in a way appropriate for one’s biological sex



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may be “a bona fide occupational qualification,” because the adoption of the “gender identity” of the opposite sex is often highly unconvincing and therefore disturbing to witnesses.

3. The government should never purposefully threaten the public safety of women and children by creating the legitimized access that sexual predators tend to seek.
4. It would be impossible for a young girl to determine whether or not the man in the restroom is a “peeping tom,” a rapist or a pedophile, and it is unconscionable for any legislator to purposefully place her in such a compromising position.
5. No government should be so irresponsible as to deliberately compromise its citizenry’s safety and wellbeing in order to appease minority demands based on personal sexual preferences.
6. Bathroom Bills would adversely affect business owners who hold religious, conscientious or moral objections to others’ privately held pan-sexual predilections. Advocates have reportedly claimed that transgendered men fear physical attack in the men's room and must therefore use the ladies’ room in public. Legislators should not allow the rights of transgendered men to transcend the rights of women and vulnerable children.