



WHAT IS A WOMAN?

Why We Need the
Women's Bill of Rights

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Five Key Points About the Women's Bill of Rights

- 1** **It is becoming increasingly difficult to talk about women's rights in a common language.** While most Americans understand that a 'woman' is an adult human female, radical gender ideologues want to redefine womanhood as a subjective state unrelated to biological sex.
- 2** **This is not just a semantic problem.** The corruption of sex-based terms jeopardizes equal opportunity, privacy, safety, and freedom of expression.
- 3** **The Women's Bill of Rights can provide legal and linguistic clarity.** The Women's Bill of Rights will clarify the meaning of laws that prohibit sex discrimination and help to preserve single-sex spaces that are important for privacy, safety, or equal opportunity.
- 4** **The Women's Bill of Rights does not create new rights or entitlements.** The Women's Bill of Rights doesn't create special rights. It simply seeks to codify current jurisprudence regarding sex discrimination and single-sex programs and facilities.
- 5** **It's time to stand up for women, for science, and for common sense.** Help policy-makers speak honestly and forthrightly about sex discrimination, equality, and women's rights by signing the Women's Bill of Rights.

The Women's Bill of Rights

Whereas, males and females possess unique and immutable biological differences that manifest prior to birth and increase as they age and experience puberty;

Whereas, biological differences between the sexes mean that only females are able to get pregnant, give birth, and breastfeed children;

Whereas, biological differences between the sexes mean that males are, on average, bigger, stronger, and faster than females;

Whereas, biological differences between the sexes leave females more physically vulnerable than males to specific forms of violence, including sexual violence;

Whereas, females have historically suffered from discrimination in education, athletics, and employment;

Whereas, biological differences between the sexes are enduring and may, in some circumstances, warrant the creation of separate social, educational, athletic, or other spaces in order to ensure safety and/or to allow members of each sex to succeed and thrive;

Whereas, inconsistencies in court rulings and policy initiatives with respect to the definitions of 'sex,' 'male,' 'female,' 'man,' and 'woman' have led to endangerment of single-sex spaces and resources, thereby necessitating clarification of certain terms,

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We affirm that:

1. For purposes of state/federal law, a **person's 'sex'** is defined as his or her biological sex (either male or female) at birth;
2. For purposes of state/federal law, a **'female'** is an individual whose biological reproductive system is developed to produce ova; a **'male'** is an individual whose biological reproductive system is developed to fertilize the ova of a female;
3. For purposes of state/federal law, **'woman'** and **'girl'** refer to human females, and the terms **'man'** and **'boy'** refer to human males;
4. For purposes of state/federal law, the word **'mother'** is defined as a parent of the female sex and **'father'** is defined as a parent of the male sex;
5. When it comes to sex, **'equal'** does *not* mean 'same' or 'identical';
6. When it comes to sex, separate is *not* inherently unequal;
7. There are legitimate reasons to distinguish between the sexes with respect to athletics, prisons or other detention facilities, domestic violence shelters, rape crisis centers, locker rooms, restrooms, and other areas where biology, safety, and/or privacy are implicated;
8. Policies and laws that distinguish between the sexes are subject to **intermediate constitutional scrutiny**, which forbids unfair discrimination against similarly-situated males and females but allows the law to distinguish between the sexes where such distinctions are substantially related to important governmental objectives;
9. Any public school or school district and any federal/state/local agency, department, or office that collects vital statistics for the purpose of complying with anti-discrimination laws or for the purpose of gathering accurate public health, crime, economic or other data shall identify each individual who is part of the collected data set as either male or female at birth.

QUESTION 1: Why do we need a Women's Bill of Rights? There's already a Bill of Rights for all Americans.

ANSWER: If we don't codify the definition of common sex-based terms, laws that prohibit sex discrimination will cease to mean anything at all, and single-sex private spaces will disappear.

This hurts all Americans, but it is particularly devastating to women, who bear the bulk of the burden when equal opportunity and privacy are compromised. That is why we call this document the *Women's* Bill of Rights. But the Women's Bill of Rights does not create any *special* rights for women. It doesn't replace the Bill of Rights to our Constitution or create any new rights at all. It simply clarifies the meaning of current sex-based laws and codifies current court precedent regarding single-sex spaces.

QUESTION 2: Why now?

ANSWER: Over the past several years, there has been a deliberate effort to redefine 'sex' to mean 'gender' or 'gender identity', allowing biological males to self-identify into women's spaces. This isn't a hypothetical threat.

In just the past year, we've seen:

- female athletes lose competitions and spots on athletic rosters to biological males;
- incarcerated women sexually assaulted and impregnated by males who have transferred into female prisons; and
- young women forced to share private spaces, including locker rooms, with fully intact males who identify as female.

Unfortunately, the women and girls who do not consent to these practices have been threatened, coerced, and shamed into silence and submission. This must stop. The Women's Bill of Rights can help.

QUESTION 3: How can you define the word 'woman' if you are not a biologist?

ANSWER: One does not need a degree in biology to understand that a woman is an adult human female. As British feminist Kellie-Jay Keen has noted, "I am not a veterinarian, but I know what a dog is."

QUESTION 4: Doesn't your definition of sex exclude so-called intersex people?

ANSWER: No. Although a very small percentage of people are born with

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congenital conditions associated with atypical development of internal and external genital structures, these individuals are still either male or female. Previously referred to as 'intersex' conditions or disorders of sexual development, these conditions today are usually referred to as differences in sexual development, or simply as DSD conditions. Individuals with DSD conditions are not part of some third biological category. They are males and females whose bodies developed atypically.

QUESTION 5: Do you want the Women's Bill of Rights to become law?

ANSWER: Yes. The meaning of common sex-based words should be obvious already, but passing the Women's Bill of Rights would settle the matter once and for all. It would require legislators to acknowledge that sex is different from gender identity, and it would force them to consider the many ways in which 'gender identity' laws might conflict with sex-based rights. Most importantly, it would ensure that women have the language they need to advocate for themselves in law and in policy.

QUESTION 6: What do you hope to accomplish with this initiative?

ANSWER: The goal of this initiative is to clarify the meaning of current sex-based laws and to allow Americans to talk about sex differences, sex discrimination, and sex equality in a common language. Without a clear understanding of sex-based terms, laws that prohibit sex discrimination will cease to mean anything at all. And a justice system that does not recognize biological sex cannot fully defend the legal rights of women.

Misperceptions v. Facts

MISPERCEPTION #1: The Women's Bill of Rights is unnecessary.

FACT: Activists are attempting to redefine words used in law so that biological males can access private women's spaces *without the public's knowledge* and *without the consent of the women who rely on those spaces*. The Women's Bill of Rights reaffirms the relevance of biological sex and requires that government-funded facilities be honest and transparent with the public. *Women have a right to know if allegedly single-sex spaces admit biological men.*

MISPERCEPTION #2: No one is asking for or wants a "Women's Bill of Rights."

FACT: Americans very much want this law! When polling a scientific and representative sample of Americans:

- **84%** of respondents identified protecting women's rights as very important to somewhat important to them.
- **83%** of respondents said it is important law protects private spaces for women, while only 5% of respondents think it is not important at all.
- **80%** agree there are important reasons to distinguish between the sexes with respect to athletics, prisons, or other detention facilities, domestic violence shelters, rape crisis centers, locker rooms, restrooms, and other areas where biology, safety, and/or privacy are implicated.
- **52.4%** of respondents believe single-sex spaces should be preserved where safety or fairness requires.
- **Another poll** found that **68%** of respondents somewhat or strongly disagree with policies that would remove protections for women in single-sex spaces such as prisons, shelters, and sports.

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MISPERCEPTION #3: There are more than two sexes.

FACT:

- 'Sex' is a scientific term that refers to either of the two categories of individuals: male or female.
 - People with medical "differences in sex development" (sometimes referred to as DSD or 'intersex') conditions are not a third sex. Nor are they 'trans.' They are the exception that proves the scientific sex binary.
 - The Americans with Disabilities Act already requires reasonable accommodation of people with medically confirmed DSD. The Women's Bill of Rights does not apply to or affect people with DSD in any way.
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MISPERCEPTION #4: Gender and gender identity are synonyms for sex.

FACT:

- 'Gender' is not a synonym for 'sex.'
 - 'Gender' refers to cultural expectations regarding females and males.
 - 'Gender identity' is a subjective term that refers to how a person perceives him- or herself and can change at any given moment.
 - The conflation of these terms has **serious negative consequences for our ability to create equal opportunities for women**, foster safety, protect privacy, conduct research, and collect accurate data.
 - The Women's Bill of Rights **ONLY** defines 'sex.'
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MISPERCEPTION #5: The Women's Bill of Rights denies the existence of transgender people.

FACT: The Women's Bill of Rights does not create any new restrictions on the transgender community nor does it prevent agencies from collecting data on gender identity *in addition to* data on biological sex.

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MISPERCEPTION #6: The Women's Bill of Rights limits the ability of transgender people to access social services.

FACT:

- The Women's Bill of Rights does not create any new restrictions on the basis of gender identity or transgender status.
 - Again, the Women's Bill of Rights *doesn't alter anyone's legal rights*. This is a lie opponents want you to believe so they can pretend that biological sex never matters and **require** the government to **eliminate single-sex spaces completely**.
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MISPERCEPTION #7: Domestic violence shelters are going to lose federal funding if the Women's Bill of Rights is passed.

FACT:

- The Women's Bill of Rights would not prohibit a state from establishing or continuing to operate co-ed shelters or shelters for "people who identify as women." **No federal funding is at risk** to a shelter operating as such.
 - The Women's Bill of Rights **does not require** shelters to serve only biological females.
 - The Women's Bill of Rights **requires** that shelters **designated as "women's shelters" in fact shelter only biological females**. (In this sense, the bill is a "truth in advertising" law providing biological women seeking female-only spaces an advance warning when biological men may be inside).
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MISPERCEPTION #8: The Women's Bill of Rights would create onerous new restrictions on agencies and departments.

FACT:

- The Women's Bill of Rights **doesn't change any laws** or **create any new restrictions**. It simply provides transparency and requires that any public space that is *labeled* for women include only biological women.
- The Women's Bill of Rights defines how we talk about sex-based words in order to provide clarity and consistency.
- Women deserve to know if biological men are entering their private spaces.

1 A woman is:

- A.** A human being without a penis
- B.** An adult human female
- C.** An adult who wears makeup and dresses
- D.** Anyone who feels like a woman

2 True or False: The word 'gender' is a synonym for 'sex'.

- A.** True
- B.** False

3 True or False: There are only two genders.

- A.** True
- B.** False
- C.** This is a trick question

4 When it comes to the law of sex discrimination...

- A.** equal does not mean 'same' or 'identical'
- B.** "separate but equal" is discriminatory and unconstitutional
- C.** men and women are fungible
- D.** the Supreme Court applies the same constitutional scrutiny that it applies to race-based classifications

5 Which of the following have recently occurred?

- A.** Transgender swimmer Lia Thomas, formerly known as Will Thomas, captured a Division 1 national title in the NCAA women's swimming championship
- B.** A biological man who identifies as a woman sought entrance to a women's shelter in Alaska
- C.** An intact male inmate sexually assaulted a female inmate in a California women's prison
- D.** Two female prisoners in New Jersey became pregnant by another inmate
- E.** The Biden Administration has ordered all federal agencies that enforce laws against *sex discrimination* to apply those laws to *gender* and *gender identity*
- F.** All of the above

Quiz Answers

Q1 ANSWER: B

A woman is an adult human female, and a female is one of two sexes (male and female) into which most mammals are divided on the basis of reproductive function. Males and females possess unique and immutable biological differences that manifest and increase as they age and experience puberty. The definition of a man or woman has nothing to do with how someone feels, how someone dresses, or what someone's interests or preferences may be.

Q2 ANSWER: B

Although 'sex' and 'gender' are related concepts, they are not the same. Sex is a biological trait and refers to something objective and fixed. Gender is a sociological term that refers to one's subjective feelings or cultural expectations regarding male and female behavior, appearance, etc.

Q3 ANSWER: C

There are only two sexes, male and female. Those who are born with DSD conditions may have developed atypically, but they are still either males or females. People sometimes say "there are only two genders," but if they are referring to biology what they really mean is that "there are only two sexes." Gender is a subjective term that refers to cultural norms or personal feelings

about male and female sex roles and the expression of sexual identity.

Q4 ANSWER: A

In the United States, males and females enjoy full legal equality. But males and females are not the same, and the Constitution does not require that our laws and policies be sex-blind. Although the Court has rejected the doctrine of 'separate but equal' when it comes to race, it has not done so in context of sex. To the contrary, the Court has recognized that men and women are *not* fungible and that there are important reasons to distinguish between the sexes, particularly where biology, safety, and privacy are involved. Because of this, the Supreme Court applies *intermediate constitutional scrutiny* to sex-based classifications, not the strictest constitutional scrutiny that it applies to racial classifications.

Q5 ANSWER: F

Increasingly, males who identify as women are seeking access to female-only spaces. And in many cases, the consequences have been disastrous. The frequency of situations such as these is likely to increase now that the Biden Administration has ordered all federal agencies that enforce laws against sex discrimination to apply those laws to gender and gender identity.

The Women's Bill of Rights in 60 Seconds

WHAT'S AT STAKE

Equal opportunity, privacy, and safety

- Right now females are losing athletic, employment, and educational opportunities to biological males.
- Right now intact males are gaining access to sororities, domestic violence shelters, locker rooms, women's prisons, and rape crisis centers.

Freedom of speech

- Right now women and girls who do not consent to these practices are being threatened, coerced, and shamed into silence and submission.
- Right now people who speak the truth about male and female sex differences are being punished and cancelled.

Accurate data collection

- Right now data collection regarding public health, crime, education, and the economic status of women is being compromised by the misuse of basic sex-based terminology.

WHAT THE WBoR DOES

- The Women's Bill of Rights recognizes that males and females possess unique and immutable biological differences that manifest prior to birth and increase as they age and experience puberty.
- The Women's Bill of Rights defines 'sex' as a person's biological sex (either male or female) at birth.
- The Women's Bill of Rights defines 'women' and 'girls' as human females.
- The Women's Bill of Rights defines 'female' as the sex developed to produce ova.
- The Women's Bill of Rights codifies current case law, which forbids unfair discrimination but allows the law to recognize sex when relevant.
- The Women's Bill of Rights requires government agencies that collect vital statistics to identify each individual who is part of the collected data set as either male or female at birth.

Social Media Kit

Post the below messages, videos, and graphics to social media and make your voice heard.

DRAFT SOCIAL MEDIA POSTS

- We know what a woman is. We know what a female is. We know what a mother is. Our politicians and our laws should too. Sign @IWV's #WomensBillofRights at womensbillofrights.com
- What is a woman? The answer should be obvious. Sign the #WomensBillOfRights and let the politicians know that #WomenMatter. Go to womensbillofrights.com @IWV
- Stand for truth, stand for science, stand for common sense. Sign the #WomensBillofRights via @IWV womensbillofrights.com
- Stand for equal opportunity, privacy, and safety. Sign the #WomensBillOfRights @IWV
- Join bipartisan efforts to protect biological sex as a distinct legal category. Sign the #WomensBillofRights @IWV womensbillofrights.com
- Don't let radical activists legally erase women. Sign @IWV's #WomensBillofRights at womensbillofrights.com

HASHTAGS TO INCLUDE

#WomensBillofRights	#WeWillNotBeSidelined
#AdultHumanFemale	#WeKnowWhatAWomanIS
#WomenMatter	#IAmWomanHearMeRoar

TAG US SO WE CAN RT/SHARE YOUR POST

- @IWV (Twitter)
- @IndependentWomensVoice (Facebook)
- @IndependentWomensVoice (Instagram)

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VISUALS: Include these visuals with any Twitter, Facebook or Instagram posts.


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"I want my three daughters to know that they live in a country where women are recognized and respected. We are not 'bleeders,' 'birthing persons,' or 'chestfeeders; **we are women.**"

Carrie Lukas
President
Independent Women's Forum

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"What is a woman? The answer should be obvious to all. Unfortunately, today it is not. That's why I am proud to endorse the **Women's Bill of Rights**. This common-sense document should bring together all women regardless of their politics or religion."

Ayaan Hirsi Ali
Human Rights
Activist

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"I'm signing the **Women's Bill of Rights** because the rights that generations of women fought for must not be dismantled to appease anyone."

Abigail K. Shrier
Author

WOMENSBILOFRIGHTS.COM



"That this particular **Women's Bill of Rights** is necessary in 2022 would be shocking to women's rights advocates throughout U.S. history. But know well: whatever their other intramural disputes, this well-drafted statement would have been easy to sign — as it should be for each and every advocate of women and girls today."

Erika Bachiochi
Fellow
Ethics & Public Policy Center

WOMENSBILOFRIGHTS.COM



"It is becoming increasingly difficult to speak about women and women's rights in a common language. Today, we are unveiling the **Women's Bill of Rights** in order to legally define what it means to be a woman."

Jennifer C. Bracer
Director
Independent Women's Law
Center

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"The U.S. chapter of Women's Declaration International (WDI USA) is proud to support the **Women's Bill of Rights**. We work to advance the radical feminist and nonpartisan Declaration on Women's Sex-Based Rights at all levels of government, and this bill is consistent with that objective."

Kara Dansky
President
U.S. Chapter of Women's
Declaration International

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"Gender is not a synonym for sex, and it's time we stopped using it as such. Gender refers to attributes and social norms. But attributes are not biology, and **those who fight for the rights of women must respect the science.**"

Heather R. Higgins
CEO
Independent Women's Voice

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"The **Women's Bill of Rights** would ensure that our laws continue to recognize that there are legitimate reasons to distinguish between the sexes with respect to athletics, prisons, domestic violence and rape crisis services, restrooms, and other areas where biology, safety, or privacy are implicated."

Lauren Adams
Legal Director
Women's Liberation Front

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"The **Women's Bill of Rights** is a common-sense declaration on the biology of sex. It should be something people across the political spectrum can come together and embrace. All women should have the assurance that our intrinsic dignity and status are recognized and protected on the basis of sex."

Doreen Denny
Senior Advisor
Concerned Women for
America

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