**Rebuke of Iowa House File 2389: Protecting Diversity, Equality, and Scientific Understanding**

Ladies and Gentlemen,

In considering House File 2389, it is imperative to scrutinize its implications with scientific rigor, social responsibility, and respect for diversity. While ostensibly aimed at clarifying the term “sex” for statutory construction, this bill threatens to undermine not only the rights and dignity of individuals but also the very fabric of scientific understanding. Let us delve into why this bill warrants a resounding rebuke.

1. Misrepresentation of Biological Sex:

The bill rigidly defines “sex” as solely male or female, assigned at birth. However, biological sex is not a binary but a spectrum encompassing various intersex conditions, chromosomal variations, and hormonal complexities. Two such examples are Turner and Klinefelter syndromes, which result in malformed or missing sex organs [[1]](#footnote-1), [[2]](#footnote-2). Ignoring this scientific reality not only erases the existence of intersex individuals but also perpetuates harmful stereotypes and discrimination.

2. Oversimplification of Gender:

By equating sex with gender and reducing both to binary categories, the bill overlooks the intricate interplay of biology, psychology, and culture that shape an individual’s gender identity. Gender is not merely a matter of reproductive organs but a complex interplay of genetics, hormones, and social factors. Failing to acknowledge this complexity denies the autonomy and dignity of transgender and non-binary individuals. One such example is male infants who have malformed sex organs or a defective surgery. In these instances, doctors and parents may deem appropriate gender transition to eliminate the defect and turn males into females. In this instance, the child is raised the opposite gender, but was biologically male at birth. House File 2389 would label this individual as biologically male and subject the gendered female to punitive measures, including using male restrooms or locker rooms. Such actions may result in severe psychological trauma to the child and challenging conversations in public settings such as schools.

3. Disregard for Scientific Consensus:

The bill’s narrow definition of sex contradicts the consensus among medical and scientific communities, which recognize the diversity and fluidity of sex and gender. Attempting to enshrine an outdated and simplistic understanding of sex in law not only defies scientific evidence but also undermines the credibility of our legislative process.

4. Ignoring the Principles of Equality and Inclusion:

The bill’s insistence on separate accommodations based on binary notions of sex perpetuates discrimination and exclusion. Equality demands that individuals be treated with dignity and respect, regardless of their sex or gender identity. By mandating segregation and perpetuating harmful stereotypes, this bill flies in the face of the principles of equality and inclusion. As the U.S. Supreme Court rightly determined in Brown v. Board of Education of Topeka, separate but equal has no place in the United States[[3]](#footnote-3).

5. Violation of Privacy and Autonomy:

Mandating the identification of biological sex on vital records disregards the privacy and autonomy of individuals, particularly intersex and transgender individuals. Such intrusive measures not only violate personal rights but also stigmatize and marginalize already vulnerable communities. History is rife with examples of mandating individual labels, but none are as atrocious and dangerous as the labeling of Jewish individuals during the Holocaust. Mandating biological sex labels rather than gender opens the door to State discrimination and the potential for atrocious and dangerous actions like those of the Holocaust. Further, this bill flies in the face of an individual’s right to privacy. The U.S. Supreme Court elucidated the right to privacy in Griswold v. Connecticut[[4]](#footnote-4). Mandating biological sex on vital records and having individuals verify their sex or diagnosis should this differ is the very definition of invasion of privacy. The government has no business in people’s private beliefs about their gender identity.

Conclusion:

In conclusion, House File 2389 fails to uphold the principles of diversity, equality, and scientific understanding and threatens to harm marginalized communities. As responsible citizens and lawmakers, it is our duty to reject this bill and instead advocate for legislation that respects the complexity of sex and gender, upholds the rights and dignity of all individuals, and aligns with the scientific consensus.

Let us stand on the side of progress, inclusivity, and justice and rebuke this misguided attempt to legislate ignorance and discrimination.

Sincerely,

Zachary Pendroy

1. Professional, C. C. M. (n.d.-a). *Klinefelter Syndrome*. Cleveland Clinic. https://my.clevelandclinic.org/health/diseases/21116-klinefelter-syndrome [↑](#footnote-ref-1)
2. Professional, C. C. M. (n.d.-b). *Turner Syndrome*. Cleveland Clinic. https://my.clevelandclinic.org/health/diseases/15200-turner-syndrome [↑](#footnote-ref-2)
3. Brown v. Board of Education, 347 U.S. 483 (1954) [↑](#footnote-ref-3)
4. Griswold v. Connecticut :: 381 U.S. 479 (1965) [↑](#footnote-ref-4)