



Written by [Steve Byas](#) on April 5, 2016

North Carolina Punished for Protecting Privacy

North Carolina recently became the first state to pass legislation designed to protect the rights of individuals in restrooms from the invasion of their privacy by persons of the opposite sex.

And New York State officials, along with those in the cities of San Francisco and Seattle, do not like it. They are now pressuring North Carolina to accept the “right” of transgendered persons to use the restroom of the sex they identify with, rather than their biological sex.



North Carolina passed its law in reaction to a city ordinance in Charlotte that would have allowed individuals to select the restroom of their “gender identity.” In other words, grown men could use the restrooms that little girls use. The effort by the North Carolina Legislature to protect the rights of their citizens’ privacy has now led to retaliation by one state and two cities.

In an effort to punish North Carolina, New York’s Governor Andrew Cuomo, San Francisco Mayor Ed Lee, and Seattle Mayor Ed Murray have announced that they will ban all “city-funded” and “non-essential” travel to the Tar Heel State.

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San Francisco Mayor Lee explained, “We are standing united as San Franciscans to condemn North Carolina’s new discriminatory law that turns back the clock on protecting the rights of all Americans including lesbian, gay, bisexual, and transgender individuals.” Seattle Mayor Murray chimed in: “It is my hope for our nation that we do not allow issues of discrimination to divide us.”

Governor Cuomo said New York has long been “a beacon of hope and equality for the LGBT community, and we will not stand idly by as misguided legislation replicates the discrimination of the past. As long as there is a law in North Carolina that creates the grounds for discrimination against LGBT people, I am barring non-essential state travel to that state.”

Private companies, including American Airlines, Google, and Apple, also criticized the legislature of North Carolina.

Predictably, the American Civil Liberties Union (ACLU) weighed in with a lawsuit against the legislation. The ACLU and Lambda Legal stated, “By singling out LGBT people for disfavored treatment and explicitly writing discrimination against transgender people into state law, [North Carolina] violates the most basic guarantees of equal treatment and the U.S. Constitution.”

North Carolina’s Senate Republican leader Phil Berger and House Speaker Tim Moore, also a Republican, disagreed. “This lawsuit takes this debate out of the hands of the voters and instead attempts to argue with a straight face that there is a previously undiscovered ‘right’ in the U.S. Constitution for men to use women’s bathrooms and locker rooms,” the two said in a statement.

North Carolina’s Republican Governor Pat McCrory quickly signed the legislation into law.



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Once again, the U.S. Constitution is being cited to support the latest progressive cause. It is simply not credible that James Madison, George Washington, Alexander Hamilton, and Benjamin Franklin intended to make sure men could use the little girls' room when they drafted the Constitution back in the summer of 1787. It is similarly obvious that the men who submitted the 14th Amendment to the states back in the 1860s, and the states that ratified it, had no intention of forcing states to accept the belief that men could "identify" themselves as females, or women could likewise "identify" themselves as males.

The term "transgender" was created by John Oliven, a psychiatrist at Columbia University, in 1965, nearly one hundred years after the adoption of the 14th Amendment. He concocted the word to describe a person who wanted to live cross-gender, but did not wish to undergo a "sex change" operation.

Representative Paul Stam, one of the state legislators who sponsored the North Carolina bill, defended the law on CNN. "The law did not change the policy on discrimination an appreciable extent between two weeks ago and today. What [transgendered people are] really complaining about is that we have not become like the 17 other states that have put in special rights for them," the Republican lawmaker explained. "We're trying to protect the reasonable expectations of privacy of 99.9% of our citizens, who think when they're going into a restroom or a changing room or a locker room, that they will be private."

What used to be a joke has become reality. In 1970, the popular *Carol Burnett Show* did a skit with Vicki Lawrence as a new mother. When someone asked her if the newborn was a boy or a girl, she indignantly responded, "This is 1970," and lectured the inquirer that the child can make that decision itself at age 21. Of course, the audience laughed at the absurdity of it all.

New York City, that bastion of liberalism under left-wing mayor Bill de Blasio, even decided last year to issue new "guidelines" intended to force its citizens to accept the transgender dogma. Or else.

Carmelyn Malalis, the city's commissioner of the Human Rights Commission, announced the decree in December, 2015: "Today's guidelines make it abundantly clear what the city considers to be discrimination," she stated, adding that failure to follow that "guidance" could result in fines of up to \$250,000.

For example, higher-quality restaurants often have a dress code for customers, with the clear intention of maintaining the atmosphere of a high-quality establishment that their business plan calls for. Typically, these restaurants require ties for men and skirts for women. But this code violates the guidelines announced by Malalis because it discriminates against men who identify as women, and women who identify as men.

In other words, such a restaurant now has no right to keep out a man who walks in dressed in a skirt with high heels.

Another violation would occur should an employer refer to a male employee who considers himself a woman by a male pronoun. And barring a person from using the opposite sex's restroom would be yet another violation.

In California schools, it is now law that boys are allowed to use the girls' bathrooms and locker rooms, and vice versa.

Bluntly put, to liberals, the rights of men who now believe themselves to be women supersede the rights



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of those persons who consider themselves the same sex with which they were born.

The great harm that this liberal ideological fanaticism can lead to is illustrated by the case of David Reimer. As a very young child in 1963, Reimer lost his entire penis in a botched circumcision. His parents took him to Johns Hopkins University, where Dr. John Money convinced them that the best course of action was to conduct a surgical sex change on the unfortunate child. Money performed genital surgery and prescribed several years of hormonal therapy, combined with socialization of young Reimer as a girl. As it turns out, the boy that they tried to make a girl rejected the program when he was 12 years old, refusing to take any more estrogen pills. At 14, he underwent a double mastectomy, a phalloplasty, and began a regimen of male hormones. Despite horrific emotional problems, Reimer eventually married a woman, and adopted her children, and lived the rest of his life as a man.

Interestingly, before Reimer refused his hormone replacement therapy, he was cited for years in medical literature as an unqualified success. *Time* magazine even reported in 1973 that his case “provides strong support ... that conventional patterns of masculine and feminine behavior can be altered. It also casts doubt on the theory that major sex differences, psychological as well as anatomical, are immutably set by the genes at conception.”

Though the facts of the case proved *Time* wrong, liberals seldom worry about facts when promoting one of their pet causes, regardless of the great harm their misguided theories can perpetrate on individuals. And the rights of those who disagree with the latest radical cause mean nothing to them.

Steve Byas is a professor of history at Hillsdale Free Will Baptist College in Moore, Oklahoma. His book History's Greatest Libels is a challenge to the great lies of history against such persons as Clarence Thomas, Joseph McCarthy, Christopher Columbus, and Warren Harding.



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