



Written by [Joe Wolverton, II, J.D.](#) on March 24, 2023

## Arkansas Governor Signs School “Bathroom Bill”

Arkansas Governor Sarah Huckabee Sanders signed a bill into law that mandates individuals at public and charter schools in the state to use the bathroom of their biological gender.

According to the text of [the new statute](#), for purposes of enforcing this law, gender is to be determined by referring to the person’s “original birth certificate, issued at or near the time” of the person’s birth.

As would be expected, opponents of this bill and of biology have portrayed this bill as some sort of hateful expression of “transphobia.”



AP Images  
Sarah Huckabee Sanders

In a statement to the Associated Press, Holly Dickson, executive director of the American Civil Liberties Union (ACLU) of Arkansas, echoed this error:

By requiring schools to police student’s restroom usage and forcing trans youth to use restrooms that do not align with their gender identity, this bill creates a hostile and discriminatory environment that could lead to exclusion, harassment, and bullying.

People who support such protections of children in school recognize that the desire by a minute segment of the population to protect their psychological abnormalities cannot be allowed to take precedence over, as the law points out, “genetics and physiology.”

Governor Sanders’ spokeswoman, Alexa Henning, issued a statement prior to the signing of the bill:

The Governor has said she will sign laws that focus on protecting and educating our kids, not indoctrinating them and believes our schools are no place for the radical left’s woke agenda. Arkansas isn’t going to rewrite the rules of biology just to please a handful of far-left advocates.

According to the Associated Press, the signing of this law makes Arkansas the fourth state to ban biological males from girls’ bathrooms. The governors of Iowa and Idaho have similar bills sitting on their desks, while Tennessee, Oklahoma, and Alabama have enacted similar statutory protections for schoolchildren.

The Daily Signal reports that lawmakers in Arkansas may not be finished in their effort to statutorily shore up science in the Natural State:

Arkansas’ bill could soon be followed by an even more aggressive piece of legislation: Senate Bill 270, which would make it a criminal offense for a person 18 years old or older to knowingly enter and remain in a public changing facility that is assigned to members of the



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opposite sex “while knowing a minor of the opposite sex is present in the public changing facility.”

Isn't it revealing and sad that such irrefutable facts of science need to be enacted as written law in order to be obeyed?

We are reminded of the observation made by Roman historian Tacitus: “In a country where corruption abounds, laws must be very numerous.”

Imagine the people of the United States being so corrupt that we have to pass laws forcing men to use men's restrooms and women to use women's restrooms.

While it is lamentable that legislation is required for the recognition of biology and physiology, there may be some value in a bit of etymology.

The English word “sex” derives from the Latin word “sexus,” meaning “division,” as in, dividing people into men or women.

The English word “gender” likewise comes from Latin. The Latin word “genus” means “kind” or “sort.” Remarkably, the word “gender” was originally used to mark a division of nouns and pronouns (and sometimes of other parts of speech) into masculine or feminine, and sometimes other categories such as neuter or common. Its use in reference to male and female human beings is not attested until the 15th century.

But, as with their attitude concerning biology and genetics, “trans rights advocates” aren't fond of etymology, either.

In a 2016 article, [The New American noted](#) the nefarious impetus for the purposeful redefining of the words “sex” and “gender”:

And what was the purpose of this language manipulation? You couldn't convince people many decades ago that there were more than two sexes, because that there are only two was rightly cemented in their minds. The biological distinction was the only thing people conceptualized and accepted. But “gender” was the perfect term as it included more than two categories: masculine, feminine and neuter. And thus did we see an attempt at the 1995 Conference on Women in Beijing to adopt language stating that a family could comprise up to five “genders”: male heterosexual, female heterosexual, homosexual, lesbian and bisexual (the attempt failed owing to Vatican opposition). Of course, that's now old hat — the shape-shifting libertines now define scores of “genders.”

But no matter. Once the term caught on and most everyone accepted that a person could have “gender” — and once a minority had accepted that there could be more than two — the next step was to add to the concept the notion that a person could be “transgender” and transition from one to another. It's incrementalism; step by step, inch by inch.

This accurate synopsis of the slow but steady manipulation of language by those people determined to destroy our culture reminds one of a warning issued by John Trenchard in 1721 in [Cato's Letter No. 13](#):

Yet even in countries where the highest liberty is allowed, and the greatest light shines, you generally find certain men, and bodies of men, set apart to mislead the multitude; who are



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ever abused with words, ever fond of the worst of things recommended by good names, and ever abhor the best things, and the most virtuous actions, disfigured by ill names. One of the great arts, therefore, of cheating men, is, to study the application and misapplication of sounds — a few loud words rule the majority, I had almost said, the whole world.

Lawmakers in Arkansas — together with those in the states mentioned above — deserve congratulations for their virtuous and valiant defense of children, science, and society.

The law signed by Governor Sanders goes into effect this summer, prior to the beginning of the 2023-24 school year.



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