



Written by [R. Cort Kirkwood](#) on March 23, 2022

Biden SCOTUS Nominee Doesn't Know What a Woman Is. Lawyer: How Can She Settle Discrimination Cases?

Judge Ketanji Brown Jackson, President Biden's nominee to replace retiring U.S. Supreme Court Justice Stephen Breyer, tacitly admitted yesterday that she must recuse herself from helping decide sex discrimination cases.

Despite what Biden says are Jackson's surpassing intellect and nonpareil legal talents, she confessed that she doesn't know what a woman is.

The reason: She is not a professional biologist.



AP Images
Ketanji Brown Jackson

What Do I Know?

Jackson confessed during questions from Tennessee's GOP Senator Marsha Blackburn.

Blackburn asked Jackson about her praise for the "transformative power" of a private school's "progressive education," which includes teaching kindergartners that they can change their "gender."

"Do you agree that our schools should teach children that they can choose their gender?"

Jackson said she did not remember praising the school.

Then Blackburn read a quote from late Justice Ruth Bader Ginsburg, who wrote the disastrous [SCOTUS decision](#) that forced Virginia Military Institute to admit women. Even Ginsburg admitted that men and women cannot change: "Physical differences between men and women, however, are enduring."

"Do you agree with Justice Ginsburg that there are physical differences between men and women that are enduring?" Blackburn asked.

Jackson said she isn't familiar with the case and wouldn't answer.

Then Blackburn delivered the final blow:

Blackburn: *Can you provide a definition for the word "woman"?*

Jackson: *Can I provide a definition, no. I can't.*

Blackburn: *You can't?*

Jackson: *Not in this context. I'm not a biologist.*

Blackburn: *The meaning of the word woman is so unclear and controversial that you can't give me a definition?*

Jackson: *Senator, in my work as a judge, what I do is I address disputes. If there is a dispute about a definition, people make arguments and I look at the law and I decide.*



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No Settling Discrimination Cases

Conservative lawyer Harmeet K. Dhillon observed the obvious. If Jackson doesn't know what a woman is, how can she decide sex discrimination cases?

How do you adjudicate Title VII claims without being able to answer this question? Title IX?

Those sections of the Civil Rights Act of 1964 prohibit sex discrimination [in employment](#) and [education](#).

"Judge Jackson sat in judgment of thousands of people in court," Dhillon said. She continued:

In each of these cases, judges are required to make credibility determinations. If a witness answered a question in this flippant/fake way, they'd be risking an admonition or even warning of contempt of court/

2/Defense counsel: "Security guard, at the time did you say it was a man, or a woman, driving the getaway car?"

Witness: "I'm not a biologist. ☐☐♀"

Would that answer fly in District Judge Jackson's courtroom? It would not. And the witness would have no credibility. Case closed.

Replies to Dhillon took Jackson's logic to its conclusion.

"How does she adjudicate a personal injury claim when both parties present conflicting medical report," a user asked. "Does she say she can't because she is not a doctor."

Tweeted another:

She should have asked her (as a follow up) "are you a woman? How do you know you aren't a biologist"

"Joe Biden committed to nominate a black women [sic] to the Supreme Court," a third tweeted:

Yesterday, Judge Jackson was unable to define "woman". At today's hearing, someone should ask her if she is a woman. If she says no or is unsure, Biden needs to withdraw her nomination.

Blackburn's final remarks to Jackson concerned ["Lia" Thompson's "victory"](#) in the NCAA's 500-yard freestyle swimming championship. Thompson, a "transgender" woman who swims for the University of Pennsylvania, defeated University of Virginia's Emma Weyant.

A video posted to Twitter features a British woman arguing with a young Asian man — wearing a mask, of course — in the natatorium.



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"I'm a woman, that's not a woman." she said, pointing to the pool.

"Are you a biologist," the man asked.

"Oh, my God," the woman replied. "I'm not a vet, but I know what a dog is. ... I'm not an astrophysicist but I know what space is."



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