

# Accreditation Committee of the Green Party of the United States

In the matter of:

*National Lavender Caucus of the  
Green Party of the United States*

original complaint filed: 2020-12-23

vs.

*Georgia Green Party*

## **DEFENSE OF THE GEORGIA GREEN PARTY TO THE COMPLAINT OF THE LAVENDER CAUCUS**

### **I. Introduction**

The Georgia Green Party submits its defense under objection in that the procedures adopted by the Accreditations Committees (and never ratified by the National Committee as required by national bylaws) deny our state Party due process and a fair opportunity to defend itself before the drastic step is taken to refer a complaint to the National Committee which seeks the expulsion of of the Georgia party from the Green Party of the United States. It is a supplement to the response we previously submitted to the Lavender Caucus’s Complaint which we reference and incorporate into this statement. <sup>1</sup>The Lavender Caucus’s Complaint is full of misstatements of facts and half-truths, and smears<sup>2</sup> based on nothing more than “guilt by association” against the politics and the integrity of the Georgia Party, all made *without* a shred of evidence. This shameful persecution echoes the

<sup>1</sup> See Appendix E, on page 57 of the Appendices to this brief, or this link:  
[http://www.dialoguenotexpulsion.org/Documents/  
Georgia Party Responds to Lavender Caucus Complaint Seeking to Purge Georgia Party--  
FULL TEXT](http://www.dialoguenotexpulsion.org/Documents/Georgia%20Party%20Responds%20to%20Lavender%20Caucus%20Complaint%20Seeking%20to%20Purge%20Georgia%20Party--FULL%20TEXT)

<sup>2</sup> Those smears directed against Greens who are life-long progressives and socialists both in and outside of Georgia include allegations of “transphobia,” and “bigotry,” being part of a “hate group”, a perpetrator of violence against trans people, no better than white supremacists, and supporters of the Christian far Right and the right wing militia, the Proud Boys.

notorious methods utilized by the McCarthy witch-hunt of the mid-20<sup>th</sup> century, with the obvious difference that the Green Party does not hold state power. The accusation of “violation of platform,” even if it were true, is not a recognized offense in the Green Party nor is it a basis for expelling a state party. Should this persecution succeed on those grounds, it would create a dangerous precedent for the Green Party of the United States that will likely in the future result in the targeting and expulsion of others holding minority political views on a variety of positions which would otherwise be the subject of legitimate debate within the party. The political stance of the Georgia Green Party as reflected in its adoption of HR3<sup>3</sup> and HR4<sup>4</sup> is completely consistent with the Four Pillars and the Ten Key Values. Georgia supports social justice for all oppressed and marginalized groups including a demonstrated commitment to feminism and to our lesbian and gay sisters and brothers that far exceeds that of the Lavender Caucus. Georgia has never denied the humanity and intrinsic worth of transgender individuals. To the contrary, Georgia has always supported and continues to support the rights of transgender people and all gender non-conforming people to dress, groom, and express themselves as they like regardless of sex or sex stereotyping, and to follow their interests and inclinations freely and without discrimination, stigma or violence. And contrary to the baseless allegations of the National Lavender Caucus that the Georgia Green Party wishes to remove existing rights from trans people established by the Supreme Court, the Georgia party actually agrees with the results of the Supreme Court’s decision in *Bostock vs. Clayton County, Georgia* (140 S. Ct. 1731), which provided protections against employment discrimination based on what it called “transgender status.” We agree that the transgender plaintiff Aimee Stephens should not have been fired and there should be legal redress available for such discrimination.<sup>5</sup>

<sup>3</sup> See Appendix A, on page 2 of the Appendices to this brief, or this link: [http://georgiagreenparty.org/georgia-green-party-2020-nominating-convention-february-22nd-bonaire-georgia/hr3\\_endorse\\_dwsbr/](http://georgiagreenparty.org/georgia-green-party-2020-nominating-convention-february-22nd-bonaire-georgia/hr3_endorse_dwsbr/)

<sup>4</sup> See Appendix E, on page 23 of the Appendices to this brief, or this link: [https://georgiagreenparty.org/georgia-green-party-2020-nominating-convention-february-22nd-bonaire-georgia/hr4\\_endorse\\_fist\\_am\\_to\\_equality\\_act/](https://georgiagreenparty.org/georgia-green-party-2020-nominating-convention-february-22nd-bonaire-georgia/hr4_endorse_fist_am_to_equality_act/)

<sup>5</sup> *Bostock* was a narrow ruling under Title VII holding that people could not be fired from their jobs based on sexual orientation or transgender status. The Court’s reasoning was *not* that gender identity and sexual orientation were the same as sex, but rather that sex was a factor

What the Georgia Party and the international movement of feminists and lesbian, gay and bisexual activists with whom we are aligned disagree with is what we refer to as *sex denialism*<sup>6</sup>, i.e., the denial that biological sex exists and/or has any social significance, and the belief that gender identity should in all instances override sex. We believe that *sex denialism* is both sexist and homophobic in that it does serious harm to the half of humanity born female and still oppressed based on their sex, and also undermines the rights of lesbians, gay males and bisexuals as same sex attracted people.<sup>7</sup> Tragically, this deeply mistaken strategy pits transgender people against their natural allies and may ultimately harm trans people themselves.

## **II. Despite the claims of the National Lavender Caucus, the Georgia Green Party has always been willing to engage in dialogue on the issues in dispute**

The Georgia Green Party has repeatedly made clear its willingness to engage in dialogue<sup>8</sup> on the issues raised by the Lavender Caucus Complaint including (under a “but for” test) in discrimination against lesbians and gay men and transgender people. Bostock actually defined sex the same way gender critical feminists do: “status as either male or female as determined by reproductive biology-biological distinctions between male and female.” Justice Gorsuch also explicitly stated that he was *not* ruling on issues such as sex segregated bathrooms and locker rooms. See Appendix H, on page 71 of the Appendices to this brief, or this link: [http://www.dialoguenotexpulsion.org/Documents/Ann\\_Menasche\\_Responds\\_to\\_the\\_Lavender\\_Caucus\\_Complaint\\_Seeking\\_to\\_Purge\\_Georgia\\_Party--FULL\\_TEXT](http://www.dialoguenotexpulsion.org/Documents/Ann_Menasche_Responds_to_the_Lavender_Caucus_Complaint_Seeking_to_Purge_Georgia_Party--FULL_TEXT)

<sup>6</sup> “Sex denialism” is more commonly known as “gender ideology” or “gender identity ideology.” “Sex denialism” is a clearer term in that it spells out that the ideology or set of ideas adopted by the dominant wing of the contemporary corporate- dominated LGBTQIA+ movement erases sex as both a biological and social reality.

<sup>7</sup> To read the perspective of a gay man on the homophobia inherent in sex denialism, see, <https://lesbianandgaynews.com/2021/04/gary-powell-how-the-new-anti-lgb-fundamentalism-of-gender-extremism-mirrors-the-homophobia-of-the-1980s/>

<sup>8</sup> Beginning with its April 7<sup>th</sup>, 2020 response to the National Lavender Caucus’ demands for retraction, apology and resignations, see Appendix E, on page 51 of the Appendices to this brief, or this link: <http://georgiagreenparty.org/georgia-party-responds-to-invitation-from-lavender-caucus/> Subsequent communication through the Dispute Resolution Committee, as late as September 11<sup>th</sup>, 2020, ignored our communication of April 2020 and only re-iterated the Lavender Caucus’ demands that the Georgia party repudiate its platform amendments outside the state party’s democratic process for amending its platform at state conventions, apologize and

Georgia's adoption of HR3 endorsing the Declaration on Women's Sex-Based Rights and HR4 endorsing the Feminist Amendments to the Equality Act. However, because the nature of the dispute is political, not an interpersonal one, the Georgia party proposed a Party-wide discussion and debate involving the Green Party as a whole on the issues of public policy. These proposals were repeatedly ignored by the National Lavender Caucus. What the Georgia Party was not willing to do was to submit to an Orwellian "re-education" process behind closed doors ending in recanting its positions and a purge of its elected leadership, which was the stated goal of the Lavender Caucus. This was the sole reason for the impasse that was reached with regard to mediation efforts.

### **III. Rejecting Sex Denialism has nothing to do with Transphobia**

Movements for the oppressed and marginalized are not perfect and can make mistakes, especially if they hitch their wagon to corporate or imperial interests. For radicals on the Left, including in the Green Party, following the lead of either corporate Party is never wise; it is important that we think things through for ourselves. One example of a movement of a persecuted group, a victim of pogroms and genocide that took a wrong turn, is the Zionist movement which united with imperialism to claim a land exclusively for itself which was not empty and in which the large majority of the people living there were not Jews. For many years, and even still today, large portions of the Left have smeared anyone criticizing or rejecting Zionism as "anti-Semitic." That turned out to be false and the political atmosphere has somewhat improved as the truths of the criticisms of the Israeli state were finally heard<sup>9</sup>, thanks in part to the work of Green Party activists to expose the crimes of the Occupation

The movement that started out as radical grassroots movement for lesbian, gay and later bisexual liberation, for the rights of same sex attracted people to love and have same sex relationships without discrimination or stigma, and that also deliver the resignation of state party leadership.

<sup>9</sup> Zionists slogan that Palestine was "a land without people for a people without land" was a false claim that denied the existence of a distinct Palestinian people. Zionists claimed that Jewish settlers *were* the Palestinians. Similarly the half of humanity born female is not empty of a distinct group of humans with their own separate rights and needs. The Trans Activist community's mantra that 'transwomen are women' similarly displaces the sex-based rights of women who have yet to recover from millennia of misogyny.

pioneered and celebrated gender non-conformity, went through a metamorphosis. It became the LGBTQIA+ movement, run by corporate funded non-profits, embraced by corporate media and the Democratic Party and claiming to advocate for a growing list of identities. It is this movement that introduced sex denialism as the supposed path forward for transgender people and began labeling as “transphobic” anyone who declares that biological sex exists<sup>10</sup>, and has some significance in a sexist and homophobic society.

Sex denialism undermines the rights of half the human race born female and living for many millennia, continuing to this day, under an entrenched system of male supremacy or patriarchy that oppresses women based on their sex. This sex-denialism makes naming, measuring, organizing around, and remedying specific sex-based inequality impossible.<sup>11</sup> Thus, to oppose this ideology of female erasure has nothing to do with transphobia, hate or bigotry of any kind, nor does it have anything to do with right wing politics<sup>12</sup>, and appeals to these sorts of ‘guilt-by-

<sup>10</sup> To recognize that biological sex exists and has some social significance has nothing to do with biological determinism as some have claimed. Biological determination says that because a person is born with a female reproductive system, they should be reduced to that biology, kept subordinate to males, and be denied their full humanity. Feminism says that females exist as half of our species, that females have given birth to every human that has ever walked the earth, that females are fully human and should have equal rights and be granted the same power, freedom, dignity and respect as males.

<sup>11</sup> The rights of females undermined by sex denialism include the right to organize politically against sex based oppression and the right to assembly out of the presence of males; the right to accurate statistics to measure male violence against females and the right to collect meaningful metrics with respect to pay and job opportunity disparities between the sexes; the right to be free from the presence of males in public accommodations where nudity occurs; the right to affirmative action programs to address the exclusion and under representation of females in males dominated fields and professions and in politics; the right to female only sports; the right to create reproductive health clinics, rape crisis services, battered women’s shelters and support groups for females only; and the right of lesbians to create female-only lesbian-specific organizations apart from males. Even enforcement of civil rights laws such as the Equal Pay Act would be undermined when gender identity is conflated with and overrides sex. For a more complete list, See Appendix I, on page 77 of the Appendices to this brief, or this link: <http://www.dialoguenotexpulsion.org/documents/Green-Feminists-Response-to-LC-Complaint>

<sup>12</sup> In this piece, the author draws comparisons between the use of the guilt-by-association logical fallacies being deployed in this case with the abuses of McCarthyism in the last century. See Appendix L, on page 96 of the Appendices to this brief, or this link: [http://www.dialoguenotexpulsion.org/opinions/Guilt by Association as a Tool of Reaction--MEs Hit Piece against Radical Feminists](http://www.dialoguenotexpulsion.org/opinions/Guilt%20by%20Association%20as%20a%20Tool%20of%20Reaction--MEs%20Hit%20Piece%20against%20Radical%20Feminists)

association’ arguments have long been recognized as a logical fallacy. Indeed, feminists have begun organizing around the world to oppose sex denialism. This organizing has found expression in the form of the Declaration on Women’s Sex-Based Rights.

Sex denialism is not just harmful to female humans but to lesbians and gay men.<sup>13</sup> The supplanting of sex by gender identity in matters of public policy undermines the ability to fight for the right of same sex attracted people to love and form relationships exclusively with people of the same sex, a right that despite the very recent legal recognition in this country of same sex marriage, is still far from secure. Because the LGBTQIA+ movement has lost sight of its original mission and its sex denialism is harming same sex attracted people, the movement has split and new LGB organizations have formed in the U.S., the UK and a growing list of other countries.

The Georgia Green Party had a strong basis to take the stands that it did which are rooted in feminism, social justice and equality. *Those positions have nothing to do with hate.*

#### **IV. “Violation of platform” provides no basis for dis-accreditation of the Georgia Green Party**

##### **A. State parties are not bound to support every plank in the Green Party platform**

As Illinois Party Chairman Rich Whitney deftly noted, “the platform is not a code of conduct and disagreement with any particular part of the national platform is not, and never has been, a basis for disaffiliation of a member state party- nor should it be.”<sup>14</sup> Instead, the platform is a living document, subject to review, discussion, and amendment. Indeed, if everyone who spoke and acted on behalf

<sup>13</sup> See Appendix M, on page 101 of the Appendices to this brief, or this link: [http://www.dialoguenotexpulsion.org/caucus\\_member\\_opinions/menasche/Sex\\_Denialism\\_is\\_Inherently\\_Not\\_Just\\_Sexist\\_But\\_Homophobic](http://www.dialoguenotexpulsion.org/caucus_member_opinions/menasche/Sex_Denialism_is_Inherently_Not_Just_Sexist_But_Homophobic)

<sup>14</sup> See Appendix K, on page 90 of the Appendices to this brief, or this link: [http://www.dialoguenotexpulsion.org/documents/Rich\\_Whitney--Chairman\\_Illinois\\_Green\\_Party--Supports\\_Open\\_Political\\_Discussion](http://www.dialoguenotexpulsion.org/documents/Rich_Whitney--Chairman_Illinois_Green_Party--Supports_Open_Political_Discussion)

of the Green Party, whether a state Party or a candidate, was bound by every word of the platform or every political position contained therein, the Green Party Presidential Campaign of Howie Hawkins would not have been allowed to campaign against the Nordic model for addressing prostitution despite the fact that the Nordic model has been part of the U.S. Green Party's platform for nearly twenty years. Green Party Platform II(A)(1).

**B. The Georgia Party's political positions are far more consistent with the letter and spirit of the Green Party platform than those adopted by the Lavender Caucus.**

**1. The pro-feminist nature of the national Green Party Platform**

The cherry-picking of the Lavender Caucus notwithstanding, the overwhelming majority of the provisions in the national Green Party platform supports the feminist stands taken by the Georgia Green Party at its Bonaire Convention, and is inconsistent with the sex denialism of the Lavender Caucus. The Social Justice section of the platform contains four and a half pages on the rights of women and girls *as a sex*. GP platform II(A)(1).

These provisions include: (1) support for ratification of the Equal Rights Amendments, which provides equal rights based on *sex*; (2) support for the ratification by the U.S. Senate of the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), a treaty already ratified by 173 countries and which supports the rights of women based on *sex*; and 3) the clearly sex-based right of women to control their reproduction and to have access to contraception and abortion.

It is patently obvious that the Platform section on Women's Rights that includes reference to birth control and abortion is referring to women as a sex: "Women's right to control their bodies is non-negotiable. It is essential that the option of a safe, legal abortion remains available . . . It is the inalienable right and duty of every woman to learn about her body and to be aware of the phases of her menstrual cycle." Biological males do not get pregnant, or have abortions, however they may identify, nor do they have menstrual periods. There is also

support in this section of the platform for measures to end unequal pay and the poverty of mothers (single mothers were described as “the largest and most severely impoverished group in the United States”) and an extensive discussion on the growing epidemic of violence against women<sup>15</sup>. In all of these provisions, it is the issues and concerns of women and girls *as a sex* (human females) that are being addressed.

The opening paragraph of the section on “Sexual Orientation and Gender Identity” and sub-sections 1 through 3 all continue to support sex-based protection,<sup>16</sup> while advocating for the addition of sexual orientation and gender identity and expression provisions into civil rights laws. There is nothing in the opening paragraph or the first three subsections that indicate that sex and gender or gender identity are the same things nor that would allow gender identity to supplant sex as a protected characteristic. The Georgia Green Party does not disagree with these provisions, as long as sex and gender identity are not conflated.

It is only with regard to the three sentences in subsection 4 that ambiguity and confusion arises as to its meaning and depending on the interpretation that is adopted, the Georgia Green Party may possibly have a disagreement.<sup>17</sup> There is no explanation as to what the right to self-determination of gender identity or opposition to involuntary assignment of gender refers to, i.e., whether or not it involves sex denialism that overrides sex-based protections, or simply freedom of

<sup>15</sup> The epidemic of male violence recognized in the national Green Party platform persists to this day. A staggering one in three females experience physical and sexual assault by males. <https://news.un.org/en/story/2019/11/1052041> and those numbers are even higher in the United States: “Some [national studies](#) examining incidents in the United States show that up to 70 per cent of women have experienced physical and or sexual violence from an intimate partner, according to [UN Women](#).” Approximately 2,000 females per year are murdered by males. <https://countercurrents.org/2017/04/what-if-i-told-you-2000-women-per-year-are-murdered-by-men-they-know-interview-with-dawn-wilcox/>

<sup>16</sup> “[W]e support full legal political equality for all persons regardless of *sex*, gender, sexual orientation or gender identity, characteristics and expression.’ GP Platform II(A)(5), introductory paragraph.

<sup>17</sup> “The Green Party affirms the right of all persons to self-determination with regard to gender identity and sex. We affirm the right of choosing non-binary and gender fluid identification. We therefore support the right of individuals to be free from coercion and involuntary assignment of gender or sex.” GP Platform, II(A)(5)(4).

personal belief and expression. Especially incomprehensible is the reference to “self-determination of one’s sex,” and freedom from coercion regarding “involuntary assignment of...sex.” None of us choose our biological sex which is determined at conception, is immutable, and is neither imposed by others nor arbitrarily “assigned” at birth by doctors or midwives. It is merely observed, almost always accurately.<sup>18</sup> On the other hand, sex stereotypes or “gender”- the roles of “masculinity” and “femininity”- are, indeed, clearly “assigned” by society, not just at the instance of birth but through gender role socialization in childhood and myriad social pressures throughout one’s life.

Should these four lines be interpreted to deny the existence and/or social significance of sex and replace sex with gender identity, as the Lavender Caucus appears to do, this would contradict four and a half pages of Green Party platform that recognize both the existence of sex and that human females are oppressed based on their sex. So, if anyone is in “violation” of the letter and spirit of the Green Party Platform, it is the Lavender Caucus, not the Georgia party!

**2. The Declaration on Women’s Sex Based Rights is about preserving the rights of half of humanity born female, and has nothing to do with “hate”.**

The Declaration on Women’s Sex-Based Rights essentially restates existing international law, mostly as laid out in the Convention for the Elimination of all Forms of Discrimination Against Women (CEDAW) and the Convention on the Rights of the Child (CRC). The existing Platform of the Green Party of the United States advocates ratification of CEDAW by the U.S. Senate, and the repeal of an

<sup>18</sup> The existence of “Disorders of Sexual Development” or intersex conditions do not contradict the existence of sexual dimorphism in mammals and most other species, any more than the fact that some people are born missing limbs means humans are not bipedal. True hermaphrodites with fully functional sex organs of both sexes do not exist in humans. In any case, DSDs occur in an estimated 0.018% of the human population, perhaps 54,000 in the U.S. population of 300 million, and have nothing to do with gender identity. See [Leonard Sax’s](#) article, “How common is Intersex? A response to Anne Fausto Sterling”, published in the *The Journal of Sex Research*, Volume 39, Issue 3 (2002), <https://www.tandfonline.com/doi/abs/10.1080/00224490209552139>

exception to the CRC included in this nation’s signing statement (to allow for the recruitment of minors by the U.S. military).

The Declaration reaffirms the sex-based rights of the half of humanity born female against encroachment on those rights from the replacement of the category of sex with that of ‘gender identity.’ This encroachment is being advocated by the highly corporatized leadership of the LGBTQIA+ movement. The Declaration is not anti-transgender people nor is it opposed to their fundamental civil and human rights, but instead stands against the conflation of sex and gender identity and the sex-denialist politics being advanced in the name of transgender- people.

The Declaration contains nine articles: 1) Reaffirming the rights of women<sup>19</sup> based upon the category of sex; 2) Reaffirming the nature of motherhood as exclusively female; 3) Reaffirming the rights of women and girls to physical and reproductive integrity;<sup>20</sup> 4) Reaffirming women’s rights to freedom of opinion and freedom of expression;<sup>21</sup> 5) Reaffirming women’s right to freedom of peaceful assembly and association;<sup>22</sup> 6) Reaffirming women’s rights to political

<sup>19</sup> The Declaration defines women as “adult human female,” which has been the primary definition of women in the English language for centuries and still is the first definition listed in Meriam-Webster’s dictionary (“an adult female person”). Redefining the word “women” to include males who identify as such and/or who adopt the sex stereotypes of dress and behavior traditionally assigned to females - “femininity” – has caused great confusion and led to the conflation of sex and gender and the overriding of sex by gender identity in law and public policy, which we call “sex denialism” that we are currently experiencing.

<sup>20</sup> This includes support for full reproductive rights for women and girls, which exposes the lie that supporters of the Declaration are right wing Christian fundamentalists who are known for their opposition to abortion rights. This also includes opposition to surrogate motherhood involving the rental the wombs of poor and marginalized women, particularly women of color in the Global South, often trafficked for the benefit of wealthy patrons.

<sup>21</sup> This is in opposition to “cancel culture” which has been criticized by prominent figures on the Left such as Chris Hedges and Glenn Greenwald and which has targeted the physical safety and livelihoods of feminists for the “thought crime” of being critical of sex denialism.

<sup>22</sup> This includes the right to assemble and associate with women or girls based on sex outside of male presence, regardless of their gender identity, and the similar right of lesbians to assemble together as lesbians and without male supervision or intrusion. The right of oppressed groups to self-organize and caucus together has long been recognized by the Green Party. The question appears to be whether the U.S. Green Party is rejecting four and a half pages of its own platform and no longer believes that the female half of humanity is oppressed based on sex, and whether it denies the existence of lesbian oppression as well.

participation on the basis of sex; 7) Reaffirming women's rights to the same opportunities as men to participate in sports on a single sex basis; 8) Reaffirming the need for the elimination of violence against women; and 9) Reaffirming the need for protection of the rights of the child.

Most of these principles are completely consistent with what is contained in the women's rights section of the Green Party national Platform, so if these are "transphobic", so is the national platform. But a couple of these articles deserve further comment.

The need for female only sports teams can be seen as a form of affirmative action as the female sex has historically experienced and continues to experience denial of equal opportunity in the arena of competitive sports. Despite the gains under Title IX, females still have substantially less opportunity to participate than males. In addition, because males tend to be taller, larger, carry more body weight, have larger hearts, larger lungs and have had far more opportunity to develop their physical skills than females, and for other reasons that may be related to inherent bodily differences between males and females, females may be disadvantaged in many sports. Transgender individuals born male are already taking titles and scholarships away from females. The conflict is real and there are many creative ways for it to be resolved, so that everyone has a fair and equal opportunity to participate in sports, including members of the historically excluded and underrepresented female sex, and transgender males.<sup>23</sup> But raising these concerns has nothing to do with "hate".

Then there is the contentious issue of "gender-affirming treatment" of minor children. The term sounds benign, but it involves medical interventions (puberty blockers, cross-sex hormones and surgical removal of healthy breasts, and genitals) on gender non-conforming children most of whom are same sex attracted and likely to grow up to be lesbian, gay or bisexual) that prevent the natural maturation process of children called puberty, and has severe life-long medical consequences. Those consequences include sterility, osteoporosis at extremely young ages, failure

<sup>23</sup> Persons born male who are transgender or otherwise gender non-conforming could form their own teams if they feel uncomfortable or are treated poorly when participating in sports with other males, or there could be two categories of teams, "female only," and "open," the latter type of team open to everyone regardless of sex or gender identity.

to develop the capacity for sexual feelings or pleasure, probable negative effect on brain development, and a future as a life-long medical patient, ingesting hormones that are great for the bottom line of the pharmaceutical industry but not at all good for one's physical health. A Court in the UK reviewed the evidence regarding these interventions and concluded that they were experimental and that children did not have the maturity to make this decision.<sup>24</sup>

Only last month, the medical practitioners in Sweden implemented new policy<sup>25</sup> to decline any new referrals for "Dutch Protocol" medical interventions for gender dysphoric or gender confused youth under 16 years of age; while imposing clinical trial protocols approved by the nation's Ethical Review Agency with extra precautions taken to fully inform patients and gain the consent of minors under the age of 18. As reported by the Society for Evidence Based Gender Medicine, "This (Dutch Protocol) approach, also known as medical 'affirmation', has been endorsed by the WPATH 'Standards of Care 7' guideline." And of course the WPATH guidelines are the basis for the discredited<sup>26</sup> AAP endorsed treatment protocols.

<sup>24</sup> This [landmark judgment](#) is also anticipated to have significant repercussions around the world. On December 1, 2020 the UK's High Court ruled that: "[puberty blockers and cross-sex hormones are experimental treatments](#) which cannot be given to children in most cases without application to the court. The judgment concluded that it is highly unlikely that a child aged 13 or under would ever be Gillick competent to give consent to being treated with puberty blockers and very doubtful that children aged 14 and 15 could understand the long-term risks and consequences of treatment in such a way as to have sufficient understanding to give consent. The court also ruled that it would be appropriate for clinicians to involve the court in any case **where there may be any doubt** as to whether the long-term interests of a 16 or 17 year-old would be served by the clinical interventions of blockers and hormones." See also the real life transition story of Scott Newgent who is campaigning against child medical transition. <https://www.trevoices.com/post/scottnewgentstory>, See also the story of Keira Bell, .who is a plaintiff in the UK law suit. <https://www.persuasion.community/p/keira-bell-my-story>

<sup>25</sup> See the links to the original documents in Swedish and the un-official translations to English at the bottom of this page: [https://segm.org/Sweden\\_ends\\_use\\_of\\_Dutch\\_protocol](https://segm.org/Sweden_ends_use_of_Dutch_protocol)

<sup>26</sup> See Dr. James Cantor, "Transgender and Gender Diverse Children and Adolescents:Fact-Checking of AAP Policy", *Journal of Sex & Marital Therapy*, <https://www.tandfonline.com/doi/full/10.1080/0092623X.2019.1698481> though free copies are widely available on the internet.

The U.S. Green Party has never taken a position on these medical interventions for minors and the general language in the current platform on youth rights does not mandate a particular approach to this issue. U.S. Green Party Platform II(A)(8). It is noteworthy, however, that subsection “c” state that “Youth have the right to be protected from abuse, *harmful drugs*, violence, environmental hazards, neglect and exploitation.” (emphasis added.) Certainly, there is a reasonable basis of questioning the safety of these drugs used on children.<sup>27</sup>

In the Party’s plank related to Sexual Orientation and Gender Identity, in sub-section 3 our party takes the position that “We are opposed to non-consenting intersex genital surgery.” It seems odd that the Green Party has a plank in our platform that opposes without equivocation, surgery on intersex children too young for informed consent, while the National Lavender Caucus tells us (with no clear support in the Platform) that children should be put on puberty blockers long before the age of consent, before they can drink, obtain a tattoo or even a learners permit to operate a vehicle on the public roads. And of course, puberty blockers do not just block normal growth and maturation of secondary sex characteristics, they also block bone development<sup>28</sup> and leave researchers concerned about the impact on the developing brain<sup>29</sup>.

Yet, the Lavender Caucus is willing to impose its view on this issue without discussion, label critics of child transition “transphobic,” and seek the expulsion of a State Party on this basis. This is policy-making by bullying, and anathema to our party’s commitment to participatory democracy.

<sup>27</sup> It creates a false equivalency to compare these medical interventions with providing minors, access to abortion and birth control. The latter have been approved by U.S. regulatory agencies for their intended use and have no long-term medical consequences, despite the lies told by the anti-abortion Christian Right. Neither of these things are true for the former. Early abortion provides safer outcomes than giving birth for women.

<sup>28</sup> <https://www.transgendertrend.com/product/the-tavistocks-experimentation-with-puberty-blockers/>

<sup>29</sup> “When a child’s natural puberty is blocked we can expect to see effects not only on the body but on the developing brain. It is the surge of sex hormones at puberty which triggers the important changes in the adolescent brain which only reach completion in the mid-twenties. Hormonal changes at puberty are thought to influence the development of both brain structure and function.” <https://www.transgendertrend.com/puberty-blockers/>

### **3. The Feminist Amendments to the Equality Act would expand federal statutes to protect the rights of lesbians, gays, bisexuals and transgender individuals and all gender non-conforming people, while preserving the rights of women and girls as a sex.**

The Feminist Amendments drafted by Feminists in Struggle and endorsed by the Georgia Green Party, expand the protections in *Bostock* far beyond work place protections, by creating two new protected classes under federal Civil Rights statutes. In areas of employment, housing, access to credit, the right to serve on a jury and access to public accommodations, the Feminist Amendments would prohibit discrimination on the basis of sexual orientation and sex-role stereotypes.

The clear intent of these provisions is to provide full legal protection for transgender individuals and all gender non-conforming people. At the same time the Feminist Amendments take a stand against the sexist and homophobic politics of sex denialism, preserving females' right to privacy and dignity apart from males and their right to female only programs to provide shelter and aid recovery from male physical and sexual violence, and to affirmatively advance females in society. The Feminist Amendments also allows for third spaces for transgender and other gender non-conforming people who may prefer them.<sup>30</sup>

Again, the Feminist Amendments have nothing to do with “hate,” “transphobia” or “right wing politics” but are about ***balancing the differing rights and needs of distinct oppressed and marginalized groups and providing equality and justice for everyone.***<sup>31</sup>

<sup>30</sup> See the text and related documents regarding the Feminist Amendments, Appendix D, on page 24 of the Appendices to this brief, or on the website of Feminists in Struggle <https://feministstruggle.org/feminist-amendments/faea/>

<sup>31</sup> What mantras like “transwomen are women” do, besides deny sex and therefore render invisible female sex-based oppression, is merge two distinct oppressed or marginalized groups, (females, regardless of gender identity, with males who identify as women) that have differing experiences, rights and needs. This merger ultimately does not benefit either group.

#### **IV. The Georgia Green Party has amply demonstrated its commitment to the Four Pillars and the Ten Key Values**

The only possible basis for expulsion of a state Party is violation of the Four Pillars. Here, as described above, the Georgia Party has not only shown its commitment to the Pillars as well as the Ten Key Values , but has demonstrated in practice its exemplary commitment to justice and equality for females as a sex, to the rights of gays, lesbians and bisexuals, and to the rights of transgender and all gender non-conforming people.

#### **V. Conclusion**

For the above reasons, the Complaint by the Lavender Caucus against the Georgia Green Party must be rejected in its entirety.

s/ Ann Menasche, counselor

s/ Hugh Esco, Secretary

on behalf of the Georgia Green Party  
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See Appendices, attached.