

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***

complaint filed: 2020-12-23

v.

Georgia Green Party

Questions Prepared for Margaret Elizabeth Co-Chair National Lavender Caucus

0) authorship of the complaint: NLC v GaGP

- (a) Are you the principal author of the complaint by the National Lavender Caucus?
- (b) Were others involved in drafting the complaint?
- (c) Were any members of the Accreditation Committee involved in drafting, or reviewing before it was filed with this committee, the complaint?
- (d) Please name those members of the Accreditation Committee with whom you consulted, or who otherwise reviewed or commented on drafts of the complaint before this committee prior to it being filed on December 23rd, 2020.

1) 'violation of the platform'

- (a) Can you cite any rule of the party which prohibits what the complaint, National Lavender Caucus vs Georgia Green Party, repeatedly characterizes as a 'violation of the party platform'?

2) *Bostock v Clayton County*

(a) The Gorsuch majority (on page 5) in the Decision of the U.S. Supreme Court defined sex as related to one's "status as either male or female as determined by reproductive biological distinctions . . . (and the) biological distinctions between male and female". Do you agree with this definition?

(c) Would you agree that this definition relied upon by the Bostock Court is essentially the same one used and accepted by the Georgia party and more generally by gender critical feminists?

(d) Is anyone who agrees with this definition of sex "transphobic"?

(e) Was the U.S. Supreme Court Bostock decision that used this definition of sex, "transphobic"?

(f) Have you read the Opinion of the Supreme Court in *Bostock v Clayton County*?

(i.) so you read the four page synopsis?

(ii.) and you read the thirty-three page majority opinion by Justice Gorsuch?

(iii.) and you read the fifty-four page dissent of Justice Alito?

(iv.) and you reviewed the additional 53 pages of Appendices to that dissent?

(v.) and you reviewed the twenty-eight page dissent of Justice Kavanaugh?

(g) From what law school did you matriculate?

(h) If you did not read the decision itself, on what sources did you rely for your understanding of the Court's majority opinion?

(i) Did you consult with an attorney to understand the opinion?

(j) With what attorneys did you consult?

3) *Bostock decision on bathrooms*

(a) Justice Gorsuch, writing for the majority in the Bostock decision wrote, at page 31:

" . . . under Title VII itself, they say sex-segregated bathrooms, locker rooms, and dress codes will prove unsustainable after our decision today. But none of these other laws are before us; we have not had the benefit of adversarial testing about the meaning of their terms, and we do not prejudge any such question today. Under Title VII, too, we do not purport to address bathrooms, locker rooms, or anything else of the kind. The only question before us is whether an employer who fires someone simply for being homosexual or transgender has discharged or otherwise discriminated against that individual 'because of such individual's sex.'"

The Gorsuch majority explicitly wrote they “do not purport to address bathrooms, locker rooms, or anything else of the kind”. Is that not true?

(b) Isn't it the case that the Bostock decision ruled very narrowly on whether employment discrimination based on sexual orientation and transgender status is illegal under Title VII of the Civil Rights Act of 1964?

(c) Isn't it also true that the Georgia Party, in its endorsement of the Equality Act as amended by the Feminist Amendments, has demonstrated that it supports the result in Bostock that transgender plaintiff Aimee Stephens should not have been fired without legal redress?

(d) So the accusation in the National Lavender Caucus Complaint that Georgia wishes to remove protections from trans people established by Bostock is false, is it not?

4) *Familiarity with the Feminist Amendments*

(a) Have you read the Feminist Amendments to the Equality Act endorsed by the Georgia Green Party?

(b) Isn't it true that the provisions of the FAEA expand discrimination protections for transgender and other gender non-conforming people far beyond Bostock in employment, housing, business, credit, jury service, public accommodations, etc. through the addition of sex stereotyping as a protected statutory category?

5) Support for national Platform on Rights of Women

- (a) Have read our read the Women's Rights plank of our national party platform?
- (b) Do you agree that half of humanity born female are oppressed based on their sex?
- (c) Were adult females in the U.S. denied the vote based on their sex or their gender identity?
- (d) Are U.S. adult females paid less than males when examining sex-disaggregated data?
- (e) Do you agree that failure to disaggregate data based on sex would make these discriminatory practices difficult or impossible to discern?
- (f) Do you agree that the increased difficulty of identifying these discriminatory practices in the data would make the Equal Pay Act of 1963 (P.L. 88-38) impossible to enforce and deny women the equal protection of law and a powerful remedy for the protection of their sex-based rights?

6) Support for national Platform, generally

- (a) Have you read the Platform of the Green Party of the United States in its entirety?
- (b) Do you support every provision in the national Party platform?
- (c) Isn't it true that the National Party platform contains 4 1/2 pages on the oppression of women as a sex?
- (d) Is it not true that our Platform includes support for the Equal Rights Amentment, which is framed to extend rights to women on the basis of sex?
- (e) Is it not true that our Platform includes support for U.S. Senate ratification of the Convention for the Elimination of all forms of Discrimination Against Women, which is framed to extend rights to women on the basis of sex?
- (f) Is it not true that our Platform includes support for the reproductive rights of women, which addresses the rights of women on the basis of sex?
- (g) Is it not true that our Platform includes support for the needs of single mothers, which addresses the rights of women on the basis of sex?
- (h) Do you agree with these portions of the platform, lending the party's support for the sex-based rights of women?
- (i) Is support for the rights of females as a sex, as described in our national party platform, in your view, "transphobic"?

7) Platform support for gender ideology

- (a) Is it not true that the list of protected classes in the plank of the Green Party Platform on 'Sexual Orientation and Gender Identity' continues to list sex, sexual orientation and gender identity as separate categories?
- (b) Is it not true that our Platform nowhere takes the position that gender identity ought to override sex in public policy making?
- (c) In fact, isn't it true that no where in our Platform does it say explicitly that 'trans women are women' or that 'trans men are men'?
- (d) Do you believe that one person's right to self-determination includes that person's right to compel the thoughts and speech of others around them?
- (e) So, for a gender critical woman who rejects an identification as cis, does her right to "self-determination with regard to gender identity and sex" include a right to compel you to ignore your understanding of her as a cis-woman and to think and speak consistent with her self-determined identity as a woman?
- (f) If not, does that mean that the right to self-determination only applies to those who determine themselves to be trans, genderfluid or non-binary?

8) determination of sex

- (a) Our Platform 'affirms the right of all persons to self-determination with regard to gender identity and sex', is that true?
- (b) Is there any explanation for how a person can self-determine their sex?
- (c) Is not "sex" as the Gorsuch majority in Bostock defined it, determined at conception and in fact immutable?
- (d) None of the terms used in this section are defined anywhere in the platform, would that be a fair statement?
- (e) Would you agree that they are subject to more than one interpretation?

8) Reasonable Greens

(a) Would you agree that reasonable Greens, sharing a commitment to the Ten Key Values of the Green Party, can disagree on the meaning of terms used in our Platform?

(b) Would you agree that these reasonable Greens, sharing Green values yet disagreeing on how to read the words in the Sexual Orientation and Gender Identity plank of the Platform, can still find many ways to collaborate on other positions taken in our Platform?

(i) Can we collaborate to end U.S. imperialism?

(ii) Can we collaborate to avert the catastrophic global climate crisis?

(iii) Can we collaborate to achieve universal access to health care as a human right for all?

(iv) Can we collaborate to ensure food security and access to healthy produce and clean water?

(v) Can we collaborate on the many other policy initiatives embraced by our Platform?