The Equality Act Will Change Every Aspect of American Life

Call Your Senator and Urge Them to Vote “No” on the So-Called “Equality Act”

Chris Manion / March 1, 2021


On February 25, the House of Representatives, by a vote of 211 to 195, passed H.R. 5, the “Equality Act.”

Here is the official summary provided by the Congressional Research Service, in full:

Equality Act:

This bill prohibits discrimination based on sex, sexual orientation, and gender identity in areas including public accommodations and facilities, education, federal funding, employment, housing, credit, and the jury system.

(In brief: very little of everyday life is left out.)

Specifically, the bill defines and includes sex, sexual orientation, and gender identity among the prohibited categories of discrimination or segregation.

Includes? Perhaps, but does not define. And it is hardly “specific”.

The bill expands the definition of public accommodations to include places or establishments that provide (1) exhibitions, recreation, exercise, amusement, gatherings, or displays; (2) goods, services, or programs; and (3) transportation services.

Don’t feel left out. You’ll be included soon.

The bill allows the Department of Justice to intervene in equal protection actions in federal court on account of sexual orientation or gender identity.

A lawyer’s dream, everyone else’s nightmare.

The bill prohibits an individual from being denied access to a shared facility, including a restroom, a locker room, and a dressing room, that is in accordance with the individual’s gender identity.

Of course, this particular is covered in the first paragraph. But it is repeated here for emphasis because the consequences of this provision will begin, in schools throughout the country, before the ink is dry at the White House signing ceremony.

We will examine the particulars of the bill after considering certain preambles necessary for analysis.

II.

First, on reality denied: philosopher Eric Voegelin has identified the powerful temptation to deny reality, an ideological tendency that has grown more prevalent in the past century. That denial was introduced by Karl Marx, who demanded that man not waste time understanding reality; “the point is,” he said, “is to change it” – more bluntly, to destroy it, in order to construct from the ruins a future world occupied by “Truly Socialist Man.”

The Equality Act indulges in that enterprise of denial by challenging the scientific, anthropological, religious, and cultural facts of reality regarding man and woman. Once
these are denied, the bill pretends to create a new reality by legislative fiat.

Second, on the consequences of embracing an ideological “second reality”: the Russian writer Alexandr Solzhenitsyn witnessed first-hand the triumph of Marx’s programme as applied by the Communist Party of the Soviet Union. That Party embraced a false vision of the nature of man and of reality in order to conform to the false tenets of the Communist ideology. The Party implemented that vision by the use of unprecedented terror and force.

In response, Solzhenitsyn observed that “the truth will make you free, but falsehood always brings violence in its wake.”

Third, how this law of cause and effect plays out: the violence identified by Solzhenitsyn can be wielded only by means of power. In order to implement its goals, H.R. 5 confers the power to enforce its provisions on the various branches of the Federal Government.

On that note, the warning of C.S. Lewis is helpful. “For the power of Man to make himself what he pleases means, as we have seen, the power of some men to make other men what they please.”

Indeed, H.R. 5 confers on every individual the right to change the reality of their sexual nature, and, having done so, to call upon the Federal Government to “make other men” conform to their choice, by force if necessary.

Does that make all men equal?

Well, we will be told, some men are more equal than others.

We see above the ideological origin of the demand to alter reality; the success of a tyrannical regime in embracing it; the violent consequences of that embrace in history; and how the unlimited power to enforce that demand rests in the hands of the few who then use their power to impose their will on the rest of the population in the real world.

III.

With those preambles, we can raise certain questions regarding the particulars of H.R. 5.

The term “sexual orientation” appears thirty-nine times in the bill. Under “definitions,” we find that “The term ‘sexual orientation’ means homosexuality, heterosexuality, or bisexuality,” ignoring the several dozen other categories currently claimed by their respective adherents.

The term LGBTQ appears nine times, again without definition.
Most prevalent is the term “gender identity.” It appears in the bill sixty-one times. Under “definitions,” we find that “The term ‘gender identity’ means the gender-related identity, appearance, mannerisms, or other gender-related characteristics of an individual, regardless of the individual’s designated sex at birth.”

Of course, that is no definition at all. At best, it is a description of random qualities that the bill’s authors dumped under “characteristics” and that term appears four times in the bill, again, without being defined.

Of course, the lack of definition is required to make possible the prosecution not only of actions but of “perceptions” and “beliefs”:

“The term ‘race,’ ‘color,’ ‘religion,’ ‘sex’ (including `sexual orientation’ and ‘gender identity’, or ‘national origin,’ used with respect to an individual, includes ... (B) a perception or belief, even if inaccurate, concerning the race, color, religion, sex (including sexual orientation and gender identity), economic status, or national origin, respectively, of the individual.”

The bill’s reach is as expansive as its terms are ambiguous and even contradictory.

Consider:

If it becomes law, the bill has onerous consequences for those whose perception – accurate or inaccurate – of a person’s “gender identity” might lead to unlawful discrimination. But that provision also applies to the individual allegedly discriminated against: that individual must perceive – accurately or inaccurately – in the mind of the discriminator a “perception” or “belief.” Of course, such a perception is impossible; and so the aggrieved individual must believe that such a “perception” or “belief” exists in the mind of the discriminator.

Hence, a case against an alleged violation of the Equality Act can be brought on the basis of what one person believes that another person believes.

Which is to say, if Person A believes that “God created man, in the likeness of God made he him; male and female created he them” (Gen. 5, 1-2), and he is “perceived” to have “discriminated” against Person B in any way, that perception suffices to make Person A in
violation of the Equality Act per se.

And, speaking of “perception”: “gender identity” is also a matter of perception not only on the part of the transgressor, but also on the part of the individual who chooses to adopt a qualifying “gender identity.” Even though H.R.5 criticizes the “discredited practice known as ‘conversion therapy’,” the individual choosing one’s “gender identity” is free to amend that choice at will, converting his sexuality quite arbitrarily, without public notice, if the individual’s sexual whims change.

Should H.R. 5 be signed into law, one unavoidable consequence will be the explosion of lawsuits, court cases, administrative rulings, and constitutional challenges. One pivot point sure to be employed by the expanded law’s advocates is the Supreme Court’s decision in Planned Parenthood v. Casey (1992):

“Liberty finds no refuge in a jurisprudence of doubt,” their plurality opinion reads – but Justice O’Connor, joined by Justices Kennedy and Souter, immediately ensures that doubt will in fact abide and prosper. Here is their finding of fact:

“At the heart of liberty is the right to define one’s own concept of existence, of meaning, of the universe, and of the mystery of human life.”

III.

Imprecision, ideology masquerading as settled law, unlimited breadth of application – all imposed by brute force. The devastation that the Equality Act will wreak is immeasurable.

Will minor children be allowed to choose “sex-change” surgery and drugs without parental knowledge or consent? Rachel Levine, the Biden Administration’s chief health official, refuses to answer. Will the age of consent regarding sex be reduced to twelve? Ten? Six? They sky’s the limit when it comes to “equality.”

That’s only one example; there are countless others. Employers, workers, medical professionals, families, women, and unborn children will be targeted. Religious institutions of all kinds and at every level will be attacked and disrupted, many of them closed down.

One need only observe the cost incurred by organizations like the Little Sisters of the Poor. To defend themselves against the HHS Contraceptive Mandate they were forced to spend untold millions of dollars on account of one federal regulation. The Equality Act will apply to every private and public action performed in “both private sector and Federal, State, and local government actors, including in employment, housing, and public accommodations,
and in programs and activities receiving Federal financial assistance."

Nothing will be exempt. The Equality Act allows no hiding place from the Gender Thought Police.

IV.

Returning to our preambles, we see here the enshrinement of the right of every individual to define one’s own version of reality. But even fondly-held visions cannot escape the law of cause-and-effect. Over time, chaos will inevitably follow from that clash of visions. one vision alone will prevail.

At that point, society will prefer order – any order – to chaos. Then, the question will be, “whose vision shall rule?”

Humpty Dumpty has the answer:

“When I use a word,” Humpty Dumpty said, in rather a scornful tone, “it means just what I choose it to mean- neither more nor less.”

“The question is,” said Alice, “whether you can make words mean so many different things.”

“The question is,” said Humpty Dumpty, “which is to be master—that’s all.”

To enjoy those rights, exercise them, and defend them, we must accept them on God’s terms – “Male and Female He created them.”

The House of Representatives has passed this bill as a payoff to powerful donor interest groups. The Senate will consider it next. If the Senate passes the legislation, the president has committed to signing it.

It is up to us to do everything we can – call our senators, tell our friends, write your local newspapers and call your local talk shows. They are attacking everything precious that we hold dear.

We have to raise the alarm like the patriots of old to defend our families, our Faith, and our freedom. We cannot allow the twisted supporters of this grotesque invasion of everything we hold dear to win – and if we fight, they won’t win!
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