

# A Grimm View of Truth



By Paul Engel

- Does absolute truth exist? And if so, does it matter?
- Do “transgender” people have the right to force others to comply with their “feelings”?
- Do the words “sex” and “gender” have any meaning anymore?

Does truth matter? I know, many people claim truth is personal, that you have your truth and I have mine, but can a society survive without a recognition of objective truth? The Supreme Court recently declined to hear a case out of the Fourth Circuit that revolved around a simple question: Is truth defined by what is or by what people think?

In a 2-1 opinion published by the Fourth Circuit, a very simple question was asked.

*At the heart of this appeal is whether equal protection and Title IX can protect transgender students from school bathroom policies that prohibit them from affirming their gender.*

## [GRIMM v. GLOUCESTER COUNTY SCHOOL BOARD](#)

When the judges are referring to Title IX in this context, they mean [Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681\(a\)](#).

*No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance,*

[Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681\(a\)](#)

Seems simple enough. Title IX says no one shall be discriminated against under any education program or activity receiving federal funds because of their sex.

**1a:** *either of the two major forms of individuals that occur in many species and that are distinguished respectively as female or male especially on the basis of their reproductive organs and structures*

**b:** *the sum of the structural, functional, and sometimes behavioral characteristics of organisms that distinguish males and females*

**c:** *the state of being male or female*

[Definition of sex – Merriam Webster Dictionary](#)

Single sex bathrooms are, by definition, based on sex, which is a physical attribute, as opposed to gender which can be based on non-physical attributes.

**a:** [SEX sense 1a](#) *the feminine gender*

**b:** *the behavioral, cultural, or psychological traits typically associated with one sex*

[Definition of gender – Merriam Webster Dictionary](#)

So, the question should be quite simple. Can a law that protects against discrimination based on sex be used to force schools to allow students to use bathrooms based on what they think is their gender?

*At the heart of this appeal is whether equal protection and Title IX can protect transgender students from school bathroom policies that prohibit them from affirming their gender. We join a growing consensus of courts in holding that the answer*

*is resoundingly yes.*

### [GRIMM v. GLOUCESTER COUNTY SCHOOL BOARD](#)

Notice, this court did not come this decision based on the law, but has decided to rewrite both the law and the dictionary based on the “growing consensus” of other courts.

#### **Background**

*Now a twenty-year-old college student, Plaintiff-Appellee Gavin Grimm has spent the past five years litigating against the Gloucester County School Board’s refusal to allow him as a transgender male to use the boys restrooms at Gloucester County High School.*

### [GRIMM v. GLOUCESTER COUNTY SCHOOL BOARD](#)

Since I believe that language matters, I have to note that what the court calls a “transgender male” is a female who thinks her body is wrong. Since she has the reproductive organs of a female, by the definition of sex, she is a female.

*Grimm’s birth-assigned sex, or so-called “biological sex,” is female, but his gender identity is male.*

### [GRIMM v. GLOUCESTER COUNTY SCHOOL BOARD](#)

The linguistic legerdemain continues when the court referred to Grimm’s “birth-assigned sex”. It’s not her biological sex that’s “so-called”, but the term “birth-assigned” that’s a linguistic lie. No one on earth assigned a sex to Ms. Grimm, she was born that way. That she doesn’t like that she’s a girl doesn’t change the fact that she’s female.

Accommodation is NOT enough

*Beginning at the end of his freshman year, Grimm changed his first name to Gavin and expressed his male identity in all aspects of his life. After conversations with a school*

*counselor and the high school principal, Gavin entered his sophomore year living fully as a boy.*

### **GRIMM v. GLOUCESTER COUNTY SCHOOL BOARD**

Notice that Ms. Grimm changed her name, not her body. If all she has changed is her name, then she still has female reproductive organs. That means she's a girl in boys clothing, but if she wants to live as a horse, but that does not make her one.

*At first, the school allowed him to use the boys bathrooms. But once word got out, the Gloucester County School Board (the "Board") faced intense backlash from parents, and ultimately adopted a policy under which students could only use restrooms matching their "biological gender."*

### **GRIMM v. GLOUCESTER COUNTY SCHOOL BOARD**

While the school didn't seem to care that a girl was using the boys bathroom, it appears a significant number of parents did. This goes to show one of the most overlooked problems with our nation's fascination with treating facts as inconvenient truths when it comes to sex. This court seems concerned with the "feelings" of Ms. Grimm, but shows absolutely no concern for the other students they want to forcibly impose Ms. Grimm's delusion upon.

While the court doesn't seem to care about the majority of students, the school board attempted to come to some reasonable accommodation.

*The Board built single-stall restrooms as an "alternative" for students with "gender identity issues." Grimm suffered from stigma, from urinary tract infections from bathroom avoidance, and from suicidal thoughts that led to hospitalization.*

### **GRIMM v. GLOUCESTER COUNTY SCHOOL BOARD**

In an effort to accommodate all sides, the school built

single-stall restrooms. That way, Ms. Grimm, and anyone else with “gender identity issues”, could use the restroom without infringing on the rights of the rest of the school. The court claims that Ms. Grimm “suffered from stigma” from using the single-stall restrooms. According to the opinion, that’s not exactly true:

*Moreover, the single-stall restrooms made Grimm feel “stigmatized and isolated.”*

### **GRIMM v. GLOUCESTER COUNTY SCHOOL BOARD**

In the opinion, not one example is given of someone stigmatizing Ms. Grimm for using the single-stall restroom. This court has placed the feelings of Ms. Grimm above both the law and the rights of the other students. And as for her unwillingness to use a restroom that did not “stigmatize” the other students leading to urinary tract infections, that was her choice. I’m not saying it was a wise choice, but the school did make a reasonable accommodation of Ms. Grimm’s desire to live as a boy. But this wasn’t good enough for her. She demanded that the school and everyone else not only accommodate her delusion, but embrace it as if her feelings could change reality itself. The fact that Ms. Grimm suffered from suicidal thoughts because she thought that her body was wrong shows this was not a physical problem but a mental one. However, rather than seeking assistance, Ms. Grimm has decided to sue the school board to force everyone else to join her in rejecting reality and substituting her preferences for the science based facts. In doing so, Ms. Grimm is claiming that her desire to impose her will on the rest of the world supersedes everyone else’s rights. She expects reality itself to bend to her wishes, and apparently does not care what damage must be done to make that happen. And the courts of Virginia agreed with her.

*Nevertheless, he persevered in his transition; he underwent chest reconstruction surgery, received a state-court order*

*stating that he is male, and amended his birth certificate to accurately reflect his gender. But when he provided the school with his new documentation, the Board refused to amend his school records.*

### **GRIMM v. GLOUCESTER COUNTY SCHOOL BOARD**

In pursuit of this mental confusion, Ms. Grimm amputated her breasts and then got a court in Virginia to lie for her. Meanwhile, this order continued the lie, by ordering the state to amend her birth certificate to “accurately reflect his gender”. First of all, the Commonwealth of Virginia does not record gender on birth certificates, it lists sex. And since, by dictionary definition Ms. Grimm’s sex is female, the state-court ordered the Virginia Department of Health to lie on an official state form. By conflating sex with gender, this court not only furthers the state-court lie, but creates a lie of its own. And now, when the Gloucester County School Board refused to participate in the lie, they are taken to court and ordered to lie and infringe on the rights of the vast majority of its students by two judges who not only have a problem with the truth, they also have a problem following the law.

### **Conclusion**

Ms. Grimm is claiming that by using scientifically provable facts, the Gloucester County School Board is violating the Equal Protection Clause of the Fourteenth Amendment.

*nor shall any State ... deny to any person within its jurisdiction the equal protection of the laws.*

### **U.S. Constitution, Amendment XIV**

Of course, violating the Equal Protection Clause is exactly what Ms. Grimm is asking the school board to do. The law clearly states that she cannot be discriminated against based on sex, but she wants the right to discriminate against boys who do not wish to use the bathroom in front of a girl. She

also claims that not affirming her delusion that she is a boy constitutes discrimination based on sex, yet she is asking the school to discriminate against the boys who do not wish to share a bathroom with a girl. She is also claiming that the fact that the school board refused to lie for her also violates equal protection and Title IX. Not only has the Court of Appeals for the Fourth Circuit committed a gross violation of their oaths and judicial ethics by placing their opinions above the law, they have themselves violated equal protection by applying Title IX differently based on the feelings of someone before their court.

By this point there may be some of you wondering why I referred to the plaintiff as Ms. Grimm throughout this article. My intention is not to harm or shame her in any way. However, I do not think it is caring or helpful to perpetuate a lie simply to soothe someone's feelings. I do not hold any animosity against Ms. Grimm, nor do I wish her ill no matter how she wishes to live her life. If we live in a free country, then Ms. Grimm should be allowed to live her life as she sees fit until she infringes on the rights of others. So it's Ms. Grimm's infringement on the rights of others with which I have an issue. If she wishes to live her life based on how she feels, either she allows others to do so as well, or she is a liar and a hypocrite. By pretending objective truth does not exist and supporting her lie we do not help Ms. Grimm. Rather we condemn her to a life of pain, suffering, and possibly more suicidal thoughts. This is not merely my opinion, but the results of studies of those who have gone through gender transition. Personally, I would rather see Ms. Grimm get the help she needs to live with the reality that she is a girl. If she wishes to dress like a boy and act like a boy, that's her choice. Expecting the mutilation of her body to bring peace to her life though, is a fool's errand I would council Ms. Grimm against pursuing.

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[BIO: Paul Engel founded The Constitution Study in 2014 to help everyday Americans read and study the Constitution. Author and speaker, Paul has spent more than 20 years studying and teaching about both the Bible and the U.S. Constitution. Freely admitting that he “learned more about our Constitution from School House Rock than in 12 years of public school” he proves that anyone can be a constitutional scholar. You can find his books on Amazon and Apple Books. You can also find his books, classes and other products at the Constitution Study website (<https://constitutionstudy.com>). You can reach him at [paul@constitutionstudy.com](mailto:paul@constitutionstudy.com)]