

Supreme Court Nominee Testifies She Can't Define the Word 'Woman'

Sitting for her second day of questioning on Tuesday, President Joe Biden's nominee for the U.S. Supreme Court said she is "not a biologist" and is therefore unable to define what a "woman" is.

The exchange came when Sen. Marsha Blackburn, R-Miss., asked Judge Ketanji Brown Jackson, appointed in 2009 to the U.S. Sentencing Commission by then-President Barack Obama, to define a "woman" in the context of the court's 1996 ruling on *United States v. Virginia*, when then-Justice Ruth Bader Ginsburg wrote for the majority, striking down the male-only admissions policy of the Virginia Military Institute.

Ginsburg stated that "supposed 'inherent differences' are no longer accepted as a ground for race or national origin classifications" and "'inherent differences' between men and women, we have come to appreciate, remain cause for celebration, but not for denigration of the members of either sex or for artificial constraints on an individual's opportunity."

For her part, Jackson told Blackburn she could not offer a definition of the word "woman."

"I can't," the judge told the senator. "I'm not a biologist."

Seemingly taken aback by Jackson's unwillingness to define the word, Blackburn asked, "The meaning of the word woman is so unclear and controversial that you can't give me a definition?"

"Senator, in my work as a judge, what I do is I address

disputes,” the judge replied. “If there’s a dispute about a definition, people make arguments, and I look at the law and I decide.”

The Republican lawmaker’s line of questioning came less than a week after University of Pennsylvania swimmer Will “Lia” Thomas beat two biological females—one of whom is an Olympic silver medalist from Florida—in the 500-yard freestyle event of the Women’s Swimming and Diving Championships.

Thomas is a biological male who identifies as a female and competes on the women’s swimming team.

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