

# This new Oklahoma executive order narrowly defines ‘woman’

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OKLAHOMA CITY — After two failed efforts in the state legislature to define a woman and a man based on their sex assigned at birth, Oklahoma Gov. Kevin Stitt [signed an executive order](#) limiting those definitions, the latest blow to transgender rights in the state.

The order, which along with government agencies applies to schools and state institutions, stipulates definitions for certain terms, like “man,” “boy,” “woman,” “girl,” “father,” and “mother.” The narrow definitions in the so-called “Women’s Bill of Rights” exclude trans and nonbinary people or anyone whose gender does not fit into the binary categories of woman or man. The order’s language does not make room for those with chromosomal variations, like intersex people.

Stitt framed the directive as a defense against what he described as “out-of-control gender ideology” eroding societal foundations, adding that the goal was “safeguarding the very essence of what it means to be a woman.”

“Oklahomans are fed up with attempts to confuse the word ‘woman’ and turn it into some kind of ambiguous definition that harms real women,” he said before signing the order.

Nicole McAfee, executive director of Freedom Oklahoma, an LGBTQ+ advocacy organization, said the directive is “neither about rights, nor is it about protecting women.”

It “instead opens the door for further civil rights violations that open all women to being harassed and targeted as they have their femininity assessed and judged by a public who feels increased permission to police gender,” they said.

The governor’s order represents the latest in actions from conservative-led states to limit trans rights. It is based on model legislation from Independent Women’s Voice, a far-right group focused on protecting “women’s single-sex spaces” by advancing anti-trans policy. After calling on states last year to adopt its suggested “women’s bill of rights,” versions were introduced in other states and the U.S. House and Senate.

Oklahoma, with a Republican supermajority, has already enacted laws [targeting various aspects of trans lives](#) in the last year. Stitt signed a bill that [criminalized providing gender-affirming medical care to minors](#) and passed measures barring transgender girls and women from participating in female sports teams and using school bathrooms that match their gender identity. The governor also signed a bill last year that [prohibited nonbinary gender markers](#) on state birth certificates, believed to be a first-of-its-kind ban in the country.

Democratic state Rep. Mauree Turner, the first openly nonbinary legislator in U.S. history, criticized this kind of legislation earlier this year after the Oklahoma House passed its own version in March. It failed to clear the state Senate.

“What we are fighting against is homegrown bigotry in the place of policy,” they said in a statement. “I know it makes a lot of folks uncomfortable that trans people exist, but I would ask you to truly think about the last time a trans person existing really impeded on how you showed up in the world.”

About 18,900 adults in Oklahoma are transgender, less than 1 percent of the state’s population,

according to the Williams Institute at the UCLA School of Law.

## What does Oklahoma's new 'Women's Bill of Rights' do?

The two-page order says Oklahoma has “led the pushback in restoring reality” to discourse around gender, and directs state agencies to:

- Define terms such as “female” and “male” based on an individual’s sex assigned at birth.
- Specifically use “female” for a person “whose biological reproductive system is designed to produce ova,” and “male” for a person “whose biological reproductive system is designed to fertilize the ova of a female.”
- Use stipulated definitions for other terms, like “man,” “boy,” “woman,” “girl,” “father,” and “mother.”

The order also directs schools and state institutions to adhere to these definitions when collecting certain statistics and requiring separate facilities for boys and girls.

McAfee described the order as “a thinly veiled attack on codifying discrimination against transgender women” and “a blatant celebration of transmisogyny from the governor’s office.”

Stitt’s office did not respond to requests from the PBS NewsHour for an interview.

Oklahoma’s series of anti-trans actions fit a broader pattern across conservative states. The 2023 legislative session was the worst one on record for anti-LGBTQ legislation since 2015, the Human Rights Campaign reported in June. Among the LGBTQ+ civil rights organization’s takeaways:

- More than 525 bills were introduced in 41 states.
- About 42 percent of those bills targeted transgender people specifically.
- More than 75 anti-LGBTQ bills were signed into law in the first six months of the year.

The increasingly hostile political climate prompted the organization to [declare a state of emergency](#) for LGBTQ+ people in the U.S.

In the Human Rights Campaign’s report, President Kelley Robinson said that the series of anti-LGBTQ+ laws are “fueled by an anti-LGBTQ Republican establishment” and coordinated by “well-funded extremist groups” known for attacking trans and queer rights, like the Alliance Defending Freedom, Heritage Foundation and the Family Policy Alliance.

Also mentioned in the report? Independent Women’s Forum, [affiliated with the sister organization Independent Women’s Voice](#), for testifying in support of anti-LGBTQ+ bills across the country. Members joined the Oklahoma governor as he signed this latest executive order into law including Riley Gaines, a former University of Kentucky swimmer and adviser for Independent Women’s Voice who has [criticized a NCAA ruling](#) that allowed trans swimmer Lia Thomas to compete in women’s championship events.

## The executive order is based on a national movement

A key concept in the model legislation from Independent Women’s Voice is that it’s necessary to define “woman” through “biological sex” — a phrase LGBTQ+ advocates say is harmful and misleading.

McAfee said this legislation purposely conflates sex and gender.

“It’s a very purposeful attempt to exclude trans people from this language of what it means to be a woman,” she said. “But it also excludes cisgender women as well, based on health conditions and a

number of other factors where they don't fit the 'definition' of what it means to be a woman.”

Somerlyn Cothran is an Oklahoma business owner and senior vice president of Independent Women's Voice, which has [opposed the ratification](#) of the Equal Rights Amendment and [railed at Equal Pay Day](#). She stood next to Stitt as he signed the executive order. Cothran defended the legislation in a statement, saying that it protects women.

Stitt's order, she said, demonstrated to millions of Oklahoma women and girls “that he has their back – that they no longer have to fear for their safety in private female only spaces.”

McAfee again countered that notion, saying this is a fear tactic by Stitt and other Republican lawmakers.

“By continuing to push this rhetoric, [Stitt] is creating more space for more Oklahomans to call out someone's gender out in the world based on just how they look,” McAfee said. “People could face discrimination just based on how someone perceives them.”

The Independent Women's Voice did not respond to requests for an interview.

The group's model legislation [inspired joint resolutions](#) from Sen. Cindy Hyde-Smith of Mississippi and Rep. Debbie Lesko of Arizona who reintroduced them to Congress earlier this year. The “women's bill of rights” language also served as the basis for a [Kansas anti-trans law](#) that went into effect this summer.

Supporters of these actions say it's a necessary step to, in part, provide clarity.

“One of the many problems with these radical notions to redefine male and female is that they end up doing more harm than good,” Hyde-Smith said in a statement.

## **A question of harm**

Many opponents of the executive order have argued that it fails to address essential rights for women, such as pay equity and protection from gender-based violence and discrimination.

Democratic state Rep. Cyndi Munson said the governor should focus on how to improve the lives of women in Oklahoma, like addressing domestic violence.

By [two separate estimates](#), Oklahoma is one of the leading states in the nation for the number of women murdered by men. About 40 percent of Oklahoma women have [experienced intimate partner violence](#), rape or stalking in their lifetimes, according to the state health department.

The governor, Munson said, could also address maternal mortality rates in the state and work to eliminate access to basic health care, like abortion care.

“We have much work to do in Oklahoma around the status of women and this executive order does nothing to address those issues,” she said.

LGBTQ+ advocates say anti-trans legislation takes a major toll on mental health.

More than 85 percent of trans or nonbinary youth reported a disproportionate negative impact on their mental health stemming from the continued debates and laws over restricting the rights of LGBTQ+ people, according to a [2022 survey](#) from The Trevor Project, a suicide prevention and crisis intervention nonprofit focused on LGBTQ+ youth.

LGBTQ+ advocates say that the legislation introduced in Oklahoma is part of a wider initiative by GOP lawmakers to single out and isolate the LGBTQ+ community in the state and that these bills are trying to solve a problem that doesn't exist.

“It does not outline or protect any rights of women,” McAfee said. “It allows for sex- and gender-based discrimination in Oklahoma, and it creates room across the spectrum for people to be discriminated against.

“Two-spirit, transgender, and gender non-conforming people have always been in Oklahoma. And we’ll always be here,” McAfee said.