



PREFERRED PRONOUNS OR PRISON

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If you want to control people's thoughts, begin by controlling their words. That's totalitarian thinking. It was once completely foreign to America. Not anymore.

Increasingly, Americans are forced to use language against their will or even their conscience or be prepared to suffer the consequences. And those consequences can be dire.

Take, for example, the issue of transgenderism, the newest "civil rights battle" of our time. A decade ago, few people could even tell you what the word "transgender" meant. Today, expressing the "wrong opinion" on the issue can cost you your business or job—or both.

Consider recent state and local actions punishing those who decline to use an individual's pronouns of choice. In 2017, California Governor Jerry Brown signed legislation threatening jail time for health-care professionals who "willfully and repeatedly" refuse to use a patient's preferred pronouns.

Under guidelines issued in 2015 by New York City's Commission on Human Rights, employers, landlords and business owners who intentionally use the wrong pronoun with transgender workers and tenants face potential fines of as much as \$250,000. That's a steep price for saying "he" instead of "she" or "she" instead of "he," or even "he" or "she" instead of "they."

What about the vast majority of citizens who hold the biology-based view that chromosomes determine your sex—male or female? Or those who have a deep-seated religious conviction that sex is both biological and binary—God's purposeful creation?

In December of 2018, Peter Vlaming was fired from his job as a French-language teacher in a Virginia school district because he refused to refer to a transgender student by the student's preferred pronouns. Vlaming's Christian belief prevented him from bowing before the notion that the student, who had been a "she" in his class the year before, was now suddenly a "he." Vlaming was willing to use the student's chosen new name, but he avoided using any pronouns when referring to this student. That wasn't good enough for the school district; they needed to hear him say the words.

You don't have to be religious to believe that one person can never be a "they." The Supreme Court has clearly decided that compelled speech is not free speech.

In *West Virginia State Board of Education v. Barnette* (1943), the Supreme Court upheld the students' right to refuse to salute an American flag. Justice Robert Jackson wrote, "If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can

prescribe what shall be orthodox in politics, religion or other matters of opinion.” And, Jackson went on to say, the state can’t force people to say things they don’t believe.

But this is precisely what’s happening. People are forced to refer to others as “ze,” or “co,” or “thon”—yes those are now considered pronouns. What might otherwise be a courtesy now has criminal consequences.

In most contexts, I would have no problem addressing others in any manner they chose, and I’m sure most Americans feel the same. But the Constitution’s protection of free speech neither begins nor ends with good manners. It extends all the way from rudeness to meekness, protecting those who hurl insults and those who would prefer to say nothing at all.

If the state can compel the use of certain words, it can force those who differ into silence. It can force its citizens to parrot beliefs they do not hold.

The Fairfax County School District in Virginia removed the phrase “biological gender” from its curriculum and replaced it with the phrase “sex assigned at birth.” This is how the left legislates away the concept of biological sex without ever having to make the argument. Without ever having to convince anyone. They’re trying to make “sex assigned at birth” as trivial and malleable as “name assigned at birth”—as if some doctor arbitrarily chose for you on the day you were born.

To the extent that the transgender movement seeks to promote compassion for those who struggle with their biological sex, we should be grateful for it. To the extent that it seeks to use government power to regulate our perspectives—commanding that we ignore biology and common sense—we should resist it.

This is no small issue. The Constitution guarantees freedom of speech so that political issues can be worked out in the public square. But the activist left doesn’t want that conversation to occur. They want to force the adoption of their conclusions before the argument even begins. Compelled speech is the tactic they’ve chosen. It’s unconstitutional. It’s undemocratic. And it’s wrong.

If gender activists prevail, we may be left with a world we neither recognize nor like very much. We won’t be able to communicate our displeasure. We will have lost the words.

I’m Abigail Shrier for Prager University.