



Written by [Raven Clabough](#) on February 21, 2020

Court Rules Against Christian Professor Who Refused to Use Trans Student's Preferred Pronouns

Social Justice mania continues to infringe on First Amendment rights as an Ohio Court has told a Christian professor he could be fired for refusing to use trans pronouns, upholding the school's nondiscrimination policy.

Shawnee State University (SSU) professor Nicholas Meriwether filed suit against SSU after the university sided with a student who became hostile when Professor Meriwether said he would not refer to the student by his preferred pronouns.



According to Alliance Defending Freedom (ADF), who filed the lawsuit on Meriwether's behalf, the student — Alena Bruening — to whom the ruling refers only as "Doe," "became belligerent, circling around him, getting in his face in a threatening fashion, while telling him, "Then I guess this means I can call you a c**t."

SSU later sided with the student after he filed a formal complaint, and claimed Professor Meriwether created a "hostile" environment in violation of the school's non-discrimination policy. SSU issued an official warning in June 2018.

ADF noted in its suit that the school violated Meriwether's First Amendment-protected rights, a charge that was dismissed by the U.S. District Court of Southern District of Ohio.

Meriwether's chief complaint is that forcing him to refer to each student's self-identified gender "would require him to violate his conscience and sincerely held religious beliefs," the suit reads.

He charged that his rights were violated because he was threatened and punished "for refusing to communicate a University-mandated ideological message regarding gender identity both in and out of the classroom" and that he was compelled to communicate in regard to gender identity in a way that conflicts with his religious beliefs.

Judge Susan Dlott dismissed these charges.

"Plaintiff's refusal to address a student in class in accordance with the student's gender identity does not implicate broader societal concerns and the free speech clause of the First Amendment under the circumstances of this case," the court [ruled](#).

The court claims that because Meriwether could have simply opted to remove all gendered language from the classroom, his free-speech rights were not infringed upon. Meriwether rebuts this assertion, however. He explained that he typically refers to his students as Mr. or Ms. followed by their last name, and that to assuage the transgender student's concerns, he opted to refer to him by just his last name. The court contends this still amounted to discrimination because Meriwether didn't call all the students by just their last name.



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Meriwether argues the university's nondiscrimination policy is "overbroad" and even dictates speech outside of the classroom, a point the university does not dispute. But the court ruled it is in the University's best interest to create and promote "an educational and working environment for students and employees that is without unlawful or prohibited discrimination and harassment," and that interest is not limited to the classroom but extends to all employees' "official duties outside of the classroom."

And yet the court found that Meriwether did not face discrimination despite his superior [laughing](#) at and dismissing his concerns that his religious beliefs were being violated when he was asked to refer to the student by his preferred pronouns. The court side-stepped Meriwether's allegations by claiming that any professor would have been disciplined for refusing to use the preferred pronouns, and therefore, no discrimination was present. Of course, the counter-argument is simply that all those professors would have faced discrimination as a result of their religious and/or personal beliefs.

It's also worth noting that Judge Dlott did refer to the transgender student by his preferred pronouns in her ruling.

The ADF states they are considering their next course of action.

"This is wrong," ADF's Travis Barham, Meriwether's attorney, said in a statement following the court's ruling. "Public universities have no business compelling people to express ideological beliefs that they don't hold. And we are currently evaluating our next steps with our client in ensuring that these basic principles are respected," Barham continued.

The Hill reports Meriwether has stated that he intends to continue the case.

"Philosophy especially — but certainly higher education in general — is all about the free exchange of ideas, but this exchange cannot happen unless faculty and students are in fact free to share their views," he said.

"But the University insisted that I endorse an ideology I do not believe is true. This is simply wrong. True tolerance must be a two-way street. Now the district court suggests that professors have no free speech rights, which should trouble us all," Meriweather said.

Meanwhile, SSU spokeswoman Elizabeth Blevins praised the ruling in a statement to *Campus Reform*.

"We are pleased with the District Court's ruling to dismiss the case. We remain committed to providing a work and educational environment that is respectful of individual beliefs and free from discrimination," Blevins said.

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Raven Clabough acquired her bachelor's and master's degrees in English at the University of Albany in upstate New York. She currently lives in Pennsylvania and has been a writer for The New American since 2010.



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