



Written by [Selwyn Duke](#) on August 31, 2018

16 States Ask SCOTUS for Protection Against “Transgender” Tyranny

You’re certainly free to fire an employee if he insists on coming to work in a thong bikini. But if he’s a man dressing as a woman, then your freedom of association and business’s well being are expected to take a back seat to the transgender agenda. This double standard has worsened in recent times, but not everyone is taking it lying down. As the *Christian Post* [reports](#):



A group of 16 states have asked the U.S. Supreme Court to protect a Christian-owned funeral home that has been sued for firing a transgender worker for wearing women’s clothing.

Three Republican governors have joined 13 Republican state attorneys general in signing an amicus brief calling on the nation’s highest court to hear the case of R.G. & G.R. Harris Funeral Homes.

More specifically, the government leaders are calling on the court to rule that the federal Title VII civil rights law does not extend sex discrimination protections to cover gender identity.

The owner of the Michigan funeral parlor chain Tom Rost appealed to the Supreme Court after the U.S. Court of Appeals for the Sixth Circuit ruled in favor of the U.S. Equal Employment Opportunity Commission [EEOC] earlier this year.

The federal entity sued the Michigan funeral home chain on behalf of former transgender employee Aimee Stephens (formerly known as William Anthony Beasley Stephens) in 2014.

The appeals court’s ruling not only struck down a lower court ruling that Rost could claim protection under the Religious Freedom Restoration Act, it was also the first time a federal appeals court had interpreted transgender bias as a form of sex discrimination, according to Bloomberg.

The signatories to the brief are, WND.com [informs](#), “attorneys generals [sic] from Texas, Nebraska, Alabama, Arkansas, Louisiana, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, West Virginia, and Wyoming. It was also signed by Kentucky Gov. Matt Bevin, Maine Gov. Paul LePage and Mississippi Gov. Phil Bryant.”

In reality, it’s tragic that only 16 states signed the filing, as the EEOC and Sixth Circuit rulings are the epitome of bureaucratic and judicial trampling of law. As WND relates on the substance of the brief, “The text, structure, and history of Title VII ... demonstrate Congress’s unambiguous intent to prohibit invidious discrimination on the basis of ‘sex,’ not ‘gender identity,’ the attorneys general say.”

“The term ‘gender identity’ does not appear in the text of Title VII or in the regulations accompanying Title VII. In fact, ‘gender identity’ is a wholly different concept from ‘sex,’ and not a subset or reasonable interpretation of the term ‘sex’ in Title VII,” the site continues.



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This is not opinion but fact. When Title VII was written in 1964, the term “gender’s” use was almost exclusively confined to grammar. Its widely understood definition was what’s found in my 1972-edition *American Heritage School Dictionary*: “In grammar, any one of a number of categories, such as masculine, feminine, and neuter, into which words are divided.” That’s it. Nothing more.

There was no reference to “gender” as a human quality because the term was rarely if ever applied to people. I can attest to this, too. I don’t remember as a child or young teen ever seeing or hearing about humans having “gender”; on forms and elsewhere, we’d be asked only about our “sex.”

This didn’t even begin to change until after Title VII was crafted. As I [wrote](#) in 2016 in “Sex Vs. Gender. Yes, There is a Difference!”: The new usage’s popularization likely began with “discredited quack psychologist Dr. John Money. In 1966, he originated the debunked ‘gender neutrality’ theory and appears to have been the first person to popularize the application of ‘gender’ to people. Even so, such usage of the term didn’t really catch on until the last 20 or 25 years.”

The kicker here is that even the sexual devolutionaries — the activists seeking court rulings such as the one in question — take pains to emphasize that “gender” and “sex” are *not synonymous*. As the quite politically correct World Health Organization once [explained](#),” Sex refers to the biological and physiological characteristics that define men and women. Gender refers to the socially constructed roles, behaviours, activities, and attributes that a given society considers appropriate for men and women.”

And Boundless Psychology [instructs](#) in no uncertain terms, “A person’s sex, as determined by their biology, does not always correspond with their gender [delusion]. Therefore, the terms ‘sex’ and ‘gender’ are not interchangeable.”

But this didn’t matter to the Obama administration, whose officials started misrepresenting Title VII and behaving as if the terms were. And is this a surprise? If Truth can be “relative,” as the Left insists, why can’t words and law?

If employers may no longer establish dress codes — at least where they would conflict with the leftist agenda or the latest psychological problem redefined as a “lifestyle” — where does it end? So-called “transgender” people are said to have “gender dysphoria.” Yet psychologists also define “species dysphoria,” which likewise involves strong and persistent feelings that you’re not what your biology reflects; in this case, that you’re an animal stuck in a human body.

So will employers, at some point in the future, be forced to let people thus deluded come to work naked? Animals don’t wear clothes, after all.

Obviously, many businesses’ customers (those of a daycare center, for instance) could be alienated by a cross-dressing worker. Why should employers have to endure lost business to advance a leftist agenda?

It used to be that the kind of childish denial of reality exhibited by leftists was once confined to fiction. But now read the [following](#), from *Through the Looking-Glass*, and see if it sounds familiar: “‘When I use a word,’ Humpty Dumpty said, in rather a scornful tone, ‘it means just what I choose it to mean — neither more nor less.’ ‘The question is,’ said Alice, ‘whether you *can* make words mean so many different things.’ ‘The question is,’ said Humpty Dumpty, ‘which is to be master — that’s all.’”

The scary thing is that our *Alice in Wonderland* leftists, who want everything to be relative (to themselves), are using their imaginations to become masters of us.

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