



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