

Editorial: Gender policy shouldn't cancel others' rights

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The University of Toledo's proposed Inclusive Gender Practices policy could subject the university to needless litigation. Since February, when the policy proposal was initially reported by The Blade, settlement of a case at Shawnee State University gave additional reasons for UT to reconsider the policy.

It's also an ethical question for UT. Morally, it's unacceptable to create a policy that prohibits another individual from following their beliefs and denies freedom of speech.

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The legal hazards of such a policy were explained by UT law professor Lee Strang and reported by The Blade's Jeff Schmucker.

In April, Shawnee University settled a professor's lawsuit for \$400,000 plus undisclosed attorney's fees. The professor didn't use a student's preferred pronouns in class. The professor was subject to a warning and further disciplinary action if he did not submit to the pronoun requirement. The professor attempted to find a compromise with the university on several occasions.

The settlement was reached after the Sixth Circuit Court of Appeals ruled that the professor's rights were violated. A portion of the opinion is worth reading:

"One final point worth considering: If professors lacked free-speech protections when teaching, a university would wield alarming power to compel ideological conformity. A university president could require a pacifist to declare that war is just, a civil rights icon to condemn the Freedom Riders, a believer to deny the existence of God, or a Soviet emigre to address his students as 'comrades.' That cannot be."

We don't need culture wars that threaten people's livelihoods or worse. A bit of common sense might be helpful. Compromise when tough calls come up are a better solution than name calling and litigation.

The editorial board of The Blade has supported the rights of LGBTQ people, including the right to gay marriage. There comes a point though, where rights conflict. The rights of one individual cannot be canceled because others don't agree with that person's right to think and act legally based upon their beliefs. It's not the American way.

Governments and universities should not place mandates on individuals that force them to violate their consciences. The right to free speech and the exercise of one's religion belong to everyone, including those we disagree with.

We must learn to live together, respect each other and not create rules covering every single activity in some attempt to offend no one. That would be an impossible and foolish task.

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