

Should Canadians Be Required By Law to Use
Gender-Neutral Pronouns?

By Tina Praass

The issues surrounding the use of gender neutral pronouns has become an important topic of discussion since the enactment of Bill C-16. Among other far reaching consequences, I argue that the bill has, and will continue to have a negative effect on the rights of many Canadians. Bill C-16 and the surrounding legislation makes it an act of discrimination to fail to address a person's preferred gender pronouns. The consequences of this bill are far reaching and this essay will attempt to illuminate those effects in the context of my own life. First, this bill prohibits my religious freedoms. Second, this bill puts limitations on freedom of thought and expression within the university context. Third, while the political motivation behind the bill seemingly attempts to increase the protection of certain groups, it does so in a manner that marginalizes and discriminates against others. This precedent setting piece of legislation will not be successful in preventing harm to certain groups within our society as it proposes to do. Instead, it will further divide the country on the issue and will prove to be more problematic as time goes on.

Canadians should not be required by law to use gender-neutral pronouns as it forces Canadians of certain faiths to accept a set of ideological beliefs that are in contradiction to the foundational components of their faith. As I consider the use of gender-neutral pronouns in the context of my own Christian beliefs, I find that using these pronouns places puts me in a position of sacrificing aspects of my faith in order to avoid causing offense. As a member of The Church of Jesus Christ of Latter Day Saints, my beliefs are part of a daily practice. Part of that belief structure includes the doctrinal beliefs that God created man and woman and that those roles are

part of a sacred calling that is organized within a divine plan. As a Christian, I believe in doctrine that teaches acceptance, non-judgement and tolerance. I believe in religious freedom and the right for people to choose their own beliefs. I don't believe gender is a purely social construct, however this idea is the cornerstone behind Bill C-16. Since the enactment of this bill, I do not have the choice to critically analyze the data in the field of gender studies (which is still young) and draw my own conclusions regarding the role of society in gender formation. It is now law for me to accept certain theoretical models as truth and then use the language which reflects this truth when I am addressing a particular sub-set of the population. What is worse is the fact that these theoretical models are in direct contradiction to the truth that I practice within my chosen religion. There are a large number of Canadians who do not believe the things that I do. I see evidence of this when I watch any number of mainstream television shows or movies that use my deity's name as a curse word. When I hear The Lord's name taken in vain, it causes a visceral feeling of dread and pain on a deep emotional and spiritual level. I don't like it but I will never advocate for people who are not Christians to stop saying it. They have a choice to believe in God and are not compelled by law to stop taking his name in vain. In 2011, Matt Stone and Trey Parker, known for their show "South Park" created a Broadway musical that took a satirical look at The Church of Jesus Christ of Latter Day Saints. In response to this, the church put out a statement encouraging folks to enjoy the show and read the Book of Mormon afterward. I was so proud to be a member of The Church of Jesus Christ when I read that. The theme of an internationally recognized Broadway play unequivocally and unapologetically mocked the foundation of their entire religion and yet, the official church statement did not express that personal offense had been taken. Ideologies surrounding religion are deeply sacred and personal on an individual level. It is my personal relationship with Christ that is the motivation for

everything I do, as well as the personal progress I strive to achieve. For some people, the acknowledgement of their preferred pronoun is as sacred to them as acknowledging their very existence. When someone who is non-Christian uses Christ's name as a curse word, I don't believe they are challenging his existence, or my right to believe. From my point of view, he is there whether people believe in him or not. People who take offense to the failure of others to acknowledge their personal pronoun preference seem to take the position that their entire existence rests on whether or not their gender is acknowledged by others. Further, when someone says "these are the pronouns I prefer" what they are really saying is "here is how I want you to speak to me, and about me". Since that person will never use the pronoun they prefer when referring to themselves, the whole exercise takes on a different meaning. A person who believes that gender is a social construction and who also requires that others use the language that is acknowledged to be a part of that belief is exerting a type of unauthorized social control over others and risks putting others in the position of contradicting their own beliefs.

Compelling me by law to use gender –neutral pronouns as a way to avoid offending someone's ideological beliefs, is an intrusion of the law into my individual belief structure. I am willing to be accepting, tolerant and non-judgemental toward people who do not hold the same set of ideologies as I do. I would certainly not expect the law to call it discrimination if they didn't.

Canadians should not be compelled by law to use gender-neutral pronouns as it violates their freedom of expression, especially in the university context. One only need look at the case of Lindsay Shepherd to see the negative effects that this type of legislation has on university students. By presenting the case for and against gender-neutral pronouns to an undergraduate class at Wilfred Laurier University, Lindsay's life changed and her name became known internationally. After her T.A position and her degree was threatened by some members of the

university's administration and faculty, many students became fearful of expressing their thoughts and ideas inside the classroom. Their freedom of speech became restricted for fear of negative consequences. If Lindsay could be subjected to the threats of disciplinary action for so much as presenting a neutral argument around the topic of pronouns, how could the topic be debated without negative consequences for the students who argued against them? In light of the circumstances surrounding the Lindsay affair, it becomes difficult to make the case that freedom of speech is not at risk on campus. This new compelled speech legislation surrounding gender-neutral pronouns is setting a negative precedent, the effects of which are playing out in the classroom setting within my university. There is a great and heavy silence that has taken over my lecture halls, so much so that the thickening of the air is almost tangible. There are ideologies that students will shy away from opposing during discussion time and in assignments, for fear that their opinions will be viewed as "harmful" to certain groups. As a student in the post Bill C-16 era, I can attest to the fact that I am fearful of being labeled intolerant and my speech discriminatory. I would not feel that my grade or my academic career would be safe if I were to engage in a debate on campus about gender-neutral pronouns. Thoughtful, respectful debate on topics such as: the benefits of capitalism for society, the value of Judaeo-Christian ideals in the formation of western culture or the positive effects of the institution of law in Canadian society are other topics that cannot be argued critically in the classroom or in writing. Students know this and they don't engage. No one wants to be labeled intolerant. No one wants that kind of negative attention. With the addition of Bill C-16, there is the additional anxiety of breaking the law. Competition is tough. There are scholarships to be granted for good grades and allies to be made of teachers who have the power to bestow the highly sought after "personal reference". No one wants to risk their education and their future, all for the sake of expressing a viewpoint they

feel is true. Free speech is a sacrifice that most are willing to take in order to appease their professors and graduate with honours. In the 13 classes I have attended so far in my academic career I have yet to hear certain topics (including gender-neutral pronouns) debated, save it be for the muttered comments between the classroom and the hall or in the discussions between students after final papers have been submitted. Compelled speech legislation supports the silencing of civil debate and is part of the reason why students no longer feel safe to engage in it. The government's move to force students to manipulate the use of pronouns closes the door on any discussion about whether or not the ideology behind doing so is useful or even valid. It is compelled speech legislation that inadvertently supports the discontented silence that is hanging in the air of our universities.

Is the refusal to use gender-neutral pronouns something that should be classified as discrimination under Canadian law? I would argue that it should not. I would argue that by enacting compelled speech legislation that is theoretically designed to eliminate the marginalization of a specific group in society, it has effectually marginalized others. The real crux of the problem lies within the fact that a government that is designed to protect the rights and freedoms of all individuals equally, has unabashedly taken a position that favours one group over another. This is because the issue of gender-neutral pronoun use is not an issue of political correctness, politeness or even the perpetuation of a peaceful society. The problem lies within the deeper level of ideology. What Bill C-16 does is favour those who believe that gender identity is a social construct over those who don't. Or, what's worse, over those who have yet to make up their minds. The addition of legality into an already contentious issue does nothing to encourage thoughtful and civil discourse because the government has already dictated which side we should be on. What then, is the motivation for critical thinking and engaging in different points of view

if it is already an act of discrimination to be on a certain side? Speaking events planned at universities across Canada and The United States designed to encourage discussion around this topic have been met with heavy opposition from the people who support government legislation on compelled speech. Events have been cancelled or security fees inflated so as to discourage any debate on these topics. Those who oppose compelled speech legislation are marginalized at school and labeled as “trans-phobic”. With the enactment of Bill C-16 the heavy price of speaking out has now been extended to include unlawfulness as reasons to avoid engaging in debate at all. If the message from the government to citizens is that it is discriminatory and intolerant to oppose the language that represents a particular set of ideological beliefs, then it is equally discriminatory and intolerant to question whether or not those ideological beliefs are even valid. As indicated by the enactment of Bill C-16, those ideologies are in fact, valid as far as the government is concerned. From my perspective, it is not one of the functions of our government to take sides on the ideological level because doing so it perpetuates inequality among the variety of groups it represents. I am in favour of legislation that supports ideals of a free and equal society. One in which citizens are treated with fairness, human decency and respect. I do not, nor have I ever believed that failing to support the ideology behind the use of gender-neutral pronouns is the same as discriminating against someone or failing to acknowledge their right to exist.

To conclude, the answer to the question of whether or not Canadians should be required by law to use gender-neutral pronouns is a resounding “no”. Never before in the history of Canadian law has the government enacted legislation that compels its citizens to use certain language. In my opinion this sets an extremely dangerous precedent. If the intention was to decrease the marginalization of certain groups in our society it is not clear if this goal has been

achieved. In fact, compelled speech legislation around gender pronoun issues achieves the opposite effect because favours the values of one group over another. It would have been a far better solution for the government to support legislation that focused on the equality of all individual belief systems. It would have been a better solution to enact laws that encouraged the idea that all human beings deserve to be treated with kindness and respect, regardless of their ideological beliefs. It was a mistake for the government to take a side in this way. It was a mistake to perpetuate the idea that failing to acknowledge a person's ideological belief system is an act of discrimination against them.