Professor who refused school order on transgender student's pronouns wins in court

By Mary Kay Linge March 27, 2021

Professor Nicholas Meriwether at Shawnee State University Alliance Defending Freedom

An Ohio college professor who resisted his school's orders to go along with transgender students' preferred pronouns has won his First Amendment case before a federal appeals court.

In a unanimous ruling, the 6th U.S. Circuit Court of Appeals said that Shawnee State University violated Prof. Nicholas Meriwether's rights of free speech and free exercise of religion by punishing him for resisting school rules that forced him to address students in the terms of their choosing.

Meriwether, a philosophy professor and devout Christian, sued Shawnee State, claiming that its mandate to use terms that conflict with biology infringed on his religious belief that gender is fixed from the moment of conception.

The court's decision, written by a judge appointed to the bench by President Trump and issued Friday, upheld Meriwether's argument.

"The First Amendment interests are especially strong here because Meriwether's speech also relates to his core religious and philosophical beliefs," Judge Amul Thapar wrote in a 32-page decision.

 "If professors lacked free-speech protections when teaching, a university would wield alarming power to compel ideological conformity," add Thapar — who was widely seen last year as a contender for Justice Ruth Bader Ginsburg's seat on the US Supreme Court.

Meriwether, a 25-year member of the Shawnee State faculty, was reprimanded in 2016 after a transgender student complained that he used of "Mr." instead of "Ms." when responding to the student in class. The ruling clears the way for the professor to pursue a lawsuit seeking damages.

"Nobody should be forced to contradict their core beliefs just to keep their job," said John Bursch, a lawyer with the conservative Alliance Defending Freedom who represented Meriwether in court.

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