



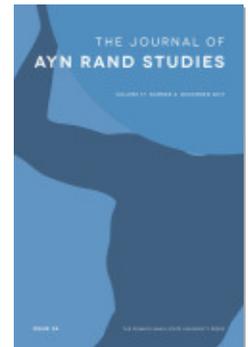
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When "A Is Not A": Reflections on a Conversation

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Journal of Ayn Rand Studies, Volume 17, Number 2, December 2017, pp. 238-274
(Article)

Published by Penn State University Press



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When “A Is Not A”

Reflections on a Conversation

KATHLEEN TOUCHSTONE

ABSTRACT: The author addresses speech restrictions on campuses, the axiom “A is A” as it applies to men and women, *Roe v. Wade* and its effect on examining the definition of personhood, and how this examination may have contributed to the anti-conceptual mentality that was already under way on campuses and elsewhere.

KEYWORDS: gender, personhood, rationality, Objectivism, concept formation, speech codes, feminism

Introduction

The inspiration for this paper was a telephone conversation I had. The part that related to this paper was very brief. At some point, the topic of restrictions on speech at universities emerged. The person with whom I was speaking mentioned that feminists at universities were partly responsible for the speech restrictions and asked if I thought women were rational. I said something to the effect that women’s interests differed somewhat from men’s, but in the areas that they pursued I thought they were as rational. It’s an odd question to ask a woman because it presumes she is mentally equipped to answer it—which answers the question by asking it.

Questioning whether women are as rational as men has a long history. Actually, not long ago it was not a question—it was considered a fact that women were not rational at all. During the time I was writing this section, within less than a twenty-four hour period, I happened to hear two references to this subject while watching television. One was a 1961 *Perry Mason* episode titled “The Case of the Brazen Bequest.” At the end of the show, Della Street said that she had always known that Mason’s client was innocent because his client’s wife had said that her husband “couldn’t have done such a thing.” In response, Perry said, “No logic, but . . .” and then Paul Drake and Perry said simultaneously “. . . it confirms your faith in women” (Storrer 2016). The second show was a 1987 *Murder She Wrote* episode called “Murder She Spoke.” At one point, the investigating lieutenant started to refer to Jessica as an “irrational woman,” but she interrupted him, warning him not to lower her opinion of him further by uttering those words. In 1961, it was perfectly acceptable to joke about a woman’s lack of a logical proclivity. The line as delivered by Mason was not belittling, and it was clear that the scriptwriter’s intent was not to be demeaning. By 1987, it still arose in popular culture, but it was a position that was frowned upon. Now even to suggest that there are sex differences is not open to question in many quarters, particularly if those differences are attributed to other than social or cultural influences. In 2006, Lawrence Summers was forced to resign as president of Harvard for suggesting that there might be innate differences in aptitude in some disciplines—the sciences in this case (Kimball 2015).

In this article are reflections on the aforementioned conversation. It proceeds by first discussing speech codes and other restrictions on speech at institutions of higher learning and elsewhere. Later, it briefly cites those who regard so-called “gender” feminists as playing a part in these restrictions. In addressing the “rationality question,” I focus on the axiom “A is A,” which is the basis for all knowledge and logic. I examine the ways in which the axiom applies to men and women as it relates to their own existence. I suggest that because women are unique in that they can become pregnant, they may view this axiom differently than men if individuals use their own existence as a basis for understanding external reality.

Ayn Rand’s observations concerning the anti-conceptual mentality in education are discussed in light of the current debasement of language at universities. I put forth the *Roe v. Wade* Supreme Court decision as a historical event that led to an inquiry into the personhood of the unborn. I consider whether factors other than merit may have influenced the definition of personhood that some women adopted as well as opinions they held involving abortion. I further speculate whether these nonrational factors may have spread to concept formation in general as well as to opinions involving rights and/or ethics. I suggest that if this has been the case, this could have contributed to the anti-conceptual mentality that was already under way at academic institutions.

University Speech Codes and Regulations

Public universities are required to uphold the first amendment rights of students (Hardiman 2015). Yet, there are indications that speech codes and regulations have increasingly restricted speech at many institutions of higher learning. Each year, the Foundation for Individual Rights in Education (FIRE) issues a report designating the extent to which college and university speech codes infringe on free speech. FIRE was founded in 1999 by Alan Charles Kors and Harvey Silverglate, authors of *The Shadow University: The Betrayal of Liberty on America's Campuses* (FIRE 2013; 2017a; Kors and Silverglate 1998; Stossel 2011; Lukianoff 2012).

FIRE has developed a color-coded rating system of red, yellow, and green “lights” to represent the degree of speech infringement on campuses based on speech codes. A “red light” university has at least one speech code that is a clear and substantial speech infringement. A “green light” rating indicates the campus has no codes that are in violation of the First Amendment. In 2012, 62 percent of over four hundred higher learning institutions surveyed by FIRE had speech codes classified as “red light.” That was down from 75 percent in 2007. Of those surveyed in 2012, only 4 percent were categorized as “green light” (Lukianoff 2012). By 2015, a report issued by FIRE found that of the over three hundred public universities they investigated, almost 55 percent were rated “red light” (Hardiman 2015). This fell to slightly less than 50 percent in 2016 based on a survey of over four hundred universities (FIRE 2017b).

The reduction since 2007 in the percentage of colleges designated “red light” by FIRE is misleading insofar as abridgement of speech is concerned because in effect many of the codes have been subsumed under “anti-harassment policies” yielding to pressure from the Department of Education’s Office for Civil Rights (FIRE 2013; Hardiman 2015).¹ In 2013, the DOE and the Department of Justice mandated speech regulations that defined “sexual harassment” to encompass “any unwelcome conduct of a sexual nature” (Bhargava and Jackson 2013, 8), including “verbal conduct” (4). In an article in *Reason* magazine, “Feds Push Insane New Speech Codes,” the authors claimed that sexual harassment is so broadly defined that there is essentially “no check on what might count as harassment” (Fisher and Welch 2013). The mandate applies to all institutions of higher learning that receive federal funding of any kind, which includes but is not limited to student loans that are backed by the federal government as well as Pell grants (Fisher and Welch 2013). In addition, learning institutions can suspend students for speech code violations “without notice or a hearing, substantially violating their Fifth Amendment right to due process” (Hardiman 2015).

In her article “Welcome to College—Now Be Quiet!”, Kate Hardiman (2015) illustrated how anti-harassment policies infringe on speech by presenting an

example of a faculty training session slide used by Marquette in which two females are discussing their opposition to same-sex marriage. A third person, Hans, overhears their remarks and, finding them offensive, reports their conversation. It is suggested in a subsequent training slide that the women are guilty of harassment.

Speech codes and anti-harassment policies ban such things as “offensive language” or “disparaging remarks.” Furthermore, “the power to decide whether speech is offensive or disparaging rests in the hands of the accuser, and therefore nearly any type of speech can be prohibited” (Hardiman 2015). To cite one example, in 2015, a professor at Northwestern, Laura Kipnis, wrote an article in *The Chronicle of Higher Education* on the rise of sexual paranoia on campus and subsequently had a Title IX complaint filed against her by students who had taken offense to the article as well as Kipnis’s comments on Twitter concerning it (Burleigh 2016; Shulevitz 2015; Lukianoff and Haidt 2015).

Avoidance of “offensive language” has affected the content of some courses as well as the rigor with which some courses are taught (Volokh 2016). In 2014, Jeannie Suk Gersen (2014; Lukianoff and Haidt 2015) wrote an online article for *The New Yorker* concerning a request by Harvard law students that rape law not be taught because the subject was too traumatic. Subsequently, a number of professors at other universities said that their students had registered the same complaint (Desiderio 2014). Students also expressed distress over the use of the word “violate” as in “violate the law” (Lukianoff and Haidt 2015).

Gender Codes, Regulations, and Laws

One area of speech regulation that has received particular attention within and outside of academics has been the enforced use of gender pronouns. In an article about Temple students, Jenny Roberts (2016) related that a sophomore, Rose G., who identified as agender—meaning having no gender, did not email [] professors about [] gender pronoun preference because it required “a lot of effort” and created “a lot of anxiety.” (Brackets indicate placement of a gender pronoun, which Roberts did not mention in the article.)

Roberts stated that Rose has at times told professors the pronoun, but the professors did not always remember to use it correctly. Roberts informed the reader: “And while intending to respect a student’s preferred pronoun and just forgetting to use it may seem less malicious than an outright refusal to try, both cases can negatively impact students.” Rose complained that constantly reminding professors of the pronoun is exhausting. Roberts continued: “Students shouldn’t have to suffer like this, especially in the classroom where they’re trying to learn. . . . Clearly, there are a number of logistical ways in which the university could make it easier for professors to access students’

preferred pronouns. But access to this information means nothing if professors do not actively try to use students' correct pronouns." Roberts suggested that the university should make it easier on students like Rose by providing professors with training in LGBTQ issues. Roberts stated: "Mandating that professors ask about pronouns without giving them the information to understand why they're asking would not foster respect or even a safe classroom in some cases."

The concern for students who are offended by the use of the wrong gender pronoun and for a "safe" environment has not been confined to words for gender or to the classroom setting. Some students now insist on such things as "trigger warnings" in advance of what they might construe as offensive language and "safe spaces" that protect them from being exposed to such speech (Turner 2017). Students who are traumatized by certain words are often referred to as snowflakes (Hooton 2017); however, some label them crybullies, a term coined by Julie Burchill of the United Kingdom (Leef 2015; Turner 2017). "Crybully" is used to describe a student (or faculty member) who claims to be a victim, but uses that "victimhood" to take aggressive action against those with whom they disagree, which can take the form of such things as disrupting speaking events and petitioning for the suspension of students and the removal of faculty and administrators (Kimball 2015; Hanson 2016). The conflation of words with action has at times led to violence in response to words or even the anticipation of words that are or may be distasteful (Hidalgo 2017; FIRE 2017d).

Codes, laws, and regulations regarding PC (politically correct) terminology related to gender as well as other issues have not been confined to the United States. The Ontario Human Rights Commission can impose fines and gag orders on those who refuse to comply with regulations on the use of gender pronouns that are preferred by individuals. A University of Toronto professor and advocate of free speech, Jordan Peterson, who was accused of "violence" against transgender students for using the wrong gender pronoun, made news by saying that he was willing to pay a fine or go to jail rather than be forced to use the dozens of mandated pronouns (Weatherbe 2016). Penalizing politically incorrect speech has extended beyond academics. For instance, New York City can impose a fine of up to \$250,000 on a person who, at work, in public spaces, or in housing, uses the wrong gender pronoun. There are thirty-one genders that have been approved by the New York City Commission on Human Rights (NYCCHR), which include "gender fluid," "gender bender," and "gender gifted" (Beamon 2016; NYCCHR 2016).

Laws such as the one enacted in New York City would appear to violate the principle of free expression. The right of a university, whether public or private, to establish and enforce codes of speech is a complex one and not one that I will pursue.² Rather than address the rights issues, I will touch upon the purposes unrestricted speech serve. Foremost, it is an individual's cognitive faculty that is served

by free expression. Communication is secondary to thought. The attack on words is an attack on thought. It does not merely limit the information one exchanges; it stunts the way in which one thinks. In particular, it can hinder the ability to think rationally. As Rand noted, the conceptual faculty is integral to survival.

Concepts and Reality

According to Rand, a concept is formed by mentally isolating two or more existents in reality that share the same essential feature(s) and integrating these existents into one cognitive unit, which is assigned a specific definition (Rand [1966–67] 1990, 10; Peikoff [1967] 1990, 97–98; “The Psycho-Epistemology of Art” in Rand 1975b, 17). The essential features of the concept are not arbitrary (Rand [1966–67] 1990, 96), nor is a concept limited to its essential characteristics or its definition. Objectivist epistemology is unique in that a concept means the existents in reality that it subsumes. This is the link between epistemology and metaphysics (Peikoff [1967] 1990, 98, 102–4).

Aristotle’s “formula defining the concept of existence and the rule of all knowledge [is]: *A is A. A thing is itself*” (Rand 1961, 125; italics in original). Objectivists adhere to the primacy of existence, which states that

the universe exists independent of consciousness (of *any* consciousness), that things are what they are, that they possess a specific nature, an *identity*. The epistemological corollary is the faculty of perceiving that which exists—and that man gains knowledge by looking outward. The rejection of these axioms represents a reversal: the primacy of consciousness—the notion that the universe has no independent existence, that it is the product of a consciousness. . . . The epistemological corollary is the notion that man gains knowledge of reality by looking inward (either at his own consciousness or the revelations it receives from another, superior consciousness). (“The Metaphysical versus the Man-Made” in Rand 1982, 24; italics in original)

Rand cautioned against confusing the metaphysical with the man-made. It is nature that “is the *metaphysically given*” (25; italics in original). Nature is not subject to man’s will. Man’s will is a feature of his consciousness. It “consists in the choice to perceive existence or to evade it” (25). To perceive reality, to discover the identities of that which exists, is “to discover and accept the metaphysically given” (25). Rand warned that

Man’s faculty of volition as such is not a contradiction of nature, but it opens the way for a host of contradictions—when and if men do not

grasp the crucial difference between the metaphysically given and any object, institution, procedure, or rule of conduct made by man. (27; italics in original)

Man must accept the metaphysically given. It is immutable. The man-made, however, must not be accepted without question. Nothing man-made had to be; it is a product of choice. The number of states is fifty, but it could have been fewer or more (27–28). The number of moons that orbit the earth is one. It could not have been otherwise.

Ambiguity and the Change in Definitions: When “A” Is “A and B”

Language evolves over time. Libertarians and other classical liberals typically prefer language to change without the imposition of regulations and laws. In her article, Kipnis related an incident in which a female student had spent (consensually) an evening with a male professor in which she alleged that he had groped her—a claim he denied. In an email from the Title IX Coordinating Committee concerning the investigation of the allegation, Kipnis was disturbed by the committee’s use of the word “survivor” to describe the accuser. In Kipnis’s words:

[M]y eye was struck by the word “survivor,” which was repeated several times. Wouldn’t the proper term be “accuser”? How can someone be referred to as a survivor before a finding on the accusation—assuming we don’t want to predetermine the guilt of the accused. . . . [T]his is also a horrifying perversion of the language by people who should know better. Are you seriously telling me, I wanted to ask the Title IX Committee, that the same term now encompasses both someone allegedly groped by a professor and my great-aunt, who lived through the Nazi death camps? I emailed an inquiry to this effect to the university’s general counsel, one of the email’s signatories, but got no reply. (Kipnis 2015, 8–9)

Thus, a survivor is a survivor but also can be simply an accuser. A is A and also B. Rather than gaining clarity by the use of a word—“survivor”—the word becomes more ambiguous. Its usage in this context is misleading as well. “Accuser” is a perfectly adequate word to describe an alleged victim who accuses someone else of an offense. Substitution of the word “survivor” distorts the meaning of the word. Even though the word “survivor” instead of “accuser” was not mandated, because it was used by the Title IX Committee, the change in usage had an element of coercion.³

Changes in language often arise freely *because* of the ambiguity of a word. For instance, the pronoun “she,” which first appeared in English in the mid-1100s, emerged to lessen ambiguity (Dennis 1986). Until then, the pronouns in use applied to either sex (in Anglo-Saxon, he, she, and it were *he*, *heo*, and *hit*). The noun “man” is an ambiguous term that can apply to either “mankind,” referring to a species, or “man,” meaning the male of that species. A is A—and also includes B in some instances. Many times, the context in which “man” is used gives clarity to which meaning is relevant. Typically, the word man is understood to mean male when it is preceded by the word “a.”

Rand almost exclusively used the masculine form of nouns and pronouns in her writing. By “man” she meant mankind. Although to some extent that is open to question, at least according to Barbara Branden, who said that to Rand, “man . . . is defined by his relationship to reality; woman—by her relationship to *man*” (Branden 1986, 18; quoted in Brown 1999, 282; emphasis added). In order to illustrate a point, Mimi Gladstein substituted feminine nouns and pronouns in a section of Galt’s speech in her article . . . : “Woman has to be woman . . . she has to discover the values it requires and practice her virtues. . . . Happiness is that state of consciousness which proceeds from the achievement of one’s values” (Rand 1957, 1013–14; in Gladstein 1999, 52). The substitution changes the meaning from encompassing all of humanity to applying to only half of the population. In the past, masculine pronouns were grammatically preferred; in fact, some would say they were required. In a review of Tara Smith’s book *Moral Rights and Political Freedom*, the editor of the journal changed Smith’s use of feminine pronouns to male because “English grammar *demands* a pronoun of the common gender” (Thomas 1997, 9; emphasis added).

There was an emerging voluntary trend toward the usage of gender-neutral pronouns and nouns, before it was overtaken by their imposition via speech codes and regulations. The movement toward enforcement of gender pronouns through codes and regulations has been seen by some as not simply an effort for clarification but, at least in part, the advancement of an anti-male agenda. In an effort to impose gender-neutral language on campus, the word “man” has been banned at Princeton, according to J. D. Heyes (2016) in his article “Don’t Say ‘Man’ on Campus,” although he claimed that the policy seems to be aimed primarily at men rather than toward neutrality. Heyes related that gender-specific pronouns, such as “he” and “she,” and nouns, such as “man” and “woman,” are *forbidden*. Words like humans, people, and individuals are advised. Instead of “man-made,” the words handmade, artificial, or manufactured are recommended.

One Sex

Initially, the idea of using a gender-neutral noun or pronoun, at least ostensibly, was to add clarity within a context that applied to both men and women

rather than men alone. The gender-neutral pronoun or noun was to represent humankind—both men and women. Now, however, there are some who might suggest that usage of a gender-neutral pronoun is not to subsume all humans—both males and females—under a single term, but that a single pronoun is needed because there is no distinction between males and females; that is, there is only one sex.

In a study by the Family Policy Institute (FPI) of Washington State, it was found that some college students were reluctant to say that there are any differences between the sexes. The FPI interviewed Seattle University students, asking: “Is there in your mind a difference between men and women.” A video (Carey 2016; for the longer version see FPI 2016b) shows the responses of seven students (F is female and M is male):

1. F: Um, oh, yes, I mean . . .
2. F: Um, possibly?
3. F: In general, yes. But I don’t know why . . .
4. M: Socially, currently, yes, there is. There is no need for that difference to exist scientifically and logically.
5. F: If you think that you are a male or if you think that you are a female that matters more than biology.
6. M: There is not much difference besides what society forces on people.
7. F: There is no one way to distinguish between a man or a woman, and I don’t think that it is necessary.

Three students responded that “essentially there is no difference between men and women,” and three thought that “there is a difference.” One was uncertain. The students who said that there is no difference appeared confident in their deliveries. Those who indicated that there are differences were hesitant in their replies.

Beyond Sex

In addition to the finding by the FPI of Washington that students were hesitant to identify others as male or female, the FPI found that this reluctance was not confined to identification of another’s gender. It also extended to ethnicity, age, and even height. The FPI conducted a survey of students at the University of Washington. Responses of some of these students can be seen on a video that has been posted on YouTube (FPI 2016a). The interviewer was an adult Caucasian male who was five-foot-nine. He first asked five students about the bathroom/gender issue. All agreed that bathrooms should accommodate gender, not biological sex. He then asked five students: “What if I told you I was

a woman?” Three of the five said that if he thought he was a woman, then they would accept that; the other two questioned it. He then asked four students: “What if I told you I was Chinese?” Two students were willing to accept that he was Chinese; the other two questioned it. He followed that up with asking three students: “What would you say if I said I was seven years old?” Two accepted it, although one reluctantly. The third did not accept it, but thought it was okay if the interviewer thought he was seven. The interviewer asked three students: “What if I insisted on going to first grade?” All responded that that would be okay, with qualifications. He asked five students: “What if I told you I was six-foot-five?” One was willing to accept that he was, one did not think it was her place to tell him otherwise, and the others were not willing to believe it. Finally, he asked two people: “What if I told you I was a six-foot-five Chinese woman?” One accepted that he was, and the other accepted the Chinese woman part, but not the height.

Definitions: Sex and Gender

Much of the focus of the speech codes and regulations has been on sex and gender. Sex can be defined scientifically based on genotype and phenotype. Gender is less rigorously defined. A person’s sex can be defined genetically based on his chromosomal makeup at conception. A person is genetically female if she has two X chromosomes and genetically male if he has an X and a Y chromosome. Sex based on chromosomal makeup is the norm. However, for divergent sexual development (DSD), definitions for male and female are based on phenotype. DSD exists when there is a mismatch between a person’s chromosomal makeup and his phenotype. DSD can be the result of genetic as well as hormonal factors. A person’s phenotype in this context relates to the person’s appearance, particularly external sexual organs. DSD-related definitions include XX males who have two X chromosomes and are therefore genetically female, but because genetic material from the Y chromosome is on one of their X chromosomes, they appear to be male. There are also XY females as a result of androgen insensitivity syndrome (MacLaughlin and Donahoe 2004; Gottlieb, Beitel, and Trifiro 2014; Abusheikha, Lass, and Brinsden 2001).

Unlike sex, gender is defined according to cultural norms. The American Psychological Association (APA) definition is as follows:

Gender refers to the *attitudes, feelings and behaviors* that a given culture associates with a person’s biological sex. *Behavior* that is compatible with cultural expectations is referred to as gender-normative; *behaviors* that are viewed as incompatible with these expectations constitute gender non-conformity. (APA 2012, 11; emphasis added)

Note that although the APA definition of gender refers to *attitudes, feelings, and behaviors*, the definitions of gender-normative and non-conformity are based on *behaviors* only.

The NYCCHR definition of gender departs from that of the APA in that it defines gender based on feelings alone. That is, the commission defines gender identity as “one’s internal, deeply-held sense of one’s gender as male, female, or something else entirely” (Beamon 2016; NYCCHR 2016). The commission defines a transgender person as “someone whose gender identity does not match the sex they were assigned at birth” (Beamon 2016; NYCCHR 2016).

Sex and Gender: Contradictions

As Rand (“The Metaphysical versus the Man-Made” in Rand 1982, 27) pointed out, man’s will does not contradict nature; however, a “host of contradictions” are possible when people do not comprehend the difference between the metaphysically given and rules devised by men. The definitions of gender that have been imposed on individuals on campuses and elsewhere have led to a number of contradictions. As can be gleaned from the student responses to gender questions conducted by the FPI, there are any number of current views on sex and gender, some of which are contradictory, and each of which is treated as if it were a universal truth. For instance, one position is that men and women are essentially born as blank slates; that is, there may be differences in preferences and abilities, but these are a result of socialization. On the other hand, there is the position that a person is born with certain traits, but those traits can be “unlearned.”

The first position that men and women are essentially the same was found in some of the responses in the FPI student interview. In this view, the words “man” and “woman” are artificial constructs invented by society. They do not reflect reality in the sense that people are born sexually tabula rasa insofar as preferences and abilities are concerned. Differences exist, but they are the product of social conditioning. This position can be tested against reality. There has been a significant amount of research in this area and it is ongoing. I will only mention a couple of findings that support that there are differences. Although there is overlap in preferences and abilities of men and women, there are differences in some areas that have a basis in physiology. For instance, color vision for humans is trichromatic. It is dependent upon three cones (photoreceptors) that absorb wavelengths corresponding to blue, green, and red. All colors are the result of the stimulation of one or a combination of these cones. Because red-green sensitivity is transmitted via the X chromosome, males are more likely to be color-deficient. Also, females are more likely to have “a *fourth* retinal photopigment that permits even greater differentiation of colors” (Alexander

2003, 11; italics in original). A second example deals with spatial ability. There is evidence that females with congenital adrenal hyperplasia (CAH), a condition in which there is exposure to a higher than normal level of androgen in utero, have greater spatial and mechanical skills than other females—skills for which males tend to have an advantage. Females with CAH also are more likely to be interested in male-type activities (Berenbaum, Bryk, and Beltz 2012).

The second position, that traits are innate but can be “unlearned,” is said of so-called “toxic masculinity” (Beaman 2017). As just mentioned, greater than average spatial ability in females is associated in part with the heightened presence of androgen in utero. Innate differences in brain structure and hormonal factors can have differential effects on traits and abilities. These can affect the ways in which people learn. For example, Francis Wardle in his essay “The Challenge of Boys in Our Early Childhood Programs” (Wardle 2008) contends that current teaching methods hinder young boys’ ability to learn. Equally disturbing—although not as pervasive—is that at some universities, there is now a concern with so-called “toxic masculinity.” “Toxic masculinity” is related to the heightened presence of testosterone in youths and young men that renders them stronger and more aggressive. The teaching of ethics and etiquette is important so that young males can curb aggressive tendencies in the wrong context. In the past, these were taught at home, in religious settings, in schools, and by example—particularly from exposure to fathers and other male role models. Increasingly, academic settings have taken over these instructions. However, instead of ethics and etiquette, there has been a recent tendency within some learning institutions to promote the emasculation of males (Beaman 2017; Lopez 2016; “Dartmouth Course” 2016; Gockowski 2017). This is precisely the wrong approach. As Camille Paglia has noted “there is no female Mozart because there is no female Jack the Ripper” (Paglia 1990, 247). Although her insight may not be politically correct, it has an element of truth. Rather than attempting to diminish the strength and assertiveness of youths and young men, these should be channeled into activities that are challenging physically and mentally. Sports is one outlet, but it is not suitable for all males. Many of the outlets that formerly existed as avenues for creativity and productivity are no longer available to youths and young men, which has resulted in the squandering of potential.

A third position is that people are born with certain preferences or traits that are unchangeable. This is said, for example, of people who may be born with a gender that is contrary to their sex, in which case a person is not his birth sex, but must be whatever his gender is. On the other hand, there is the position that gender is fluid and is whatever a person thinks it is at the moment. As for the third position, it has already been noted that a person’s sex by phenotype can differ from his genotype in the case of DSD. DSD conditions have physiological

bases in reality. However, the third position refers specifically to gender, not sex. The problem with this position is that one of the prevailing definitions of gender is that a person's gender identity is what a person thinks it is. The source of a person's gender is in effect unknown since it is in the mind of the person. That is, A or B can be B or A, depending on what a person thinks. How many genders there are is still an open question. Although NYCCHR has approved thirty-one genders, because gender is in the mind of the person there can be any number of genders. Each person could have his own gender since it is in his mind. Although the third position views a person's gender as fixed and immutable, that position is contrary to the prevailing definition, which allows for fluidity of gender (Gockowski 2016; Shulevitz 2015). Gender identity is or can be constantly in flux.

When a definition is based solely on what is in the mind of a person, the primacy of consciousness prevails over the primacy of existence. Although there are other definitions of gender, this is the most pernicious because it solely resides in a person's mind. It is not a matter of physiology. It is not even based on behavior. It corresponds to nothing in external reality. I am not denying that a person may have an idea of what he is, and that ideas exist in reality since a person's mind is part of reality. However, a personal opinion about oneself is not the basis for a concept. A concept requires two or more existents in reality. Gender identity could be unlimited in number and represented by a continuous scale, if there were a criterion on which to base it and a standard by which to measure it—which there are not. This “concept” doesn't even meet the minimal criterion for a concept as being two or more existents in that a person's gender identity is in the mind of the person and therefore can be unique to each person.

Gender: The Primacy of Consciousness

In New York City, it is now illegal to discriminate against anyone whose gender is male, female, or *something else entirely* (Beamon 2016; NYCCHR 2016). What is “something else entirely” from male and female? What appearance would it take and how would it behave? How is a person—whether, say, a professor or a student at Temple University who must abide by DOE/DOJ antidiscrimination regulations or a New Yorker who must observe the NYCCHR laws on gender—to know the gender of another person? A person's outward appearance and behavior may not be revealing as to the person's gender.

The NYCCHR suggests asking politely; however, Roberts (2016) indicated that this may be offensive in the case of students. Rose G. found emailing [] professors about [] gender to be “exhausting.” Roberts stated that: “Clearly, there are a number of logistical ways in which the university could make it

easier for professors to access students’ preferred pronouns,” yet Roberts doesn’t offer any examples of these logistical possibilities. The obvious answer is that if it is offensive for the professor to ask and it is exhausting for the student to provide the gender pronoun to the professor, then the professor must read the student’s mind. To quote Sherlock Holmes, “when you have eliminated the impossible, whatever remains, *however improbable*, must be the truth” (Doyle 1933, 265; italics in original).

According to NYCCHR there are thirty-one “approved” genders. Because a person’s gender is what he thinks it is, it would appear that there can be an unlimited number of gender identities. Gender is in the mind of the person. It has no existential correlate outside of the person’s mind. This exemplifies what Rand called “the primacy of consciousness.” Objectivism adheres to the axiom that existence exists, that is the “primacy of existence (reality)” (“The Metaphysical versus the Man-Made” in Rand 1982, 24). Whether there are thirty-one or an unlimited number, the various types of gender identities are not metaphysical phenomena. Like the number of states in the United States, they would appear to be manmade; however, the manmade requires human action (27). Most of these are purely mental constructs that are tied to nothing in reality.

Rand noted that man and his mind exist. They are part of nature and have a specific identity.

[Man’s] volition is limited to his cognitive processes; he has the power to identify (and to conceive of rearranging) the elements of reality, but not the power to alter them. He has the power to use his cognitive faculty as its nature requires, but not the power to alter it nor to escape the consequences of its misuse. He has the power to suspend, evade, corrupt or subvert his perception of reality, but not the power to escape the existential and psychological disasters that follow. (26–27)

The consequence of elevating the primacy of consciousness above the primacy of existence is illustrated by the survey of students who willingly accepted a white, male, five-foot-nine adult’s claim that he was a six-foot-five female, Chinese, seven-year-old. They, who did so willingly, suspended their reliance on their own perceptions and judgments to accept the baseless assertions of another person. As Rand pointed out, the end result for those who cannot grasp the difference between their inner and the outer world “is the shrinking of their intellectual range, i.e., of their capacity to deal with abstractions” (25).

Indeed the epistemological trend away from the primacy of existence toward the primacy of consciousness has led to not only the inability to deal with abstractions, but the inability to trust one’s own perceptions—which is the basis

for concept formation and rational thought. When concepts are detached from reality, the ability to trust one's own perceptions erodes. When a person does not trust how he perceives reality, the ability to think abstractly disintegrates or is never formed in the first place.

Agender: Definition

“Non-op,” “Hijra pangender,” and “two-spirit” are three of the thirty-one genders approved by the NYCCHR. Another one is “agender” third sex (NYCCHR 2016). Rather than discuss the merits, or lack thereof, of each definition of gender, I will focus on one—agender (Nitzberg 2016). In Roberts's article (2016), “agender” was defined as a person who doesn't have a gender. Unlike “asexual,” whose definition is linked to behavior with respect to sexual activity that can apply to either sex—male or female—agender means that a person doesn't have a sex. In accordance with the APA definition of gender, an agender would have no *attitudes, feelings, or behaviors* that a culture associates with a sex. In Roberts's article, Rose G. is a student who self-identifies as agender. Rose identifies with an identity that doesn't have a sex. Man is a being with a specific identity and in part that includes a sexual identity.

A concept is formed by identifying its essential characteristics. How can the concept “agender” be formed? What are its distinguishing characteristics, and how can they be isolated? How are “no attitudes, no feelings, and no behaviors with respect to a sex” to be identified? This is an instance of what Rand referred to as the “Reification of the Zero,” which “consists of regarding ‘nothing’ as a *thing*, as a special, different kind of *existent*” (Rand [1966–67] 1990, 60; italics in original). The Reification of the Zero is a variant on what Rand called “the stolen concept.” Concept stealing occurs when a concept is used while denying “earlier concept(s) on which it logically depends” (“Philosophical Detection” in Rand 1982, 22 n*). In this case, the concept “agender” denies the concepts, male and female, on which it depends.

2 + 2 = 5

Some have ridiculed students who are concerned with “microaggressions” and the need for “safe spaces” saying: “wait until they go out into the real world.” They say that employers will not hire them or put up with this nonsense in the workplace. Yet in New York City, the workplace, housing, and the public square have already changed to accommodate them. These students have been taught that the real world is malleable and must bend to their wishes. That is why NYC has been able to make it illegal to discriminate against anyone who is male, female, or “something else entirely.” Of course, the ridiculers are right.

Ultimately, the metaphysical cannot be molded to fit a person’s whims, but that does not stop some people from trying to do so through codes, regulations, and laws.

The survey conducted by FPI revealed that some students voluntarily suspended their judgments to conform to those of another. In others instances, as has been reported by FIRE, students are forced to do so. In NYC, it is those who otherwise face fines of up to \$250,000 if they “discriminate” against anyone whose gender is male, female, “or something else entirely.” In Canada, it is the professor who otherwise may encounter dismissal, a fine, or jail. When people are forced to surrender their judgments to others in one area, their ability to make distinctions in other areas deteriorates (Lukianoff and Haidt 2015). Forcing educators to suspend their own judgments and to accept, without question, whatever is in the mind of a student is not just a perversion of education, it is nihilistic. Forcing educators and others to accept without question that a person is agender because he self-identifies as agender is worse than O’Brien forcing Winston Smith to accept that “ $2 + 2 = 5$ ” in George Orwell’s *1984* (1950, 290). At least “5” is something as opposed to nothing. This is $2 + 2 = 0$. This is not simply $A \neq A$, this is $A = 0$; A has no identity; A doesn’t exist. For the NYCCHR to enact that a person’s gender can be not only male or female but also “something else entirely” is not $2 + 2 = 5$, it is $2 + 2 = \text{a teapot}$.

In “The Comprachicos,” Rand (1975a, 227) referred to Victor Hugo’s *The Man Who Laughs* whose title character, Gwynplaine, is the victim of the seventeenth-century practice of physically deforming the bodies of children for amusement. She said:

To paraphrase Victor Hugo: “And what did they make of these children?”

“Monsters?”

“Why monsters?”

“To rule.”

Because of speech codes and DOE/DOJ regulations, some students now have the power to rule their professor as well as other students by forcing them to use the gender pronoun with which they self-identify. Because of NYCCHR regulations, there are those in New York City who have a similar power over others. Students dictate what their gender is and the professors and fellow students must accept it unquestioningly. Some New Yorkers face similar coercion. But ultimately it is the “gender dictators” who are ruled, or are in danger

of being ruled, because of the diminution of their conceptual capacities that results from using fabricated concepts that have no basis in reality. As Rand said: “Man’s mind is his basic means of survival—and of self-protection (1975a, 227).”

Speech Restrictions and Feminism

Speech codes, according to some reports, are a product of the left-wing speech policing (Heyes 2016). Political correctness dates back to the 1930s, according to Angelo Codevilla, and is a product of the left (Kline 2016). In *Tenured Radicals*, Roger Kimball blamed the more recent violent manifestations of political correctness on the leftist ideology of the 1960s (Kimball 2009). Wendy Kaminer, author of *A Fearful Freedom: Women’s Flight From Equality*, claimed that the progressive trend toward censorship is due in part to the feminist anti-pornography movement of the 1980s; in particular the link forged by law professor Catharine MacKinnon and writer Andrea Dworkin between speech—specifically pornography—and assault on women. Kaminer wrote: “Their view of allegedly offensive or demeaning speech as a civil rights violation, and their conflation of words and actions, have helped shape campus speech and harassment codes and nurtured progressive hostility toward free speech” (Kaminer 2015).

Likewise, in her article “The Battle Against ‘Hate Speech’ on College Campuses Gives Rise to a Generation That Hates Speech,” Nina Burleigh held feminists and women’s studies departments partly responsible for continuing to perpetuate the idea that speech is “verbal conduct” (Burleigh 2016).

There has been some intellectual pushback against contemporary feminism, or what Christina Hoff Sommers has referred to as “gender feminism” and “third wave feminism” (Sommers 2008; Burleigh 2016). A classical liberal and self-described equity feminist, Sommers authored *Who Stole Feminism?* and *The War Against Boys*. Among other critics of recent trends in feminism is libertarian Wendy McElroy (Shulevitz 2015), the author of *Liberty for Women: Freedom and Feminism in the Twenty-First Century* and *Sexual Correctness: The Gender-Feminist Attack on Women*, as well as the aforementioned Wendy Kaminer (2015).

A Is A

Human cognitive development proceeds along three stages, according to Objectivism. The first stage is to recognize an existent in reality as an “entity.” Next is to recognize that the entity has an “identity.” Third is to view the entity as a unit. A child’s first stage of awareness is the perception of things, which

implicitly translates into the concept “entity” (Rand [1966–67] 1990, 6). “Entity” is of great importance epistemologically (Rand in Binswanger and Peikoff 1990, 198). “Entity” is fundamental to the development of a person’s conceptual faculty. It is “the building block of his entire conceptual structure” (“Art and Cognition” in Rand 1975b, 46). According to Leonard Peikoff, in the primary sense, an entity is a concrete object that is perceptual in scale with an obvious boundary. At a secondary level, “entity” becomes more abstract. The child’s awareness of entities is initially at the primary level. Once a thing is recognized as an entity, the second stage of a child’s awareness is to distinguish it from other objects in his range of perceptual awareness. This implicitly reflects the concept of “identity” (Peikoff [1967] 1990, 99).

An entity is “what it is; its characteristics constitute its identity” (Peikoff [1967] 1990, 105). What “entity” means is “one” (Rand in Binswanger and Peikoff 1990, 199). Having the ability to perceive entities as units is unique to man’s cognitive functioning, according to Objectivism. “A unit is an existent regarded as a separate member of a group of two or more similar members” (Rand [1966–67] 1990, 6). “The concept ‘unit’ is a bridge between metaphysics and epistemology; units do not exist qua units; what exists are things” (7). An entity is its attributes. Parts of entities can be separated physically from the entity (Rand in Binswanger and Peikoff 1990, 265). Attributes cannot be physically separated from an entity (269). A part of an entity can be considered a separate entity within a given context (269). For instance, it is possible within a particular context to speak of bodily organs as entities separate from human beings (270). It is also possible to regard aggregates as entities within certain contexts. Society, which consists of a number of individuals, can be regarded as an entity (271–72). However, it is not possible to conceptualize “society” as a distinct entity without first grasping “man” (273).

“A thing is itself” (Rand 1961, 125). Another way of saying this is: A is A. This is the “formula defining the concept of existence and the rule of all knowledge” (125). It was put forth by Aristotle as the “Law of Non-contradiction,” which means that a thing cannot be something as well as something else at the same time and in the same respect. Contradictions cannot exist in reality. An entity cannot contradict its identity, nor can any part of an entity contradict the whole (126).

A Is A+

Axioms are propositions that identify fundamental, self-evident truths.

An axiomatic concept is the identification of a primary fact of reality, which cannot be analyzed, i.e., reduced to other facts or broken into

component parts. It is implicit in all facts and in all knowledge. It is the fundamentally given and is directly perceived or experienced which requires no proof or explanation, but on which all proofs and explanations rest. (Rand [1966–67] 1990, 55)

As stated previously, “A is A” is “the formula defining the concept of existence and the rule of all knowledge” (Rand 1961, 125). “A is A” is a metaphysical truth, but it must be understood consciously. How is it apprehended? It is directly perceived or experienced. “A is A.” “A man is a man.” A man can be directly perceived as an entity—a thing with definable boundaries. He can be distinguished from other things within one’s perceptual field; that is, he has an identity. He is a unit; that is, he is one among two or more like members of a group (Rand [1966–67] 1990, 6).

The interest here is woman and her consciousness. “Existence is Identity. Consciousness is Identification” (Rand 1961, 125). As with the identity “a man is a man,” it is likewise true that “a woman is a woman.” A woman can be perceived directly as an *entity* with definable boundaries. She can be distinguished from other things within one’s perceptual field; that is, she has an identity. She is a unit; that is, she is one among two or more like members of a group. “A is A.”

Now consider that the woman is a pregnant woman. At the perceptual level, she appears to be a single entity existing within definable boundaries; that is, she appears to be a unit, but she (that is her body) is not. It is necessary to go beyond what is directly perceptible to know whether she is solely what she appears to be or not. A appears to be A, but is no longer singularly A. A is now A+.

The second way of grasping “A is A” is through experience. Insofar as existence is concerned, there should be nothing more obvious than one’s own existence. No existent is more directly perceived and experienced than one’s own person. However, for a woman it is possible for one or more other persons to exist within the boundaries of her person. She, that is her body, can “be” one or more persons. She can “experience” herself; however, to know if there is another (or others) within the confines of her body, she must rely on “proof.” At the root of her identity is or can be uncertainty as to whether she (her body) is a unit or is more than one unit. It is possible for the woman to be pregnant, yet unaware of it. She can think that she is one unit, but also be aware that there is a possibility that she is—that is her body encompasses—more than one unit. A *could be* A+.

The axiom “A is A” requires no proof. Metaphysically, the woman is what she is. She either is not pregnant or she is. A pregnant woman is a pregnant woman. There is no contradiction. Knowledge does not change reality. However, epistemologically, the ability to grasp that which exists within her own body—the

number of entities—is not “self-evident.” Proof is needed. If a woman looks to her “self”—the confines of her body—to grasp the axiom on which all logic and all knowledge depend, that is “A is A,” she may have to go beyond her direct perception and experience. She may require “proof.”

When Is a Human a Human?

Earlier I mentioned that the word “man” is ambiguous in that it can mean mankind or male. In a similar way, a pregnant woman is ambiguous but the ambiguity is not definitional but existential. A woman who is pregnant is herself; however, her self (that is, body) also includes another entity (or entities). When I refer to a woman’s identity as *an* entity, this could refer to the woman alone—if she is not pregnant—or to a woman who is pregnant. A pregnant woman can be thought of as being an entity in much the same way that a society is an entity. A society is an entity that includes more than one entity. A pregnant woman is an entity in that her body includes herself as well as another entity (or entities). Although as with the entity “society,” a pregnant woman can be regarded as a singular entity, the woman’s body is plural. The point at which a pregnant woman’s body is transformed from singular to plural depends upon the time in gestation at which the unborn entity (or entities) counts as a distinct entity (or entities).

If a woman is pregnant, there is another entity (or entities) within the confines of her body, which I will refer to as the “unborn” unless I am speaking of a particular stage of development. I will also refer to the unborn as “it” rather than he or she or they. The question of what this other entity is has been subject to debate. That is, when does a human being become a human being? When does A become A?

The answer to this question goes to the identity of the other entity that exists within the confines of the woman’s body. It determines the number of units that are counted as existing within the woman’s body. It has implications for the rights or the lack of them of the other entity. It is related to the identity of the woman, including her rights and obligations.

Rand regarded the unborn as a “few human cells” (Johnson and Rasmussen 2000, 249). This she compared to the cells of one’s skin or tonsils. From this perspective, the unborn is a body part. It is an entity within some contexts, but is part of the woman. This idea is consistent with the notion held by some abortion advocates, such as Rand, that a woman has a right to her own body. That is, one interpretation is that the unborn is part of a woman’s body in the same way as, say, a pancreas is. According to this interpretation, the pregnant woman’s body is a single unit because one does not refer to a person as the person *and* his pancreas. His pancreas is part of who he is. If the unborn is simply a body

part, it does not count as another human. The pregnant woman's body is still a single unit.

To be an entity is to be a thing with a distinct identity and no part of it can contradict the whole (Rand 1961, 126). If the unborn is simply a body part of the woman, then that body part cannot contradict the whole. However, as Gregory Johnson and David Rasmussen have noted, the unborn has a genetic makeup that is unique and is different from the woman's; therefore, the unborn is not a body part. It is a human at conception, according to Johnson and Rasmussen, because its genetic makeup is that of a human, and it is contrary to that of the woman. If the unborn is a boy, as Johnson and Rasmussen (2000, 249) pointed out, it would be a contradiction to speak of the "woman's penis." The unborn, whether at conception or in the late stages of pregnancy, is an entity in that it is distinctly different from the woman.

Although Rand regarded the unborn as "a piece of protoplasm" (248), she hedged on this description with respect to the latter stages of pregnancy (259). For consistency, it could be claimed that the unborn is human at conception (248–52). It is not a body part. However, it cannot be called "a" person because it is not until two weeks into gestation that two or more embryos are detectable (Machan 2001, 450). The unborn also may not be considered a "person." I have maintained that the definition of personhood could track that of when a person is considered medically dead. Medical death is based on the *absence* of specific brain wave functioning. Conversely, personhood of the unborn could be based on the *presence* of similar brain wave function. This occurs at the eighth week of development of the unborn (Touchstone 2006, 139–40). In contrast, Tibor Machan proposed the twenty-fourth week as the biological basis for a human being because that is when the unborn develops the capacity to think (2001, 452).

The definition of personhood is important from a number of perspectives, one of which is the ability to count the number of units that exist within the confines of the pregnant woman's body. By unit, Rand meant one of two or more similar members of a group (Rand [1966–67] 1990, 7). The number of units of a group depends upon the level of generalization applied to the concept "group." At a high level of abstraction, the relevant group could be distinct "living things." The point at which it is possible to count the number of distinct living entities within a pregnant woman's body is the second week of pregnancy. At that point, if the woman is pregnant with one unborn, it would be said that there are two entities that exist within the boundaries of her body. Instead of distinct living entities, the level of generalization could be the number of persons. Using the definition of personhood as at the eighth week of pregnancy, it could be said that at the eighth week there would be two persons existing within her body. Using Machan's definition, there would be two human beings at the twenty-fourth week of pregnancy.

Metaphysically, the woman is what she is—she is a pregnant woman, whether at the second, eighth, or twenty-fourth week of pregnancy. But in terms of a woman’s consciousness, that is, her rational faculty, understanding what A is and how many A’s there are within her body is not self-evident. It is possible, as did Rand, to hold that in the early stage of pregnancy, only the pregnant woman exists within her body; however, at a later stage—say at eight weeks using the definition I prefer—there *may* be two. Because the definition of personhood in this context is unsettled, the woman may be torn between definitions. In which case, her judgment of how many units exist within her body at any particular time might be in flux.

In addition to understanding the identity “A is A” from the perspective of the number of persons that apply at a given point in time to a pregnant woman’s body (A is A+), the concept of personhood also has implications for the rights of the unborn. Insofar as rights are concerned, the focus in the literature has largely been on the negative right of the unborn to not being killed. Johnson and Rasmussen have argued that that right begins at conception. I have maintained that it begins at the eighth week. Machan’s case was that the unborn’s right begins at the twenty-fourth week. According to Machan (2001, 452), before the twenty-fourth week, it may be immoral to abort the unborn, but it would not be a violation of its right to life; that is, prior to that time abortion would not be murder.

Rand was a bit unclear on the subject of the rights of the unborn. Apparently, she thought that arguably there is some point in the latter phase of gestation that the unborn has a right to life, but she did not develop that case (Johnson and Rasmussen 2000, 259). Rather than frame the argument of whether a woman has a right to abort as being a function of the “personhood” of the unborn, it may be framed as the point at which the unborn becomes a “rights-bearer.” Alexander Tabarrok argued that rights do not follow simply from being human or a person. Rights are “created for a *purpose*” (2001, 459; italics in original). He stated that Rand’s interpretation of rights does not deny humanity. It indicates that entities who possess immature or diminished rational faculties “are [not] rights-bearers to the same extent as those possessing mature rational faculties. This is the virtue not a defect of Rand’s theory” (460). Tabarrok did not explicitly place any limit on the time at which the unborn can be aborted without violating its rights. He referred instead to an argument that even if a fetus has rights it may be aborted (466 n. 11).

Tabarrok’s link between “being a rights-bearer” and “a person’s rational faculty” focused on the unborn’s negative rights. In addition to the negative right to not being killed, Johnson and Rasmussen (2000, 253) broached the subject of the unborn having positive rights within the context of its having been conceived involuntarily. Tabarrok dismissed the idea that the woman has any

positive obligation to the unborn. The woman has “pre-existing rights to her body and the fetus . . . is trespassing” (2001, 462). In response to this, Johnson and Rasmussen (2001, 479) countered that trespassing is not a capital offense.

The link between a person’s diminished rational faculty and a positive right to care is relevant within the context of liability. There is the argument that the unborn, if voluntarily conceived, has a positive right to obligatory care (253). The liability argument, given by Roger Bissell (1981, 30), for positive rights for children applies here. The *purpose* of the rights in the liability sense is that a person is liable for the care of another if by his actions he causes the helplessness of another. If by one’s actions one knowingly causes the helplessness of another, then one is liable for the care of the helpless person, even if that was not the intent of the person’s actions. In the same way that a person who knows that being intoxicated can result in a car accident is responsible for another person’s injuries if he drives while under the influence, a woman is responsible for her actions vis-à-vis the unborn (Touchstone 2006, 146–47). For the unborn, these rights would start at the eighth week, using my preferred definition of personhood.⁴

The issue of the unborn’s rights is integral to the identity of the woman. If the unborn has a negative right to life and positive rights to obligations that begin at the eighth week of gestation, then the woman’s responsibilities change at that time. At that point, she is no longer simply responsible for herself but also for another human being. Her body is responsible for the other human being. Also, now she has or will have an additional career. It is telling that in articles by Johnson and Rasmussen (2000, 249) and by Tabarrok (2001, 462), the authors referred to the pregnant woman as “the mother.” I don’t think that the use of the word “mother” for a pregnant woman is simply a matter of semantics. I think that it indicates that, at least culturally, the pregnant woman’s obligations toward a child are thought to begin before it is born.

Historically, and even now, the mother is often the primary caregiver once the child is born. She may not be the sole person who is responsible, but for a while she typically will be primarily responsible—either directly or by finding someone who will willingly help her with her responsibilities or will voluntarily take over the responsibilities completely. Once the unborn reaches a certain level of gestational maturity—say the eighth week—the pregnant woman’s identity changes in that her destiny changes. She now is responsible for herself as well as someone else. She now has a different or an additional career.

Insofar as “A is A” is concerned as it relates to a woman, the issues of entity, unit, and identity have elements of uncertainty. What a woman is, whether she is pregnant or not, whether the boundaries of her body include only her or other entities as well, whether those other entities count as additional units or not, and whether her identity includes a different or an additional destiny

or not, are not self-evident. In these regards, what she is cannot be perceived directly or based on experience. Proof may be needed and analysis may be required and uncertainty may remain. "A is A" is axiomatic. However, for a woman, the "existent" about which arguably she should be most familiar—her self—has by its nature an element of uncertainty.

"Existence exists" is a metaphysical truism. Understanding "existence exists" requires understanding the difference between epistemology and metaphysics. Understanding existence in any particular instance is epistemological in nature, and man is not all knowing. Uncertainty about a particular investigative fact of reality is at the heart of epistemological inquiry. For women, uncertainty is inseparable from the understanding of her identity as an entity.

It is possible for a woman to be pregnant yet unaware of it. She may think she is A, but in fact be A+. Also unsettled is the definition of personhood. What she is—pregnant or not—and how many she encompasses are subject to uncertainty. The word "personhood" as it relates to the unborn has greater significance in a woman's understanding of her identity as an entity than it does for a man. If a woman does not have a firm notion of what the word means, she may not have a firm idea about her identity as an entity. According to one definition, she may be A; according to another, she may be A+. The definition of personhood is unsettled, which is an epistemological issue, but "personhood" is not unrelated to reality. In Objectivist epistemology, concepts are reality-based.

A man faces no epistemological obstacle in relating his existence, i.e., "a man is a man," directly to the external world—"A is A." There is a direct correspondence between the perception of his own existence and of external reality. The relationship is one to one. For women, there is a greater reliance on the definition of a word, personhood, in facilitating the understanding of her identity as an entity. It is a single word, but it is one that is linked to an understanding of the axiom on which all logic and all knowledge are based.

***Roe v. Wade* and the Erosion of Concept Formation**

In "The Comprachicos," Rand (1975a) argued that the educational system in the United States was anti-conceptual. If anything, the situation in academics has worsened since that essay was written. The "anti-conceptual mentality" is partly responsible for the acceptance by some people of baseless concepts, such as some of those which define gender identity on campuses and elsewhere. The creation of these concepts as well as the coercion to use them is politically motivated. Rand ("The Missing Link" in Rand 1982, 28; "Philosophical Detection" in Rand 1982, 19) saw the root of the problem as one of philosophical default.

Although some have blamed so-called "gender" feminists for playing a part in the degrading of language on campuses and elsewhere, it is not the case that

women in general are culpable. As noted, some of the most vocal opponents of this trend have been women. However, there may be a tenuous connection between the debate over the definition of personhood that has taken place since *Roe v. Wade* and the tendency on the part of some to accept concepts based solely on feeling and other forms of nonrationality.

“A is A” is the axiom on which knowledge and logic are based. As noted, if a person looks to his own existence as a point of reference for understanding reality, a woman’s perception and experience are different from a man’s in that within a woman’s boundaries there may exist more than one entity. How many entities there are is dependent on the definition of personhood. For the most part, before *Roe v. Wade*, personhood from a legal perspective was understood in the United States as beginning at conception.⁵ A woman’s conception of herself (her body) as including one entity or more may have differed from this, but she did not have to contend with the issue of personhood insofar as abortion was concerned. Because abortion was illegal for any stage of pregnancy, she did not have to deal with the question of at what point in time the unborn becomes a person.

This does not mean that women did not have positions on personhood and abortion before *Roe v. Wade*. A woman’s views on these matters may have been informed by her religion. By that time, the Roman Catholic Church had deemed human life to begin at conception and abortion to be immoral (Reiman 1998, 19–20). Protestants have been largely opposed to abortion; however, their views have not been monolithic. Protestant views on abortion differ by denomination; for example, some make exceptions for pregnancies caused by rape (Pew Research Center 2013). The rabbinic view has been varied insofar as personhood is concerned; however, early on, the rabbinic position was not anti-abortion (Schiff 2002, 39–43). If a woman’s positions on these issues were in accord with that of the religion to which she subscribed before *Roe v. Wade*, then they may have been so afterward as well. However, once a woman’s actions with respect to abortion were no longer prohibited by law, these concepts may have assumed more existential relevance.

If a woman’s views were at variance with her religion’s position or if she was not religious, she might have turned to philosophy. As mentioned, Rand regarded the unborn essentially as a woman’s body part. Subsequent attempts by Objectivists and writers on Objectivism to define or refine the definition of the concept of personhood have been serious philosophical efforts based on the concept of man as a rational animal and informed by recent scientific findings about prenatal brain development and function as well as other evidence. Similar factors were taken into account in determining the medical definition of death. However, unlike the definition of brain death, there is no concurrence about the beginning of life in the personhood sense either within the Objectivist literature or elsewhere.

In a situation in which there is no settled definition, other factors can sway a person to adopt one definition over another or others. Emotion could be one such factor. For instance, suppose a woman is considering the position that the unborn becomes a person at eight weeks of gestation. She might ask, does aborting at eight weeks and one day render one a murderer? If a woman is profoundly disappointed about her pregnancy, might not that disappointment influence whether she accepts that definition or another that defines personhood at, say, the twenty-fourth week as does Machan’s? Concept formation should be based on dispassionate reasoning. Yet if one is torn between definitions, then it is at least conceivable that one’s emotions may give weight to one definition over another.

Likewise, expediency may play a role when deciding among alternative definitions when there is no one clear choice for a given person. For instance, Virginia Postrel suggested using the same criterion for the beginning of life (that is personhood) as for brain death; that is, “life” would begin when brain waves are detectable. This occurs between the fourth and the eighth week. However, Postrel (1989, 12) pointed out that women may not know if they are pregnant that early in the pregnancy. She suggested that the twentieth week is “more politically feasible,” as well as philosophically tenable. If the criterion for brain death is the lack of significantly measurable brain activity, then aborting before the presence of that brain activity would not be considered the taking of a “human life.” The standard of the presence of “human life” would be when that brain function is measurable. The fact that women may be unaware that they are pregnant before the presence of brain activity—which occurs at the eighth week—should not be an issue insofar as the definition of human life or personhood is concerned (Touchstone 2006, 140).

Cultural attitudes may also influence a person’s choice of definition. An unborn at the ninth month of gestation is a fully developed human baby. Although there are and have been exceptions, culturally, most Americans regard aborting at the ninth month as homicide unless the mother’s life is in danger (Gallup 2016). Even then it is generally regarded as killing a human being, however, in self-defense. Even if a pregnant woman, whose life is not threatened, were to think that aborting the unborn at the ninth month would not be murder, she still may have a lingering doubt about her position if she were considering aborting at the ninth month given the prevailing cultural attitude.

Definitions of concepts should be based on evidence and abstract reasoning—not emotion, expediency, or majority opinion; yet, when a definition such as “personhood” is unsettled, these other factors can be persuasive. For the acceptance of a particular definition of a concept to be influenced by emotion or other nonrational factors when there is more than one definition from which

to choose is not unique to women. However, the degree to which this particular definition is intimately bound to one's identity as an entity is unique to women. It is also one that is related to human existence at its foundation.

It may seem reasonable that if, say, two definitions exist and both have *equal* merit, that the "tie breaker" could be a factor such as emotion, expediency, or public opinion. However, if one definition is chosen over another or others on the basis of emotion, etc., *rather than* merit, this can have implications for concept development as well as on ethical decision making. Epistemologically, a reliance on emotion, etc., may progress from being the basis for deciding among definitions to being the basis for concept formation per se. That is, once factors other than rationality are persuasive in deciding among alternative definitions, this may lead to a slippery slope in which eventually nonrational factors define concepts.

As discussed above, some gender definitions in use today are based solely on what is in the mind of the person: what he feels himself to be. These would be characterized as invalid and/or stolen concepts to use Rand's terminology. The lack of a clear definition of personhood is not responsible for the debasing of concepts that has occurred on campuses and elsewhere, such as those associated with gender-related definitions. This kind of corruption in concept formation was already under way before *Roe v. Wade*. However, given the timing of the debate on the definition of personhood and its epistemological significance, it could have been a contributing factor.

The definition of personhood has not only epistemological significance, it also has ethical import. Because life is the ultimate value in Objectivist ethics, the definition of this concept would arguably be more significant than the definitions of many other concepts. The definition one holds for personhood is not an academic exercise for a woman considering an abortion. It can directly affect the actions she takes and her perception of herself as well as of the unborn. The definition one adopts may determine whether a person who is considering an abortion views herself as a potential murderer or, perhaps, as someone who will be having a medical procedure solely involving her own body.

Because the specific definition of personhood is intimately bound to action that has crucial ethical and rights implications, once emotion, rather than merit, becomes the basis for choosing among definitions, it also may become the basis for choosing among alternative ethical actions and/or actions involving rights. That is, if decisions involving rights are based on emotion or other nonrational factors in one area—such as the right to life of the unborn—then nonrational factors may spill over into the respect for rights, or the lack of it, in other areas. Whether abortion is or is not a violation of the right to life of the unborn is rendered irrelevant in that the decision is not based on rights at all, but on emotion and/or other nonrational factors. To the extent that emotion

or another nonrational factor becomes the deciding factor in action involving abortion or positions on abortion, these nonrational factors may also become the deciding criteria in other areas, such as in restrictions on speech.

Discussion

So-called PC speech in universities and elsewhere is a product and an extension of what Rand referred to as the anti-conceptual mentality. The anti-conceptual mentality had a presence in the U.S. educational system long before the push for PC speech. At its outset, political correctness had the pretense of being about polite speech and in some cases about clarifying ambiguous language. In the latter case, there was the ambiguous usage of masculine nouns and pronouns for both men and women. The PC movement eventually transformed into an attempt to control language and thought in order to advance various political agendas; one of which has been anti-male.

Some “gender” feminists are thought to be partly responsible for PC speech in many universities. Of course, it is an enormous leap to claim that the irrationality that has ushered in political correctness is confined to women. However, it is a fair question to ask whether the sexes think differently, and, if they do, whether that difference is related to differences in such things as brain anatomy and function, cultural and social influences, and/or other factors. There have been numerous investigations into these issues. A couple of those related to brain development and/or function have already been noted. However, even if males and females had identical brain structures, there is one distinguishing existential trait women alone have that may have implications for how women view existence relative to men as it relates to the foundational axiom “A is A,” and that is they are child bearing. Women by their nature—not as an anomaly—can be, within the boundaries of who they are, themselves as well as someone else (A can be A+).

Pregnancy or the possibility of pregnancy has always been a factor in a woman’s existence and her perception of her identity as an entity. To the extent that a woman has relied upon herself as the basis for her understanding of existence, that understanding has been informed by existing knowledge of reproduction. There has been significant progress in that understanding since the days in which women were considered gods because they were creators of life (Stone 1976). Still, there remains an aspect of uncertainty, since it is possible for a woman to be pregnant and yet unaware of it. And women are aware of this uncertainty. A woman is aware that she can think of herself as A, yet be A+.

Also, there is the definition of personhood. A woman’s conception of her identity as an entity is inseparable from the definition of the concept of “personhood” as it relates to the unborn. “Personhood,” in turn, has been

formed by an understanding of the concept of “man” as well as by advancements in knowledge concerning the development of the unborn. According to Rand, reason entails concept formation. Concepts form the building blocks of knowledge. Also, because knowledge includes all areas of philosophy, definitions of concepts cross philosophical boundaries. The definition of a concept is epistemological, but it can have ethical implications as well as impact other philosophical thought. The nature of reality and what it means “to be” is a metaphysical issue. The definition of personhood is epistemological in nature. Because the definition of personhood deals with life—when it begins and ends—it has crucial ethical implications.

In regard to concept formation, it could be asked whether there has been any event that preceded or was concurrent with the PC movement that was specifically associated with women and that could have had a connection with the trend toward concept degradation. One answer to that is the *Roe v. Wade* Supreme Court decision. When abortion was illegal, the definition of the concept of personhood was for the most part academic. After legalization, it was no longer an intellectual exercise because the definition that a person held could affect action or inaction.

Because there is no settled definition for personhood, and because of the link between the definition of personhood and abortion, it is possible that nonrational factors may have had an influence on the definition of personhood that a woman held. To the extent that this occurred, a reliance on nonrational factors may have exacerbated the influence of nonrational factors in concept formation that was already under way. The extent to which nonrational factors were influential in definitions of personhood that women held, these factors may have influenced actions they took or opinions they held about such actions, specifically abortion. The reliance upon nonrational factors influencing decisions on abortion may have spread to other actions involving ethics and rights. These possible tendencies could have contributed to the erosion of language and the use of coercion in speech on campuses and elsewhere.

Roe v. Wade had historical significance from an epistemological perspective because it led to grappling with the concept of personhood in a way that was not merely academic. *Roe v. Wade* was of greater relevance to women than men insofar as one’s identity as an entity. In a broader context, it was an isolated historical event in the continuing understanding of a woman’s identity as an entity; not insofar as what a woman’s identity as an entity *is*, but as what she *thinks* it is. This is the issue for women insofar as the axiom “A is A” is concerned. Metaphysically, she is what she is, but the understanding of that is epistemological.

This is an issue with which men do not have to contend. “A man is a man.” That is a metaphysical fact that requires no epistemologically nuanced thought.

There is no breathing room between man’s perception or direct experience of himself as an entity and his understanding that “A is A” similarly applies to external reality.

Final Thoughts

It is tempting to speculate on some of the possible ways in which males and females differ in how they view the world based on the preceding discussion. I shall yield to this temptation with a few parting remarks. For men, the equality “a man is a man” evokes no uncertainty. For women, the equality “a woman is a woman” has an element of uncertainty in that the woman’s body can be singular or plural without her knowing which is true.

This uncertainty has not been limited to whether a woman is pregnant or not, it extends to how many unborn there are, the sex or sexes of the unborn as well as other characteristics—such as birth defects. The number, the sex, and other characteristics of the unborn are now potentially knowable at some point in a woman’s pregnancy, but historically they have not been. For a woman, the relative importance of internal to external reality is different than for a man. For women, the ratio of the significance of the internal to the external is higher, is more variable, and is subject to a greater degree of uncertainty. This uncertainty could translate into a tendency to suspect appearances with respect to other entities in the external world.

Related to this is the concept of personhood and its significance in determining the number of entities that exist within the boundaries of a woman’s body. The meaning of a concept is the existents in reality that it subsumes. The definitions that apply to concepts can change or be refined with advances in knowledge. The definition of the unborn insofar as personhood is concerned has changed over time and is currently unsettled. This definition is inseparable from a woman’s perception of her identity as an entity—either what it is or potentially could be. This does not mean that words or definitions are more important to women than to men, but to the extent that women apply knowledge of themselves to the external world, women may be more sensitive to an awareness that definitions are changeable. Changeability, of course, does not translate into malleability.

It is commonly heard that women are less assertive and, at times, apparently less confident than men. Some have credited men’s assertiveness in part to hormonal factors—testosterone. In part, socialization is also seen as a factor. I am not dismissing these factors; however, it could be—at least, in part—that women are not less certain of themselves, but are less certain of the world, at least in terms of appearances. In some instances, women may be more tentative in their assertions, not because they are less confident in themselves—that

is, in their mental capabilities, but because they may be more cautious about drawing conclusions with new and/or limited information. New information is ever present, and information is, of course, always limited. Women simply may see the external world as subject to more uncertainty because their internal world is more uncertain. This does not mean that they think the world is less knowable. It also does not mean that once they become convinced about information or about a position, they are less certain than men. About convictions, they can be equally as confident, and, as with some men, some women can be equally dogmatic.

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NOTES

1. Another measure of speech infringement is the number of disinvitations to speak on campuses. FIRE also keeps a database that has tracked this since 2000. The figure has been on the rise (Schow 2016; FIRE 2017c).

2. One tactic that I will mention that universities have been using to silence speakers on campus is the imposition of large security fees, many times increasing them within the last few days of a scheduled speaker's appearance (Lee 2016; Stiles 2016; Svrluga 2016; Greenberg 2016). Such fees have been declared unconstitutional. Writing for FIRE, Alex Morey (2016) states:

In *Forsyth County v. Nationalist Movement* (1992), the Supreme Court determined that government actors—like public college or university administrators—may not lawfully impose security fees based on their own subjective judgments about “the amount of hostility likely to be created by the speech based on its content.” Such fees amount to a tax on speech an administrator subjectively dislikes, or subjectively believes is likely to cause disruption or violence.

3. According to Nina Burleigh, there is now a tendency at universities to treat all female students as “survivors.” Among “survivors” are young women who have had to turn down offers for a date from males (Burleigh 2016).

4. The case of an unborn conceived as the result of rape is more complex. The unborn is innocent; however, the right of the woman has been violated. Her rights would precede the unborn's. The woman would have no positive obligations to the unborn in the liability sense. The question remains whether aborting the unborn would be a violation of its right to life. Although aborting the unborn could arguably be a rights violation, its death could possibly be “justified” in the same way “collateral damage” is justified in some cases in war zones. (This is not an argument; it is a suggestion as to how an argument might proceed. The antecedent case that collateral damage is justified in some instances would have to be established.)

5. Prior to *Roe v. Wade*, abortion legislation in the United States was determined by the states. Abortion laws started appearing as early as the 1820s, prohibiting the practice after the fourth month of gestation (Lewis 2017). However, until 1880, abortions largely were permitted under common law until “quickening”—a term meaning when the fetus begins to move. Around 1880, abortions became legally prohibited except when the woman’s life was in danger (Ravitz 2016). Afterward, there were still illegal abortions, but they became much more infrequent after the passage of the Comstock Laws in 1873, which regulated morality and were in effect until 1938, when the ban on birth control information dissemination was lifted (Lewis 2016; 2017). In the late 1950s, abortion was illegal in all states, with restrictive exceptions by state (if the life of the woman was in danger, the fetus deformed, or in the case of incest or rape) (Lewis 2017). By the mid-1960s, some states began to relax their laws somewhat; however, by 1973, only four permitted abortion for birth control purposes and even then only prior to viability of the fetus (Kliff 2013).

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