

# The White House Plan to Make Gender Ideology a Central Theme of the American Experiment

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## KEY TAKEAWAYS

The Biden Administration’s National Strategy on Gender Equity and Equality aims to erase policies that respect the biological differences between men and women.

This policy agenda displaces biological sex with “gender identity” in domestic and international affairs, pushes abortion on demand, and usurps religious freedoms at home and abroad.

The U.S. government should abandon this dangerous agenda and instead defend Americans’ legal and human rights by upholding the Constitution and rule of law.

In late 2021, the White House released the *National Strategy on Gender Equity and Equality*.<sup>1</sup> According to the document, the strategy “outlines an ambitious agenda for this Administration and those to come—a roadmap to help our nation close pernicious gender gaps and propel us toward a world with equal opportunity for all people.” This effort is not modest: The document claims to be the “first-ever national strategy to guide our work on gender equity and equality as a government and as a nation.”

As the title suggests, the brief draws on the proud American legacy of civil rights and the advances of equality before the law. But the elevated rhetoric cloaks a darker agenda that strikes at what it means to be human. This strategy sets President Biden’s government on a revolutionary path that breaks with

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the American tradition of legal rights and equality. It directs agencies to craft policies that are blind to the biological differences between men and women. It would, as a matter of policy, erase women—so to speak—in both domestic and international affairs, entrench abortion on demand, and set the government against conscience rights and religious freedom both at home and abroad.

Strategy documents are upstream from bills, executive orders, and regulations. This document thus sets the policy agenda and reveals the intentions of the Biden White House—intentions that on the surface may seem unobjectionable, even anodyne. This *Backgrounder* will first put President Biden’s National Strategy in its wider context to show its true import. It will then describe the types of policies the strategy could advance if left unchallenged.

## Critical Theory and the Great Awakening

In a 2019 *Vox* news article, journalist Matthew Yglesias described the rise of a “Great Awakening”<sup>2</sup>—a major shift on the American left toward the politics of grievance and group identity. He argued that this esoteric brew of Neo-Marxism and postmodernism, which we can call “critical theory,” marks a radical break with the more popular notions of equality (and could become an albatross for the Democratic Party were it to ever fully embrace them).

“In the past five years,” he noted, “white liberals have moved so far to the left on questions of race and racism that they are now, on these issues, to the left of even the typical black voter.” The use of “equity” alongside or instead of “equality” is one sign of this shift; an obsession with systemic and “intersectional” oppression is another.<sup>3</sup>

While Yglesias’ article focused on a subset of identity politics—what in 2021 many came to call “critical race theory”—a related shift on the left regarding sex and gender makes the shift on race seem tame by comparison. It is now commonplace to hear women referred to by gender-neutral terms, or to read about males who “identify” as women competing against girls in high school sports. These ideas might seem so exotic that they could be held by only a few on the extreme fringe. But in fact, these views have long since escaped the margins. For years, they have been shaping federal legislation. With the National Strategy on Gender Equity and Equality, they have reached the apex of political power.

Three terms in particular reveal the nature of critical theory: intersectionality, equity, and gender.

**An Intersectional Approach.** In its introduction, the strategy document states three guiding principles. Two of these are self-explanatory: “whole-of-government implementation” and “interconnected priorities.” The third, “intersectional approach,” requires some explanation.

The strategy, we are told, “aims to address intersecting forms of discrimination and advance equity and equality.” It seeks to redress “intersecting forms of oppression.” The strategy “addresses the impact of intersectional discrimination and bias on the basis of gender, race, and other factors, including sexual orientation, ethnicity, religion, disability, age, and socioeconomic status. Intersecting challenges negatively impact individuals in underserved communities, including communities of color, in the United States and around the world.”

The document does not define this key term. But its authors are clearly drawing on the concept of “intersectionality,” which was added to *Merriam-Webster’s Dictionary* in 2017.<sup>4</sup> It was coined decades earlier, in 1989, by feminist and critical race theorist Kimberlé Crenshaw<sup>5</sup> in an essay critiquing existing antidiscrimination law and promoting an alternative she called “antiracism.”

Crenshaw “made a case for treating race and gender not as separate legal categories but as a new, combined category,” explains Baylor University’s Elizabeth Corey.<sup>6</sup> “In other words,” Corey continues, “while a woman might claim discrimination on the basis of sex, and a black man might claim it on the basis of race, neither sex nor race alone could capture the discrimination endured by a black woman.” That is, the oppressed status of the two combined categories is greater than their mere sum. Intersectionality, in effect, amplifies the effects of oppression.<sup>7</sup>

While Crenshaw’s essay focused on race and sex, theorists and activists soon applied her framework to sexual orientation and gender identity as well.

Apologists of this approach place people in a rigid hierarchy according to victim status. At the bottom of this hierarchy would be, for example, a white man (call him “John”) attracted to women who identifies as such. (Following current jargon, John would be “cisgender” and “heterosexual,” or “cishet.”) John is, by this account, an oppressor not by virtue of anything he has said or done, but by virtue of his membership in four oppressor groups: whites, males, heterosexuals, and people who identify with the gender they are assigned at birth. Categories such as racism and sexism are not private vices but systemic injustices that transcend and define individual actors.

In contrast, “Terry,” a black female-to-male transgender immigrant attracted to females would rank much higher, since Terry is oppressed in

four intersecting ways. That is, Terry ranks as victim on grounds of ethnicity, sexual orientation, gender identity, and citizenship. One person, four intersecting vectors of victimhood.

This preoccupation with group identity permeates the White House document: “This plan will have a particular focus on addressing the *compounded* systemic barriers of those most at risk, including women, girls, people of color, Indigenous people, immigrants, individuals with disabilities, older adults, individuals experiencing poverty, LGBTQI+ individuals, and members of other underserved communities.”<sup>8</sup>

**Equity vs. Equality.** The White House document uses the terms “equity” and “equality” throughout, but not as synonyms—even though these words share the same Latin root. The phrase “equity and equality” appears 36 times in the forty-page document—including in the title. (“Equity” itself appears 87 times.)

So, what is the difference? According to current usage, equal treatment under the law (equality) often fails to produce equal outcomes, that is, equity.<sup>9</sup> Moreover, under equity logic—which violates the most basic statistical methods—different outcomes are assumed to have one cause: injustice.<sup>10</sup> Critical race theory paints such injustice in sinister racial hues. “White supremacy” results in “immense disparity in wealth, access to resources, segregation, and thus, family well-being.”<sup>11</sup>

In the same way, the strategy document treats all sorts of generic group differences, such as the various “gender pay gaps,” as self-evident proof of injustice.

This meaning of “equity” casts Biden’s gender strategy in a much dimmer light. Consider, for instance, the following:

From the Emancipation Proclamation, to the passage of the 19th Amendment, to the Voting Rights Act and the Civil Rights Act, to the fight for reproductive rights and marriage equality—and countless movements and victories before and since—America has been strengthened through the years by our tireless pursuit of greater *equity* for all.<sup>12</sup>

This passage hints at the third and most central category of the strategy: gender.

**Gender.** Gender is the third undefined term of art in the strategy document. The word might be mistaken as a synonym for biological sex. But the most current version of gender ideology prioritizes a subjective notion of gender “identity,” with infinite varieties, over the biological reality of male and female.

This once obscure idea has been working its way into our laws for years. In 2015, President Barack Obama’s Department of Health and Human Services sought to redefine “sex” to include “sexual orientation and gender identity” in Section 1557 of the Affordable Care Act (Obamacare).<sup>13</sup> This slight change signaled a tectonic shift from the same-sex marriage debate to the transgender debate. The former involves the nature of marriage; the latter involves the nature of humanity itself.

In 2021, a district judge issued a permanent injunction against this so-called transgender mandate.<sup>14</sup> The Biden Administration seems to have missed the memo: The White House document calls for “robust implementation of Section 1557 of the ACA, which prohibits discrimination on the basis of sex (including sexual orientation and gender identity).”

## What This Would Mean

**Degradation of Legal Equality.** To a casual reader, it might appear that the White House strategy’s invocations of “intersectional oppression” and “equity” reflect efforts to combat unfair discrimination.<sup>15</sup> However, the document advances an approach at odds with the Western concept of equality, which is grounded in the notion that we are created equal and endowed by our Creator with certain inalienable rights. What is more, it puts enmity between the twin legal commitments to equality and freedom, since freedom can lead to diverse outcomes.

Intersectionality pigeonholes people—with all their richness and diversity—into divisive stereotypes of group identity. Karen Lehrman Bloch has referred to it as a “new caste system.”<sup>16</sup> Worse, it defines everyone as either oppressor or oppressed *categorically*, regardless of the concrete details of their lives. And those categories trivialize other similarities and differences of the individuals in question. “Inequity” of outcome is proof of unjust inequality of treatment.

Take, for instance, the founder of intersectionality, Kimberlé Crenshaw. As a black woman teaching at Columbia Law School, she would still qualify as oppressed under her theory. In contrast, a straight white male gas station attendant without a high school degree living in impoverished Owsley County, Kentucky,<sup>17</sup> would be an oppressor. Differences in wealth, class, or social status cannot override the intersectional hierarchy. Real people are reduced to abstractions.

This procrustean thinking also ignores differences that are due to choice. If more men than women choose to study particle physics, for instance, then most particle physicists will be male. This is no threat to true equality, which should respect both our common humanity and our individual differences.

To equity ideologues, however, such an outcome is unjust. If the population is half male and half female, then the distribution of physicists should be the same. If this means putting up barriers to men who might like to go into physics, then so be it. The White House strategy document clearly seeks equal outcomes. For instance, it promises:

We will advance diversity, equity, inclusion, and accessibility in the federal workforce; increase gender parity and diversity in leadership roles; ensure diversity and commitment to gender equality in justice sector roles; ensure diverse and inclusive participation and representation in decision-making; and support women- and girl-led organizations and movements.<sup>18</sup>

Or, as Vice President Kamala Harris has said more bluntly, “Equitable treatment means we all end up in the same place.”<sup>19</sup>

This thinking also cannot give a plausible account of the success of ethnic minorities who on average outperform their white counterparts. (There were 15 such groups in the 2019 census).<sup>20</sup> Nor can it explain why more women than men receive undergraduate and graduate degrees in the U.S.<sup>21</sup>

Finally, it runs afoul of evidence that most of the “inequity” in pay between men and women derives from career choice and family priority, not injustice.<sup>22</sup>

The woke ideologue has a very hard time accounting for such facts. As Christian Alejandro Gonzalez explains:

Crenshaw’s intersectional framework is impervious to empirical counterarguments and dismissive of nuance because it *presupposes* that most people in the United States suffer from oppression, without ever bothering to define what exactly that word means and seemingly without considering what the people in question think about their own situation.<sup>23</sup>

This is the closed logic of intersectionality. “Despite all its calls for solidarity,” Elizabeth Corey notes, “intersectionality may ultimately yield separation and conflict rather than cooperation.” It is no stretch then for Gonzalez elsewhere to describe the idea as “an all-encompassing philosophy that advances a unique politics, metaphysics, aesthetics, and epistemology, as well as its own (rather bizarre) interpretation of history. It is effectively a secular religion.”<sup>24</sup> Linguist John McWhorter argues in his new book *Woke Racism* that it is a new fanatical religion that seeks to supplant all competitors.<sup>25</sup>

In short, an intersectional approach that forces “equity” into our laws would lead, in the end, to unequal treatment. That is, to injustice.

**The Erasure of Women.** Even a cursory glance at the White House document reveals a fixation on enshrining a radical concept of gender identity, unmoored from biological sex, in our laws and public institutions, with especially harmful effects for women.

This move to undermine women through law has been underway for years. The most telling evidence of gender ideology in federal legislation in 2021 was the Democrats’ effort to avoid and even eradicate the use of the word “women.” The massive budget reconciliation bill, for instance, contains awkward phrases such as “pregnant, lactating, and postpartum individuals” repeated over and over. Committed gender theorists subordinate biological sex to “gender identity.” This makes it possible to claim that some pregnant and lactating persons are not women.<sup>26</sup>

The White House gender strategy does not go quite this far. Despite manifest signs of gender ideology on almost every page, it continues to use the term “women.” It speaks of women’s health, women’s unemployment, discrimination against women, a lack of economic opportunities for women, and violence against women. In fact, the word “women” appears 301 times, exactly the same number of times as the word “gender.”

Why this difference between the White House strategy and the White House’s allies in Congress? For a public-facing document that the average voter might read, “women” presumably works better than gender neutral word salads. But according to analyst Stefano Gennarini, there is a substantive reason the White House document uses “women.” Its authors want to reclassify “existing federal programs to help ‘women and girls’ as ‘gender policies,’ while adding the moniker LGBTQI+.” This ensures “that policies designed to protect and assist women and girls don’t focus on women and girls only but also on women and girls who identify as transgender as well as men and boys who identify as homosexual.”<sup>27</sup>

Many programs with huge funding streams exist for “women and girls.” Gender ideology is too radical to implement in one fell swoop. The goal behind the White House document seems to be to expand pre-existing programs for women and girls to non-females who identify as such. Hence, it invokes the language on the books rather than seeking to replace it. Replacement, presumably, would come later.

“Women and girls” would thus become a vehicle for first redefining and then expanding our laws to conform to a gender ideology that, in the end, would help erase them. How so?

Civil rights laws have carved out space for female-only spaces (such as locker rooms) and sports by recognizing relevant differences between men and women. Due to the gap in average size and physiology, for instance, women are at far greater risk of sexual violence from predatory men than men are from women. Commitment to genuine equality of the sexes respects these differences. Under the White House plan, in contrast, women would enjoy far less fairness (and safety) in locker rooms,<sup>28</sup> on sports fields,<sup>29</sup> and even in dedicated shelters against domestic abuse.<sup>30</sup>

**Abortion.** The White House’s claim to defend equality nowhere rings more hollow than when it comes to the preborn. Its gender strategy shamelessly promotes abortion as both a constitutional right and as a prerequisite for gender equality.

Domestically, it promises to “work to codify the constitutional rights recognized under *Roe v. Wade*.”<sup>31</sup> This would prohibit restrictions on abortion that states may elect to enact if given the chance after the Supreme Court rules on *Dobbs v. Jackson Women’s Health Organization*. More directly, it calls for the repeal of the Hyde Amendment, which prohibits federal funding of elective abortions. That amendment, which most Americans support,<sup>32</sup> has been included in congressional spending bills since 1976.

Internationally, the document reaffirms the Administration’s commitment to promoting so-called sexual and reproductive health and rights. In global contexts, this expansive phrase includes abortion.<sup>33</sup> Under this rubric, the United Nations routinely promotes abortion through its various human rights mechanisms and health programs. In fact, experts in the U.N. Office of the High Commissioner on Human Rights (OHCHR)<sup>34</sup> have found or created a right to abortion<sup>35</sup> within the rights to health, privacy, and even the right to be free from cruel, inhumane, and degrading treatment.<sup>36</sup>

In the past, the U.S. has withheld funding from the United Nations Population Fund (UNFPA) under the Kemp-Kasten Amendment, which prohibits U.S. aid from supporting coercive abortion or involuntary sterilizations. The UNFPA has often been accused of cooperating with such coercive practices in China through its support of China’s National Health and Family Planning Commission. Nevertheless, the Biden Administration announced in early 2021 that it would reinstate U.S. funding to the UNFPA to the tune of over \$30 million. The gender strategy document reiterates this pledge.

With the White House’s new strategy in place, abortion advocates in the U.N. system and around the world will have a committed American ally. That alliance will lend great political, diplomatic, and financial heft to their pursuit of an international right to abortion.

**Freedom of Religion, Belief, and Speech.** The First Amendment to the U.S. Constitution guarantees the fundamental rights to freedom of religion, belief, and speech, as does the U.N.'s Universal Declaration on Human Rights. To realize these mutually reinforcing rights, we must protect conscience and the right to manifest beliefs or religious convictions in public.

These basic rights are threatened by efforts to promote abortion, contraception, sterilization, and controversial “gender reassignment” (surgeries or hormonal interventions in the name of gender equality).<sup>37</sup> Many medical professionals and faith-based institutions seek to protect life from conception to natural death, defend marriage as the union of one man and one woman, and defend the immutability of biological sex. Gender ideology represents a frontal assault on the freedom to act in accordance with these beliefs.<sup>38</sup>

Thus, it is no surprise that more secular and progressive areas of the world are already restricting religious freedom. In more and more cases in the U.S. and other western countries, laws against discrimination on the basis of sexual orientation and gender identity (SOGI) have become a cudgel to force individuals to endorse a sexual orthodoxy against their conscience.

This is not the first time the Biden Administration has weakened religious freedom when it might conflict with SOGI policies. In the early weeks of his presidency, President Biden issued a “Memorandum on Advancing the Human Rights of Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex Persons Around the World.” It directed all U.S. government entities that engage abroad to weave gender ideology into their work, whatever the cost to religious freedom.<sup>39</sup>

Gender ideology is also encroaching on free speech around the world. This threat is most acute in places with laws regulating “hate speech”—laws that are far more sweeping than prohibitions on speech that incites violence.<sup>40</sup>

Consider the case of Dr. Päivi Räsänen, member of the Finnish Parliament and former Minister of the Interior. She is now facing criminal charges and potential jail time for quoting Biblical passages critical of homosexuality on social media. And, in the United Kingdom, Reverend Dr. Bernard Randall, a former chaplain of Christ's College, Cambridge, is suffering similar treatment. He is engaged in legal battles after his employer reported him to the government counterterrorism police agency and then dismissed him when he delivered a chapel sermon on the school's identity politics program.<sup>41</sup>

In its strategy document, the Biden White House calls for compelling other countries to adopt this gender ideology, too. It promises to “marshal diplomacy and foreign assistance to promote reform of national

and sub-national laws that discriminate on the basis of sex, sexual orientation, and gender identity.”<sup>42</sup> Many, especially in the developing world, view this tactic as ideological colonialism or humanitarian blackmail. Many aid recipient countries are forced to choose between their cultural or religious beliefs and much-needed funds for health care, infrastructure, and other services.<sup>43</sup>

## Policy Solutions: Enforce—Don’t Dilute—Existing Law

**A Solution in Search of a Problem.** The White House strategy document recognizes that many federal and state laws exist to prevent violations of every American’s civil rights. But it bemoans the fact that “the U.S. Constitution lacks language expressly enshrining equal rights regardless of gender.”<sup>44</sup>

While it is short on specifics, some of its concrete legislative or legal proposals would neither improve opportunities for women and girls nor uphold American values. For instance, to judge from the White House’s support of the so-called Equality Act, it would add “sexual orientation” and “gender identity” as protected classes in civil rights law. (It is already doing this through regulation.) This would penalize countless Americans for their beliefs about marriage and biological sex.<sup>45</sup>

Similarly, the gender strategy calls for the adoption of the Equal Rights Amendment, which, as our colleague Thomas Jipping explains, is not needed to eliminate discrimination between men and women. Instead, it has now become a vehicle for radical left-wing policies on abortion and gender.<sup>46</sup> To put the point bluntly, the document *denies* the equal humanity of the unborn—in the name of gender equality.

It also calls for ratifying the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Since 1979 the U.S. has declined to join CEDAW—under both Democrat and Republican Administrations.<sup>47</sup> The text of the CEDAW was drafted to be ambiguous enough that countries with a wide range of domestic laws and policies could ratify it. The CEDAW committee was charged with monitoring compliance with the treaty. But it now acts instead as a quasi-judicial body that demands abortion, undermines parental rights, and seeks to decriminalize prostitution.

These legislative and legal proposals in the gender strategy document represent a solution in search of a problem. They undercut the few worthwhile pursuits the Administration purports to achieve, namely equality under the law and greater participation in public life for women and girls.

**A Better Approach.** The U.S. government should protect every American’s legal rights and uphold human rights in its dealings with other

countries. It should not endorse chimerical “rights” based on membership in special identity groups, which weakens the protection of fundamental rights grounded in human dignity.<sup>48</sup>

Civil and political rights are enshrined in the Constitution and protected under federal and state laws. These provide ample tools for fighting cases of discrimination.

President Biden should abandon the *National Strategy on Gender Equity and Equality*. His Administration should return, instead, to the firm foundation of equality and biological reality. This requires recognition rather than denial of the innate differences between men and women.

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31. White House, *National Strategy on Gender Equity and Equality*, p. 20.
32. Melanie Israel, "Abortion Funding: Save the Hyde Amendment," Heritage Foundation *Issue Brief* No. 5206, July 30, 2021, <https://www.heritage.org/life/report/abortion-funding-save-the-hyde-amendment>.
33. See information at Geneva Consensus Declaration on Promoting Women's Health and Strengthening the Family, <https://www.theiwh.org/wp-content/uploads/2021/11/GCD-Declaration-2021.pdf> (accessed February 2, 2022). See also Tom Finnegan, "The Right to Life in International Human Rights Law," Heritage Foundation *Backgrounders* No. 3464, January 24, 2020, <https://www.heritage.org/sites/default/files/2020-02/BG3464.pdf>.
34. The Office of the High Commissioner of Human Rights houses the U.N.'s human rights apparatus, which includes treaty bodies and special mandate-holders that are largely unaccountable to anyone. There are 10 treaty bodies within the U.N. system, each a committee of experts who are nominated and elected by the state parties to the particular treaty or covenant they are tasked with monitoring. The treaty bodies evaluate countries' implementation of and compliance with the treaty and issue recommendations.
35. In 2019, the Human Rights Committee issued General Comment No. 36 on abortion: "States parties must provide safe, legal and effective access to abortion where the life and health of the pregnant woman or girl is at risk, or where carrying a pregnancy to term would cause the pregnant woman or girl substantial pain or suffering, most notably where the pregnancy is the result of rape or incest or where the pregnancy is not viable. In addition, States parties may not regulate pregnancy or abortion in all other cases in a manner that runs contrary to their duty to ensure that women and girls do not have to resort to unsafe abortions, and they should revise their abortion laws accordingly."
36. In 2017, the Committee on the Elimination of All Forms of Discrimination against Women issued its General Recommendation No. 35 in which it said, "Violations of women's sexual and reproductive health and rights, such as forced sterilization, forced abortion, forced pregnancy, criminalization of abortion, denial or delay of safe abortion and/or post-abortion care, forced continuation of pregnancy, and abuse and mistreatment of women and girls seeking sexual and reproductive health information, goods and services, are forms of gender-based violence that, depending on the circumstances, may amount to torture or cruel, inhuman or degrading treatment."
37. See Grace Melton, "The Threat to Life and Liberty from the United Nations' Abuse of Human Rights," *The Public Discourse*, October 5, 2020, <https://www.thepublicdiscourse.com/2020/10/71919/> (accessed January 24, 2022).
38. For example, the U.N. Committee on the Elimination of Discrimination Against Women and the U.N. Committee on the Rights of the Child have both called upon countries to prioritize women's and girls' access to sexual and reproductive health information and services in the case of a health care provider's conscientious objection. See CEDAW General Recommendation 24, para 11, <https://www.refworld.org/docid/453882a73.html> (accessed February 7, 2022), and CRC General Comment 15, para 69, [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGC%2f15&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGC%2f15&Lang=en) (accessed February 7, 2022). Furthermore, the U.N. Special Rapporteur on freedom of religion or belief has described the application of conscientious objection accommodations for "healthcare providers and institutions unwilling to perform abortions or provide access to contraception on religious grounds" as an "area of particular concern." Report of the Special Rapporteur on freedom of religion or belief, A/HRC/43/48, para. 44, February/March 2020, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/217/76/PDF/G2021776.pdf?OpenElement> (accessed January 24, 2022).
39. For more on the Biden Administration's promotion of SOGI rights threatening religious freedom, see Grace Melton, "Biden Administration Promotes LGBTQI Rights in Foreign Policy, Threatening Religious Freedom," *Providence Magazine*, May 13, 2021, <https://providencemag.com/2021/05/biden-administration-promotes-lgbtqi-rights-foreign-policy-international-religious-freedom/> (accessed January 24, 2022), and "Biden's Memo on LGBTQI Policies Abroad Is Ideological Colonialism," *The Daily Signal*, February 22, 2021, <https://www.dailysignal.com/2021/02/23/bidens-memo-on-lgbtqi-policies-abroad-is-ideological-colonialism/>.

40. For example, according to the U.N. Secretary General's new Strategy and Plan of Action on Hate Speech, "hate speech is understood as any kind of communication in speech, writing or behaviour, that attacks or uses pejorative or discriminatory language with reference to a person or a group on the basis of who they are, in other words, based on their religion, ethnicity, nationality, race, colour, descent, gender or other identity factor." António Guterres, United Nations Strategy and Plan of Action on Hate Speech, May 2019, [https://www.un.org/en/genocideprevention/documents/advising-and-mobilizing/Action\\_plan\\_on\\_hate\\_speech\\_EN.pdf](https://www.un.org/en/genocideprevention/documents/advising-and-mobilizing/Action_plan_on_hate_speech_EN.pdf) (accessed January 24, 2022). This broad and subjective concept of hate speech is similar to that of a growing number of countries, particularly in Europe. For more on the need for freedom of speech, see Michael P. Farris and Paul B. Coleman, "First Principles on Human Rights: Freedom of Speech," Heritage Foundation *Special Report* No. 232, July 17, 2020, <https://www.heritage.org/sites/default/files/2020-07/SR232.pdf>.
41. For more on Reverend Dr. Bernard Randall's case, see Virginia Allen, "British Chaplain Reported to Counterterrorism Agency After Questioning School's 'LGBT Stuff,'" *The Daily Signal*, August 4, 2021, <https://www.dailysignal.com/2021/08/04/british-chaplain-reported-to-counterterrorism-agency-after-questioning-schools-lgbt-stuff/>. See also "Bernard Randall" at *Christian Concern*, <https://christianconcern.com/cccases/rev-dr-bernard-randall/>.
42. White House Gender Policy Council, *National Strategy on Gender Equity and Equality*, p. 27.
43. For example, see Obianuju Ekeocha, *Target Africa: Ideological Neo-colonialism of the Twenty-first Century* (San Francisco: Ignatius Press, 2018). See also Grace Melton and Joy Mdivo, "U.S. Promotion of Abortion Abroad Is Ideological Colonialism, Not Gender Equality," *1945*, July 10, 2021, <https://www.19fortyfive.com/2021/07/u-s-promotion-of-abortion-abroad-is-ideological-colonialism-not-gender-equality/> (accessed January 24, 2022).
44. White House Gender Policy Council, *National Strategy on Gender Equity and Equality*, p. 26.
45. For more on the Equality Act, see "The Equality Act," *Heritage Explains*, <https://www.heritage.org/gender/heritage-explains/the-equality-act>.
46. Thomas Jipping, "Not Your Grandmother's ERA: Why Current Equal Rights Amendment Strategies Will Fail," Heritage Foundation *Legal Memorandum* No. 291, October 26, 2021, <https://www.heritage.org/civil-rights/report/not-your-grandmothers-era-why-current-equal-rights-amendment-strategies-will>.
47. Grace Melton, "CEDAW: How U.N. Interference Threatens the Rights of American Women," Heritage Foundation *Backgrounders* No. 2227, January 9, 2009, <https://www.heritage.org/marriage-and-family/report/cedaw-how-un-interference-threatens-the-rights-american-women>; Steven Groves, "Key Treaties that Threaten American Sovereignty," Heritage Foundation *Issue Brief* No. 6045, January 28, 2021, <https://www.heritage.org/sites/default/files/2021-01/IB6045.pdf>; and Steven Groves, "Women's Rights Are Human Rights: U.S. Ratification of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)," testimony before the Subcommittee on Human Rights and the Law, Committee on the Judiciary, U.S. Senate, November 18, 2010, <https://www.heritage.org/testimony/womens-rights-are-human-rights-us-ratification-the-convention-the-elimination-all-forms>.
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