



Florida's 'Don't Say Gay' bill inflames the culture wars

By Cathy Young

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The Florida law mockingly dubbed the “Don’t Say Gay” bill, intended to severely restrict public-school instruction related to sexual orientation and gender identity, has become the latest culture-war flashpoint. Republicans say the legislation, signed by Gov. Ron DeSantis, is being misrepresented and that the majority of Americans support its actual provisions. Democrats say it is going to chill necessary conversations about gay and transgender issues and hurt kids for whom those issues are personal.

As is often the case in the culture wars, both sides make some valid claims — and many bad and disingenuous ones.

It is true, for instance, that “don’t say gay” is a deliberately inflammatory moniker made up by the bill’s opponents; nothing in the law — whose real title is the Parental Rights in Education bill — prohibits the word “gay.” (The billboards currently popping up around Florida urging people to “Say Gay” are probably the most absurd response to the legislation.)

What the bill does prohibit is “[c]lassroom instruction ... on sexual orientation or gender identity ... in kindergarten through grade 3 or in a manner that is not age-appropriate” for older students. It also forbids school staff to shut parents out of “decisions affecting a student’s mental, emotional, or physical well-being” — exploration of sexuality or gender identity — unless disclosure poses a risk of harm. Parents can sue over suspected violations.

A recent Politico/Morning Consult poll of registered voters found that just over half favored the ban on early or age-inappropriate instruction on gender and sexuality, while over a third opposed it. Republicans were especially supportive, but so were a plurality of independents. Other polls have found stronger disapproval of the law, often depending on how the questions are worded.

Right-wing scaremongering aside, there are real parental concerns over these issues. The Florida law was inspired partly by the experience of a mother who found out her 13-year-old was exploring a nonbinary (neither male nor female) identity with the help of school officials and discussing such questions as whether to room with male or female children on overnight trips — all without the parents’ knowledge. One need not be right-wing or bigoted to have misgivings.

In many school districts, lessons for elementary-school children may feature concepts often confusing for adults, let alone children whose self-understanding is still developing — such as “asexual” or “gender-fluid” identities. In other cases, parents have challenged LGBT-themed young adult books with sexually explicit content (such as Maia Kobabe’s graphic novel, “Gender Queer”) on school library shelves.

All these are proper subjects for school-board debates — but a state law is a blunt instrument that shuts down debate rather than promotes it. These problems are exacerbated by the bill’s vagueness. Would the ban on “instruction” about sexual orientation in elementary school extend to discussion of a children’s book that featured same-sex parents? What if a presentation in which children talked about their families led to questions about why some had two moms or two dads? What does “not age-appropriate” mean for older kids? Would a complaint from a single disgruntled parent be enough to get potentially contentious programs or readings shut down?

Unfortunately, as is usually the case with culture wars, the polarization is self-perpetuating. Under assault from the right, the left digs in and defends even unreasonable things while the right becomes even more strident. Hyperbole flies: Right now, liberals are blaming the bill’s supporters for teenage suicide, while conservatives are accusing its opponents of wanting to “groom” children for sex. The real losers are sane citizens.

Opinions expressed by Cathy Young, a senior fellow at the Cato Institute, are her own.