

Transgender Children's Rights are Under Attack

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Do you think that local and state governments should be allowed to run their schools however they see fit? Even if that means they are allowed to discriminate against whoever they see fit? This is one question raised by the article, “Biden administration demands Alabama embrace genderless schools or else, but we aren’t giving in” (2022), by Attorney General of Alabama, Steve Marshall. In this Fox News Opinion piece, Marshall responds to the U.S. Department of Agriculture’s update to their non-discrimination statement, now including the prohibition of discrimination based on gender identity and sexual orientation. He emphasizes that this update is a threat to Alabama’s school lunch funding because of the state’s anti-transgender laws. He claims that this is a continuation of the Biden administration’s attack on red states and is being used to cut federal funding to Alabama. He portrays the Biden administration and the “left’s radical gender-identity agenda” as the enemy of school children’s educational experience. He describes the USDA’s updated non-discrimination statement as illegal and unconstitutional, as well as an attempt to take away the state’s control over their public schools (Marshall, 2022). However, Marshall is supporting a harmful pair of anti-transgender laws and his argument is biased and written for those who hold the same beliefs as him. He provides no opportunity for like-minded readers to come up with their own beliefs by leaving out crucial information about what he’s standing up for and fighting against.

Marshall supports harmful anti-transgender laws that ignore expert opinion and the science on gender-affirming treatment for transgender youth. In his article, Marshall states that Alabama taxpayers disagree with the “Biden administration’s goal of genderlessness in our classrooms. That’s why the people of Alabama have supported laws that protect girls’ sports and girls’ bathrooms, as well as laws that prohibit sexual indoctrination in the classroom.” This is the

only time in this article that he mentions specifically what he is fighting for—the right for his state to have anti-transgender laws targeted at schoolchildren. Back in March 2022, the Governor of Alabama, Kay Ivey, signed two anti-transgender youth bills. One bill makes it a felony punishable by up to 10 years in prison for a doctor to provide a minor with gender-affirming medication (Lyman, 2022). Gender-affirming medicine is hormone blockers or hormones provided to change the outward characteristics of a transgender person to one that matches their gender identity. For example, testosterone might be prescribed to a man assigned female at birth to develop a deeper voice and facial hair. The second bill requires school children to use bathrooms that match the sex on their birth certificate and bans the discussion of gender identity and sexual orientation in elementary schools (Lyman, 2022). A group of medical and legal experts at the Yale Law School found major issues with these laws. The group published a report titled “Biased Science in Texas & Alabama” in which they examine Alabama’s anti-transgender youth legislation as well as Texas’ (Boulware, et al., 2022). They conclude that these laws cite false claims regarding transgender youth medical care as well as ignore the scientific evidence that gender-affirming has significant benefits for transgender youth. You can see how important gender-affirming care is when you take into consideration how many trans children suffer to begin with. According to a CDC report written by Johns MM, Lowry R, Andrzejewski J, et al (2019), 27% of transgender high school students feel unsafe at school, 35% are bullied at school, and 35% of transgender students attempt suicide. Both of the Alabama anti-transgender bills tell trans children that they are not welcome in Alabama.

Marshall’s concern when it comes to the children in Alabama’s schools is the educational experience of girls. He doesn’t provide any evidence of girls’ educational experience being harmed by transgender students’ existence, but even if it were, it shouldn’t mean restricting the

rights of transgender students. Despite Marshall's claims that the Biden administration and the "left's gender-identity agenda" is harmful to schools, Alabama's anti-transgender laws are what's truly damaging to students.

Marshall doesn't delve too deeply into his issue with the USDA, leaving a lot of room for misinterpretation and guessing, as well as preventing his audience from developing their own beliefs. He claims that President Joe Biden is using the USDA as a tool to force what Marshall calls a "gender-identity agenda" on state governments. He writes, "By issuing a USDA memorandum and accompanying administrative rule, the administration has waged a campaign to impose the left's extremist "gender identity" agenda on schoolchildren with the implied threat that if states resist, their programs and public schools will get less money from the federal government" (Marshall 2022). So why exactly is the USDA threatening to cut funding and how does this push a "gender-identity agenda"? The U.S. Department of Agriculture (USDA) is a federal agency responsible for the management of farming, forestry, rural economic development, and food. The USDA is made up of 29 smaller agencies, one of which is the Food and Nutrition Service (FNS). The FNS's goal is to increase food and nutritional security. It's responsible for multiple nutrition assistance programs, like SNAP (formerly known as Food Stamps), and most importantly to this article, the school lunch program. On May 5th, the United States Department of Agriculture issued a press release stating that the USDA's Food and Nutrition Service (FNS) updated its non-discrimination statement to include discrimination based on sexual orientation and gender identity. In its press release, the USDA writes, "As a result, state and local agencies, program operators and sponsors that receive funds from FNS must investigate allegations of discrimination based on gender identity or sexual orientation. Those organizations must also update their non-discrimination policies and signage to include

prohibitions against discrimination based on gender identity and sexual orientation” (U.S. Department of Agriculture, 2022). In other words, the USDA is asking agencies, including schools, that receive federal funding from the FNS to update their non-discrimination policies to prohibit the discrimination of queer people.

Marshall over-exaggerates the risk of a cut to school lunch funding; The USDA never outwardly claimed that they would be taking funding from state programs that don't reflect their non-discrimination statement. Marshall uses this perceived threat as fear-mongering, claiming that this is the Biden administration attempting to undermine state's power over public schools. He is trying to get his readers fearful and angry. Considering this is an election year, this could even be a political move. Marshall might be making this seem like a bigger issue than it truly is to make voters think that he is doing something for them, trying to keep their school lunch funding. I think Marshall avoids giving an in-depth explanation of the USDA's addition to its non-discrimination statement to get readers to agree with him and see him as a hero for Alabama's rights as a state.

Steve Marshall publishes his biased, transphobic opinion just in time for election season. His goal is to fire up his like-minded audience to motivate them to get out and vote for people who support the same anti-transgender ideas. He doesn't provide his readers with any information that might lead them to think critically about their own beliefs. His motive is purely political. Reading about this topic gave me a deeper appreciation for the rights queer people have here in Minnesota. I had the privilege to go to a high school with gender-neutral bathrooms and opportunities to find community with fellow queer students. Researching queer discrimination in the United States in 2022 raised my concern for the future of LGBTQ rights in the US. We are at a point where queer people have more rights than they did historically, but they are also losing

their rights in certain states. Unfortunately, there's a long way to go until transgender people gain the rights and acceptance they deserve. We must start by no longer supporting politicians who use their voices to spread hate.

References

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