

Emotional Discourses of Conservative Opposition to LGBTQ2S+ Rights in the United States

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Abstract

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LGBTQ2S+ rights in the United States have seen steady rights advancements in the past two decades. However, there has recently been a rise in anti-LGBTQ2S+ laws that focus on parental rights and the well-being of children. These laws are increasingly successful despite favorable public opinion towards LGBTQ2S+ rights and increased protections for LGBTQ2S+ Americans. Following the legalization of same-sex marriage in the United States, conservative opposition to LGBTQ2S+ rights shifted away from emotional discourses of disgust to legal rights-based discourses of religious freedom and individual liberties. This discursive shift seemingly removed emotional discourses from conservative opposition to LGBTQ2S+ rights, but this project finds that this is not entirely true. Through a case study of Florida's *Don't Say Gay or Trans* bill, I ask how emotional discourses are currently being used by conservative opposition to LGBTQ2S+ rights. My findings demonstrate that emotional discourses of fear, security, and disgust are still present in contemporary conservative opposition, and that the shift to legal rights-based discourses represents a sanitization of emotional discourses that are unfavorable to an increasingly LGBTQ2S+ friendly public.

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TABLE OF CONTENTS

CHAPTER ONE: INTRODUCTION	1
Background	4
Emotional Discourse and Institutions	7
Why Florida?	9
Layout of Thesis	10
CHAPTER TWO: A REVIEW OF LGBTQ2S+ POLITICS AND THE SCHOLARSHIP ON EMOTIONS	14
Queer Theories and Politics	14
Oppositional Movements to Sexual and Gender Rights	21
Emotions in LGBTQ2S+ Politics	24
CHAPTER THREE: THE POLITICAL AND SOCIAL CONTEXT OF THE LGBTQ2S+ MOVEMENT IN THE UNITED STATES	30
LGBTQ2S+ Rights and Opposition	31
1950 through 1980: Fear and Security	31
1980 through 2000: Disgust and Moral Outrage	37
2000 until the Present: A Conflux of Emotions	48
No Promo Homo Laws (AKA “Don’t Say Gay or Trans” Bills)	62
CHAPTER FOUR: THEORY AND METHODOLOGY	65
Institutionalism and Discursive Institutionalism’s Rise	65
Studying Emotions	73
Methods	75
Case Study	75
Discursive Institutionalism and Process Tracing	75
Emotion Discourse Analysis (EDA)	77
Case Selection	79
Data Collection	82

Table 1 Policymakers and Policy Operatives Tweet Breakdown	84
Table 2 Emotional Categories of Tweets	84
Table 3 Emotional Categories of Floor Debates, Committee Hearings, and Traditional Media Sources	84
CHAPTER FIVE: FLORIDA POLITICS AND LGBTQ2S+ HISTORY	85
US Federalism and Florida	85
Florida Politics	87
LGBTQ2S+ Political History in Florida	91
CHAPTER SIX: SANITIZING EMOTIONAL DISCOURSES	97
Tracing the Emotional Discourses of HB 1557	99
Discourses of Fear	105
Discourses of Security	107
Discourses of Disgust	109
Findings and Discussion.....	112
CHAPTER SEVEN: CONCLUSION	119
REFERENCES	127

TABLE OF FIGURES

<u>Table 1 Policymakers and Public Figure Tweet Breakdown</u>	84
<u>Table 2 Emotional Categories of Tweets</u>	84
<u>Table 3 Emotional Categories of Floor Debates, Committee Hearings, and Traditional Media</u>	
<u>Sources</u>	84

Chapter One: Introduction

The United States (US) has recently witnessed a rise in anti-LGBTQ2S+ laws framed around parental rights and the well-being of children. These laws, centered primarily in Southern and Midwestern states, ban LGBTQ2S+ curriculum in public education, the use of school facilities according to a student's gender identity, gender affirming care for minors, drag shows in the presence of children, and the participation of trans students in sports that do not correspond to their sex assigned at birth. This increase in anti-LGBTQ2S+ laws comes after nearly two decades of rights advancements and increasingly positive public opinion towards LGBTQ2S+ rights. With the turn to legal rights-based discourses framed around parental rights, conservative opposition to LGBTQ2S+ rights appears to have discursively shifted away from its past emotional bases. I suggest, however, that this is not entirely true, and that conservative opposition uses parental rights to sanitize emotional discourses. This project seeks to understand what emotional discourses are present in current conservative opposition to LGBTQ2S+ rights and how they are being used. Using a discursive institutional framework, I also investigate if and how these emotional discourses change depending on the audience using the concepts of coordinative and communicative discourses. With these questions in mind, this project specifically investigates the emotions present in policy debates.

Policy studies is currently undergoing an “emotional turn”, which aims to expose and examine the ways in which emotions shape and are shaped by seemingly technocratic practice and interventions (e.g., Orsini 2017). As a corrective to approaches premised on assumptions of rationality and functionalism, the literature on emotions and policy highlights how emotions build support for policy ideas and legitimacy for policy actions (e.g., Durnova 2015; Gottweis

2012), mobilize resistance and advocacy (e.g., Orsini and Wiebe 2014; Newman 2017), frame and shape policy content (e.g., Orsini and Wiebe 2014; Paterson 2021), shape policy processes (e.g., Anderson 2017), and re/produce social relations within policy contexts (e.g., Paterson 2021; Paterson and Larios 2021). Indeed, Newman reflects on the potential of interpretive approaches to “offer a more fine grained analysis of how particular emotional regimes of governance are enacted” (2012, 465-466). This thesis draws from the scholarship on emotions in policy studies to explore the emotions currently being used by conservative opposition to LGBTQ2S+ rights.

Historically, various emotional discourses have been used by conservative opposition to LGBTQ2S+ rights, heretofore referred to as just conservative opposition or conservative forces, to mobilize political and social bases, persuade voters of anti-LGBTQ2S+ referendums and initiatives, demonize LGBTQ2S+ Americans, and legitimize political actions. For example, as I will demonstrate in Chapter Three, fear and security were used in the post-war period to openly persecute lesbian and gay government employees. During the HIV/AIDS epidemic, disgust was used to block legislation granting LGBTQ2S+ Americans rights and government benefits. Additionally, moral outrage, a variant of disgust, was used in the 2000s to institutionalize traditional understandings of sexuality and gender.

Emotional discourses are seen to be integral components of conservative forces, but social science research has not yet examined their role in the recent rise of anti-LGBTQ2S+ laws in the US. The latest change in conservative opposition saw a discursive shift from emotional discourses of disgust and moral outrage to legal discourses of rights-based arguments in the past decade (Lewis, 2017). Following the legalization of same-sex marriage nationwide, conservative forces framed their opposition in terms of religious freedoms and individual liberties. Now, the

rights-based frame has shifted to parental rights and the well-being of children. This turn towards rights-based discourses reflects similar, and successful, discursive shifts to rights-based arguments by the LGBTQ2S+ rights movement (George, 2019; Harrison & Michelson, 2017) and the pro-life movement (Saurette & Gordon, 2016), but the research largely ignores emotional discourses that may underly this turn to legal rights. In explaining the emotions present in political discourse and how they are being used, this study seeks to build on and expand research on the turn to rights-based discourses by conservative opposition.

In essence, this project seeks to investigate the emotional discourses that underly the turn to rights-based discourses. I utilize discursive institutionalism (DI) and emotion discourse analysis (EDA) to examine how emotions are being deployed strategically to mobilize public and legislative support for anti-LGBTQ2S+ bills and to examine the changes and continuities of conservative opposition over time. DI provides useful conceptual tools for this study, especially regarding how it defines discourse as either communicative or coordinative. This division, discussed in subsequent chapters, allows this project to examine if emotional discourses change depending on who the audience is. Communicative discourses refer to those between policy actors and the public, while coordinative discourses refer to those between the policy actors themselves (Schmidt, 2008, 303). This project's use of communicative and coordinative discourses will allow the data to reveal how emotional discourses are utilized and if they change depending on the audience. Specifically, I explore the role of emotions in the recent rise of anti-LGBTQ2S+ legislation through a case study of a *Don't Say Gay or Trans* bill in Florida. As one of the first states to garner intense media attention about these anti-LGBTQ2S+ laws, Florida is a useful case through which to study my research questions because it represents a bellwether in

American politics and its racial, age, and gender demographics reflects those of the entire country.

Background

On January 11, 2022, Florida State Representative Joe Harding introduced HB 1557, *Parental Rights in Education Act*, also known as the *Don't Say Gay or Trans* bill (heretofore referred to as HB 1557), to the State's House of Representatives. A similar bill, SB 1834, was introduced in the Florida Senate three days earlier, but it later died in committee. The contents of the bill provide that parents must be allowed to make decisions regarding a child's mental and physical wellbeing at school, be notified of any changes to a student's health or well-being and restrict classroom instruction on gender identity and sexuality up until the third grade or "in a manner that is not age-appropriate or developmentally appropriate" (*Parental Rights in Education Act, 2022*).

While only seven pages long, the bill sparked statewide and national backlash because it was perceived as an affront to LGBTQ2S+ rights and livelihoods. Support and opposition to the bill fell along partisan lines. Republican supporters stated that the bill is needed to bolster parental rights and protect against the indoctrination and sexualization of children in elementary school, while the Democrats who are opposed to the bill stated that the vague language forces school districts to censor all mentions of sexual and gender identities no matter the grade level. Media attention was swift and severe. Soon Florida became the modern battleground over LGBTQ2S+ rights with the media largely framing the bill as the *Don't Say Gay or Trans* bill.

The rhetoric surrounding the bill has, to a large degree, become the news story instead of the bill itself. Critics of the bill believe that supporting the bill is paramount to political

homophobia and transphobia, while supporters believe that the bill simply empowers parental rights and protects the well-being of children (Chamar, 2022; Ebrahimji et al., 2022).

Emotionally charged language has only deepened political divisions in an already deeply polarized political society (Hetherington & Weiler, 2018; Hochschild, 2016).

The situation in Florida is not unique. The current political climate in the US has witnessed a sudden increase in anti-LGBTQ2S+ legislations. Bills reinforcing cisheteronormativity in curriculum, public facilities, and sports have all been on the rise. These policies enforce traditional understandings of gender and sexuality and seek to mitigate the encroachment of so-called gender ideology. This development comes despite nearly two decade's worth of policy advancement in LGBTQ2S+ rights, including the overturning of sodomy laws in the Supreme Court case *Lawrence v. Texas* in 2003, national hate crime legislation in the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act of 2009, and more recently, the legalization of same-sex marriages in *Obergefell v. Hodges* in 2015 and the freedom from workplace discrimination on the grounds of sexuality and gender identity in *Bostock v. Clayton County* in 2020. Advancements have also occurred at the local and state level with the implementation of anti-discrimination orders on the basis of sexuality and gender identity, a push for LGBTQ2S+ inclusive curriculum and public facilities, increased accessibility in changing gender markers on state-issued driver's licenses, increased same-sex couple adoption rights, and an expansion of partnership rights through bereavement and healthcare.

On top of the domestic wins, LGBTQ2S+ activists have seen wins across the globe. Legislation forbidding same-sex relations, such as sodomy and buggery laws, are increasingly found unconstitutional by courts and legislators, and the legalization and institutionalization of same-sex couples can be seen in the passing of partnership rights and same-sex marriage in local,

state, and national governments. What is now occurring in the US is a shift in focus by conservative opposition to education policies. As a result, there is increasing polarization regarding these policies – those who are advocating for further LGBTQ2S+ rights advancements through inclusive curriculum, use of public facilities, and sports and those who are advocating for a protection of traditional gender and sexual norms. This new battlefield over parental rights and the well-being of children is not entirely new. In the 1980s, parents advocated state legislatures to pass *no promo homo* laws that prohibited school districts from instructing on topics relating to the LGBTQ2S+ community and allowed parents to withdraw their children from any topic they deemed inappropriate. These bills spread through various states but lost political saliency in the 2000s. They then reemerged in the 2020s with Florida’s HB 1557. With this project, I seek to understand how emotional discourses are currently being used by conservative forces to mobilize support for the bill. In understanding the emotional discourses, this project will also be able to speak to why HB 1557, and similar bills around the nation, are successful.

My findings suggest that despite seemingly neutral appeals to rights-based discourses, in this case parental rights, contemporary conservative opposition appeals to similar emotional discourses used by earlier anti-LGBTQ2S+ groups. In Chapter Six, I show that fear, security, and disgust are the primary emotional discourses informing conservative opposition to LGBTQ2S+ rights in HB 1557. As a result, morality and feelings of disgust continue to underlie contemporary debates and the turn to rights-based discourses by conservative forces was an attempt to sanitize their politics to appeal to a broader electorate. Fear and security directly play into this sanitization of disgust. In answering my question of how emotional discourses are being used, I find that emotional landscapes of US conservatism are predisposed to using emotional

appeals of fear and security to mobilize public and legislative support. This points to a continuation of the use of emotions by Republicans to win elections and pass legislations. I find that HB 1557, and similar bills around the country, are, in fact, nothing new. The manner through which they are passed has undergone shifts, but the contents of the bills and the emotions used all have a history in conservative opposition in the US. These bills are so successful because they are framed as a rights-based policy using fear and security which hide the fact that the policies are still rooted in emotions of disgust. My discussion in Chapter Six finds that disgust is still used in ideational creation of the bill, but it is not broadcast to the public via communicative discourses by policymakers. Disgust is only found to be present in coordinative discourses. Fear and security, on the other hand, are present in both communicative and coordinative discourses to mobilize support and legitimize the bill. This finding reveals that the shift to discourses of legal rights uses fear and security about parental rights and the well-being of children to sanitize emotional discourses that are unpopular with an increasingly LGBTQ2S+ friendly public. In this case, disgust is removed from communicative discourses but still remains apparent in coordinative discourses.

Emotional Discourse and Institutions

With the rise of anti-LGBTQ2S+ legislations across the country, it is important to understand how policymakers themselves are “selling” the bills to the public and other policymakers. Despite relatively no changes in public opinion concerning LGBTQ2S+ issues (Bishin et al., 2021), bills such as the *Don't Say Gay or Trans* legislations and anti-trans bathroom and sports bills are becoming law in more states. As of April 2023, 11 states have versions of *Don't Say Gay or Trans* bills, 20 prohibit trans participation in sports, and 7 forbid

trans students from using the bathroom that corresponds to their gender identity (Movement Advancement Project, 2023). Therefore, by understanding how policymakers are presenting the bills to the public and other elected officials, also known as communicative and coordinative discourses respectively, policy researchers may be able to understand why these bills are occurring now and the discursive strategies, including emotional discourses, that lend them legitimacy.

In this study, I examine the role of emotions in political discourse about HB 1557. Through this focus, I will examine how and what emotions were used in framing debates and in shaping the discursive attributes of conservative opposition. I am interested in how emotions were used to create the contents of HB 1557, politically legitimize it, and persuade the public and fellow policymakers to support it. Additionally, by using EDA within the context of DI, I demonstrate how the emotional discourses of HB 1557 shape political opposition to LGBTQ2S+ rights, both in the state and around the country.

Addressing these issues requires attention to discourse, emotions, and political institutions. Discourse is defined by Schmidt as “not just ideas or ‘text’ (what is said) but also context (where, when, how, and why it was said). The term refers not only to structure (what is said, or where and how) but also to agency (who said it and to whom)” (2008, 305). Emotions create the world around us and are critical components of discourse, serving as tools in ideational creation and political legitimization (Schmidt, 2017, Paterson, 2021). Political communication is an important aspect of political science research, but the role emotions play in communication through policy creation, framing, legitimization, and persuasion has only recently begun to gain importance within political science (Durnová, 2015; Jasper, 2011; Orsini, 2021). Alongside discourse and emotions in this study are institutions. Institutions include many things such as

formal rules and laws, informal norms, social organizations, and standard practices (Lowndes & Roberts, 2013, 3). While these aspects of the project can all relate to one another, they are not typically found together in political science frameworks.

One framework that offers possibilities to explore all of these dimensions is DI. According to Schmidt, the field is often broken into two aspects – the study of ideas and discourse (2008, 309). DI sets itself apart from the other branches of new institutionalism through its focus on ideas and their locations within discourse. While taking discourse seriously, as other branches do not always do, DI has the capability to incorporate emotions. Schmidt acknowledges that individuals interact with institutions as “sentient agents” and that emotions play a vital role in the interactive processes of discourses (2017). As such, DI leaves open the possibility for exploring the role of emotions in shaping individuals’ discursive abilities. To date, however, there has been little research strictly on emotions within a discursive institutional framework.

Why Florida?

Florida is a useful case to focus on these types of policies, and their embedded emotional discourses. The state was specifically chosen for three reasons. Firstly, Florida is a bellwether state in American politics (Foreman, 2018). Between 2000 and 2020, it successfully chose the presidential candidate with 83.3% accuracy (Ballotpedia, n.d.), and its statewide elections often conclude with differences of only single digits (Colburn, 2013). What this means is that the state, while run by Republicans, is not defined by Republican control. Florida as a bellwether state means that the political machinations within the state often will be seen throughout the rest of the nation. The *Don’t Say Gay or Trans* bills are a perfect example of this. Secondly, Florida’s

racial, age, and immigrant demographics reflect that of the entire nation (Colburn, 2013). With growing racial diversity, retiree populations, and immigrant communities, the state's demographics are more reflective of the US than less diverse bellwether states such as Ohio and New Hampshire. Lastly, Florida was home to the first *Don't Say Gay or Trans* bill in the nation. While its contents are not new (see *no promo homo* laws), Florida was one of the first to reintroduce such legislations in the 21st century (Movement Advancement Project, 2022). Its most ardent supporters included the policymakers themselves such as cosponsors state Representative Joe Harding and state Senator Dennis Baxley, parents of children who were "pressured" to transition such as January Littlejohn and Erin Lovely, and conservative groups in the state such as the Florida Family Policy Council. Its most outspoken opponents included nearly every elected Democrat to hold office in Florida and LGBTQ2S+ organizations in the state such as Florida Equality and the Florida Coalition for Trans Liberation.

Layout of Thesis

Chapter Two situates this study at the intersection of LGBTQ2S+ emotional discourse, and institutional studies. This project bridges several literatures that address gaps in each other. For example, there exists a gap in LGBTQ2S+ studies about discursive opposition to rights advancements after the legalization of same-sex marriage. Whereas the literature agrees that conservative opposition before *Obergefell v. Hodges* was based on frames of morality and religiosity, there have been few discursive studies on opposition occurring after this turning point for LGBTQ2S+ rights in the US. In addition, as noted above, despite their potential significance, the DI literature has been largely silent on the role of emotions in understanding institutional continuity and change, as well as overarching power dynamics. The use of institutionalism in this

project also reveals gaps in EDA studies in how they acknowledge institutions, but do not examine how they may, or may not, influence and shape emotional discourses.

This project utilizes DI for its attention to institutions and discourses over time. Through incorporating the concepts of change and continuity from institutionalism, this project will be able to explain and understand how conservative opposition has discursively changed and stayed the same over time since the 1950s. DI provides insightful conceptual tools to examine how ideas and discourse can shape institutions and political environments, but the framework does not explain how to analyze emotions inherent in certain discourses. This is where the adoption of EDA into my theoretical framework comes into play. By adding a framework specifically tailored to analyzing emotions, I will be able to bridge together institutional and emotional research agendas to answer my research questions. Both frameworks are also useful to answer my questions of what emotional discourses are being used and how are they being used. DI and EDA are both capable of analyzing discourse to speak to larger socio-political environments through their investigation of ideas, emotions, discourses, and contexts.

Following the literature review, Chapter Three turns to contextualizing the current political and social context of LGBTQ2S+ rights in the US. Specifically, this chapter delves into rights advancements for LGBTQ2S+ populations and the conservative movement against these rights. Beginning in the 1950s, this chapter explains how LGBTQ2S+ politics and their opposition have evolved since the beginning of LGBTQ2S+ activism. In essence, this chapter serves as a timeline for LGBTQ2S+ activism, rights advancement, and conservative opposition in the US. While examining past movements, this chapter also details dominant emotional frames used by conservative forces since the 1950s to set the stage for my analyses in Chapters Six and Seven.

Chapter Four introduces the theory and methodology of this thesis. This project uses case study methods, process tracing, and EDA. Additionally, I explain the case selection and how the data was gathered in this chapter. This project seeks to investigate the emotional discourses used in support of the bill. To do this, I evaluate political communication from Florida policymakers through Tweets, interviews, press releases, committee hearings, and floor debates. To analyze the data gathered from these sources, I integrate DI and EDA frameworks to reveal how these emotions were used to construct and legitimize HB 1557.

Chapter Five details Florida's political system and legislative history. This chapter seeks to provide a primer on US federalism, political conservatism, and LGBTQ2S+ rights history in the state. The inclusion of a chapter focusing on Florida sets the stage to analyze and critique the discourses inherent in debate about HB 1557.

Chapter Six then provides the findings from my analysis of emotional discourses present in the debate about HB 1557. This chapter begins with tracing HB 1557 through contexts provided in Chapters Three and Five. The chapter then breaks down the emotional discourses used in support of HB 1557. Through this investigation into HB 1557, I found that emotional discourses of fear, security, and disgust were most present in debate. Chapter 6 concludes by analyzing the emotional discourses to begin answering the research questions. Specifically, the findings speak to coordinative and communicative discourses inherent in the debate, emotions in social media research, how emotional discourses are being used, and how HB 1557 is being passed. Using the concepts of coordinative and communicative discourses, I find that conservative opposition in HB 1557 sanitizes emotional discourses of disgust towards the public. Instead, policymakers use emotional discourses of fear and security when speaking towards the public, while disgust is only present in discourse between policymakers themselves.

Additionally, the findings agree with previous literature finding that social media discourse is more emotional than traditional media sources.

Lastly, Chapter Seven wraps up the project by summarizing key findings and discussing the emotional landscapes of US conservatism. I conclude by discussing how HB 1557 and similar bills around the nation are successful due to their use of emotional discourses. My findings suggest that due to the similar emotional discourses in contemporary conservative opposition compared to past opposition movements, the rise in anti-LGBTQ2S+ laws is nothing new. Their success can then be contributed to the effective use of emotions within a rights-based discourse. The chapter also highlights the theoretical and empirical contributions of the study to the political science literature. First, it makes a theoretical contribution to the literature on institutions, notably DI, by elaborating on the role of emotions in discursive practices. Second, the study makes an empirical contribution to ongoing LGBTQ2S+ studies research by providing a contextualization of what discourses are being used against rights advancement through the emotional rhetoric used in Florida by elected officials and ideational leaders. Research on the rights-turn in conservative opposition largely ignored emotional discourses (Lewis, 2017), but this project focuses on them to determine how they are being used how they increase saliency. The chapter ends with a discussion of future research projects. Firstly, the study of the rise in anti-LGBTQ2S+ laws can be expanded to investigate more laws in different parts of the country to test if the findings remain true. Secondly, the parental rights movement has recently moved to Canada. A future research project could compare the movements in the US and Canada to investigate their ideological origins, use of emotions, and their effectiveness between the two countries. Lastly, another project could investigate the degree to which policy venues influence the emotional discourses used by conservative opposition to LGBTQ2S+ rights.

Chapter Two: A Review of LGBTQ2S+ Politics and the Scholarship on Emotions

Queer Theories and Politics

As a branch of critical theory research, queer theory examines and questions dominant norms in societies. This includes resisting the categorization of individuals, challenging essential identities, questioning binaries, demonstrating the necessity of context, and examining power relations (Barker and Scheele, 2016, 31). The discipline researches many issues related to queerness, but what is important to understand before turning towards queer politics is how the literature views and understands sexuality and gender.

Nearly all scholars within queer theory view sexuality as a human construct (Foucault, 1978; Weeks, 2017; Sullivan, 2003). Foucault sees sexuality as a historical construct and the “transfer point for relations of power” (Foucault, 1978, 103). Similarly, Weeks finds that it holds no inner truth (Weeks, 2017, 5). Taken just by itself, this literature tells us that sexuality itself is a human invention with no meaning to the characters who inhabit them. Being “gay, straight, or bisexual” does not limit one to a certain set of characteristics. Instead, the literature teaches that sexuality is a nexus of power relations, government interventions, and bodily autonomy. Moreover, scholarship on the history of sexuality points to the fact that there is very little history of sexuality until state intervention into the sex lives of its citizens (Blank 2012; Halperin 1989; Weeks, 2017). Heterosexuality and homosexuality were not perceived as self-identities or state recognized identities before the 19th century when German and British scholars and legislators created the terms to amend state penal codes (Blank, 2012, 16-17; Weeks, 2017, 53).

Building on this, Butler argues that gender is also socially constructed over time through government legislation and societal norms. In *Gender Trouble*, Butler builds on the theory of

performativity in which gender is all but socially constructed and buttressed through repeated actions such as speech, gender relations, and interpersonal actions (Butler, 1999, xiv – xv). Over time, institutions maintain this status quo of both sexuality and gender through various legislations, operating practices, and norms (Holmes, 2020, 217).

Governments are directly involved in the creation/construction of sexuality and gender as identities, dictating what is and is not acceptable concerning one's sex-life and gender identity. From this, the state has produced an image of the appropriate "queer" and the acceptable "genders" through which individuals can inhabit. This binary of acceptable or unacceptable identities and behaviors is, however, thoroughly critiqued by queer theorists (Butler, 1999; Conrad, 2014; Gentile & Kinsman, 2017; Puar, 2007). The state's involvement in defining the acceptable queer is exceptionally clear within the field of queer migration (Lewis & Naples, 2014; Mayo-Adam, 2020; Murray, 2014). Applicants who apply for refugee status based on sexuality often find that state definitions of queerness are restrictive. For example, a gay male applicant's sexuality would come into question if they reported having a girlfriend in the past. Additionally, identities beyond the sexual and gender binaries are often not understood by the state as an acceptable cause for refugee status (Rehaag, 2021). At the same time, however, many queer people actively resist this notion of "acceptable queer." Conrad, through various other authors, shows that queer livelihoods and activists are still actively resisting state messaging to incorporate the "queer" into nationalistic propagandas (Conrad, 2014).

This literature teaches that queer politics, for the most part, are a result of government intervention due to the creation of identities such as heterosexual and homosexual. What is occurring in Florida with HB 1557, and around the country with various other legislation that seeks to regulate queerness in schools, is only a continuation of state intervention on queer

bodies. Sexuality and gender are understood not as innate characteristics but as learned through social norms, everyday acts, and government interventions. While they may act as identity categories in today's political environment, they are just mere social constructs built upon by decades of norms, speech, acts, interventions, and changing characteristics. The state plays a large role in defining those characteristics, and HB 1557 is simply a continuation of the state's role in queerness.

The theoretical literature's emphasis on social constructions and power relations naturally points us into the direction of the politics of sexuality and gender identity. Relevant to this project are lesbian and gay studies, which were first introduced to academia during the 1970s, at the height of the Gay Liberation Movement (Kaczorowski, 2004, 1). As a predecessor to queer theory, it sought to examine how gender and sexuality are historically and contemporaneously viewed and presented through varying methods. The field also studied how gender and sexuality are constructed and regulated; however, unlike queer theory, lesbian and gay studies use existing categories of identification, such as gay and lesbian, in their research agendas (Kaczorowski, 2004, 3). Whereas queer theory would investigate heterosexual biases and binaries, lesbian and gay studies focus on questions directly related to homosexuality and gender non-conformity in society. Two authors that demonstrate this focus on questions within these categories are Gayle Rubin's work on how sexuality and gender differences are related, but not the same (2012), and Miriam Smith's institutional approach to understanding lesbian and gay rights advancement in the US and Canada (2008).

Lesbian and gay studies is attributed to have started, or at least grown in popularity, during the 1970s due to the rise of the Gay Liberation Movement and the workings of the Gay Academic Union (Cook, 1999, 1; Kaczorowski, 2004, 1). Despite numerous political events

concerning the LGBTQ2S+ population occurring from the 1950s through the 1990s and the growth of lesbian and gay studies, political science was largely silent on questions of sexuality and gender (Cook, 1999, 679). In their review of the first wave of lesbian and gay research within political science, Cook hypothesizes three reasons for this silence. Whereas other social sciences adapted well to the inclusion of lesbian and gay studies, for example sociology, political science was slow to take up the field due to the discipline's focus on formal governmental institutions and processes, theoretical and methodological complexity in research agendas, and due to a question of the neutrality in lesbian and gay studies (Cook, 1999, 680-681).

Despite a hesitant start, after 1996, political science began focusing more of its attention to lesbian and gay studies. The first wave of studies within political science covered topics such as HIV/AIDS activism, defining lesbian, gay, and bisexual identities, LGB voting patterns, and public opinion on lesbian and gays in the military (Cook, 1999; Wilson & Burgess, 2007). Largely focusing within concrete ideas established in political science – activism, public opinion, political engagement – this earlier scholarship would influence how the discipline would come to study queer populations and politics. At the turn of the century, “shifts in political discourse” about the state's role in regulating sexuality led political science in the US to begin asking questions about the Christian Right's connection to the Republican Party and conservative opposition to LGBTQ2S+ rights, state intervention into the sex lives of its citizens, and the increasing public support for LGBTQ2S+ friendly policies (Wilson & Burgess, 2007). From here, the study of sexuality and gender went beyond just lesbian and gay politics.

Queer political research agendas are seen to improve, enrich, and contribute to political theories and thoughts because, at its core, the study of sexuality and gender is about power and politics (Ayoub, 2022, 156; Mucciaroni, 2011, 20). Political science research on the LGBTQ2S+

community has begun to permeate all throughout the discipline. Additionally, activism to become more inclusive of the various definitions of sexuality and gender identity has led lesbian and gay studies to now be known as LGBT or LGBTQ2S+ studies (Ayoub, 2022; Mucciaroni, 2011). Summing up the broad areas of focus, Tadlock and Taylor find that LGBTQ2S+ political science research includes studies on attitudes, social movements, global issues, federal institutions, state and local institutions, political participation and communication, political theory, and political administration (2017, 222).

Despite its contributions, LGBTQ2S+ studies continues to be undervalued and underutilized within political science (Ayoub, 2022, 156; Mucciaroni, 2011, 17; Novok & Barclay, 2010). Mucciaroni states that the skepticism persistent in the discipline could be due to three reasons: identity politics reducing the study of politics to, “parochial group struggles at the expense of transcendent, ‘universal’ values,” the idea that studying LGBTQ2S+ politics is a form of political advocacy within academia, and the perception that the study of LGBTQ2S+ politics being incompatible with the goal in social science to make generalizations (2011, 17 – 18). The hesitance of the field to study queer issues and the skepticism that surrounds LGBTQ2S+ research in political science leads scholars exploring these issues to have to explain their importance to greater detail. While some choose not to for justified reasons (Ayoub, 2022, 156), I will offer a short explanation of the positionality of this study in political science literature. The origins of LGBTQ2S+ studies have a background in issues of power and politics, but the field has gone beyond this to employ diverse research methods and approaches. This project will add to literature on political discourse and conservative opposition in the US through a case study of HB 1557 in Florida. Recent literature has shown a resurgence in anti-LGBTQ2S+ and anti-gender discourses around the globe, and I believe that the case will be able to answer how these

global discourses are contextualized within the US. Additionally, this case study will also contribute to the “emotional turn” in policy research by investigating what emotional discourses are currently being used by the conservative opposition (Orsini, 2017).

Before moving on, it is important to note the frameworks that have been used to study LGBTQ2S+ politics up until this point. Much of LGBTQ2S+ political science literature examines public opinion and morality issues in their research agendas (Smith, 2008), but the theoretical reaches and frameworks of LGBTQ2S+ politics are near limitless. Such frameworks include power relations, national identity, human rights, international organizations, social movements, policy diffusion, advocacy groups, political psychology, foreign policy, among many others (Ayoub, 2022, 156 – 157). There is also a growing literature of LGBTQ2S+ politics within new institutionalism (Monro, 2007, Smith, 2018; Sommer et al., 2013). These frameworks explain how institutions, ranging from societal norms to past policies, influence the political life of the LGBTQ2S+ community. More specifically, the literature within historical institutionalism is rich with scholarship explaining the evolution of LGBTQ2S+ rights around the world using concepts of path dependency, founding legacies, and incremental change (Smith, 2008; Sommer et al., 2013; Winter et al., 2018). Thus, HI has proven to be a useful framework to investigate LGBTQ2S+ politics and their evolutions. While the study of LGBTQ2S+ politics does have its background in institutional literature, that literature downplays how policies and rights are framed and discussed. This leads us to note the literature on how LGBTQ2S+ rights advocacy and opposition have been framed.

Entman provides a useful conceptualization of framing by stating, “Framing essentially involves selection and salience. To frame is to select some aspects of a perceived reality and make them more salient in a communicating text, in such a way as to promote a particular

problem definition, causal interpretation, moral evaluation, and/or treatment recommendation” (1993, 52). In the realm of LGBTQ2S+ politics, framing serves as an important tool for advocates and oppositional forces alike. In the early 2000s, LGBTQ2S+ advocates were hesitant to frame their demands along human rights for fear of judicial decisions that would rule against LGBTQ2S+ rights, thus making future advocacy more difficult (Mertus, 2007). Following several rights advancements in the 2000s, however, the human rights frame was adopted in the 2010s due to its success in overturning sodomy laws, legalizing same-sex marriage, and protecting LGBTQ2S+ couples’ adoption rights (Harrison & Michelson, 2017). This frame has lasted even beyond the same-sex marriage debate, with LGBTQ2S+ advocates using the language of civil rights in their discourses to protect the right to use the bathroom corresponding to one’s gender identity (George, 2019). Conservative forces framed their opposition in morality and religion leading into the 2010s but switched to a rights-based frame after 2015 with the legalization of same-sex marriage nationwide (Lewis, 2017).

In addition to shaping how we *think* about issues, frames and framing influence how we *feel* about issues (Orsini and Wiebe, 2014). Emotions are critical aspects of frames that help empower their saliency (Harrison & Michelson, 2017). Similar to the scholarship on emotional landscapes and the ordering of emotions, the scholarship on framing teaches that multiple frames can exist at one time (Stone, 2016, 461). LGBTQ2S+ advocates have used several frames in addition to the human-rights based legal framework. For example, in Hawaii, advocates for same-sex marriage used frames based on acceptance and tolerance while opponents used frames that centered on morality and democracy (Hull, 2001).

What the literature on LGBTQ2S+ framing does not include, however, is an inclusion of the role institutions play in framing and how frames themselves shape institutions. In Chapter

Four, I will present a framework that aims to bridge the gap between institutions and framing to explore the potential emotions have in shaping both.

Oppositional Movements to Sexual and Gender Rights

For decades, conservative movements and the social right have used political rhetoric and debates to mobilize their bases against gender and sexual rights advancements (Bishin et al., 2021; Fangen & Skjelsbæk, 2020; Fassin, 2020; Korolczuk & Graff, 2018; Kuhar & Paternotte, 2017; Smith 2008). One of the most recent mobilizations against gender and sexual rights around the world is the anti-gender movement. These movements seek to abolish or stall rights advancements for gender and sexual minorities through a critique of ‘gender ideology’. Having first risen in Europe and Latin America, these movements can now be seen around the world (Fassin, 2020). They relate directly to the case at hand because in many countries these movements incorporate some degree of opposition to discussions of gender and sexuality in public institutions (Kuhar & Paternotte, 2017).

While these movements share many similarities across borders, scholars offer different explanations for how and why these movements came to be. Korolczuk and Graff see these anti-gender movements as forms of illiberal populism that see social and conservative forces adopting the legal-rights framework of sexual and feminist activism replacing, “...individual rights with rights of the family as a basic societal unity and depict[ing] religious conservatives as an embattled minority” (2018, 798). Similarly, Fassin sees the rise of these movements in the 2000s and the 2010s as a result of neoliberalism and the surge in illiberal democracies (2020). On the other hand, through a more socio-political lens, scholars have found that these movements have gained in popularity because heteronormativity has been seriously threatened. Fangen and

Skjelsbæk argue that anti-gender movements constitute, "...the rise of a new form of patriarchy and masculine norms and grievances, as well as the fear of a low traditional values" (2020, 411). Similarly, Kuhar and Paternotte find that these movements feel a need to protect heteronormativity through the demonization of 'gender ideology' (2017). They further stipulate that these movements utilize the politics of fear and moral panics to grow their following and mobilize their base against gender and sexual ideologies in public institutions (2017).

These socio-political investigations into loss of status and threatened heteronormativity mirror Hochschild's research on affective polarization in the US (2016). In *Strangers in Their Own Land*, Hochschild explains why conservative Americans vote against public programs that would help boost local economic, health, and environmental concerns. She calls this the Great Paradox (2016, 18-19). Instead of assuming that conservatives vote contradictorily, Hochschild attributes the divide between conservatives and liberals to differing cultural values and perceptions of the world. As the title suggests, Hochschild explains how the conservative base, largely white and male, has increasingly felt like strangers in their "own" land because of changing moral, racial, and gender norms in 21st century America (2016). While the opposition to inclusive curriculum in the US could be considered an anti-gender movement, these movements have primarily been studied through the contexts of Europe and Latin America. To some degree, these movements have been active in the US since the implementation of *no promo homo laws*, but it was not until Donald Trump came into the presidency that the US was studied as a prominent country with anti-gender movements (Fassin, 2020).

While the movement against 'gender ideology' has only recently been studied by scholars, the study of anti-LGBTQ2S+ backlash has been present since the beginning of sexual rights activism in the US (Cook, 1999; Encarnación, 2020; Wilson & Burgess, 2007). For every

well-organized LGBTQ2S+ rights movement, there has been an equally organized backlash movement made up of conservative and religious forces (Encarnación, 2020). From 1974 through 2009, there were over 245 anti-LGBTQ2S+ rights ballot initiatives that sought to overturn or restrict LGBTQ2S+ rights (Stone, 2012, 6). Such initiatives sought to define marriage along traditional gender roles, restrict the implementation of anti-discrimination laws, and uphold state sodomy legislation.

The literature on backlash movements shows that they are integral to the nature of politics, but the study of such movements within political science has been surprisingly sparse (Alter & Zürn, 2020, 1). In their work on backlashes, Alter and Zürn find that all backlash movements have three defining elements, "...a (1) retrograde objective as well as (2) extraordinary goals and tactics that have (3) reached the threshold of entering mainstream public discourse" (2020, 2). These movements use ideational memories of the "past" to reshape current institutions. To achieve their goals, backlash movements utilize accelerants to mobilize others to their cause. These accelerants include, "...(1) emotive elements, which for backlashers are often suffused with the haze of nostalgia; (2) taboo breaking and new political strategies; [and] (3) challenges to procedures and institutions associated with dominant script" (2020, 6). Finally, backlash movements end in one of three ways – no change, fundamental change, or social reversion (Alter & Zürn, 2020, 2). These movements can either fizzle out or be repressed, can form new cleavages and dominant scripts that get incorporated into "ordinary politics," or contribute to fundamental changes in a polity by ushering in retrogressive political or social changes (Alter & Zürn, 2020, 2-3). Based on this assessment, Encarnación posits that gay rights backlash is an exemplary model for research investigating the politics of backlash through its retrograde objectives and use of political and social strategies that are "...norm-breaking and

fueled by the loss of status” (2020, 645-655). However, some researchers have found that instead of a mass opinion backlash (MOB) towards LGBTQ2S+ rights advancements, there has been an elite-driven counter mobilization (Bishin et al., 2020, 233-255).

Anti-gender movements have been studied through the lens of socio-politics and neoliberalism (Fangen & Skjelsbæk, 2020; Fassin, 2020; Korolczuk & Graff, 2018; Kuhar & Paternotte, 2017), but have lacked an in-depth analysis of the affective powers of emotions on political discourse. Kuhar and Paternotte recognize the “emotional registers” oppositional forces use to affect change, but do not focus their research on such affective powers (2017, 53). Similarly, the literature on backlash movements and countermobilization largely sets aside emotions in their research (Alter and Zürn, 2020; Bishin et. al, 2021, Encarnación, 2020). Alter and Zürn recognize the “emotive elements” in backlash politics, but largely focuses on the discourse of nostalgia and past remembering instead (2020, 6). This project hopes to fill in this gap on the rise of mobilization against ‘gender ideology’ in the US and backlash to LGBTQ2S+ rights by focusing on the emotional aspects of political discourse in the passing of Florida’s HB 1557. The next section provides an overview of some of the research on emotions and LGBTQ2S+ politics in the US.

Emotions in LGBTQ2S+ Politics

With the recent turn towards emotions in political science (Durnová, 2019; Jaspar, 2011; Orsini, 2021), the arc of LGBTQ2S+ history has been studied for its emotional discourses and frames. Scholarship on sexuality inherently contends with *passion* and *preferences* which lend themselves well to research studying emotions. The focus of this project is on conservative opposition, and specifically what emotional frames and discourses they use to push through anti-

LGBTQ2S+ legislations. These frames and discourses constitute the emotional landscape of anti-LGBTQ2S+ mobilization that has ordered the emotions felt and employed towards these endeavors in various ways from 1950 to the present era. Defined by Orsini and Wiebe, emotional landscapes refer to the “emotional environment of politics” (2014, 151). This environment includes discourses, institutions, and actors which detail how “...emotions can be molded, manipulated, and hitched to certain interests” (Orsini, 2017, 7; Paterson, 2021, 256). What understanding emotional landscapes provides is the knowledge that the use of emotions in policy arenas is often intentional and consequential (Orsini, 2017, 7).

The literature on emotions and conservative opposition does not follow a linear path; instead, it teaches that emotional landscapes surrounding LGBTQ2S+ politics involve many emotions happening simultaneously. The order in which they occur goes through periods of change and continuity which lends itself well to institutional research (Orsini & Wiebe, 2014, 151). Emotions may evolve with public opinion, lay dormant until certain cleavages are renewed in socio-political discourse, or remain the same for years. This section briefly details what emotions the literature has discovered to have been used by conservative forces. The following chapter then contextualizes when certain emotions were more frequently used in oppositional discourse.

The literature on emotional opposition to LGBTQ2S+ rights explains that fear and the emotion of security are two important emotions in conservative opponents’ communicative repertoire (Anabtawi, 2022; Bishin et al., 2021; Griffith, 1987; Johnson, 2004). Fear is an emotional frame that seeks to scare, warn of danger, and cause panic while the emotion of security incorporates feelings related to protection, safety, and insecurity. Security can have different connotations depending on the context, but what binds these different meanings

together is a fear of *something*. In this regard, security is often always related to fear, whether it be a fear of attack or fear of status loss. In Chapter Three, I show that homosexuals and gender diverse people were thought to be security risks to the nation, moral deviants, and harmful both to themselves and society (Anabtawi, 2022). Fear and security were used by conservative opponents when LGBTQ2S+ activism first began to advocate for rights advancements from the 1950s through the 1970s. The emotions used by conservative forces attempted to paint homosexuals and gender deviants as something to be afraid of, and that there was a need to secure and protect cisheteronormativity. Initial activism by LGBTQ2S+ rights advocates led to few political wins (Smith, 2008) as emotional discourses on fear and security were sufficient to secure anti-LGBTQ2S+ legislations. Research from both Anabtawi and Johnson (2022; 2004) explore how fear and security were used in oppositional discourses during the Lavender Scare. Discussed in Chapter Three, the Lavender Scare was federal purge of lesbian and gay government employees due to perceived security risk. Anabtawi and Johnson found that the discourses of policymakers and ideational leaders opposed to LGBTQ2S+ rights used emotions of fear and security to frame lesbian and gay government employees as national security risks and vulnerable to blackmail by Communists due to their queerness (2022; 2004). Their research demonstrates how discourses of fear and security towards the LGBTQ2S+ community can be a successful strategy to block LGBTQ2S+ rights because it legitimizes anti-LGBTQ2S+ laws and persuades policymakers and the public of a need to pass openly hateful legislations. Discussed in Chapter Five, the Lavender Scare, based on emotional discourses of fear and security, spread around the country and had similar purges in various states. One example of this was the Johns Committee in Florida (Terl, 2000).

This does not mean, however, that fear and security were the only emotions to be found by academic sources. Disgust and moral outrage were also illuminated by the literature to be important emotional frames used by conservative opposition movements, especially from the 1980s through the beginning of the 2010s (Casey, 2016; Gadarian & der Vort 2018; Lewis, 2017; Rimmerman, 2015). Based on religion and cisheteronormativity, discourses using disgust and moral outrage sought to politically other LGBTQ2S+ citizens and activists by framing them as aberrant and perverse in hopes to deny them political rights. Research by Rimmerman and Epstein on the HIV/AIDS epidemic demonstrates how emotional discourses of disgust and moral outrage were used to block laws and government funding that would have helped LGBTQ2S+ communities affected by the epidemic (2015; 1996). The discourses used during the height of HIV/AIDS, discussed in the next chapter, used disgust and moral outrage by comparing homosexuality to topics such as diseases, blood, sexually transmitted viruses, heavenly punishment, and pedophilia. Through his research, Rimmerman found that these emotions were used to mobilize social and religious conservatives around the country to the polls (2015). Subsequent research on the politics of disgust supports Rimmerman's findings, showing how the emotions of disgust and beliefs in morality serve as mobilizing factor in conservative politics (Casey, 2016; Lewis, 2017; Schilt & Westbrook, 2015).

Research on the emotional discourses of conservative opposition shows how security and fear were used from the 1950s through the 1970s, and how disgust and moral outrage were used from the 1980s through the beginning of the 2010s. Following the legalization of same-sex marriage in 2015, however, emotional discourses were discarded in favor of rights-seeking discourses by LGBTQ2S+ rights opponents (Lewis, 2017). Lewis explores how the Christian Right underwent this discursive shift following the *Obergefell v. Hodges* ruling in 2015. His

findings highlight how the Christian Right and other conservative forces discursively shifted away from emotional discourses of disgust and moral outrage to reflect legal right-seeking discourses of more successful movements such as the pro-life movement and the LGBTQ2S+ rights movement (2017). Research by Bishin et al. on elite-led mobilization against LGBTQ2S+ rights in the US agrees with Lewis' findings of a rights turn in conservative opposition (2021). The discursive shift to rights-seeking is not disputed by this study, in fact my findings agree with Lewis' claim; however, what remains to be investigated is how emotional discourses are still being used in contemporary conservative opposition.

The literature on conservative opposition in the US clearly elaborates on the emotional discourses used from 1950 through 2015, but it does not extend past the legalization of same-sex marriage. This project seeks to extend the literature by investigating the emotional discourses present in the current rise of anti-LGBTQ2S+ laws in the US. To accomplish this, I focus on the case study of HB 1557 in Florida. I examine HB 1557 in Florida because it was one of the first bills to be passed in the current increase of anti-LGBTQ2S+ legislations and because Florida provides a political context that can be applied to the entire country due to its history, demographics, and political culture. By the conclusion, I hope to answer the questions of how emotional discourses are being used in debate supporting HB 1557.

The overarching theoretical framework of this study employs new institutionalism alongside political and emotional discourses, but the two often ignore each other. My theoretical framework, discussed in Chapter Four, seeks to bridge these gaps by utilizing DI and EDA. DI provides the necessary tools to analyze discourse and framing within an institutional context while also leaving room for the study of the affective power of emotions. The combination of

institutionalism and emotionally charged political discourse will be able to answer my research questions.

Chapter Three: The Political and Social Context of the LGBTQ2S+ Movement in the United States

LGBTQ2S+ history in the US and around the globe is characterized by state interventions. Internationally, the struggle to protect and enhance LGBTQ2S+ rights did not become a dominant norm in rights-based discourses until the 21st century (Belmonte, 2020, 1). As of 2019, 123 countries in the 193 UN body have legalized same-sex sexual acts. International trends show that LGBTQ2S+ rights are increasing, and studies have shown that countries still criminalizing same-sex sexual acts have those policies rooted in vestiges of colonial legacies (Mayo-Adam, 2020). The trend of LGBTQ2S+ rights internationally is similar to rights advancements in the US. Characterized by repeated state interventions, religious interferences, and changing norms, LGBTQ2S+ history in the US is multifaceted. Due to scholarship in the fields of sociology and political science, there has emerged a common understanding of queer history and activism. While not every event is presented in this section, it is important to address the storied history queer people have faced in the US to achieve two goals – to collectively remember the past that many wish to see erased, and to look for clues as to how past policy advancements and defeats, activism, emotional discourses, and socio-political opposition might influence current political and social climates regarding the surge in anti-LGBTQ2S+ bills. This discussion also details how emotions have been deployed by anti-LGBTQ2S+ forces. The emotional landscapes shift depending on the period or issue, but this chapter serves as a primer to understand how emotions have been deployed by oppositional forces leading up to the passage of HB 1557. It is structured by three periods: 1950 through 1980, 1980 through 2000, and 2000 to the present. Each period is additionally categorized by the emotional frames most dominant in

conservative opposition. Depending on which opponents are discussed, the emotional framing varies by period and issue, but overarching shifts in emotional discourses can be seen through the decades. For example, religious opposition to LGBTQ2S+ rights often use moral outrage and disgust, but this is not always true of policymakers who shift from fear and security to disgust and security. Each period was therefore categorized by the emotional frames most often used by all opposition to LGBTQ2S+ rights in the specific time frame.

LGBTQ2S+ Rights and Opposition

1950 through 1980: Fear and Security

From the tireless queer activism of the last 70 years, LGBTQ2S+ rights have grown at a quick pace; however, this has not come without its challenges and opposition. In the US, especially during the 1950s through the 1980s, human rights protections were hard to pass with concrete assurances due to religious and conservative opposition (Encarnación, 2020; Smith, 2008). The emotional discourses most prominent in this period were fear and security. Specifically, conservative forces in this period were afraid that LGBTQ2S+ Americans were secret communists or could be vulnerable to blackmail by America's enemies. In tandem with this fear, opposition to LGBTQ2S+ rights used discourses of security to legitimize the persecution of LGBTQ2S+ Americans due to their view of the LGBTQ2S+ community as a "security threat". Contextually, LGBTQ2S+ activists faced many difficulties in right advancements during this period. These difficulties can be summarized into two points. Firstly, this was a turbulent political period in US history given the Vietnam War, the Cold War, the Counterculture Movement, the Civil Rights Movement, and Watergate. As a result, it was difficult for queer activists to convince politicians and court bodies to take their issues seriously.

Secondly, and perhaps more importantly, public opinion on lesbian and gay issues was not outwardly friendly (Sullivan, 2003). The Lavender Scare of the 1950s sums up the precarious position of queer people during this period. Starting from President Truman's tenure and completed under President Eisenhower's, over 1,200 gays and lesbians were fired from federal public service due to the suspicion that their sexuality could be used as blackmail and fear that they were secret communists. Suspicion was at its highest after the publication of the Hoey Report in the Senate, which called for the dismissal of lesbian and gay federal employees due to violating sodomy laws and weak moral characters (Bishin et al., 2021, 122-123; Rubin, 2012).

The emotional framing of this period can be seen through the support from the presidential administrations, media coverage, and the contents of the Hoey Report which show how the electorate and conservative forces viewed lesbian and gay Americans through emotional lenses of fear and security. Examples include Senator Styles Bridges stating, "A man doesn't have to be a spy or a Communist to be a bad security risk. He can be a drunkard or a criminal or a homosexual" and tabloid journalist Arthur Guy Matthews labeling homosexuality as "Stalin's Atom Bomb" (Johnson, 2004, 23, 37).

Nevertheless, openly queer activism in the US began with the Homophile Movement in the 1950s and 1960s (Barker and Scheele, 2016; Ashley, 2015; Sullivan, 2003). This movement focused on the assimilation of citizens with same-sex attractions into heterosexual society, which meant that any larger discussion of gender identity and sexuality beyond "gay" or "straight" did not take place. Consequently, the Homophile Movement is remembered in the modern era as the conservative precursor to the Gay Liberation Movement that ran from the 1970s through the 1990s. The homophiles fought for a divide between the public and the private, so that gay and lesbian individuals could enjoy their love lives free from public scrutiny (Sullivan, 2003, 22).

This was a direct result of the Lavender Scare where lesbian and gay professionals were being fired due to “private pleasures” (Johnson, 2004). As a result, the movement’s rationale was an appeal to a common sense of humanity, saying that gay and lesbians were no different from their heterosexual counterparts.

This framing utilized emotional rhetoric based on tolerance. In this vein, the homophiles did not want any revolution against the state; rather, they wanted to be incorporated within it without persecution. Despite largely being considered as a conservative movement by modern activists and academics alike, several sources paint the picture that the homophile movement had two tasks. One was to assimilate with heterosexual society, but its “hidden agenda” was to begin organizing lesbian and gay communities, something that had not been done before, for more radical undertakings against the heteronormative society pervasive throughout the US (Ashley, 2015, 29-31; Sullivan, 2003, 22). As proof of this radical background, Ashley provides evidence towards the fact that many homophile organizations were founded by members of the Communist Party and activists with radical tendencies (2015, 29). As the movement grew, however, these communist and radical members were either kicked out or forced into silence as McCarthyism grew around the country. The Homophile Movement’s success in organizing gay and lesbians for the first time in tandem with their secret radical motives laid the groundwork for gay liberation in the following decades. Overall, the Homophile Movement achieved two things – the implementation of several anti-discrimination ordinances and the organization of grassroots LGBTQ2S+ activism.

The Gay Liberation Movement followed the Homophile Movement towards the end of the 1960s. The movement traces its origins to the Stonewall Riots of 1969. Unlike their predecessor, the liberation movement was outwardly radical in its goals and activism (Barker &

Scheele, 2016, Ashley, 2015; Gentile & Kinsman, 2017; Smith, 1998). The events leading up to the Stonewall Riots proved to be the tipping point in queer activism. Whereas the Homophile Movement asked for acceptance, the Gay Liberation Movement demanded it. Instead of hiding their identities, activists in the late 1960s to the mid-1980s openly contested sexual and gendered norms in society. Those in the liberation movement thought members of the Homophile Movement promoted an assimilationist model to lesbian and gay activism because they were ashamed of their sexuality. Instead, the liberation movement promoted coming out and pride/trans marches to create a more just society for queer people (Sullivan, 2003, 29). Unlike the Homophile Movement's belief in assimilation, Gay Liberation believed in fighting against sexual and gendered norms in society to create their own space.

The catalyst of the Gay Liberation Movement came during the Stonewall Riots in 1969 when police attempted to raid the Stonewall Inn which was one of the few bars in New York City welcoming LGBTQ2S+ clientele. Tired of police raids and surveillance, fed up patrons of the bar fought against the police. Soon after, LGBTQ2S+ activism exploded with increased news coverage and yearly pride/trans parades. The movement was led by drag queens and trans activists who were present at Stonewall such as Marsha P. Johnson and Sylvia Rivera (Stein, 2019).

Despite the newfound vigor and activity, the liberation movement was characterized by neglect and racism to the most marginalized in their ranks. In a speech during New York City's 1973 Pride, Sylvia Rivera called out the increasing cisheteronormativity and racism in the Gay Liberation Movement (LoveTapesCollective, 2019). In addition, trans activism was neglected in queer activism at the time. Even though Gay Liberation owed its genesis to transgender activism at Stonewall, gay and lesbian activists pushed trans activists to the margins to make room for

their own political and social advancement (Monro & Warren, 2004, 352; Richardson & Monro, 2012).

The first push by LGBTQ2S+ activists, primarily lesbian and gay activists, for rights advancements focused on the implementation of anti-discrimination ordinances based on sexuality. Due to a view by mainstream gay and lesbian advocacy groups that fighting for trans rights would weigh down advocacy efforts, many of these anti-discrimination ordinances did not include gender identity until the 21st century. These anti-discrimination ordinances rested within judicial and executive institutional mechanisms in both local and state governments. This meant that activists often had to go around legislatures due to anti-LGBTQ2S+ sentiments. Going through the executive and judicial institutions that included mayors, governors, and statewide courts meant that they could argue using a rights-based framework uninterrupted by the morality framework oppositional forces were using in legislative bodies. This is one of the first instances of LGBTQ2S+ activism using rights-based frameworks to achieve their policy goals. To give an example of their successes, from the period 1972 – 1976, 29 of these anti-discrimination ordinances were passed (Fejes, 2008, 53). However, the victory by these activists prompted conservative and religious backlash that sought to repeal these ordinances.

Given institutional mechanisms for referendums in the US, this is precisely what happened (Smith, 2008, 45). History tells us that when these anti-discrimination ordinances came into effect they were quickly challenged and sometimes overturned if it was not within a large metropolitan area with liberal ties (Stone, 2012). The most famous example of this was with Anita Bryant's Save Our Children campaign in Florida during 1977. Similar to the current context in Florida, the Save Our Children campaign framed their opposition to the anti-discrimination ordinances around protecting children from homosexuality and protecting

religious schools by allowing them to implement their faith in hiring practices. The overwhelming success of the opposition both politically and financially prompted religious and conservative leaders around the country to model their opposition towards similar ordinances in their areas after the Save Our Children campaign (Bishin et al., 2021).

Emotional discourses used by the opposition here was one of disgust in contrast to the fear and security framework with the Lavender Scare. The Save Our Children campaign served as an emotional precursor to rhetoric employed in the next time period. A quote from Anita Bryant herself demonstrates this disgust frame when she stated, "...if [children] are exposed to homosexuality, I might as well feed them garbage" (Gadarian & Van der Vort, 2017, 3). Queer activists at the time were not accustomed to such large, mobilized conservative opposition. What they took away from the defeat in Florida was the need to further mobilize on a national scale. This is what eventually led to the National March on Washington for Lesbian and Gay Rights in 1979 and continued mobilization in the following decades.

During this same period, sodomy laws were also beginning to be challenged by LGBTQ2S+ activist and legal groups. Sodomy laws were rarely enforced in the US, but they were used as a means of justification for increased surveillance and opposition towards LGBTQ2S+ people. Activists only had to look back to the 1950s' Lavender Scare to understand why these laws needed to be overturned. As a result, LGBTQ2S+ activists through court litigation and executive lobbying attempted to overturn sodomy laws in various states. Legislative means were absent during this period because activists were weary to engage in legislative politics due to a fear of backlash (Smith, 2008, 84). The first state to overturn their sodomy laws was Illinois in 1962, and around a dozen other states followed suit before 1980.

Despite the successes, however, activists would continue to advocate against sodomy laws throughout the nation for nearly three more decades.

1980 through 2000: Disgust and Moral Outrage

The next two decades, from 1980 to 2000, proved to be difficult for LGBTQ2S+ activists seeking to continue forward after a mixture of wins and losses from the 1950s up until 1980. This period witnessed more opposition and political homophobia than ever before. Emotional language used in conservative opposition revolved around disgust and moral outrage. At the start of these decades, in 1981, the first cases of what would be known as HIV/AIDS were reported in New York. Queer activism was sitting at a distinct intersection at the beginning of the HIV/AIDS epidemic. The movement was divided between those who wanted to continue with the traditions of the Gay Liberation Movement, and members who wanted to work within the political system to effect change. Additionally, the epidemic occurred during a time when social and moral conservatism was on the rise with the election of Ronald Reagan in 1980. The Christian Right was only growing in influence after their win in Florida with Anita Bryant and the creation of the Moral Majority. Anita Bryant and the Save Our Children campaign served as a template for the use of emotional discourses based on disgust and moral outrage in these decades. To clarify, disgust is understood to incorporate several feelings such as aversion, disapproval, moral outrage, and inappropriateness. Moral outrage is a component of disgust, but it is mentioned separately in this section due to the influence of Christian politics and the Moral Majority in this period (Lewis, 2017). Moral outrage is further understood to incorporate feelings of anger, disgust, and surprise towards those who stray from and/or violate ideas based on morality and ethics.

While gay liberation was still a strong movement going into the 1980s, the HIV/AIDS epidemic brought the movement to a halt (Ashley, 2015, 30). From the mid-1980s through the late 1990s, queer history and activism revolved around the epidemic. Specifically, gay and bisexual men were dying from HIV/AIDS and government officials were slow to respond. After years of watching gay or bisexual men die unnecessary deaths, queer organizations once again sprung up with renewed vigor to advocate for increased rights, focusing on healthcare and partnership benefits. The most prominent organization to advocate for the rights and lives of those with HIV/AIDS was ACT UP which fused gay liberation's radical tendencies with politics (Ashley, 2015, 30). Activism in this era was similar to the Gay Liberation Movement in that rights were demanded, not asked for. However, the focus of activism on achieving rights also showed similarities to the Homophile Movement's cause (Cohen, 1997). Whereas Gay Liberation focused on combatting norms in society, the activism during the HIV/AIDS epidemic shifted to effecting policy changes in local, state, and national governments. This refocus of LGBTQ2S+ activism lay the groundwork for the modern LGBTQ2S+ Rights Movement. The movement was, however, initially stifled by the Reagan administration.

Upon assuming office, President Reagan began implementing his fiscal and social conservative policies. Riding into the White House on the growing wave of social conservatism, Reagan did not view HIV/AIDS as a federal government issue nor as an issue for his conservative agenda that was being buttressed by the Christian Right. Reagan himself made no reference to the disease until 1986, but executive officials and influential spokespeople within the Christian Right actively halted, interrupted, and sabotaged federal grants and research aimed at abetting the epidemic.

To the Moral Majority, the HIV/AIDS epidemic served to be the perfect conduit for them to increase the political participation of their bases in electoral politics (Bishin et al., 2021). The manner through which social conservatives framed the epidemic was through disgust and morality. Pat Buchanan, who was Reagan's speech writer and subsequently the White House Communications Director, sums up this framing succinctly when he said, "AIDS was divine retribution against the 'pederast proletariat'" (Rimmerman, 2015, 31). Informed by ideas of moral aversion and punishment, the discourse of disgust can be seen by Buchanan comparing HIV/AIDS, which the Moral Majority viewed as only affecting gay and bisexual men, to pedophilia. His quote also demonstrates how they viewed HIV/AIDS as punishment for those partaking in homosexual acts. This aversion to HIV/AIDS was used in political discourses by the Moral Majority to frame those with the disease as "unworthy" of treatment for their "self-inflicted" illness.

Social conservative forces painted those with HIV/AIDS as morally wrong and full of sin. But this did not just apply to gay and bisexual men at the time; this hateful language would also follow the LGBTQ2S+ community into the 20th century. However, the continued demonization and ambivalence from the White House and other social conservatives did serve as an impetus for the creation of ACT UP. This organization blended the radical tendencies of gay liberation with the political focus of other lesbian and gay activist groups. Using new tactics involving emotional pleas based on death and shaming, ACT UP served as one of the most influential queer activist groups during this period. Their slogan of "Silence = Death" demonstrates this new emotionally laced activism (Bishin et al., 2021, 136-137). Research by Epstein (1996) also demonstrates how activism from ACT UP and similar HIV/AIDS advocacy groups used inherently emotional and provocative activism to challenge concepts of "elegant

science” (2), medical expertise, and power relations between the government, research, and those afflicted with HIV/AIDS. Examples include pouring blood in front of universities, hospitals, and government buildings and creating syllabi for “AIDS 101” that taught about how those with HIV/AIDS were being used as lab rats (Epstein, 1996, 1). When George H. W. Bush was elected in 1988 activists hoped that he would reverse some of Reagan’s policies about the epidemic. Unfortunately, during his campaign Bush had to placate the Christian Right and this meant that his administration largely conformed to Reagan era policies on HIV/AIDS. Given that more and more Americans were becoming infected, Bush could not ignore the disease as much as Reagan did. President Bush eventually signed into law various bills that allocated more federal funding for HIV/AIDS, but the president did not distinguish himself from the previous eight years of executive policies on the epidemic (Rimmerman, 2015).

While HIV/AIDS was tearing through the country, LGBTQ2S+ activists were still attempting to overturn sodomy laws throughout the states. Despite the fear of backlash, activists were having successes within all three branches of government. State sodomy laws were being overturned via executive orders, court proceedings, and legislative actions; however, these wins mostly occurred in states with liberal tendencies leaving queers in the South without much change. Additionally, advocates had to use “quiet legislation” to achieve these victories without backlash (Smith, 2008, 64).

Change was therefore needed on a national scale to go around socially conservative Southern states and ensure that rights won stuck. This was still within the context that conservative opposition was not only strong but growing with the ascent of President Reagan and the Moral Majority. In their research, Haider-Markel and Meier (2003, 676) found that between 1972 and 2002 there were over 122 cities, counties, and states that held referendums that were

anti-queer in nature. Of these 122 referendums, 71% passed which proved the strength of both the opposition at the time, and the negative public opinion on LGBTQ2S+ people. Many of these bills were influenced by the discourse of disgust used by Anita Bryant towards the Miami-Dade anti-discrimination ordinance in 1977. Using language that provoked feelings of aversion and moral outrage, these bills framed homosexuals and the larger LGBTQ2S+ community as pedophiles, corrupting children through their “homosexual agenda” and going against God’s will (Bishin et al., 2021; Haider-Markel & Meier, 2003).

Therefore, the institutional mechanism best suited to ensure that rights stuck was through the court system. The framing of these judicial pursuits was through a legal rights-seeking model. While not fully adopted until the 2010s, this early rights-seeking model of LGBTQ2S+ activism set the groundwork for its later adoption (Harrison & Michelson, 2017). This is the context in which legal activists from Lambda Legal and the ACLU brought the court case of *Bowers v. Hardwick* to the Supreme Court in 1986. To summarize, the case challenged Georgia’s sodomy laws which led to the arrest of Michael Hardwick who was having consensual anal sex in his home with another man. After Hardwick and associates made their way through the district courts, the suit led to the Supreme Court hearing the case in 1986. In their 5-4 ruling, the court found that the Constitution does not provide the means to strike down the Georgia law. In the majority opinion, the court stated that homosexual sodomy was not a question of liberty, rooted in US history, or concerning marriage, family, and procreation (Smith, 2008, 64-69). This ruling meant that states have the constitutional authority to define their sodomy laws however they want regarding homosexuality since partaking in homosexual acts was not natural or rooted in US history according to the Supreme Court. The decision also reaffirmed the morality framework of conservative forces because the court allowed morality, in this case Christian

morality, to serve as a “rational basis for the law” (Smith, 2008, 67). This proved to be a major setback to LGBTQ2S+ activists around the country as it empowered the framework conservative forces and the Christian Right had been using to oppose rights advancements in the US. Conservative opposition, vindicated in their Supreme Court victory, only had to point to Supreme Court jurisprudence now to justify their actions and opposition based on morality. While an obvious setback to advocates seeking rights advancements, activists pointed to the close decision as a justification for continuing to lobby for systematic change.

Going into the 1990s, queer activists from the Military Freedom Project put pressure on candidates in the 1992 presidential race to repeal the ban on homosexuals serving in the military by appealing to discourses of human rights and sentiments of equality (Bishin et al., 2021, 136 - 137). Once Bill Clinton won the presidency, activists believed that they had a window of opportunity to repeal the ban and legislate on other issues relating to sexuality in the US. While President Clinton was the first presidential nominee to actively campaign for LGBTQ2S+ rights, conservative groups in the country, and more specifically opposition in Congress, tied his hands. The majority of Democrats in Congress wanted to repeal the ban, but several Democrats from Southern states would not support this. Ultimately President Clinton had to compromise with the “Don’t Ask Don’t Tell” policy that would allow homosexuals to serve so long as they remained in the closet (Bishin et al., 2021, 137; Neff & Edgell, 2013). The policy was agreed upon in 1993 and went into effect in 1994. For those in the Military Freedom Project, the policy was a success since homosexuals could now serve in the military after the implementation of the ban during the Revolutionary War. The policy, therefore, was seen to cast aside nearly two centuries of precedent towards homosexual service members, but to many activists it did not go far enough to combat discursive attitudes towards LGBTQ2S+ Americans. The policy was seen as a quick fix

to technically allow homosexuals to serve in the military, but the connotations of security risks and morality were still felt by activists and service members alike. The language in the bill demonstrates these feelings when it states, “The presence in the armed forces of persons who demonstrate a propensity or intent to engage in homosexual acts would create an unacceptable *risk* to the high standards of *morale, good order and discipline...*” (Policy concerning homosexuality in the armed forces, 1993, emphasis added). Other lines in the statute claim that it is the military’s duty to always be prepared for combat, maintain good morale amongst servicemembers, and be on high alert. To claim that overt homosexuality interferes with and jeopardizes military readiness and morale highlights the moral and security discourses behind the statute. While they could now serve in the military, the belief that homosexuals are a security risk and morally corruptible did not change.

While “Don’t Ask Don’t Tell” was being debated in Washington, same-sex marriage debates were beginning to be held in Hawaii. In 1993, one of the first cases to gain national attention was the Hawaiian Supreme Court case *Baehr v. Miike* (Pierceson, 2013, 1; Smith, 2008, 116-120). When three same-sex couples were denied marriage licenses in the state, they sued stating that they met all requirements for the licenses. In effect, they were suing due to discrimination based on their sex. The case went through several trials, but in the end, it was reheard in trial court during 1996 after the state Supreme Court sent it back. The state argued that marriage licenses should not be issued for three reasons: children are best raised in the environment of a heterosexual marriage, the Full Faith and Credit clause of the Constitution could be invoked to allow same-sex marriages in other states, and the state was worried about the financial implications of issuing marriage licenses to same-sex couples (Smith, 2008, 118). The court rejected these arguments and found that the state had in fact violated the rights of the

couples under the equal protection clause of the Hawaiian Constitution. This proved to be a resounding success for LGBTQ2S+ activists around the country, and similar legal battles were heard in Alaska's *Brause v Bureau of Vital Statistics* and in Vermont's *Baker v. Vermont*. All cases came to similar conclusions stating that the states and state constitutions did not expressly outlaw same-sex marriages. These came as incredible wins for LGBTQ2S+ activists; however, the backlash that occurred following these cases were just as victorious.

In part responding to legal issues around the Full Faith and Credit clause, and in other parts responding to the moral outrage of same-sex marriage, social conservatives began passing Defense Against Marriage Acts (DOMAs) around the country (Smith, 2008). These legislations sought to define marriage as strictly between men and women, thusly closing the door to same-sex marriage through legislative means. Between 1995 and 2003, thirty-seven states passed these legislations (Adam, 2003), and some states such as Ohio passed versions known as Super-DOMAs that outlawed all legal recognitions of partnership rights given to same-sex couples. What also categorized DOMAs as "Super-DOMAs" was if they were amended into state constitutions, thus making it even harder for activists to seek same-sex marriage through state institutions (Smith, 2010).

These reactions, largely stoked by religious and conservative elites (Bishin et al., 2021), led to more than half the country passing various iterations of DOMAs, but state law could not delve into constitutional politics. What still concerned conservative opposition movements was if one state allowed same-sex marriage, then all states would have to recognize it due to the Full Faith and Credit clause of the Constitution. This is what led the Republican controlled Congress to introduce the Federal DOMA in 1996. This legislation was similar to state DOMAs, but it included language that would allow states to not recognize other states' marriage license in the

case of a same-sex marriage. It did not define marriage nationwide, but it did include language defining marriage as between a man and a woman for all federal laws pertaining to married couples. Hypothetically, this meant that State A could legalize same-sex marriages, but State B was not forced to recognize that marriage if their state laws did not view same-sex marriage as lawful. Additionally, the federal government would never recognize a same-sex married couple for immigration or Social Security purposes. President Clinton would later sign the bill into law on September 21st, 1996, after few Democrats opposed it.

The passing of the bill was resounding for both opposition forces and LGBTQ2S+ activists. Social conservatives were able to continue their mobilization based on the demonization of same-sex couples seeking marriage licenses. Their activism on passing DOMAs was largely a creation of a problem that did not exist at the time. Many LGBTQ2S+ activists were not seeking marriage equality yet due to a fear of backlash. These activists who were hesitant found their suspicions proved true when DOMAs were being passed around the country. For social conservatives, however, the creation of this problem proved very successful in fundraising and in strengthening their political clout. Conservative opposition used language that was very similar to the language the state of Hawaii used in their defense in *Baehr v. Miike*. Primarily, advocates for DOMAs believed that defining marriage along traditional lines would provide children the best environment to grow up in. Additionally, conservative opposition justified their actions through religious and moral means, believing that same-sex marriage was not natural or approved by God or the Church. The author of the Federal DOMA summarizes these sentiments in his 1996 House floor speech, “The very foundations of our society are in danger of being burned. The flames of hedonism, the flames of narcissism, the flames of self-

centered morality are licking at the very foundation of our society: the family unit” (Vogue, 2012).

Conservative opposition in this era of LGBTQ2S+ politics is seen to still be centered around emotional distress for the loss of common morality and religious devotion. As for LGBTQ2S+ advocates, judicial or legislative lobbying for marriage equality was not a priority (Bishin et al., 2021, 138-139). After decades of ballot initiatives overturning LGBTQ2S+ friendly legislations, activists were worried that opposition to marriage equality would be more concrete. Specifically, some activists and legal scholars were worried of constitutional changes to marriage laws that would be difficult to overturn. This worry, as we will see in the following decades, was not unfounded. However, the effects of the judicial battles in Hawaii, Alaska, and Vermont proved that marriage equality was not as untenable as many once believed.

The last policy battle of this period returned to the anti-discrimination ordinances of the 1970s. Various cities around the nation had decided to enact anti-discrimination ordinances based on sexuality since 1970. It was within this wave of enactment, still oftentimes through the courts and executive orders, that several Colorado cities such as Boulder, Aspen, and Denver enacted their own. Sequentially, the Colorado Governor, Roy Romer, signed an executive order in 1990 that enforced anti-discrimination protocols on the basis of sexuality for the entire state. In response, conservative forces mobilized a referendum movement that would make the executive order moot. The countermovement continued to utilize emotional languages of morality and disgust to persuade the electorate. By 1992 Colorado voters approved the ballot initiative, known as Amendment 2, to change the state constitution to prevent any municipality, city, county, or state governing body to enact anti-discrimination ordinances on the basis of sexuality and prevent them from recognizing homosexuals as a protected class (Smith, 2008, 83-

87). The resulting backlash by LGBTQ2S+ advocates led to boycotts of Colorado tourism (Kameya, 1996) and court challenges.

Eventually, these challenges led the Supreme Court to hear the case in *Romer v. Evans* in 1996. This became the second case heard by the court to focus on LGBTQ2S+ issues following *Bowers v. Hardwick* in 1986. Contrary to the decision in *Bowers v. Hardwick*, the court sided with LGBTQ2S+ activists. In their 6-3 decision, the Supreme Court struck down Amendment 2 in Colorado as unconstitutional because there was no legal basis to the amendment besides a moral disapproval of gay, lesbian, and bisexual individuals. This decision came as a momentous win for LGBTQ2S+ activists as they were beginning to set their sights even further to the reoccurring issues around marriage and sodomy. For conservative forces, however, the decision came as a blow to their belief in the law supporting morality and religious doctrine.

Up until this time, much of the emotional language and rhetoric conservative opposition used was based on religious texts and morality. Unlike LGBTQ2S+ activists who were beginning to adopt liberal rights rhetoric, religious and conservative forces did not justify their mobilization on the basis of legal rights (Lewis, 2017). Justice Scalia, in the dissenting opinion of *Romer*, believed that by setting the precedence of not allowing morality to dictate law, the court made it impossible to adjudicate on any consenting sexual acts. This case proved to be one of the first instances that made conservative forces rethink their justifications. However, a complete discursive shift in language and opposition did not occur until after the legalization of same-sex marriage in 2015.

2000 until the Present: A Conflux of Emotions

Issues from the 1980s and the 1990s largely bled into the 21st century, chief among them were the battles around sodomy and marriage laws. Emotional landscapes among conservative opposition movements split in several ways. Some still clung to frames of security and fear, others continued onwards with disgust and moral outrage, and others began advocating for a shift away from these emotional discourses towards rights-based discourses. Eventually, after the legalization of same-sex marriage, conservative groups changed emotionally and strategically. On the other hand, LGBTQ2S+ activism has been primarily focused on rights achievements from the 2000s to the present. Organizations such as Lambda Legal and the Human Rights Campaign have focused on achieving further rights for queer communities through legislative and court battles. As a result, by focusing on the incorporation of LGBTQ2S+ individuals, this era of activism has seen a turn towards defining and labeling queerness. Ashley describes how this modern and mainstream movement has three approaches, “(1) to advocate for privatized rights granting equal access to traditional social institutions, (2) to make gayness acceptable by portraying it as virtually the same as straightness except for a differential desire, and (3) by advancing a post-gay rhetoric that describes gay equality as all but nearly achieved” (2015, 31). While it is certainly still debated within academia and activist circles alike if this is the best route to achieving equality and equity for LGBTQ2S+ communities, it is certainly true that queerness has begun to be regulated by both the state, once again, and by queer organizations themselves (Conrad, 2014). Some notable achievements in this period have been the decriminalization of sodomy laws in 2003, national hate crime legislation in 2009, the legalization of same-sex marriages in 2015, and freedom from workplace discrimination on the grounds of sexuality and gender identity in 2020. Frames employed by the modern LGBTQ2S+ rights movement revolve

around legal rights, love, and tolerance (Harrison & Michelson, 2017). The frames of love and tolerance reflect those used by the Homophile Movement in the 1950s through the 1960s. Instead of demanding separate legal rights to marry, same-sex marriage advocates used discourses of equality between heterosexual and homosexual couples, framed homosexual couples as a normal family unit, and spread the message that children in homosexual couples can be just as happy and successful, if not more so, in same-sex households (Smith, 2010; Ashley, 2015; Harrison & Michelson, 2017).

The court case that found sodomy laws unconstitutional was *Lawrence v. Texas* in 2003. At the time of the court battle, 13 states still had sodomy laws in the books with some only applying to same-sex sexual acts (Smith, 2008, 136). Texas, where the case originated, happened to be one of the states whose sodomy laws only targeted same-sex sexual acts. In a 6-3 decision, the court found that the government has no authority to regulate what occurs in private between two consenting adults. This case overturned the decision in *Bowers v. Hardwick* and built upon the jurisprudence defined in *Romer v. Evans*. Specifically, once the idea that morality could not be used as a defense in anti-LGBTQ2S+ laws in *Romer v. Evans*, it was only a matter of time before the court overturned the decision in *Bowers v. Hardwick* that found sodomy laws constitutional. This is exactly what Justice Scalia was warning the public and elected officials in the dissenting opinion to the *Romer* decision. Unfortunately for Justice Scalia and likeminded conservatives forces, this would not be the last time the Supreme Court rejected the defense of morality in LGBTQ2S+ court cases.

The reaction to the case by LGBTQ2S+ advocates was one of immense joy and relief, while conservative forces were greatly affected by the case. After *Lawrence v. Texas*, only seven years after *Romer v. Evans*, it became clear that emotionally charged language based on religion

and morality condemning LGBTQ2S+ people was no longer as effective as it once was electorally and judicially. Disgust was especially useful for conservative groups because they could use this emotionally charged language to mobilize their base. Disgust and morality were used by George Bush in the 1990s as he was running for governor of Texas when he said that he did not support the repeal of the state's sodomy law, the very same sodomy law that would later be repealed in *Lawrence v. Texas*. In his statement, Bush said, that he did not support the repeal of Texas' sodomy law because it was a "symbolic gesture of traditional values" (Carpenter, 2004, 1468). Other examples of disgust and morality in the 2000s were penis panics in universities and public facilities that portrayed trans Americans as pedophiles, predators, and confused about their genders. A Colorado initiative against gender inclusive bathrooms stated, "Basic human *decency* demands women and children be protected from sexual predators" (Gadarian & Van der Vort, 2017, 28, emphasis added). The decision by the Court, therefore, was the beginning of the end for conservative forces' use of disgust and religion to achieve electoral and judicial victories. However, this disgust and moral framework still continued until the legalization of same-sex marriage.

The aftermath of *Lawrence v. Texas* is still debated amongst scholars, especially in regard to how public opinion was influenced (Bishin et al, 2021, 142), but one thing that is certain is that the case was the beginning of LGBTQ2S+ rights advancements for the next two decades. In the same year, only six months later, the Massachusetts Supreme Court ruled in *Goodridge v. Department of Public Health* that the state was in violation of the Constitution by not issuing marriage licenses to same-sex couples (Smith, 2008, 147). The state did not begin issuing these licenses until the following year, but the backlash to the ruling was immediate.

LGBTQ2S+ activists, through their court battles in Hawaii, Alaska, and Vermont, had begun proving their rights through the Constitution – making it harder for conservative opposition to halt their advancements through referendums and legislative DOMAs. What occurred in response to the *Goodridge* case by conservative forces was a call for the Federal Marriage Amendment (FMA) to the US Constitution so that a marriage case would not make its way to the Supreme Court. If passed, the amendment would make it nearly impossible for LGBTQ2S+ activists to seek rights advancements on the issue of marriage through any means (Smith, 2008, 150-151). The FMA was first introduced in Congress in 2002, but following Massachusetts’s legalization of same-sex marriage, the calls for its adoption grew nationwide.

Within this period of LGBTQ2S+ activism and conservative opposition, came the 2004 presidential election when George Bush was running for reelection against John Kerry. During his presidency, George Bush believed that issues pertaining to sexuality and marriage belonged to the states and that the federal government should not get involved. The aftermath of *Lawrence v. Texas* and *Goodridge v. Department of Public Health*, however, saw Bush being confronted with a choice – support the FMA or lose the support of conservative Christians in the 2004 midterms (Grzymala-Busse, 2015, 284). Seeing as it was a very close race, Bush chose to support the FMA despite his political ideologies on the matter. In a speech announcing his support, Bush stated, “Marriage cannot be severed from its cultural, religious, and natural roots without weakening the good influence of society” (Bouie, 2023). Thusly, in coordination with religious conservative elites, the Bush administration campaigned to pass DOMAs in key swing states in hopes to increase turnout to the Republican ballot. It remains difficult to determine if this tactic changed the results in many states, but data collected in the swing state of Ohio paints the picture that having a Super-DOMA on the ballot, and the looming picture of the FMA, could

have tilted the tide to George Bush (Bishin et al., 2021, 141). This points to the fact that the use of disgust and morality were still critical in this period of conservative opposition to LGBTQ2S+ rights (Lewis, 2017). Once reelected, Bush did not get a chance to sign the FMA because both the House of Representatives and Senate failed to meet the threshold of a two-thirds majority vote for a constitutional amendment.

While rights advancements were steadily moving along for LGBTQ2S+ people, not much changed occurred until the election of Barack Obama in 2008 along with Democrat majorities in both houses of Congress and nationwide in terms of governorships. Unlike the 2004 election, there was a stark division between Republicans and Democrats. Democrats became unified in protecting LGBTQ2S+ issues through partnership rights (but not same-sex marriage), hate crime legislation, and national inclusion measures. During the 2008 presidential election, then Senator Obama opposed same-sex marriage, but supported civil unions. Republicans, on the other hand, supported the exact opposite of every policy concerning LGBTQ2S+ rights. In the 2008 election, there were still various versions of DOMAs on the ballot. The most famous case in this year was Proposition 8 in California. Similar to other DOMAs, Proposition 8 sought to amend California's constitution to define marriage as between one man and one woman. The campaign was largely funded by religious elites in the Church of Jesus Christ of Latter-day Saints (LDS) and the Catholic Church (Bishin et al., 2021, 143). The proposition passed with over 52% of the vote in favor of it. Interestingly, Barack Obama, who supported civil unions between same-sex couples and opposed Proposition 8, won handily against John McCain, who supported the proposition, in the state (Falcone, 2008).

Two of the most important campaign promises that then Senator Obama made to the LGBTQ2S+ community were to repeal both the federal DOMA and the "Don't Ask Don't Tell"

policy; however, the first queer policy that reached President Obama's desk was the Hate Crime Prevention Act. This act was first introduced in Congress a decade earlier in response to the violent murders of Matthew Shephard and James Byrd Jr. in 1998. Matthew Shephard was killed for being gay in Wyoming, and James Byrd Jr. was killed by white supremacists in Texas. Wyoming at the time had hate crime laws, but they did not protect sexuality, whereas Texas had no hate crime laws at all. The act that was introduced into Congress sought to modify existing federal hate crime laws to include sexuality and to extend protection beyond federal activities (Bishin et al., 2021, 140). The bill enjoyed public support due to extensive reporting on the murders and outrage to the gruesome murders, but it was stalled in Congress due to the lobbying of religious conservatives. The bill would be reintroduced throughout various Congresses but would eventually stall in committee or not receive a floor vote. When it was reintroduced in 2007, language was added to protect gender identity. It would then pass in 2007 attached to the defense budget when Democrats controlled both houses; however, religious opposition was still strong at this point, and had its influences in the Bush White House. In response to its passing, President Bush threatened to veto the defense bill if it included the hate crime language. The language was then removed when faced with this threat. In 2009, the bill was reintroduced once again and passed both the House and Senate with some Republican support. Now known as the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act, President Obama signed it into law alongside the defense budget it was attached to on October 28th, 2009.

Following the further institutionalization of hate crime legislation in 2009, President Obama was able to turn towards his campaign promises of repealing the "Don't Ask Don't Tell" policy and the federal DOMA. The first policy Obama repealed was "Don't Ask Don't Tell" in December of 2010. Despite several filibusters, Republican opposition, and Democrats losing

their majorities in Congress in the 2010 midterms, Democrats and several Republicans compromised on repealing the policy. In return, Democrats had to agree on extending the expiration of Bush era tax cuts (Bishin et al., 2021, 144).

Following this, President Obama was then able to turn towards repealing the federal DOMA. In 2011, President Obama instructed the Justice Department to no longer defend the policy in court (Savage, 2013). At the time, Obama still reiterated his support for civil unions, but not for same-sex marriage. Social conservative outrage was immediate as it was seen as politicking instead of following the rule of law. In the following year, President Obama announced his support for same-sex marriage in large part due to Vice President Biden announcing his support before his own. With the support of the executive branch, legal cases against various iterations of DOMAs began in courts around the country despite activist groups' continued hesitance to support legal battles pertaining to same-sex marriage (Bishin et al., 2021, 144). The most important case to come before the Supreme Court after Obama's reversal was *United States v. Windsor* in 2013. The case was brought to the court to rule on the constitutionality of Section 3 of the federal DOMA which stated that the federal government would not recognize a marriage between same-sex partners. In their ruling, the Supreme Court found that Section 3 was unconstitutional, and that the federal government had a constitutional right to recognize same-sex marriages (Lewis, 2017, 153). This did not, however, go so far as to establish the right to marry for same-sex couples around the country. What it did was set the stage for *Obergefell v. Hodges* two years later.

Before turning to the pivotal case, it is important to note how public opinion about same-sex marriage changed in the US before the implementation of same-sex marriage nationwide. At the time of DOMA's passage in Congress in 1996, only 27% of Americans supported same-sex

marriage, with 68% opposing it. Then, right before the legalization of same-sex marriage in 2015, 58% supported it while 40% opposed it (Gallup, Inc., 2022). Increased visibility, saliency, and understanding may all point to this turnaround in public opinion within the two-decade timespan. The frames LGBTQ2S+ advocates used may have also influenced this change. In their research, Harrison and Michelson (2017) found that rights-based frames were more effective when discussed in abstract terms, but when faced with political ads and videos highlighting same-sex couples, emotional frames of love and tolerance were more effective than rights-based frames in changing public opinion on same-sex marriage. Religious groups also increased their support for same-sex marriage. The two groups most active in LGBTQ2S+ opposition are Catholics and evangelicals. Catholics increased support from 40% approval of same-sex marriage in 2001, to 57% support in 2015. White Evangelicals on the other hand increased support from 13% in 2001 to 24% in 2015 (Pew Research Center, 2019).

Obergefell v. Hodges is a court case that came on the heels of nearly four decades of litigation from the early court battles about anti-discrimination ordinances to the litigation about sodomy laws and DOMAs. The turn towards rights-based arguments by LGBTQ2S+ advocates proved to be pivotal because the Supreme Court ruled in a 5-4 decision that the right to marry, no matter your gender, is a fundamental right protected under the Due Process and Equal Protection Clauses in the 14th Amendment (Pierceson, 2015; Smith, 2018). The primary questions of the case concerned the constitutionality of marriage bans and the recognition of same-sex marriage from state to state. The plaintiffs in the case argued through a framework of rights, as seen in the decision, while the defendants still argued using morality and history of the nation regarding homosexuals (Pierceson, 2015). Several *amicus curiae* briefs were submitted by religious organizations and leaders that expressed worry for their freedom of speech and religion, but the

primary defense was not centered around these concerns. This focus on morality and history was rebuked by the majority opinion, citing cases such as *Loving v. Virginia* and *Lawrence v. Texas* to explain their rationale in expanding marriage rights to same-sex couples. Almost immediately, conservative opposition changed course from their morality-based arguments to turn towards the liberal rights framework that was successful for LGBTQ2S+ advocates (Lewis, 2017, 156).

This shift in frames by conservative opposition can be seen within internal opinions on same-sex couples. For example, while evangelicals are less likely to support same-sex marriage, amongst themselves, evangelicals support same-sex marriage more than they support same-sex relations (Lewis, 2017, 154-156). Leading up the *Obergefell* case, conservative opposition lost court battles one after another when there was no case made with liberal rights-based arguments. LGBTQ2S+ advocates, after the successes of court battles in the 1990s, continued to argue for rights advancements using liberal rights-based arguments while conservative opposition clung to morality for their defense. In his dissenting opinion for *Romer v. Evans*, which he echoes in subsequent cases such as *Lawrence v. Texas* and *Obergefell v. Hodges*, Justice Antonin Scalia suggests that the court is turning “moral disapproval of homosexual conduct” into “animus” (Lewis, 2017, 151). As opposed to topics such as abortion, conservative opposition could not effectively counter LGBTQ2S+ advocates in court due to frames of morality and disgust instead of rights-based arguments (Lewis, 2017).

However, conservative opposition underwent a discursive shift after *Obergefell v. Hodges* legalized same-sex marriage nationwide. This shift has seen conservative forces seeking to protect their rights firstly, and politically “othering” LGBTQ2S+ individuals secondly. The past century of conservative opposition can be categorized as the opposite with emotional discourses of fear, security, moral outrage, and disgust all “othering” LGBTQ2S+ Americans.

This recent shift is then monumental in terms of historical and discursive opposition to LGBTQ2S+ rights. Immediately after the legalization of same-sex marriage, two types of opposition manifested (Lewis, 2017, 156). The first to occur was legal action in court systems to protect religious liberties in the advent of same-sex marriage. The most famous example of this is Kim Davis in Kentucky who refused to issue marriage licenses to same-sex couples due to her religious convictions. Davis' status as a government employee complicates her case, but similar scenarios of private citizens advocating for religious freedoms have also garnered national attention. Two other famous examples of individuals using the rights-based framework of religious freedom to defend their actions were Barronelle Stutzmann when she refused to provide flowers for a same-sex marriage in Washington and Jack Phillips when he refused to provide a cake for a same-sex wedding reception in Colorado. Secondly, conservative opposition turned once again to legislatures to oppose LGBTQ2S+ rights. In this pivot to rights-based discourses, conservatives forces lobbied state legislatures to pass religious freedom bills that would protect and assure the freedom of religion of individuals and businesses in legal matters when they believe that their freedom has been burdened. The most widely covered instance of these bills occurred in Indiana with their "Religious Freedom Restoration Act" in 2015 (Lewis, 2017, 159-160).

While pivotal, this discursive shift from emotional discourses of disgust and moral outrage to legal rights-seeking discourses presents a problem. Lewis' research discusses the emotional discourses of disgust and moral outrage preceding the legalization of same-sex marriage in 2015 (2017, 149 – 152), but his research does not delve into how the emotional discourse of conservative opposition evolved alongside this shift. It remains unclear if the turn to legal rights-based discourses still includes emotional discourses, and if so, which emotions.

While LGBTQ2S+ advocates had achieved substantial rights advancements in the 21st century, the election of Donald Trump in 2016 signaled troubling times ahead. Trump himself did not make clear his policies on LGBTQ2S+ rights during his presidential campaign; however, the support and lobbying from evangelicals to his campaign and presidency painted the picture that he would not be as friendly as the previous administration was (Gerardo, 2019). In his first days in office, directives, executive orders, websites, lawsuits, etc. were all amended by the new administration to erase all mentions of the LGBTQ2S+ community. Additionally, the administration halted all ongoing government initiatives or court battles concerning sexuality and gender identity (National Center for Transgender Equality, 2020). The Trump administration also specifically targeted trans Americans. Trump's time in office saw the removal of federal healthcare protections for trans people, non-discrimination policies that included gender identity, the reversal of Title IX protections, and, most famously, the ban on trans Americans serving in the military. After several court battles, the policy was revised to allow trans Americans who had not medically transitioned to enlist, but only if they did so under their gender assigned at birth (Lopez, 2019). Upon assuming office in January of 2021, President Joe Biden reversed this Trump era ban.

While the Trump administration was indifferent at best and malicious at worst towards LGBTQ2S+ rights, LGBTQ2S+ advocates and conservative opposition alike were still operating around the country. One policy battle that began before Trump's presidency but was influenced by both President Trump's rhetoric and the administration's actions towards trans Americans, was the battle over the use of bathrooms. Anti-discrimination ordinances throughout the decades sometimes contained language to prohibit discrimination in the use of public facilities which, oftentimes, includes bathrooms. The passing of these ordinances spans all the way back to the

1970s, but there was an increased visibility through electoral and legislative challenges in the 2000s and the 2010s. This was due to the ordinances now protecting against discrimination based on gender identity in public facilities. One such case was in Florida when a 2008 anti-discrimination ordinance that protected the use of public facilities for all, regardless of gender identity, was nearly overturned by a public initiative the following year due to the comparison of trans people with sexual predators (Schilt & Westbrook, 2015). Other examples that made nationwide news include the city of Houston's HERO ordinance in 2014 and the North Carolina Public Facilities Privacy and Security Act in 2016. The HERO ordinance allowed the use of public facilities by anyone, no matter their gender identity, but it was later overturned via public initiative when opponents labeled it the "Sexual Predator Protection Act" (Bishin et al., 2021, 146-147).

The emotional framework with issues like gender inclusive bathrooms order several emotions on top of one another. Disgust, security, and fear are all present in conservative opposition to LGBTQ2S+ friendly bathroom bills. The previously stated example of a Colorado initiative seeking to block gender inclusive bathrooms exemplifies this in an ad stating, "Basic human decency demands women and children be protected from sexual predators" (Schilt & Westbrook, 2015, 28). These bills are occurring both at local and state levels of government (Bishin et al., 2021), but the emotional discourses used by their supporters appear the same across the nation. Gender inclusive bathrooms, in their view, lead to sexual predators being allowed in any bathroom they want, women and children's safety being called into question, and an establishment of gender identities beyond the binary of male and female. Social conservatives advocating for the use of bathrooms according to one's gender assigned at birth use language smothered in fear, security, and disgust to persuade and mobilize politicians and the public

(Gadarian & Van der Vort, 2017; Schilt & Westbrook, 2015). Fear of sexual predators pretending to be trans have invaded the political debates about these policies and changed the framing of them as a right for trans American, to a frame of needing to protect women and children.

A recently proposed Arkansas bathroom bill states that any trans person entering the bathroom opposite their sex assigned at birth could be criminally charged with sexual indecency with a child if a minor is present in the bathroom (Hanna, 2023). Kris Mineau, of the conservative Massachusetts Family Institute, stated “This bill [a proposed gender inclusive bathroom bill] opens the barn door to everyone. There is no way to know who of the opposite biological sex is using the facility for the right purpose” (Gadarian & Van der Vort, 2017, 28). Additionally, the discourse of rights-seeking can be seen in these discussions over gender inclusive bathrooms. In an interview defending North Carolina’s bathroom bill, Governor Pat McCrory said, “There’s a *right to privacy* for the other girls or other boys in their junior high locker rooms or shower facilities, that the only other people coming into there are people of the same gender, or built as the same gender (Krieg, 2016, emphasis added). Additionally, a newly passed Kansas bathroom bill was said to “...protect women’s spaces currently reserved for women and men’s spaces” by state Representative Brenda Landwehr which led the bill to be labeled as the “Women’s Bill of Rights” (Hanna, 2023). Similar to the bathroom bills, anti-trans sports bills have recently been adopted throughout the country. These bills require school districts to have all gendered sports be played by students according to their sex assigned at birth instead of their gender identity. To date, there are 18 states that have such bills in effect (Movement Advancement Project, 2023).

In a rights win that came unexpectedly from a conservative Supreme Court, the case of *Bostock v. Clayton County* was brought before the court in 2020 to question Title VII of the Civil Rights Act of 1964. The case was heard alongside *R.G. & G.R. Harris Funeral Homes Inc. v. Equal Employment Opportunity Commission* and *Altitude Express, Inc. v. Zarda* which also asked similar questions of LGBTQ2S+ workplace discrimination. The court ruled in favor of all three cases through *Bostock v. Clayton County*. The specific question asked of the court was if Title VII, which protects against workplace discrimination on the basis of sex, race, religion, and national origin, also protects against discrimination based on sexuality or gender identity. In their 6-3 decision, the Supreme Court found that the language protecting sex in Title VII includes sexuality and gender identity (Davidson, 2022).

In 2022, following the ruling in *Dobbs v. Jackson Women's Health Organization* that overturned *Roe v. Wade*, LGBTQ2S+ advocates were concerned that the Supreme Court would overturn *Obergefell v. Hodges* next. Advocates were concerned for two reasons; first, the court had taken a conservative ideological turn after the Trump administration, and second, a concurring opinion by Justice Clarence Thomas in *Dobbs* stated that other court cases should be revisited, like the *Obergefell* case (Anders, 2022). In the face of potentially overturning *Obergefell*, LGBTQ2S+ activists realized that the federal law on same-sex marriage would return to the 1996 federal DOMA. This prompted activists and politicians alike to support the passage of the Respect for Marriage Act. This piece of legislation was first introduced in 2009 but never gained much traction in Congress. After *Obergefell* and *Windsor*, the issue became moot as the federal DOMA no longer applied due to same-sex marriage being the law of the land. Consequentially, when same-sex marriage was threatened to be overturned, the legislation became politically salient. Democrats, with some Republican support, eventually passed the

Respect for Marriage Act in Congress and President Biden signed it into law on December 13th, 2022 (Shear, 2022). The legislation repeals the federal DOMA, requires states to recognize same-sex and interracial marriages if they were valid in the state they occurred in, and protects religious liberties. The section that protects religious liberties was a compromise between Democrats to Republicans for their support. While the language does not allow for-profit businesses to claim religious objections to same-sex marriages, it does allow religious institutions and religious non-profits to be exempt from providing services to the celebration of a marriage that goes against their religious values (Anders, 2022). From this compromise, it is clear to see how both sides of the political aisle view issues pertaining to LGBTQ2S+ rights. The conservatives see LGBTQ2S+ rights as something to be protected from, which led to the inclusion of language protecting religious liberties, and the liberals see LGBTQ2S+ rights as something to be further improved upon and protected.

No Promo Homo Laws (AKA “Don’t Say Gay or Trans” Bills)

Another important field of opposition relating to LGBTQ2S+ rights advancement is the conservative opposition to LGBTQ2S+ curriculum in schools, which were originally called *no promo homo* laws. Starting as a term to refer to laws that opposed the promotion of homosexuality (Eskridge, 2000), these *no promo homo* laws have over time become recognized as education laws meaning to curtail the instruction of homosexuality in public schools. The first state to pass such a law was Oklahoma in 1987, followed by eight others between 1978 and 2001 (Movement Advancement Project, 2022). These original laws came during the height of the HIV/AIDS epidemic and were influenced by Anita Bryant’s Save Our Children campaign. Language included in the bills varied, but most required public schools to not discuss male or

female homosexuality. Some states stipulate that there should be no discussions whatsoever, similar to the *Don't Say Gay or Trans* bills currently making their way around the country, while others stipulated that homosexuality should only be discussed in conversations explaining the dangers and illegality of it (Sosin, 2022). These bills mirror the language used by Anita Bryant in their use of emotional languages such as disgust and moral outrage to frame homosexuals as deviants and dangerous. However, as time passed and national attitudes towards lesbian, gay, and bisexuals changed in the 21st century, half of these bills were repealed by state legislatures or courts. By 2022, only four states had retained their original *no promo homo laws*. These include Louisiana (1987), Mississippi (1998), Oklahoma (1987), and Texas (1991) (Movement Advancement Project, 2022).

Positioning themselves opposite of *no promo homo laws*, several states began passing LGBTQ2S+ inclusive curriculum laws. Starting with California in 2011, seven states have these inclusive laws (Movement Advancement Project, 2022). Most of these bills did not become law until 2019 through 2021, which makes California the only state to pass such curriculum laws before *Obergefell v. Hodges*. As more inclusive curricula became law in certain states, conservative groups began advocating for the right to exempt their children from any curriculum supporting LGBTQ2S+ rights and sexual health. As a result, along with the movement for inclusive curriculum, conservative forces began passing legislations that would require school districts to notify parents of any LGBTQ2S+ inclusive curriculum and then give them the option to opt out. The four states that retained their *no promo homo laws* still had language allowing parents to withdraw their students, so conservative forces focused their efforts on states that did not have these laws. Five states passed legislation allowing parents to opt their students out of LGBTQ2S+ curriculum, and interestingly, they all passed within months of one another.

Between April and July 2021, Arkansas, Montana, Tennessee, Florida, and Arizona all passed this type of legislation (Movement Advancement Project, 2022).

Then in 2022, Florida revived the *no promo homo* laws with HB 1557, also known as the *Don't Say Gay or Trans* bill. Signed into law in March 2022, this bill requires public schools to not foster any discussion of gender or sexuality from kindergarten through the third grade, or through an age that is not developmentally appropriate (Parental Rights in Education Act, 2022). Its passing sparked immediate backlash from LGBTQ2S+ advocates who say the bill sponsors state censorship of LGBTQ2S+ people. Despite the backlash, similar *Don't Say Gay or Trans* bills have begun to spread around the country. Alabama, which repealed its *no promo homo* laws in 2021, signed a similar version of the *Don't Say Gay or Trans* bill into law only a month after Florida's in April 2022 (Jones & Franklin, 2022). Similar bills are under consideration in Georgia, Missouri, Tennessee, Ohio, Pennsylvania, Virginia, and the US House of Representatives.

Through learning the history and context of American LGBTQ2S+ rights advancement and conservative opposition, this study is better able to situate itself in its investigation of Florida's HB 1557. While it is not the first type of education bill to outlaw the promotion or education of LGBTQ2S+ history and issues, it provides researchers with a specific socio-political context through which to study the effects emotions have in political communication and the discursive shift in conservative opposition.

Chapter Four: Theory and Methodology

To investigate the discursive shifts in debates surrounding LGBTQ2S+ policies, I engage within a DI framework that employs a case study, process tracing, and EDA as its primary methodologies. Institutional work utilizing and working around ideas is not a new phenomenon to the literature (Béland, 2019; Blyth, 2002; Hay, 2006); however, Vivian Schmidt was one of the first scholars to call for a creation of a new branch of institutional research centered around the role of ideas and discourse (2008). Called DI, the field goes beyond the understanding that ideas are important, instead believing that ideas both create and sustain institutions themselves. To do this, actors utilize various iterations of power through, in, and over ideas in discursive practices (Carstensen & Schmidt, 2015). What follows in this chapter is a presentation of institutional research, a focus on DI, a discussion of the relevancy of emotions in this project, and a case for why DI blended with emotional politics is the best framework through which to study the discourses surrounding LGBTQ2S+ politics in the US. Additionally, I present and explain the choice of a case study, process tracing, and EDA as this project's methods, followed by an explanation of the specific case and text selections.

Institutionalism and Discursive Institutionalism's Rise

Institutions can be many things. Within political science, researchers explore how institutions shape the social, political, and familial lives of citizens ranging from laws, customs, practices, social organizations, procedures, patterns, to affective systems of power (Lowndes & Roberts, 2013, 3-10). Institutionalists traditionally view institutions as both formal and informal. Formal institutions include written laws, constitutions, and electoral systems while informal

institutions include standard operating practices, parliamentary debate, and customs. Given the size of the field, this inevitably leads to numerous research queries and methods.

What is also important to note is the field's trajectory within political science. Institutions were the main focus in the field of political science until the 1950s. As Lowndes and Roberts note, "institutionalism *was* political science" (2013, 1). This "old institutionalism" focused on the formal layer of institutions, studying state constitutions, organizational arrangements, and government systems between countries. Around the 1950s, political science experienced a turn towards behaviorist literature by studying what lay beneath the formal institutions studied in political science research. Eventually, around the 1980s, institutions came back to the discipline to recenter institutionalism on the determining factors institutions themselves have on social and political outcomes (Hall & Taylor, 1996, 936; Lowndes & Roberts, 2013, 1-2). The behaviorist turn in institutionalism, while important at the time, understudied institutions to the point where research saw them no more than a "...simple aggregation of individual preferences" (Lowndes & Roberts, 2013, 1). Their return to the discipline fully realized the importance of organizational structures in politics (March & Olsen, 1984, 747). The turn to behaviorism did, however, leave its mark on political science by producing several new branches of institutionalism, which are now collectively referred to as new institutionalism (NI). From this revival, NI produced many variants to study institutions - the most famous of which include rational-choice, historical, and sociological institutionalisms. Called the fourth branch of NI, DI has also made its mark within this revival of institutional research (Schmidt, 2008, 1).

Each branch of NI has different objectives and highlights varying causes of institutional change. While not the focus of the study, it is important to understand the fundamental tenants of the three branches to fully understand what necessitated the creation of the fourth branch and

why other branches were not chosen for this project. Rational-choice institutionalism (RCI) studies rational behavior and interests. To explain institutional mechanisms it uses individual choices, collective actions problems, and game theory scenarios (Lowndes & Roberts, 32-33, 2013). Sociological institutionalism (SI), on the other hand, studies cultural norms, conventions, and frames. To explain these objects of study, sociological institutionalists turn to organizational fields and structures, and social movements (Lowndes & Roberts, 32-33). Lastly, historical institutionalism (HI) studies politics over long periods of time focusing on historical rules and consistencies. To explain institutions, HI uses path dependency and founding legacies (Fioretos, 2011; Hall & Taylor, 1996).

Research on these branches have provided various logics through which to understand individual action, institutional change and continuity, and causality. The logic of appropriateness within SI explains individual behavior following rules and scripts imbedded in institutions. These rules or scripts may seem irrational to an outsider, but for those within the institutions, they are deemed to be “appropriate” and thusly require rule adherence (March & Olsen, 2009). RCI uses a logic of calculation to explain individual behavior within institutions. This logic sees individuals acting in their own best interest through maximizing their gains in the public sphere (Lowndes & Roberts, 2013, 35). Lastly, HI uses the logic of path dependency to explain institutional change and continuity. This logic explains that any institutional change or continuity does not exist in a vacuum, instead they can be explained by institutional founding moments, previous institutional changes, or institutional design (Hall & Taylor, 1996; Smith, 2008).

NI has numerous tools to explain individual behavior and institutional continuity, but each branch has difficulty explaining unexpected events and change. These core branches of NI all share a common explanation of change. Rational choice, sociological, and historical

institutionalism all explain change through static terms (Schmidt, 2010, 4). While the manner through which they change vary, rational choice institutionalists believing in fixed preferences, sociological institutionalists believing in cultural norms, and historical institutionalists believing in path dependency, they all adhere to the belief that institutions are static in nature and not easily open to change.

Additionally, and important to this study, each branch has taken up studying the role ideas have on institutions, but for a time, no branch made ideas and discourse the center of their institutional studies (Béland, 2005; Schmidt, 2010; Smith, 2018). Discussed in Chapter One and later in this chapter, ideas make up discourse and discourse is the process through which ideas are transferred and discussed (Schmidt, 2008, 303). RCI has attempted to study ideas through enveloping them in rational actors' interests; however, they serve little purpose beyond being a mechanism for actors in their quest for interest maximization. Taking ideas seriously would require RCI to shift core assumptions of rationality, objectivity, and logic games inherent in the discipline (Schmidt, 2010). SI, on the other hand, adapts well to the study of ideas. The discipline itself owes its foundations to ideas of culture, nation building, standard operating practices, tradition, etc. Where SI differs from DI in its study of ideas is that many sociological institutionalists see ideas as static. According to SI, actors within institutions are not capable of influencing institutional change through their ideas and discourses. Schmidt, however, argues that some constructivist work within SI has begun to see ideas as dynamic and could be enveloped within DI (Schmidt, 2010). Similarly, much work within HI recognizes institutions as being constitutive of ideas (Béland, 2005; Smith, 2018). The policy legacies and path dependencies of past ideas, which shaped the institutions, are what determines present institutional machinations according to historical institutionalists. However, similar to SI, HI

does not recognize the dynamic nature of ideas to explain change. Despite this hesitance to explain change dynamically, Schmidt argues that more scholars are beginning to delve into the realm of DI to explain change not in a manner of exogenous shocks (2010).

Due to their inability to explain change comprehensively and the hesitance to undergo dynamic ideational and discursive studies, DI was brought into the fold. At its core, DI examines ideas and discourse within institutional settings, viewing change and/or continuity as occurring through “ideas and discursive interactions” (Schmidt, 2010, 4). Schmidt understands ideas as encompassing many aspects and content within political science. She offers a view of ideas occurring at three levels of generality – policies and policy solutions, programs and frames that underpin policies, and public philosophies and sentiments (2008, 306). Each level of ideas can be further split into two types – cognitive and normative. Schmidt defines cognitive ideas as representing the rational explanation and thought on what the policies and problems are and what can be done, and normative ideas as the more emotional thought of what is good or bad with current policies and problems and what should be done (2008, 306). Schmidt then defines discourse as, “not just ideas or ‘text’ (what is said) but also context (where, when, how, and why it was said). The term refers not only to structure (what is said, or where and how) but also to agency (who said it and to whom)” (2008, 305). These concepts inform the “logic of communication” that underlies DI.

Within this branch, discourse is understood to be the interactions between sentient agents either through coordinative or communicative means. Coordinative discourse refers to the discourse amongst policy agents, and communicative discourse refers to the discourse between policy agents and the public (Schmidt, 2008, 310). Coordinative discourses include policymakers, ideational leaders, advocacy coalitions, activists or concerned citizens in public

hearings, among others. Communicative discourses include similar actors but have increased interaction to and with the public. They include policymakers, ideational leaders, the media, activists, religious groups, neighborhood associations, regular citizens, etc.

By taking ideas seriously, DI recognizes that institutions are not always in stable equilibria which cannot be claimed by the other branches. While the other branches utilize and understand ideas to a certain degree, DI is the only branch that fully recognizes the explanatory power of ideas to explain change and how those ideas are shared and empowered via discourse.

Thus, DI shares the interest in ideas with other forms of institutionalism, but unlike the other branches, DI explains how the explanatory power of ideas and the interactive processes of discourse create and produce change within institutional contexts (Schmidt, 2008). Some critiques of NI state that by ignoring actors and ideas there is an overwhelming emphasis on institutions and their constraints. Conversely, by only focusing on actors and ideas, there is an underwhelming emphasis on institutions. DI mitigates this by viewing institutions as both “given” and “contingent” (Schmidt, 2008, 314; Wahlstrom & Sundberg, 2018, 166). This means that the field of DI studies institutions as given because they are the context where actors “think, speak, and act,” but also as contingent because institutions are the result of “agent’s thoughts, words, and actions” (Schmidt, 2008, 314). Schmidt argues that NI only views institutions as given, meaning that agents do not have great influence on institutional change or continuity. While DI’s turn to ideas is critical in understanding the fourth branch, it only makes up half the story. In addition to studying the explanatory power of ideas, DI is interested in the “interactive processes” of discourse, which is the site where ideas are created and discussed (Schmidt, 2008, 309). Other forms of institutionalism in NI may include discussions of discourse in their analyses, but none make it the primary site of change as DI does.

At its heart, DI is about studying ideas and discourse and how they can influence political thought and action (Carstensen & Schmidt, 2016; Smith 2018). With this in mind, discursive institutionalists have proposed three ways through which ideas create or change power relations. These ideational powers are, “...*power through ideas*, understood as the capacity of actors to persuade other actors to accept and adopt their views through the use of ideational elements; *power over ideas*, meaning the imposition of ideas and the power to resist the inclusion of alternative ideas into the policymaking arena; and *power in ideas*, which takes place through the establishing of a hegemony or institutions imposing constraints on what ideas are considered” (Carstensen & Schmidt, 2016, 318). This view of power in ideas through discourse contrasts to other branches within NI. For example, HI and RCI view power as a “function of position” meaning that power comes from an agent’s position or status (Schmidt, 2010, 18). SI, on the other hand, understands power as unequal between agents and institutions through the reproduction of norms, rules, and standard operating practices (Saurugger, 2017).

DI provides a useful framework to investigate the current debate over American LGBTQ2S+ policies. While queer communities and their allies have seen historic wins from 2003 to 2015, conservative opposition has sought to rollback such advancements on the local and state level. Armed with political influence and ideational powers, conservative forces have mobilized around “saving the children” (Smith, 2018, 72). Reminiscent of Anita Bryant’s Save Our Children campaign, the current discourse conservatives employ actively seeks anti-LGBTQ2S+ legislation within the field of education policies through a frame of legal rights-seeking. This frame mirrors successful arguments made by the pro-life movement (Saurette & Gordon; 2016) and the LGBTQ2S+ rights movement (George, 2019; Harrison & Michelson, 2017). Supporters of these *Don’t Say Gay or Trans* bills employ language that frames them as

seeking parental rights. Discussed in Chapter Six, I contend that this rights-based discourse uses fear and security to mask emotional discourses of disgust. This then empowers conservative opposition's ability to legitimize anti-LGBTQ2S+ policies, persuasive capabilities, and ability to pass these legislations.

In addition, DI is a useful framework through which to study LGBTQ2S+ rights and discourses because of how it defines institutions and agency. Whereas other frameworks view institutions as rigid and static, in terms of change, DI sees institutions and discourses as being both given and contingent due to agents' actions and discourses. Current debate on LGBTQ2S+ rights in the US is characterized by several frames, each attempting to change laws and statutes through their own influences. For example, conservative opposition based on disgust and moral outrage employs different rhetoric and discourses than opposition based on security and fear. Knowing this, an institutional framework that values the ever-changing nature of politics and discourse is critical to understanding the emotional and discursive underpinnings of debates about HB 1557. Any research project including queer communities will need to spend time focusing on how ideas, various ways of being, and organization might affect institutions in ways that stray from conventional wisdom. Queerness challenges conventional norms and power relations within society such as heteronormativity, gender roles, and gender relations. These institutions and norms cut deep into society, so conservative opposition to LGBTQ2S+ rights advancements can vary widely. Studying this opposition can then prove to be difficult for institutional research that does not value investigations into ideas, discourse, and agency. DI, therefore, sets itself up well to study changes and adaptations in LGBTQ2S+ politics.

Current conservative opposition can be characterized by many different ideas and discourses, such as moral opposition, security, disgust, and fear. While the study of ideas has

begun to perforate through institutionalism (Lowndes & Roberts, 2013; Smith, 2018), they do not offer a pathway to study emotions as well. As this project also calls for an investigation into emotions and their roles in discourse, DI provides the best framework to employ. So far, no other framework allows for a comprehensive inclusion of emotions within discourse analysis other than DI.

Studying Emotions

Emotions are notoriously hard to define (Demertzis, 2013; Kleinginna P. & Kleinginna A., 1981), but their effects on politics are resounding. This project does not attempt to define emotions, but it does utilize the affective powers emotions wield in political communication. Within the field of political science, emotional work has recently been incorporated more frequently (Durnová, 2019; Jaspár, 2011; Orsini, 2014; Orsini, 2021). Once an afterthought or a background variable, emotional work is now understood to complement institutional research in political science (Orsini, 2014, 151). Specifically, studying the ordering and expressions of emotions in institutional settings could help explain how agents can have an impact on institutional change through their emotional frames and narratives. The focus on discourse and communication by DI is a useful framework to incorporate alongside emotional analyses. Specifically, communicative, and coordinative discourses are rife with emotional communication and require further study to determine the role emotions play in frame-building and persuasion (Schmidt, 2017, 260). In addition, incorporating emotions in this analysis enables us to explore and expose their affective narratives and powers of sense-making (Orsini, 2021, 1). Emotions create the world we live in and are, therefore, important for understanding that world through the

frames and discourses they help create. Without emotions, policymakers and policy advocates alike would be missing crucial tools to influence frames and discourses.

The way emotions are used, and who they are used by, could also elucidate topics such as power relations between the LGBTQ2S+ community and their conservative opposition. As Orsini states, "...attaching affects and emotions to political communities, groups, or populations may tell us more about the political power of dominant communities to narrate the value of Others through affect than it does about any intrinsic emotional properties of those 'Othered' individuals or groups" (2021, 8). Knowing this, researching the emotions used by conservative forces could help explain the frames and discourses used to pass HB 1557 and how political power is used by conservative forces to "narrate the value" of LGBTQ2S+ Americans. Durnová succinctly explains this affective power of emotions and their importance when she states, "...emotions do not build the counterpart to discourse; instead, they co-produce discourse through their capacity to shape our perception and to evaluate discourse as 'good,' 'valuable,' 'important,' or the evoked 'emotional' and rational'" (2015, 231). Emotions are seen not only to influence and co-produce discourse, but are discourse themselves (Ahmed, 2015; Paterson & Larios 2021; Paterson, 2021). Therefore, solely studying the discourse surrounding HB 1557 while ignoring its emotional aspects would produce an incomplete analysis of the conservative opposition's frames of the LGBTQ2S+ community. Emotional analyses were added to this thesis in part due to research finding that emotions are discourse (Ahmed, 2015; Paterson, 2021), but also because past discursive research on LGBTQ2S+ politics has found various emotions embedded in political action both in support and opposition to rights advancements (Bishin et al., 2021; Harrison & Michelson, 2017; Johnson, 2004). This emotional analysis of HB 1557,

therefore, seeks to update the literature on LGBTQ2S+ politics and continue with research finding that emotions constitute discourse itself.

Methods

Case Study

Primarily, this project is a case study of Florida's HB 1557. As defined by John Gerring, a case study is, "...understood as the intensive study of a single case where the purpose of that study is – at least in part – to shed light on a larger class of cases" (2017, 20). In relation to this project, the case is Florida's HB 1557, and the "larger class of cases" are anti-LGBTQ2S+ legislations currently making their way throughout the US. By focusing on one case, HB 1557, I am able to more intensively focus on the emotional discourses present in debate. The addition of other cases may provide more generalizability, but a single case study allows for richer data to be collected. This case's data are the emotional discourses present in floor debates, media interviews, speeches, and Tweets. By focusing more intensively on Florida's HB 1557, I seek to investigate how these emotional discourses are being used both in Florida and across the nation. The data I gathered using this methodology are presented in Chapters Five, Six, and Seven. In addition to using a case study method, I also employ process tracing and EDA.

Discursive Institutionalism and Process Tracing

DI provides useful conceptual additions to methodologies in institutional research. Schmidt herself agrees that DI is a great complement to other NI research projects with its focus on ideas and discourse (2016, 1003). Since the field is complementary to NI, it can also take

from methodological toolkits of the other branches to define and analyze interests, institutions, and norms (Schmidt, 2016). Most related to this project is how DI can draw from HI's method of process tracing. Collier states that process tracing is, "...an analytic tool for drawing descriptive and causal inferences from diagnostic pieces of evidence - often understood as part of a temporal sequence of events or phenomena" (2011, 2). In other words, process tracing seeks to explain how current phenomena occur by tracing their origins to past events and details. A key tenant of this methodology is the belief that phenomena and events do not occur in a vacuum. This means that with any one event, there is a sequence of events of phenomena that led to its creation. Process tracing is most often used within case studies to help researchers uncover the origins and contexts of certain phenomena and events (Collier, 2011, 823). I use process tracing in Chapter Six to explain the context in which HB 1557 was introduced in the Florida legislature. I additionally use process tracing in Chapter Six to explain how current conservative opposition uses emotional discourses similar to past opposition movements.

DI is well situated to adopt HI methodologies through its recognition of historical legacies and founding moments on current policy debates. DI scholarship does not differ greatly from HI, but it does emphasize the view of ideas being the motivators for change and that institutions are not in stable equilibria (Schmidt, 2010, 9). Other than these differences, the two fields can take from one another's toolkits. One example of this can be seen in Smith's comparative analysis of US and Canadian same-sex marriage debates (Smith, 2018). This project benefits greatly from DI's ability to draw from HI because its focus on past policy debates and use of process tracing can help explain the resurgence in anti-LGBTQ2S+ forces in Florida and the nation.

Utilizing emotions in this project also fits well within the framework DI provides. As previously stated, emotions have tremendous affective powers in sense-making and frame-building and these can be seen within communicative and coordinative discourses. Specifically, the emotions used in coordinative discourses may appear or be presented differently than in communicative discourses. Seeing that emotions and DI can work together in a framework, I now turn to describing how emotions can and will be analyzed.

Emotion Discourse Analysis (EDA)

To properly analyze the emotions used by policy agents, I will use EDA. While the name may differ depending on the literature, scholars have begun qualitatively analyzing emotions in texts to understand larger socio-political contexts (Durnová, 2015; Orsini, 2014). EDA fundamentally is concerned with, "...how actors talk about emotions and how they employ emotion categories when talking about subjects, events, or social relations" (Koschut, 2018, 277). The method is concerned with interpreting texts to analyze their emotional potential and then contextualizing these emotions within the broader social and political environment. Koschut provides a useful three-step guide on how to conduct a successful EDA. Step one involves developing research questions and finding texts to analyze; Step two involves mapping and categorizing the emotions embedded in the texts; and Step three involves interpreting the emotions and mapping them onto the larger socio-political contexts that the texts occurred within (Koschut, 2018, 281-288).

To map this methodology on this research project, my first step is to ask the questions central to this project. Firstly, what emotions are currently being used in conservative opposition? Secondly, how are these emotional discourses being used? I also ask if emotional

discourses change depending on the audience via the concepts of coordinative and communicative discourses. These questions seek to investigate how HB 1557 was created and passed using emotional discourses. Chapter Three presented how LGBTQ2S+ rights in the US have a long history. Especially important in this history is how conservative opposition has employed various emotional discourses to effect policy changes in their favor. Lewis found that conservative opposition after the legalization of same-sex marriage underwent a shift away from disgust and moral outrage to rights-based discourses. This shift, however, does not comment on how emotions continue to be used by anti-LGBTQ2S+ forces. The theoretical framework and methods I have chosen allow this project to investigate the emotional discourses present in debate about HB 1557. Additionally, an emotional analysis of political discourse supporting HB 1557 will be able to explain how emotions have been used in the bill's passage.

Next, I gathered data of emotional discourses from Tweets, committee hearings, floor debates, and media sources. Given that my focus is on the case of HB 1557 in Florida, I start from the day it was introduced in the Florida House of Representatives, January 11th, 2022, to when it was signed into law by Governor DeSantis on March 28th, 2022. Secondly, I used inductive research methods to categorize the emotions involved in my dataset. Each quote or Tweet from my dataset was evaluated for the emotions present using techniques from EDA, and then classified into different categories. From allowing the data to speak for itself, I found that security, fear, and disgust were the primary emotional discourses present in debate about HB 1557. This project mainly includes elected officials in committee hearings, news interviews, floor debates, and social media posts, but it also includes concerned citizens and advocacy groups in support of the legislation through their testimonies in committee hearings. Lastly, I interpret those emotions to understand the shift in conservative opposition towards rights-based

discourses both within the microcosm of conservative opposition in Florida, and within the larger context of American conservatism.

Case Selection

To investigate the discursive shifts in debates surrounding queer politics, I investigate the discourse that arose about the passage of HB 1557, also known as the *Parental Rights in Education Act* and/or the *Don't Say Gay or Trans* bill, in Florida. This case was chosen for several specific reasons. Firstly, the state is extremely salient in current American politics. Already seen as a battleground state, although to a lesser extent in recent years (Foreman, 2018, 53), Florida is often seen as a bellwether in American politics. Traditionally choosing the winner of the Presidency, Florida is also seen as a state where the political mechanisms and ideas produced are seen to spread throughout the country. We need look no further than the introduction of HB 1557 and its eventual spread throughout the country. Two weeks after the bill was signed by Governor DeSantis, similar bills or court battles were proposed in more than a dozen state bodies (Jones & Franklin, 2022). In October of the same year, House Republicans introduced a similar bill in Congress (Wamsley, 2022). While such legislations are not original to Florida (Barbeauld, 2013), the saliency through which the state gave them news coverage allowed similar legislations to pop up in various other states and in the halls of the US Congress.

Secondly, the state currently has a very active and conservative governor. Since being elected in 2018, Governor Ron DeSantis has not shied away from policies that would be considered controversial or untouchable at a national level. Amongst his interventions are resisting the imposition of COVID-19 regulations, prohibiting businesses and government entities from requiring vaccinations, and banning critical race and “woke” teaching in schools

(Governor of Florida, 2021). His rhetoric, largely influenced by Donald Trump, provides a clearcut example of a public official utilizing emotionally charged language to influence discourses about topics such as COVID-19, public education, and so-called “culture wars”. Another specific example is HB 1557, which I will discuss further in Chapter Six.

Lastly, Florida has largely become a Republican controlled state. Still considered a swing state by scholars and political pundits, state bodies have been characterized by Republican dominance since the turn of the century (Foreman, 2018, 68). Regarding the government bodies related to this study, the House of Representatives has been in Republican hands since 1996, the Senate since 1994 (1992 saw both Democrats and Republicans agreeing to share power as the body was split 20 to 20), and the Governor’s Mansion since 1999 (2010 saw the elected Republican governor announce his intent to become an independent). With nearly two and a half decades of Republican control of both the Florida Legislature and the Governor’s Mansion, a certain degree of control can be seen throughout the study. Whereas if the study were to examine a state with frequent changes of power within the state, certain aspects of the research might be called into question. The prime example would be that the data is simply a result of political opportunism with one party, in this instance the Republican Party, simply coming into power after being in the opposition. In Florida’s case, they have been in the majority in all state offices since the beginning of the 21st century. With all of this in mind, Florida presented the best case through which to study these shifting discursive elements to debate surrounding LGBTQ2S+ politics.

The selection of *Don’t Say Gay or Trans* bills to be the conduit through which to study the emotional discourse of conservative opposition were chosen for two reasons. Firstly, *Don’t Say Gay or Trans* bills are salient in current US politics. Both from a political and social

standpoint, the legislation it hotly debated across the country. The spread from Florida has meant that more Americans have had to reckon with what is in the bill, and whether they support it or not. Being as salient as it is makes it an ideal piece of legislation to study these discursive and emotional elements underpinning communicative and coordinative discourses in conservative opposition. Secondly, HB 1557 and its various iterations around the country represent a return to policing queerness within education policies. Amongst other policies such as bathroom and sports bills, the *Don't Say Gay or Trans* bill that prohibit curriculum about gender and sexuality have the most far-reaching consequences. Due to vague language, school districts have become more hesitant to support LGBTQ2S+ friendly initiatives and school-sponsored events, teachers are wary of mentioning anything related to sexuality and gender, and LGBTQ2S+ students feel unsafe (Gerson, 2023). With these two reasons combined, the political saliency of *Don't Say Gay or Trans* bill and their far-reaching consequences, Florida's HB 1557 presented itself as a prime case to examine my research questions.

Lastly, it is important to explain the inclusion of social media in the dataset. With the onset of social media in the 21st century, it has largely become a new political space for politicians and advocates alike to share their ideas, concerns, and debates (Schmidt, 2017). Research has also shown that social media attracts much more emotional messages than traditional media sources (Bobba, 2019; Gerbaudo, 2018). The dataset focuses on many hours of committee hearings and floor debates, which could have led to more data on coordinative discourses. The dataset does include communicative discourses from newspaper articles, TV interviews, and opinion pieces, but it was thought that this would produce less data than coordinative discourses. To offset this, social media data from Twitter were added to supplement the imbalance between coordinative and communicative discourses. It also should be noted that

traditional media and social media can be both coordinative and communicative in nature, but the data this project collected saw primarily communicative discourses in both.

Data Collection

To investigate the emotional discourses in current conservative opposition, this project collected data from numerous sources. Firstly, Twitter accounts for all elected officials who voted for HB 1557 in the Florida House of Representatives and Senate were reviewed for mentions of HB 1557. If any were made, they were included in the dataset. Additionally, Tweets from Governor Ron DeSantis and any Tweets mentioned in public debates by elected officials were included in the dataset. In total 47 Tweets were collected using Twitter's own analytical advanced searching tools. Specifically, Tweets were collected using keyword searches of the terms *parental rights*, *gay*, *education*, and/or *HB 1557*. The terms were chosen because they were understood to be the keywords supporters of the bill would use in their 280-character Tweet. From these four terms, if no Tweet about the bill was found, then that elected official was not represented within the dataset. To ensure that the Tweets were on the topic of HB 1557, I gave priority to Tweets uploaded closest to the introduction of the bill on January 11th, 2022, the bill's passage in the Florida House of Representatives on February 24th, 2022, its passage in the Florida Senate on March 8th, 2022, and the bill's signing by Governor DeSantis on March 28th, 2022. If a Tweet by an elected official was not found around these dates (January – April 2022), then Tweets were collected only if they made direct references to HB 1557. Additionally, using the concept of ideational leaders from DI (Schmidt, 2017), I include two Tweets from policy operatives who were not policymakers themselves, but were a part of the debate about HB 1557. To narrow the scope, I only include Tweets from policy operatives that were mentioned in debate

by the policymakers themselves. This led to only two Tweets to be included from Christina Pushaw, who works in Governor's DeSantis' office and John Stemberger, who is the president of the Florida Family Policy Council. I then went through media sources such as interviews, newspaper articles, and opinion pieces to collect further evidence of emotional discourses. Lastly, I went through every stage the bill went through in the House and Senate to collect the last of my data. This included committee hearings and floor debates. Throughout the entire data collection process, Tweets and quotes were only added to my dataset if they contained emotional terms. Using an inductive research methodology, I did not look for any particular emotion when I gathered the data. Instead, the data reflects Tweets and quotes using overt emotional terminology.

When all the data was collected, I began my emotional discourse analysis in two parts. Firstly, I went through each Tweet collected and categorized them by emotions used. I used an inductive coding approach which meant that I did not start off with preconceived notions of which emotions I expected to see. The reasoning for why I use inductive methods is because there have been few research projects investigating modern emotional discourses used by conservative forces. This project, as stated in Chapter One, asks how emotional discourses are used in support of HB 1557. To uncover the emotions used and how they are being used, I followed the steps provided by Koschut in his explanation of EDA (2018). In my data set, this meant that each Tweet was placed in a column corresponding to the emotion used. Of the 47 Tweets collected about HB 1557, only 19 contained explicit use of emotions. Table 1 shows how policymakers make up the majority of Tweets analyzed, totally 17, while only 2 Tweets were from policy operatives. In total there were three primary emotional categories: fear, security, and disgust. Table 2 shows how many Tweets were collected for each emotional category. Already,

the emotional discourses found in the HB 1557 debate point to how modern conservative opposition has not changed emotionally from past opposition movements. Secondly, I followed the same process for the remaining data streams of other media sources, committee meetings, and floor debates. The primary emotional categories from these remained the same – fear, security, and disgust. Table 3 demonstrates the data collected from these streams. The last step according to Koschut is to then contextualize the emotions used within the larger socio-political context (2018). Using DI integrated with EDA, I elaborate on the frames and discourses conservative forces used in Florida regarding HB 1557, the discursive shift in conservative opposition towards legal rights, and how HB 1557, and similar bills, are increasingly successful due to their use of emotional discourses.

Table 1 Policymakers and Policy Operatives Tweet Breakdown

Policymakers	Policy Operatives (mentioned in debates)
17	2

Table 2 Emotional Categories of Tweets

Fear	Security	Disgust
6	11	2

Table 3 Emotional Categories of Floor Debates, Committee Hearings, and Traditional Media Sources

Fear	Security	Disgust
21	18	6

Chapter Five: Florida Politics and LGBTQ2S+ History

Building off the developments of the previous chapters, I now focus on the state context of HB 1557. Before analyzing the emotional discourses present in debates about the bill, an investigation into Florida's political and LGBTQ2S+ history is needed to understand the environment HB 1557 was born into. This chapter begins with discussing the position of the state within the larger political context of the US, specifically focusing on how federalism has shifted throughout the US and where Florida is situated within this. Then, I discuss Florida's political context. This section is divided along key political events that have shaped modern Florida, with special attention given to how political events in the 1990s and 2000s paved the way for the current conservative movement in Florida. Lastly, this chapter discusses LGBTQ2S+ political history in the state. Starting with LGBTQ2S+ persecution in the 1950s and ending with the *Parent's Bill of Rights*, this section contextualizes the events that led conservative forces to focus their efforts on HB 1557. Through a comprehensive understanding of the state's role in US federalism and its political and LGBTQ2S+ history, this project will position itself appropriately to analyze the emotional discourses in support of HB 1557.

US Federalism and Florida

The US political system was founded on the concept of federalism, there is no doubt about that; however, in recent years, federalism has been taken to evoke different concepts depending on who you speak to. Liberals favor a more centralized version of the state, with the federal government at the epicenter, while conservatives favor a decentralized notion of federalism, with states enjoying more political power. Through the 20th century, this was the

common thought, but the past few decades have thrown this common knowledge into question. Despite frequent political turnover between Democrats and Republicans, the federal government has become more centralized, especially compared to other federal states such as Canada (Esman, 1984; Thompson et al., 2020).

Conservatives believe in small government, but conservative presidents have continuously expanded executive power. Liberals believe in a stronger federal government but have been seen to give states large freedoms in spending federal dollars. For example, conservative Presidents Ronald Reagan and George Bush largely increased the centralization of the federal government through executive orders and administrative powers (Conlan & Dinan, 2007; Thomson et al., 2020), while liberal Presidents such as Barack Obama also continued this trend of centralization through executive and legislative means. However, in some cases, President Obama supported states' rights and autonomy (Conlan & Posner, 2011; Gillian, 2011). Key legislations that point to this increase in state autonomy under the Obama administration were the Recovery Act and the Affordable Care Act which both gave states large freedoms in the implementation of the bills and their corresponding federal funds. To a large degree, this hybrid version of federalism has continued under the Trump and Biden administrations (Thompson et al., 2020; Thompson & Gusmano, 2022). The past two decades of this hybrid federalism is termed as "kaleidoscopic federalism" by Benton (2020, 537) due to no prevailing principle of federalism by either party. Instead, parties only reference federalism when it is political beneficial to do so, whether it be a liberal or conservative view of it.

This only reflects federal level policymakers; how do state level policymakers view federalism? States serve as one of the most effective "institutional strongholds" opposition parties have to the party in power (Robertson, 2018, xv). This often means that principles of

federalism are more strongly felt and acted upon by state officials. Florida provides a useful example of how states interact with the federal government due to conservative control of the state and liberal control of the White House and Senate. State actions do not occur in a vacuum. While most state policymakers are governing for the benefit and welfare of their citizens, the implications of their actions reach far beyond their borders. Knowing this provides an explanation as to why an analysis of the emotional discourses around HB 1557 can speak to larger national concerns, especially as an “institutional stronghold” against liberal control of the White House and Senate (Robertson, 2018, xv). The microcosm of Florida reflects the political discourse and actions around the nation, whether it be currently or in the future.

Florida Politics

The beginning of Republican dominance in Florida state offices began towards the end of the 20th century. For that reason, this section will start with Florida politics in 1990 and briefly describe how Republicans became influential in state politics. As this project focuses on an education policy, this section will also detail Republican adventures into education. Florida conservatives did not start cultural wars in education policies in 2022, so it is important to understand their origins towards the end of the 1990s.

With the election of Democrat Lawton Chiles to the governorship in 1990 it seemed as if Democrats were back in power. Previously, Democrats controlled the legislature and executive from 1970 until a brief pause in 1986 with the election of Republican governor Bob Martinez. Unfortunately for Democrats, however, this only marked the beginning of Republican dominance in the state. Two critical developments happened in the 1990s that exacerbated Republican control of state politics. Firstly, following the 1990 census, the state legislature had

the responsibility to reappropriate legislative districts. Republicans, cognizant of the difficulty to elect conservative members with previous legislative maps, created a new plan to redraw the districts more favorably to them. Without the numbers to pass their version of reappropriation, Republicans led by state Senator Tom Slade courted their black colleagues to vote alongside them with the promise that new legislative maps would increase black representation in both the state House and Senate, and in the US House of Representatives. Under this deal, black representation would increase by five seats in the state legislature and increase by three, from zero, seats in Congress (Colburn, 2013, 152 – 153). Wary of losing control of the legislature, state Democrats attempted to appease black legislators with the promise of one additional congressional seat, but it was too little and too late. Black legislators voted with Republicans to affirm the new legislative maps which led Republicans to win majorities in both houses a few years later in 1996.

The second development was the increase in effective state Republican leaders. Mentioned before, state Senator Tom Slade was elected as chairman of the state Republican Party in 1993. Seen as an effective leader during reappropriation, Slade was elected to push Republicans into further political power. To a large degree, Slade was successful in this endeavor (Colburn, 2013, 154 – 155). Some key successes Slade oversaw were the selection of candidates in competitive districts, increased diversity in Republican office holders, and clearer ideological goals for Republicans. While Slade was more of a background force in the party, the emergence of Jeb Bush in state politics brought the Republican Party star power that ushered in further conservative dominance in state politics. Bush ran for governor in 1994 against Chiles but lost in a tight race. This did not stop him from running again in 1998 which is ultimately when he was elected, thus ushering in Republican dominance in state politics (Colburn, 2013, 174 – 175).

The election of Bush led to the enactment of conservative policies across the policy spectrum, ranging from taxes, education, housing, among many other issues. Bush's neoconservative administration firmly believed that government had become too large, and it was their prerogative to shrink it (Crew, 2010). Governor Bush accomplished and failed within many policy issues, but most pertinent to this project were his interjections into education issues.

Riding in on a wave to abolish the department of education, Bush, who did not abolish it, did reform education in Florida. One of his first forays into this policy field was the creation of the nation's first voucher program that allowed students to attend private schools if they received failing grades in two out of four years in their public school (Colburn, 2013, 178). Bush and his advisors believed that too much was left up to educators, so in addition to the voucher program, Bush instructed the Department of Education to require schools to focus their curriculum on reading, writing, and math. While sounding apolitical, the move centralized the state's control on education and took away power from educators to define their curriculum (Colburn, 2013, 178). This is an important institutional design to consider for the later passage of HB 1557 as the rhetoric of "out of touch" teachers remains salient in 2022. On top of this, Bush was also a proponent of charter schools. As a cofounder of the first charter school in Florida, Bush continued to allocate state dollars to the creation and implementation of more charter schools around the state with his "A+ Plan for Education" (Colburn, 2013, 178). One of the last education policies created by the governor was the "One Florida Initiative" which sought to eliminate the use of Affirmative Action in public universities while increasing scholarships for Florida students attending in-state universities (Colburn, 2013, 182 - 184).

What we can learn from Bush and Republican efforts in education policies is that they are used to further their political control. Through intervening in cultural issues such as Affirmative

Action, charter schools, and blaming “out of touch” educators for problems in the state, conservatives in Florida have legitimized using education as a venue to wage culture wars. Governor Bush’s administration was an influential turning point in Florida politics. It was the beginning of Republican dominance in state politics, and it largely set the agenda for future policy battles. Relating to education, subsequent governors and state legislators continued to stoke fear and fight cultural battles within education policies. Two key examples are Governor Rick Scott signing a bill that further increased public funds to charter schools (Amos, 2017) and Governor Ron DeSantis signing the Stop Woke Act which prohibits public schools from teaching instructional material that would cause feelings of guilt or anguish in students due to their race, sex, or national origin (Muddle, 2023).

Overall, what is important to take away from Florida politics is that through deliberate and intentional actions, Republicans have become a dominant force in the state. Actions in certain policy sectors, such as education, allow Republicans to continually push their agenda without electoral repercussions. If this were a normal Republican dominated state, this would not tell us much about the larger American electorate and ideological movements. However, Florida is representative of the entire US due to two factors. Firstly, Florida is one of the most competitive swing states in the nation for presidential elections (Foreman, 2018). The state has been categorized as a bellwether in American politics for its ability to elect winning presidential candidates. Between 2000 and 2020, the state was able to vote for the winning candidate with 83.3% accuracy (Ballotpedia, n.d.). Additionally, competition between Republicans and Democrats is still high with nearly every statewide election – often coming ending within margins of single digits (Colburn, 2013). This means that Republican control of the state, and who it sends to Congress and the White House, is not always assured. While Republicans are a

dominant force in the state, they still require electoral support for their policy initiatives. This can explain how Florida Republicans, before Governor DeSantis, valued policies promoting diversity, equity, and inclusion (DEI) and immigration (Colburn, 2013). Secondly, Florida demographics reflect the demographics of the entire nation (Colburn, 2013). With growing racial diversity, retiree populations, and immigrant communities, the state reflects the nation better than other, more white, bellwether states such as Ohio and New Hampshire. These two factors combined prove that Florida can serve as a microcosm through which to study the ongoings of politics around the country. It is through this understanding of Florida as a bellwether for the rest of the US that this project situates itself. Before turning to an analysis of the emotional discourses present in debate about HB 1557, I turn to LGBTQ2S+ political history in the state.

LGBTQ2S+ Political History in Florida

Similar to Chapter Three, I start this section in the 1950s. At the height of the Lavender Scare, Florida had its own institutional purging of homosexuals through the efforts of the Florida Legislative Investigative Committee, also known as the Johns Committee. The committee ultimately led to dozens of teachers, professors, and public officials being forcibly removed from their jobs. Unlike the Lavender Purge's use of security and fear, the Johns Committee used emotional rhetoric based on disgust and moral outrage (Terl, 2000, 795 - 800). Various reports linked homosexuality to pedophilia and mental illness while recommending medical treatment to "cure" homosexual tendencies. Due to the committee's hellbent attitude on persecuting all homosexuals in public office, specifically teachers and professors, many LGBTQ2S+ activists sought legal remedies. One such remedy led to Miami's 1977 anti-discrimination ordinance

protecting individuals from discrimination on the basis of their sexual orientation in employment, housing, and public services.

As discussed in Chapter Three, the ordinance ultimately galvanized conservative opposition in the state and around the country to create the Save Our Children campaign. The campaign continued the legacy of the Johns Committee by using emotional frames of disgust and moral outrage to persuade the electorate and legitimize their policy stances (Bishin et al., 2021). While galvanizing conservative support, the Save Our Children campaign also kickstarted LGBTQ2S+ rights movements across the country. This case of the Miami anti-discrimination ordinance and the subsequent mobilizations provides another case of how Florida, through its often-incendiary politics, can affect the rest of the nation.

Also occurring in the 1970s was a fight over sodomy laws in the state. LGBTQ2S+ rights advocates sought to decriminalize sodomy laws from colonial times, but the legislature instead reinforced sodomy laws calling them “abominable” and “detestable” and categorizing them as felonies (Terl, 2000, 801). The Florida Supreme Court later overturned this legislation due to vagueness in the language but made sure to note that sodomy laws that punish sexual acts between homosexuals were still legal. This prompted the legislature to then rework sodomy laws to categorize homosexual acts as “crimes against nature” which would be a misdemeanor in the state (Terl, 2000, 803). These laws would stay in effect until *Lawrence v. Texas* decriminalized sodomy laws nationwide.

The increased saliency of LGBTQ2S+ rights around the country in this period resulted in a surge of political homophobia in Florida. This ultimately led to a 1977 law banning same-sex marriage and the adoption of a child by any homosexual (Goldberg et al., 2013; Terl, 2000). The banning of same-sex marriage was not particularly new, but the banning of adoption by any

perceived homosexual was considered by many around the country to be one of the strictest anti-LGBTQ2S+ laws at the time. The laws both stayed in place until 2015 and 2010 respectively.

The end of the 1970s and the beginning of the 1980s saw similar attacks against homosexuals in public office. State legislators continued their attempts to penalize universities that employed homosexuals but were having less success (Terl, 2000). Due to the increased political homophobia from state officials and conservative activists like Anita Bryant, Florida's first statewide LGBTQ2S+ advocacy group, the Florida Task Force, was created. The task force had the goal to overturn anti-LGBTQ2S+ laws in the state and sought to do this through lobbying. Perhaps in part due to their efforts, LGBTQ2S+ politics were beginning to change in the state. Two additional events changed the course of LGBTQ2S+ politics in Florida. Firstly, many legislators involved in the Johns Committee and those who were pushing for increased anti-LGBTQ2S+ laws either retired or did not win reelection. Secondly, the HIV/AIDS epidemic tore through Florida. At the behest of the National Association of Insurance Commissioners (NAIC), the Florida legislature passed the Omnibus AIDS Act of 1988 which included provisions for sexual orientation nondiscrimination (Terl, 2000, 816 – 817). Hate crime laws that would have protected against sexual or gender discrimination were also considered during the 1980s. Due to conservative opposition at the time, however, these protections were not included in the final version of the bill that was passed.

With increased protections for LGBTQ2S+ Floridians in the 1980s, came increased activism and litigation in the 1990s. Litigation from all over the state challenged sodomy laws, marriage laws, and the exclusion of sexual orientation and gender identity in hate crime laws. Most of these trials did not see favorable outcomes for LGBTQ2S+ rights advocates (Terl, 2000). Political activism was then seen to be a more fruitful avenue through which rights

advocates could effect change. Firstly, anti-discrimination ordinances were passed in several cities and counties such as Miami, West Palm Beach, Key West, Palm Beach County, and Hillsborough County. These ordinances were also adopted by universities such as Florida International University.

With the increased saliency of friendly-LGBTQ2S+ policies, sexual orientation, but not gender identity, were finally added to the Florida hate crime laws in 1991 (Terl, 2000, 835). The fight for partnership rights also began to pick up steam in the 1990s. West Palm Beach was one of the first municipalities to give same-sex couples partnerships rights through bereavement leave (Terl, 2000, 836). While rights were increasing around the state, conservative forces began fighting to overturn these rights. In 1994, an amendment to the state constitution was proposed to forbid any state municipality from enacting anti-discrimination laws based on sexuality (Terl, 2000, 840 – 841), but it never made it to the ballot. Following the court battles in Hawaii in *Baehr v. Miike*, the Florida legislative, now led by Republicans in the House, proposed a DOMA. Despite fierce opposition in the state, the bill passed and was enacted into law in 1997 (Terl, 2000, 846). With Republican control of the legislature following 1996, LGBTQ2S+ rights would stall in the state for years to come.

Since 2000, LGBTQ2S+ rights have experienced advancements and setbacks. One of the first advancements came in 2003 with *Lawrence v. Texas* which decriminalized sodomy laws in the state and around the nation (Smith, 2008). Then five years later, Amendment 2 to the Florida Constitution passed via referendum. The amendment defined marriage as between one man and one woman (Slade & Smith, 2011). Due to changing attitudes in the following years (Bishin et al., 2021), the amendment was later found unconstitutional in *Brenner v. Scott* by the Florida Supreme Court and same-sex marriage was legalized in the state five months before the

Obergefell v. Hodges case in 2015. The ban on adoption by homosexuals was also lifted in 2010 by the court case *In re: Gill* and was even strengthened by the Republican legislature in 2015 (Associated Press, 2015).

However, from 2008 onwards, Florida has experienced various attacks on trans rights. One of the first instances was in 2008 with an anti-discrimination ordinance in Gainesville to protect gender identity and expression in public facilities. The city commission adopted the ordinance in January of 2008, but 14 months later it was nearly overturned via referendum by conservative forces that used emotional language of disgust, security, and fear (Schilt & Westbrook, 2015). These emotional discourses largely reflect opposition to lesbian, gay, and bisexual rights advancements in the country. One example that elucidates this emotional appeal is when opposition to the ordinance broadcasted videos linking trans Floridians using the bathroom of their gender identity as the same as allowing pedophiles into children's bathrooms. These same connotations used against trans rights eventually led Governor DeSantis to sign into law a bill that requires students in public schools who participate in sports to only play in sports aligned with their sex assigned at birth (Atterbury, 2021). Also in 2021, Governor DeSantis signed into law the *Parent's Bill of Rights* which allows parents to opt their child out of curriculum they deem objectionable which includes instruction about sexual education and sexuality (Parent's Bill of Rights, 2021). The following year, state legislators cited the *Parent's Bill of Rights* as a justification for the increase intervention of the state on curriculum with the passing of HB 1557.

What we can discern from Florida's LGBTQ2S+ political history is that there is not one clear linear story. Instead, LGBTQ2S+ history in the state is characterized by many advancements and setbacks. The rhetoric surrounding Florida's LGBTQ2S+ politics is especially

outstanding given its propensity to spread throughout the rest of the US. One needs to look no further than the battle over anti-discrimination ordinances and the Save Our Children campaign to see this. Additionally, the state has not always adopted anti-LGBTQ2S+ policies, instead it has been a mixture of positive and negative laws depending on timing and policy issues. This allows this research to continue knowing that past policy legacies cannot completely explain the introduction of HB 1557. The state has instead constantly contradicted itself with its history on LGBTQ2S+ political rights. Knowing that the state has explanatory powers for the rest of the US and that its LGBTQ2S+ history is a mixture of positive and negative laws, I now turn to analyzing the emotional discourses surrounding HB 1557.

Chapter Six: Sanitizing Emotional Discourses

In this chapter, I demonstrate that HB 1557 continues to represent a discursive shift in conservative opposition away from overt emotional discourses of disgust towards rights-based discourses (Lewis, 2017). At the same time, however, I also demonstrate that upon closer scrutiny, this discursive shift is not as dramatic as it first appears. Integrating DI with an EDA framework, as described in Chapter Four, I reveal that the shift towards the rights-based discourse masks the persisting emotional discourses of disgust by using fear and security.

In previous chapters, I outlined the potential for DI and EDA to interrogate and explain this shift, illuminating the role of emotional discourses in conservative opposition to LGBTQ2S+ rights. As explained in Chapter Four, the DI framework demonstrates how institutional change or continuity is a result of agents' discursive practices (Schmidt, 2008, 303). Instead of a static understanding of change or continuity, DI sees that institutional machinations are intentional as a result of the discourse, and consequentially the ideas, of its agents. Broadly, DI understands ideas as occurring on three levels, policies and policy solutions, programs and frames that underpin policies, and public philosophies and sentiments (Schmidt, 2008, 306). Furthermore, ideas can be one of two types, cognitive or normative (Schmidt, 2008, 306). Cognitive ideas are those that explain "what is" and those that explain "what to do". Normative ideas, on the other hand, explain what is good or bad in a given scenario (Schmidt, 2008, 306). Cognitive ideas are rational and logical while normative ideas delve more into belief systems and biases. In addition, DI defines discourse as, "not just ideas or 'text' (what is said) but also context (where, when, how, and why it was said). The term refers not only to structure (what is said, or where and how) but also to agency (who said it and to whom)" (Schmidt, 2008, 305). In a DI framework, ideas make up discourse, and this discourse can be broken into two categories – coordinative and

communicative. Coordinative discourse is “discourse among policy actors” while communicative discourse is “discourse between policy actors and the public” (Schmidt, 2008, 303).

As discussed previously, DI has been used to explain how discourse can create and influence policy decisions, and it has shown how emotions are inherent within political communication (Schmidt, 2017). DI has not, however, fully explored how to analyze and contextualize emotions. EDA is a useful complement to DI, offering a tool with which to analyze emotions within this institutional context. DI understands that discourse can influence policies through various means such as policy construction, legitimization, and persuasion, while EDA understands that emotions have explanatory powers in explaining social hierarchies, norms, institutions, and political culture (Koschut, 2018). EDA provides a framework through which to study emotions within political texts and speeches in its three-step approach, as discussed in Chapter Four. Integrating these frameworks together with an emphasis on interpretivism allows for a more “fine grained analysis” (Newman, 2012, 465-466) of political phenomena, offering more in-depth exploration of the motivations of policy agents and their persuasive abilities.

For this project, I applied this framework to explore the ideas and discourse of anti-LGBTQ2S+ forces in Florida, which, as explained in Chapter Five, represent a microcosm of US politics. The subsequent discussion focuses on the substantive content of agents’ ideas and their communicative and coordinative discourses, revealing three emotional discourses shaping opposition to LGBTQ2S+ rights: fear, security, and disgust. In this study, fear is understood to represent emotional discourses that seek to scare, warn of danger, and cause panic while the emotion of security is understood to act as an umbrella term that incorporates feelings relating to protection, safety, and insecurity. Security can be seen as a product of fear through its emotional base in protecting against a fear of *something*. Lastly, disgust is understood to incorporate

feelings of inappropriateness, moral outrage, and aversion. Using DI and EDA, I demonstrate how Florida Republicans deployed these emotional discourses to construct the “issue”, persuade others, and legitimize their “solution” through emotional discourses.

I begin this chapter by tracing the emergence of HB 1557 through previous education legislations in Florida and *no promo homo* laws around the country. In so doing, I detail the emotional discourses used in their passage to set the stage for emotional analyses of debate in support of HB 1557. Then, I focus on analyzing these emotional discourses and begin answering my research questions. This chapter focuses on exposing the emotional discourses present in the debate about HB 1557, and how those discourses are working to mobilize support for the bill.

Tracing the Emotional Discourses of HB 1557

HB 1557, the *Parental Rights in Education Act*, is not the first intervention by conservatives into education; it is not even the first conservative intrusion into LGBTQ2S+ education. Before turning to discursive analyses of the bill, I briefly summarize previous legislative efforts that have led to the creation of this bill in Florida. With anti-LGBTQ2S+ sentiment in the US spreading during the 1980s and the 1990s due to the HIV/AIDS epidemic, *no promo homo* laws were passed in various states (Eskridge, 2000). As discussed in Chapter Three, these bills use disgust to frame, primarily, homosexuals as deviants and dangerous to public health. South Carolina’s *no promo homo* law in 1998 stated that homosexuality could not be discussed under any circumstances, “...except in the context of instruction concerning sexually transmitted diseases” (Comprehensive Health Education Program, 1988). The emotional discourse of disgust presents itself through the comparison of homosexuality to diseases and viruses similar to other anti-LGBTQ2S+ rhetoric during this period. This language is mirrored in

other *no promo homo* laws around the country, directly linking homosexual acts as leading to sexually transmitted viruses such as, but not limited to, HIV/AIDS. The bills varied in scope, with some outlawing the mention of homosexuality in school and others allowing parents to withdraw their students if any curriculum mentioned homosexuality.

No promo homo laws were influenced by the rhetoric of the Save Our Children campaign, which originated in Miami, Florida, and the Moral Majority throughout the 1970s and the 1980s. Informed largely by the emotional discourses of disgust, the Save Our Children campaign sought to prevent the employment of homosexuals in public schools and the teaching of topics relating to the LGBTQ2S+ community. For example, Anita Bryant referred to homosexuals as “garbage” (Gadarian & Van der Vort, 2017, 3). Similarly, after the Save Our Children campaign went nationwide due to the rise of the Moral Majority (Bishin et al, 2021), Pat Buchanan referred to the LGBTQ2S+ community as the “pederast proletariat” (Rimmerman, 2015, 31).

While *no promo homo laws* were fueled by the rhetoric of the Save Our Children campaign and the Moral Majority, Florida did not pass any version of these laws. In fact, the state passed the Omnibus AIDS Act of 1988 which included anti-discrimination protections for sexual orientation (Terl, 2000, 816 – 817). Democratic control of the legislature and executive may explain this in part during the 1980s, but, importantly, Republicans did not implement any version of *no promo homo* laws once they came into power. With full control of the legislature and executive in 1996, Republicans could have passed any version of these bills given that states were still implementing *no promo homo* legislations until 2001 (Movement Advancement Project, 2022).

While state Republicans did not set their sights on *no promo homo* laws, they did turn to reforming education according to conservative values, which were often referred to as the culture wars (Colburn, 2013). These forays include reforming Affirmative Action, bolstering the status of charter schools, and implementing voucher programs. Emotional rhetoric around these interventions revolved around security and fear. With the announcement of the nation's first voucher program, Jeb Bush leaned into fear ridden discourse by asked reporters "Why should we trap kids in schools that aren't working?" (Jackson, 2015). The executive order ridding Florida of Affirmative Action played into emotionalized security by stating, "...the obligation of Florida's government to root out vestiges of discrimination can and should likewise be accomplished without resort to remedies involving the use of racial and gender set asides, preferences and quotas" (FL Executive Order No. 99-281, 1999). In these early instances, we begin to see subtle discursive shifts problematizing interventions to address discrimination as, in fact, discriminatory. The push to eliminate Affirmative Action, called the One Florida Initiative, framed the government as the one rooting out discrimination instead of what some argued was the opposite. It is also important to note that discourses of security have changed throughout their use by anti-LGBTQ2S+ forces. During the 1950s through the 1970s, security was used in opposition to LGBTQ2S+ rights by framing queer Americans as national security risks, but since the 2000s, emotional discourses of security differ. Now, security refers to a fear of a status loss, fear of cultural degradation, and a fear of changes to cisheteronormativity.

Republicans utilized fear as a tactic to try to mobilize the electorate around these policy initiatives and used security to legitimize their actions despite opposition from universities and school boards. Jeb Bush's push for charter schools and voucher programs used discourses of fear to try and scare parents into believing that public schools were run by monopolies and would not

value their children's culture and language (Colburn, 2013, 178 - 179). Similarly, Florida Republicans used the security frame to legitimize their initiatives and to foreclose intervention from political opponents. This was critical with the initiative to revamp Affirmative Action. Republicans framed Affirmative Action as a racist and exclusionary policy while framing their solution as the policy that actually roots out racism and protects against racial biases in the state (Colburn, 2013, 182 – 183). By implication and through this frame, Republicans were able to label opposition to their policy as racist and exclusionary.

The discourse that constructed Affirmative Action as a problem and legitimized its reformation subsequently provided the basis for interventions into education. In 2021, the Florida legislature passed the *Parents' Bill of Rights*, which allowed for parents to assert their rights and withdraw their students from curriculum they do not deem appropriate for their children. While the “inappropriate curriculum” feasibly extends to any topic, it is important to note that the bill does directly mention that it is a parents' right to remove their child from curriculum that teaches about HIV/AIDS and sexuality. The bill states that a parent may withdraw their child from, “...sex education instruction in acquired immune deficiency syndrome education or any instruction regarding sexuality” (Parents' Bill of Rights, 2021).

The security frame was used in the implementation of the *Parents' Bill of Rights*, where it was justified as an intervention that protected the rights of parents. This is another instance of security through a fear of changing norms and statuses. The bill reads, “All parental rights are reserved to the parent of a minor child in this state without obstruction or interference from the state, any of its political subdivisions, any other governmental entity, or any other institution” (Parents' Bill of Rights, 2021). This represents the bill as a shield against the involvement of the state in the private lives of its citizens, serving to legitimize the intervention by foreclosing

political opposition. The framing of the bill as a security issue makes opposition to the *Parents' Bill of Rights* difficult, since opposition implies either that they do not care about parental involvement in a child's education or that they would rather have the government involved in citizens' private and familial lives.

It is within this context that HB 1557 emerges. HB 1557 arose due to a belief that school districts and teachers were making critical decisions behind parents' backs. Numerous supporters of the bill reference the case of January Littlejohn as proof. Littlejohn is a parent in the Florida public school system, whose school district implemented an action plan that oversaw her child's social transition. Littlejohn was not made aware of this transition, so she launched a campaign to require school districts to include parents in critical decision making. From this case, supporters of the bill also added language that prohibited school districts from providing instruction on gender identity and sexuality in K-3 and at any age that is not developmentally appropriate (Parental Rights in Education Act, 2022). As several Florida Republican legislators have explicitly acknowledged, the *Parent's Bill of Rights* directly influenced the creation of HB 1557. From the perspective of the bill's supporters, HB 1557 strengthens the *Parents' Bill of Rights* (Wilson, 2022). In the following section, I use the data I collected to demonstrate the emotional discourses that have shaped the content and promotion of the bill. I find that emotional discourses of fear, security, and disgust to be present in the debate supporting HB 1557.

The Emotional Discourses of HB 1557

Although conservative forces have shifted towards parental rights, seemingly sanitizing the debate of earlier emotional dimensions, closer scrutiny reveals that the emotional discourses that gave rise to those previous interventions remain. Rhetoric emphasizing the rights of parents

to control the upbringing of their child points to the security frame, while the rhetoric of fear is seen in how politicians present the bill to the public. As stated in Chapter Two, fear and security are related. Security is a direct consequence of a fear of *something* and a need for security against this fear. This analysis of HB 1557 shows that there is still a fear of changing cisheteronormativity and a fear of status losses through the “sexualization” and “indoctrination” of children. These fears manifest into a desire for security of parents and children. Demonstrating security, the bill states, “The procedures must reinforce the fundamental right of parents to make decisions regarding the *upbringing and control* of their children by requiring school district personnel to encourage a student to discuss issues relating to his or her well-being with his or her parent or to facilitate discussion of the issue with the parent” (Parental Rights in Education Act, 2022, emphasis added). Demonstrating fear, Governor DeSantis said the bill protects against teachers, “...injecting woke gender ideology into second grade classrooms” in a press conference after signing the bill (Chen & Felice, 2022).

Discourses of disgust also underlie the bill, as seen in the bill’s language of “age-appropriate or developmentally appropriate” curriculum relating to sexual orientation and gender identity (Parental Rights in Education Act, 2022). According to supporters of the bill, any discussion of sexual orientation and gender identity from K-3 is inappropriate, and the vagueness in “age-appropriate” allows parents to intervene in sexual and gender curriculum they do not agree with or are uncomfortable having their children subjected to. One specific example of an inappropriate curriculum is the Genderbread Person which is a teaching tool that allows educators to teach complex topics such as gender and sexuality through simple vocabulary. Proponents of HB 1557 find this tool inappropriate for students in K-3, while remaining unclear

as to when exactly this would be appropriate. In what follows, I take a closer look at how these emotional discourses operated to construct and legitimize the bill.

Discourses of Fear

Of the three emotional discourses used by supporters of HB 1557, fear was most frequently used, and was the most influential emotion in policy construction and persuasion. Fear is present in both communicative and coordinative discourses. As a communicative discourse, fear was used in three ways: political indoctrination, gender ideology and sexualization, and the encroachment of government on the rights of parents. The discourse of fear was often used by policymakers and ideational leaders to try and make the Florida public and fellow policymakers believe children in public schools were being indoctrinated by radical school boards and teachers. For example, upon signing the bill, Governor DeSantis stated at a press conference “We will make sure that parents can send their kids to school to get an education, not an indoctrination”. Sentiments of indoctrination were mirrored by fellow politicians and supporters in the public. Richard Carlin stated in a public testimony, “Kids at this age, they're not questioning their sexual orientation...This can only be known as indoctrination, they're being taught how to think” at a House Judiciary Committee hearing.

Similarly, fear was used by supporters of the bill to resist gender ideology and the sexualization of children in public schools. During House floor debates, state Representative Fernandez-Barquin stated, “We have children as young as 6 years old being taught radical, leftist gender theory, and that is frightening”. Lastly, supporters of the bill also used fear to paint the picture that the government, through education, was controlling children and taking away parents’ rights. State Representative Fernandez-Barquin demonstrates this frame in a floor debate

saying, “In states like California, and in our totalitarian neighbor to the North, Canada, they are terminating parental rights because the parents refuse to affirm a child's gender orientation. And I'm sure that's what the opponents would like”.

As a coordinative discourse, fear was used to persuade fellow legislators of the necessity of the bill. For example, during floor debates for the bill in the Florida Senate, state Senator Baxley stated, “I'm always very anxious when it looks like we're moving away from educating and beginning to socially engineer people as to how to they're supposed to think, feel, and do. I don't want to wait till we're like Russia where you have to go to a thought improvement school, ya know, cause you're not thinking right”. State Senator Baxley is attempting to stoke fear in fellow legislators by alluding to thoughts of “social engineering” and comparing Florida's education and government systems to that of “Russian improvement schools”, which allude to sentiments of totalitarianism and centralized governments. This also demonstrates how fear was used to legitimize policy solutions by not allowing any amendments to HB 1557.

This analysis reveals that fear was the dominant emotional discourse in LGBTQ2S+ opposition with regard to HB 1557. As demonstrated above, fear can be seen to construct and legitimize policy ideas and solutions while persuading others of the bill's merit. It cements the fact that parents need to be afraid of the current state of education in Florida. This allows policymakers to make the case that the state needs to adopt HB 1557 to prevent the further sexualization and indoctrination of children. Additionally, supporters of this bill used fear to legitimize their policies and convince voters and fellow legislators that any deviation in the bill's language would not be accepted. This legitimization of policy ideas can be seen in a Tweet by state Representative Spencer Roach when he said, “I do not want Disney to succeed in their quest to sexually indoctrinate 4-year-olds and oppose parental rights in Florida. Any person,

company, or entity that takes sides against FL parents is my enemy”. While fear was dominant in political communication, it was not used in isolation. Republicans and supporters of the bill also employed emotionalized security in their political discourses.

Discourses of Security

Security is a consequence of fear. In the debate over HB 1557, security presented itself as a need to protect parents and children from the sexualization and indoctrination of children. In order to protect against these fears produced by “gender ideology”, policymakers frame the debate over HB 1557 as simply empowering and supporting parental rights. This differs from past emotional discourses of security that framed homosexuals as national security risks; however, remnants of this fear for national security can still be seen with the quotes from state Senator Baxley about Russian improvement schools and state Representative Fernandez-Barquin suggesting that Canada’s protection of LGBTQ2S+ rights is akin to totalitarianism.

Like fear, Republicans and supporters of the bill used security to legitimize their policies. Security was used by the supporters of HB 1557 to frame the bill as legislation that would protect and take care of Florida parents. Emotionalizing security was an effective discursive strategy because it foreclosed interventions from opponents of the bill. The security discourse is premised on a binary relation, such that opposition to security was constituted as “anti-security” and therefore not persuasive. Security was emotionalized by empowering the roles of parents and creating a frame that parents needed protection from educators. The need for security was prompted by portraying school districts and educators as replacements for parents. State Representative Tom Leek demonstrates this frame in a Tweet stating “...give our school system back to the parents”. State Representative Elizabeth Fetterhoff echoes similar security

concerns in a news release stating, “Parents, who are their children's first teachers, should always have a voice and decision making rights in the education of their children”.

Like fear, the security rhetoric was present in both communicative and coordinative discourses. In fact, security was used in both communicative and coordinative discourses in similar ways. For example, state Representative Randy Maggard used security as a frame to empower and protect parents’ rights when speaking to the public through a Tweet stating, “CS/CS/HB 1557 clarifies a parent’s right to have a say in their child’s education...”. Similarly, when speaking to fellow legislators, state Representative Joe Harding introduced HB 1557 by saying it, “creates a cause of action for parents that permits them to enforce their rights through declaratory and injunctive relief” at the House Education and Employment Committee. Here, Harding is using sentiments of security to empower the rights of parents and frames the bill as protecting these rights by allowing parents to effectively sue school districts when they feel as if their rights are violated.

In contrast to fear, which was used in diverse ways to construct and legitimize the policy, security was used much more narrowly in ways that referenced the earlier *Parents’ Bill of Rights*. While security is a factor of fear, they present themselves differently in emotional discourses surrounding HB 1557. In this case, fear was used to warn of danger and mobilize the electorate into feeling afraid while security was used to empower the electorate. More specifically, security is used to empower parents and protect children. For example, in an interview with Ben Shapiro, former House Speaker Chris Sprowls stated, “Parents are in charge when talking about complicated topics with their children”. Similarly, state Representative Tom Fabricio Tweeted, “The fact is the bill is about curriculum for K-3rd graders and how parents should drive conversations on certain topics, not educators.” Governor DeSantis also Tweeted about the

current Education Commissioner, “Manny Diaz is an advocate for our parents, teachers and schools. He has worked with me to keep indoctrination out and put parents in charge of their children’s futures”. This emotional discourse empowers parents to “take charge” and “protect” their children. Fear certainly plays a role in discourses of security, but there is a distinction between the two. For example, fear is used to warn of state encroachment while security is used to persuade policymakers and the public that this bill will combat state encroachment.

This emotional discourse around security led to a vote in both chambers that aligned almost perfectly along party lines. Conservative efforts to frame the issue as a matter of security served to legitimize HB 1557. Emotionalizing security also worked in tandem with fear to convince the public of the need for drastic changes to education standards. These uses of security point to policy legitimization on behalf of supporters of the bill, but underneath this legitimization lay dormant frames in conservative opposition – disgust.

Discourses of Disgust

While not as widely used as fear and security, disgust was another emotional discourse informing HB 1557. While fear and security were used throughout the creation, debate, and signing of HB 1557, disgust was primarily used in relation to policy creation and was primarily used in coordinative discourses in floor debates and committee hearings. When used, disgust questions the realities of LGBTQ2S+ students in Florida public schools and attempts to protect the innocence of children.

Questioning the realities of LGBTQ2S+ students, state Senator Baxley stated in a Senate floor debate, “Why is everybody now all about coming out when you’re in school? ...There’s something wrong with how we’re emphasizing this, and all of a sudden overnight they’re a

celebrity when they felt like they were nobody... I know parents are very concerned about the departure of the core belief systems and values". State Senator Baxley admits in this quote that LGBTQ2S+ students coming out, and how some people celebrate this, is a "departure" from his moral code and values. Disgust presents itself in this scenario through moral outrage and aversion since the act of coming out should not be celebrated, let alone encouraged. Through what is not said, state Senator Baxley is suggesting that students should be discouraged from coming out. State Senator Ilena Garcia also questions the realities of LGBTQ2S+ Floridians when she said, "And by the way, gay is not a permanent thing" during the same floor debate. Here, state Senator Garcia is alluding to the much-used trope of being a part of the LGBTQ2S+ community as a "phase". By stating that "gay is not a permanent thing" state Senator Garcia is disapproving of the fact that being LGBTQ2S+ is natural and appropriate.

The emotional discourse of disgust also emphasized the importance of protecting a child's innocence by insinuating that learning about LGBTQ2S+ matters would steal this innocence. State Senator Baxley showcases this by saying, "Let kids be kids" at a committee hearing and state Senator Danny Burgess echo's similar rhetoric during a floor debate by stating that the bill will, "Protect children's innocence a little longer". State Senator Burgess also stated, "There's nothing wrong with letting children hold on to their innocence for just a few more years, because once it's gone, it's gone forever. It's OK to let a little boy want to be Captain America, and a little girl want to be Rapunzel" during the same floor debate over the bill. By ignoring how some kids are, in fact, LGBTQ2S+, supporters of the bill believed that they were protecting the innocence of children by creating this bill. Disgust manifests itself in this discourse through morality and aversion to queerness.

With respect to communicative discourses, the disgust discourse was used infrequently and almost exclusively by ideational leaders with interests in this bill. For example, President of the Florida Family Policy Council, an organization promoting traditional views of sexuality and gender, John Stemberger demonstrates this in a Tweet stating that HB 1557 was really the “Don’t turn my son into my daughter bill”. Here, Stemberger is using disgust to try and legitimize the bill as protecting traditional understandings of gender along the binary. My findings demonstrate that no policymaker uses emotional discourses of disgust in communicative discourses to similar degrees as ideational leaders.

It is also important to note that supporters of the bill from the public reveal more overt sentiments of moral outrage and disgust. In a House Judiciary Committee hearing, private citizen Richard Carlings asked, “Where is our moral compass?” and Linda V. stated, “Children can be traumatized by these non-biblical issues”. Both citizens stated to come in support of the bill from a religious community in the Villages, Florida.

These ideas about coming out and protecting a child’s innocence are a type of idea that Schmidt calls “philosophies” which are ideas that are made up of underlying assumptions and beliefs (Schmidt, 2008, 306). These philosophies are all connected to beliefs in traditional gender roles, cisgender identities, and heteronormativity. By learning material that strays from these traditional understandings, for example about gender identities beyond the binary of male and female, supporters of the bill say that children are being sexualized, indoctrinated, and forced to transition. By viewing LGBTQ2S+ inclusive curriculum as inappropriate, conservatives are creating a view of what is “natural” and “normal”. Underlying these ideas about LGBTQ2S+ rights are discourses of disgust as opposed to solely rights-based arguments. Whereas fear and security create, persuade, and legitimize based on appeals to legal rights, parental rights in this

case, disgust was primarily used to create HB 1557 due to assumptions and beliefs based on morality and traditional understandings of gender and sexuality.

What lies behind the use of disgust are connotations of morality that are still present in modern conservative opposition to LGBTQ2S+ rights despite rising acceptance. In past conservative opposition movements disgust was a useful frame to create, legitimize, and persuade others of socially conservative policy initiatives opposed to LGBTQ2S+ rights (Bishin et al., 2021; Lewis, 2017; Rimmerman, 2015), but in the current era, with increased acceptance of the LGBTQ2S+ community, this discourse is not as useful for legitimization and persuasion. If the objective in the use of disgust is policy legitimization and persuasion, then only certain sectors of the population will respond well such as Richard Carlings and Linda V., who came in support of the bill from a religious community. Yet, by not using disgust as an emotional discourse in communicative discourses like supporters of HB 1557 did with fear and security, the true moral foundations of the bill were hidden.

In tracing the origins of HB 1557, we see that the discursive shift to parental rights is not completely new. Additionally, emotional discourses of fear and security are not new in Florida. These discourses underlie practices in ideational creation and legitimization for education policies since Republicans came to power in Florida in 1998 through coordinative and communicative discourses. What my analysis does find is that disgust was used in more limited and less overt, though no less effective, ways in coordinative discourses in support of HB 1557.

Findings and Discussion

The previous discussion exposed the ways emotional discourses including fear, security, and disgust informed policy debate to construct and legitimize the policy and persuade others to

see the benefits of HB 1557. Having answered what emotional discourses were present in political communication about HB 1557, I now ask how emotional discourses were used in the passage of HB 1557? I suggest that the answer to this lies in the shift away from overt discourses of disgust and moral outrage towards rights-based discourses. What I argue is that the rights-based frame has effectively masked the emotional and moral dimensions of the debate, thereby generating broader support.

What has changed drastically in the state, and throughout the US, are LGBTQ2S+ rights. Both nationally and in Florida there was intense persecution of LGBTQ2S+ citizens from the 1950s through the 1980s with events such as the Lavender Scare at the federal level and the Johns Committee in Florida. As discussed in Chapters Three and Five, this persecution of lesbian and gay Americans used overt emotional discourses of fear and security to construct them as threats to national security. Florida's Johns Committee also used discourses of disgust and moral outrage. Few political rights were won by LGBTQ2S+ advocates in this period. Then in the 1980s through the 2000s, during the height of the HIV/AIDS epidemic, conservative opposition shifted towards emotional discourses of disgust and moral outrage. LGBTQ2S+ rights advocates also began using the language of legal rights to seek policy change. This shift to rights-seeking discourses became fully realized in Supreme Court cases such as *Lawrence v. Texas* and *Obergefell v. Hodges*. It was during the 2000s through the 2010s that LGBTQ2S+ rights began to advance throughout the entire nation, undermining the emotional discourses of disgust and moral outrage that characterized conservative opposition.

In response to these political defeats, conservative opposition nationwide shifted from overt appeals to disgust and moral outrage to opposition based on rights-seeking discourses (Lewis, 2017). Now in the 2020s, with bills like HB 1557, I demonstrate that conservative

opposition has not entirely abandoned its emotional roots of disgust and morality. By combining rights-based discourses with emotional discourses of fear, security, and disgust, Republicans and social conservatives utilize new hybrid discourses to oppose LGBTQ2S+ rights in the US, which enables widespread appeal under a seemingly neutral guise.

A concept from DI that proved useful in this analysis was the division of discourse between communicative and coordinative discourses. As discussed previously, communicative discourses involve communication between policymakers and the public, while coordinative discourses involve communication between policymakers themselves. My analysis revealed that coordinative discourses from Republicans to their colleagues on either side of the aisle contained fear, security, and disgust. Communicative discourses, on the other hand, primarily included the emotions of fear and security. Supporters of the bill engaged very frequently in communicative discourses to persuade the electorate of the bill's merits and to legitimize the bill itself. From the data collected, these discourses occurred in opinion pieces, media interviews, podcasts, Tweets, and press releases; however, very rarely do these communicative discourses include emotional appeals to disgust and moral outrage. What this points to is an underlying moral background and foundation of the bill that mobilizes supporters while masking the emotional discourses that give it shape. While supporters of the bill sometimes acknowledge the bill's moral foundation, when HB 1557 was being presented to the public, only fear and security were invoked in its favor through discourses of legal – that is, neutral - rights. This demonstrates that perhaps the emotional discourse of disgust is not as salient as it was from the 1980s through the 2000s, despite its role in the creation of new anti-LGBTQ2S+ policies in the 21st century. Future research will need to determine precisely why, but from the historical and contextual evidence I

have provided in this thesis, I believe that disgust is no longer politically salient due to greater public support for LGBTQ2S+ rights.

This investigation into emotional discourses of HB 1557 also supported previous literature studying emotions and social media. From my emotional analysis of policymakers' and ideational leaders' use of social media, I corroborate with studies suggesting that social media lends itself to more emotional and passionate discourse (Bobba, 2019; Gerbaudo, 2018). Discourse about HB 1557 on Twitter was more emotional, and more obviously emotional, than traditional media such as interviews, newspapers, and public hearings. Examples include the use of disgust by both John Stemberger stating that HB 1557 should be called the "Don't turn my son into my daughter bill" and political aide to Governor DeSantis Christina Pushaw stating, "If you're against the Anti-Grooming Bill, you are probably a groomer or at least you don't denounce the grooming of 4-8-year-old children". These examples draw from the few communicative discourses from ideational leaders towards the public using disgust. This study only used communication from Twitter which has a 280-character limit (unless you pay for more). The implementation of a limit to one's communication may explain the increase in emotional and passionate rhetoric because, as Bobba suggests, agents only have so many words to get their point across (2019). In other words, social media's limitation of characters leads to more overt emotional discourses. Again, future research will need to determine why this is, but from the data I have collected, I would hypothesize that this is because emotional discourses are easier to persuade and legitimize when they are simpler to remember. For example, by reducing HB 1557, a bill that curtails the promotion and inclusion of LGBTQ2S+ curriculum in public education, to protecting children and parents from sexualization and indoctrination, the electorate is more likely to favor the emotional frame than the factual frame.

Furthermore, my data also suggests that communicative discourses are more emotional than coordinative discourses. Political communication towards the public utilizes more overt emotions in attempts to legitimize and persuade. These communicative discourses explain and rationalize HB 1557 more succinctly by detailing how Florida schools “indoctrinate”, “sexualize”, “transition”, and “inject woke ideology”. Coordinative discourses, on the other hand, make less overt emotional appeals, often prioritizing “parental rights” and the “wellbeing of children”. DI makes important distinctions between both discourses, but it does not investigate how emotions present themselves in either. This project contributes to DI literature by demonstrating how emotions may differ depending on the discursive venue.

Literature on conservative opposition states that the current model of opposition is based on rights-based discourses as opposed to its moral base in the 20th and early 21st centuries (Bishin et al., 2021; Lewis, 2017). The analysis of emotional discourses present in the debate about HB 1557 finds this is not entirely true. While conservative opposition in Florida uses the language of rights-seeking through the protection of parental rights, the emotional languages used in the creation of HB 1557 are still rooted in emotions of disgust and beliefs in morality. This moral base is not just attributed to policymakers but can be seen across the political spectrum from ideational leaders, public testimony, and social media discourse. What this project demonstrates is that conservative opposition to LGBTQ2S+ rights, while using rights-based discourses, uses very similar emotional discourses of past opposition movements. The discourses used in support of HB 1557 utilizes emotions such as fear and security which reflect the discourses used both in the state and the country from the 1950s through the 1970s. Emotional discourses in support of the bill also use disgust, which was heavily present in conservative opposition from the 1980s through the 2000s. By using emotional discourses, the movement in

support of HB 1557, and like-minded bills, represents a discursive evolution from the rights-based discourses that followed the legalization of same-sex marriage in 2015 (Lewis, 2017). Furthermore, the rhetoric witnessed in debate about HB 1557 points to the fact that the turn to rights-based discourses by conservative forces is sanitization of their arguments. By framing conservative opposition as pro-parental rights, conservative forces disguise the emotional bases of their arguments, which are founded upon by emotions such as disgust and moral outrage, to appeal to an electorate that is increasingly sympathetic to LGBTQ2S+ rights. Lewis' explanation of a discursive shift towards rights-based discourses in conservative opposition remains true; however, my analysis shows that the emotional contours of conservative opposition have not simply disappeared. Conservative opposition has undergone a discursive shift towards rights-based discourses, but this shift did not entirely abandon emotional discourses. This project suggests that fear and security are widely used in both coordinative and communicative discourses. On the other hand, disgust and moral outrage were not as widely used in communicative discourses, but they are still present in coordinative discourses.

This project expands the literature on the rights turn in conservative opposition to include how emotional discourses of disgust still factor into the creation and passage of anti-LGBTQ2S+ laws. These discourses of disgust are, however, sanitized from communication towards the public. Here, the emotions of fear and security directly play into this sanitization. Instead of using disgust to explain the origins of the bill, its supporters use fear and security. Supporters of HB 1557 frame the situation of LGBTQ2S+ education in Florida as something that parents should be afraid of and as a situation where their rights are being violated. Instead of using the frame of disgust, conservatives are using cleaner, more "appropriate" frames to appeal to the public and win more support through a legal rights framework. The moral undertones and

emotions of disgust are still present, as seen in coordinative discourses, but are not presented to the public by the policymakers themselves. For the time being, it appears likely that conservative forces will continue to blend rights-based discourses with emotional frames of fear, security, and disgust. For example, the passing of HB 1557 in Florida has further enabled Governor DeSantis to push his “anti-woke” agenda as a proposal to extend the provisions of the bill through 12th grade will be heard by the Florida Department of Education in April 2023 (Associated Press, 2023).

Chapter Seven: Conclusion

Government intervention into LGBTQ2S+ rights is not a new phenomenon in the US or around the world. Since the “invention” of sexual categories and gender identities, states around the world have attempted to regulate and demote inappropriate sexual and gender identities (Blank, 2012; Weeks, 2017). American LGBTQ2S+ history does not break from this trend; however, LGBTQ2S+ activism from the 1950s onwards has continually pushed to change this frame of inappropriateness in local, state, and federal laws. From the tireless efforts of LGBTQ2S+ activists, many legal victories were achieved and public opinion of the LGBTQ2S+ community began to positively change in the 2000s and the 2010s (Bishin et al., 2021; Gallup, Inc., 2022; Smith, 2018).

Despite legislative gains and positive shifts in public opinion, LGBTQ2S+ backlash has recently reemerged in the 2020s. My research suggests that this is largely due to discursive shifts away from overt emotional appeals based on fear, security and disgust, towards a more neutral frame of parental rights. As I have shown throughout this thesis, the rights frame, while seemingly neutral, is in fact premised on the same emotional discourses that shaped earlier opposition movements. Thus, my research speaks to and expands the research that documents this discursive shift (Lewis, 2017). In so doing, I not only expose the continuity of emotional discourses over time, exposing how fear, security, and disgust have shaped contemporary debates, but I also explain the political salience of the rights frame. In adopting a rights-based frame, conservative forces have effectively masked the emotional discourses that underlie their arguments, thereby generating broader support.

What can this research, based on a case study of Florida, tell us about broader conservative forces and/or American politics more generally? Despite years of rights advancements for LGBTQ2S+ Americans, bills such as HB 1557 have become law in various states. Conservative forces are currently framing gender affirming care, trans participation in sports, gender inclusive use of public facilities, curriculum on gender ideology and critical race theory, drag shows in the presence of minors, and sexual education as something Americans should be afraid of, and to some degree, something that is morally wrong. As a result, conservative policymakers have introduced legislation curtailing the spread of these phenomena through frames of fear, security, and disgust. My research points to three factors that might help explain the emotional landscapes of American conservatism with respect to the findings I have presented in this project about conservative opposition to LGBTQ2S+ rights.

Firstly, these laws have come during a US political scene that has become increasingly polarized in the 21st century (Hetherington & Weiler, 2018). Democrats and Republicans have become so polarized that both sides understand the world around them through different worldviews. Republicans are more fearful of their surroundings and political events while Democrats see the world as naturally good and believe there is a need to help others around them (Lakoff, 2016). Emotional landscapes of Republican policymaking are geared towards frames of fear and security to combat their worldview. This affective polarization between Republicans and Democrats, with special attention to Republicans' fearful nature, is important to understand in questioning how bills like HB 1557 can be brought on legislative agendas.

Secondly, perhaps as a result of conservatives' worldview, Republicans have savvily used emotions to win campaigns and pass legislative programs (Lakoff, 2016). As Foster states, Republicans use *pathos* to win in electoral and legislative politics (2010). Recent literature may

point to Democrats becoming aware of this emotional gap and effectively using *pathos* in their campaigns, such as the case with both the Obama and Biden campaigns (Johnson, 2010; Johnson, 2022), but Republicans still have much more experience with this affective form of politics. The case of Florida's passing of HB 1557 continues to showcase how Republicans and conservative forces use emotions to achieve political goals and legislations.

Thirdly, US conservatism has been characterized by cultural wars and loss of status (Colburn, 2013; Hartman, 2019; Hochschild, 2016). The emotional landscape of US conservatism can be characterized by a fear of status losses due to changing racial, gender, and sexual norms. Hochschild's research details how current trends in US conservatism are fixated on these culture wars to bring back former understandings of race and cisheteronormativity (2016). This fear of loss and foray into hot button issues could explain why conservatives see the rise of LGBTQ2S+ acceptance in society, through education in particular, as a phenomenon that requires attention.

These three phenomena help explain and reveal the emotional landscape of US conservatism. Through understanding this, we can further explore what exactly "motivates action" in the political scene (Orsini & Wiebe, 2014, 151). Through understanding the material presented in this project, and understanding modern conservatism in the US, HB 1557 is nothing new. State interventions into LGBTQ2S+ Americans' lives can be seen in every decade of US history, and especially so from 1950 onwards. While positive changes in LGBTQ2S+ rights have occurred in the 2000s and the 2010s, conservative opposition has always been present. This investigation using DI and EDA reveals that discursive shifts have occurred in the conservative oppositional rhetoric through their use of emotions, but previous historical and institutional research provides ample sources to deduce that HB 1557 is nothing new. While it might have a

new label as the *Don't Say Gay or Trans* bill, it largely reflects conservative opposition to comprehensive sexual education through *no promo homo* laws. Post *Obergefell v. Hodges* conservative forces may have switched discursive arguments from disgust and moral outrage to the rhetoric of legal rights, but these achieved minimal victories (Bishin et al., 2021; Lewis, 2017). Through combining this rights-seeking frame with affective politics, Republicans' anti-LGBTQ2S+ legal cases and legislations may become more effective. By framing anti-LGBTQ2S+ laws as combatting against this feeling of status loss, protecting parents' rights, and defending against the sexualization and indoctrination of children, supporters of these bills forestall political opposition through the creation of a binary between security and "anti-security". Additionally, Republicans' savvy use of emotions sanitized the debate over LGBTQ2S+ curriculum in a manner that was more appropriate to the general public. By using fear and security, supporters of the bill hid, whether intentional or not, the emotions of disgust and moral outrage present in the bill's creation.

Through framing emotional discourses as empowering parental rights and protecting the wellbeing of children, conservative opposition has found a more successful venue to enact anti-LGBTQ2S+ laws. This hybrid form of opposition, mixing discourses of rights-seeking with emotions, was highly effective in Florida. At the time of writing, the bill is currently on the path to extend its purview from the original K-3 to K-12 (Associated Press, 2023). Similar frames of "parental rights" and "protecting children" are also being used around the country with the push to ban gender-affirming care for minors, drag shows in the presence of children, trans participation in sports, and the use of public facilities corresponding to one's gender identity (Contreras, 2023). The saliency of these bills resides within the emotional discourses inherent in their construction, framing, legitimization, and persuasive capacities. Fear and security, through

legal rights, work well to hide disgust and unfavorable ideas of sexuality and gender, thus making the legislations more palatable to the public and legislators alike. If HB 1557 is any indication, this form of hybrid opposition will not only continue in the US but thrive.

Beyond providing insight into conservative opposition to LGBTQ2S+ rights in the US, this thesis has made several contributions to the literatures on DI and LGBTQ2S+ politics. DI was a useful framework to adopt for this project's interest on political agents' use of discourse and emotions. At the same time, however, my work adapted DI to better understand emotional discourses within an institutional framework. DI actively notes the importance of emotions in political communication and how they can shape individuals' discursive abilities (Schmidt, 2017), but the framework has not investigated exactly how emotions accomplish this. While not explicitly stated in DI literature, other scholarship focusing on emotions view emotions as discourse (Ahmed, 2015, Paterson, 2021). My research builds on this work in several ways. First, this study applies this understanding of emotions as discourse to the DI framework, thereby expanding the explanatory potential of institutions and discourse in policy change and continuity. Second, to adapt DI to better capture emotional discourses, I integrated it with EDA. Through this integration, I have expanded DI's methodological toolkits to be able to fully analyze emotions in political discourse. Prior to this study, emotions were recognized to affect discourse in DI's framework, but they were not fully investigated. With EDA, future DI research agendas will be able to investigate the roles emotions play in various discursive environments. Third, this study demonstrates that emotions can be used to create and legitimize policies while wielding persuasive capabilities. Through realizing the full potential of emotions, this study pushes the DI framework to expand its incorporation of emotions in discursive analyses.

Additionally, both DI and EDA prove useful in contextualizing political discourse within a larger socio-political environment. DI provides methodological tools to analyze political communications to discern how the discourses of agents create, legitimize, progress, and stall legislation. Through evaluating the explanatory power of ideas and discourse, DI empowers research agendas to explain socio-political contexts. EDA has very similar explanatory capabilities but focuses specifically on emotions and how they can aid in contextualizing texts and speeches within larger socio-political contexts. By integrating both approaches, this study is able explain how emotional discourses were used in debate supporting HB 1557.

With respect to the literature on LGBTQ2S+ politics, this study expands LGBTQ2S+ political science research in the US beyond the legalization of same-sex marriage in two regards. Firstly, this project combats the narrative of rights “where we have won”, meaning that LGBTQ2S+ rights in the US are not set in stone (Browne & Nash, 2014). This research on conservative forces shows that LGBTQ2S+ opposition is not only alive but thriving through the use of the parental rights frame. It agrees with similar projects studying conservative opposition because it demonstrates how the opposition movements do not cease their efforts after the legalization of same-sex marriage (Bishin et al., 2021; Lewis, 2017). Secondly, this project updates the literature on conservative forces by investigating the current rise in anti-LGBTQ2S+ laws in the US. The rise in such laws did not occur until the period between 2021 through 2022, so this project is one of the first to research the “new” anti-LGBTQ2S+ laws.

While my research makes several contributions to DI and LGBTQ2S+ politics, there are also some limitations. Firstly, this project only investigates a single case study of a single bill. While the case was chosen specifically to be applicable to the rest of the country, some of its findings might not look the same depending on the state or region. Additionally, the discourse

surrounding HB 1557, while similar to other conservative oppositional discourses in the US, might not have the same insights as other anti-LGBTQ2S+ bills would. Secondly, DI as a framework could lend itself to overemphasizing ideas and discourse in determining political motivations and strategies (Schmidt, 2008). This could lead to the exclusion of other explanations for the rise in anti-LGBTQ2S+ laws such as changes in policy venues or political opportunity structures. Lastly, by focusing on emotional discourses, this project is unable to speak to who exactly is pushing forward these anti-LGBTQ2S+ legislations. Bishin et al. focus on who exactly is opposing LGBTQ2S+ rights in the US, finding that countermobilizations are propagated by elite actors (2021). This project may lend some insights into the emotional discourses of elite-led mobilization, but it is unable to speak to who instigated HB 1557 beyond what policymakers and ideational leaders say.

This project's focus on the resurgence of anti-LGBTQ2S+ laws and their emotional discourses leaves space for several future research projects. Firstly, the study of emotional discourses in contemporary conservative opposition can be expanded to include other anti-LGBTQ2S+ bills in various states. A project with this expanded scope could verify if the discursive shift to legal rights, in this case parental rights, sanitizes the emotions of disgust to appeal to larger portions of the electorate. Secondly, the parental rights movement has recently moved to Canada (Benchetrit, 2023). A future research project could compare the movements in the US and Canada to investigate ideational origins, who the leaders of the movements are, and if emotional discourses in Canada mirror those present in the US. Lastly, another project could investigate if policy venues or the policies themselves change the emotional discourses conservative forces use. This project uses dominant emotional frames from the 1950s onwards,

so a future project could examine specific venues and policies to determine if they influence the emotional discourses used by conservative opposition movements.

This project initially asked what emotional discourses are being used in contemporary conservative opposition to LGBTQ2S+ rights, and how are these discourses being used. By focusing on the singular case of Florida and its version of a *Don't Say Gay or Trans* bill, HB 1557, I have attempted to answer these questions. I found that emotional discourses of fear, security, and disgust were present in debate supporting HB 1557. The discursive shift away from emotional discourses of disgust and moral outrage towards rights-based discourses did not represent a shift away from emotions (Lewis, 2017). Instead, the shift towards legal rights, in this case parental rights, uses emotional discourses of fear and security to sanitize the emotional discourses of disgust and moral outrage still present in ideational creation and debate. Through tracing previous emotional discourses and policy changes for and against LGBTQ2S+ rights in the US, I found that HB 1557, and similar anti-LGBTQ2S+ legislations across the US, are nothing new, instead they are a continuation of previous policies with new discursive frames. This new frame of parental rights used in tandem with emotional discourses can explain the rise in saliency of anti-LGBTQ2S+ bills despite high public opinion supporting LGBTQ2S+ rights (Bishin et al., 2021). The sanitization of disgust appears to be highly effective as these bills are becoming law in more states by the day. Overall, what this project has attempted to do is update studies on conservative opposition to LGBTQ2S+ rights through emotional discourses and provide a framework to investigate future state interventions into the lives of LGBTQ2S+ Americans.

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