

ELIMINATION THROUGH EDUCATION

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INTRODUCTION

Educators deputized as mandatory reporters of suspected changes in students' gender or sexual orientation¹ are the latest salvo in the religious right's quixotic quest to resist queer equality in public schools—not to say, society.² The newcomer is in good company. Since Anita Bryant first fomented anxieties with claims of classrooms as “recruitment” grounds in the 1970s,³ novel strategies have emerged annually. Among them are never-ending accusations of predation,⁴ conspiratorial tales of the “homosexual agenda” in schools,⁵ demonization of HIV/AIDS education,⁶ vilifying

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1. See Mary E. Ziegler et al., *The New Law and Politics of Parental Rights*, 123 MICH. L. REV. (forthcoming 2025).

2. See Judd Legum, *Florida School District Orders Librarians to Purge All Books with LGBTQ Characters*, POPULAR INFO. (Sept. 26, 2023), <https://popular.info/p/florida-school-district-orders-librarians> (reporting one school district's instruction to Librarians that books with LGBTQ characters and themes “cannot exist”).

3. Clifford Rosky, *Anti-Gay Curriculum Laws*, 117 COLUM. L. REV. 1461, 1477-78 (2017).

4. Melissa Block, *Accusations of 'Grooming' Are the Latest Political Attack—With Homophobic Origins*, NPR (May 11, 2022, 5:27 AM), <https://www.npr.org/2022/05/11/1096623939/accusations-grooming-political-attack-homophobic-origins>; Kat Tenbarge, *LGBTQ People Face 'Groomer' Accusations and Trolling as Culture War Rages On*, NBC NEWS (Apr. 19, 2022, 11:31 AM), <https://www.nbcnews.com/tech/internet/lgbtq-abuse-spikes-online-fueled-intensifying-culture-war-rcna24904>.

5. See Phong Duong, *A Survey of Gay Rights Culminating in Lawrence v. Texas*, 39 GONZ. L. REV. 540, 545-48 (2003).

6. E.g., Nancy Stovall, Opinion, *AIDS, Part III*, DEMING HEADLIGHT, Mar. 24, 1992, at 4 (accusing advocates for HIV/AIDS education of being “homosexual advocates” who are “sentencing an indeterminable number of young people to a horrible death”); Maureen O'Connell, *AIDS Education to Enter Ariz. Classrooms*, ARIZ. DAILY STAR, Nov. 8, 1992, at 1B-2B (detailing homophobic amendments introduced regarding AIDS education bills in Arizona); Gail Collins, *Sex on Agenda Mentioning the Unmentionable*, NEWSDAY, June 11, 1992, at 4; Mike Petrisin, Letter to the Editor, *Legislation Now Sought by Nation's Militant Gays*, ITHACA J., Nov. 29, 1991, at 8A (“Under the guise of AIDS education, gay curriculum has found its way into many public schools.”).

inclusive curricula,⁷ attempted purges of materials bearing even the slightest acknowledgments that sexual or gender minorities exist,⁸ outlawing LGBT student-run organizations,⁹ targeted harassment of queer educators,¹⁰ opposing anti-bullying resources,¹¹ threatened and actual violence,¹² and a rumor mill churning out stories, each one more outlandish than the last.¹³ As

7. E.g., Melinda Henneberger, *Supporters of AIDS Pledge Criticize Other Programs*, N.Y. TIMES, Sept. 6, 1992 (§ 1), at 51 (“[T]he victims of this AIDS scourge are homosexuals, bisexuals, intravenous users of illicit drugs and the innocent people they infect.”); Josh Barbanel, *Under ‘Rainbow,’ a War: When Politics, Morals and Learning Mix*, N.Y. TIMES, Dec. 27, 1992 (§1), at 34 (“I immediately recognized it as part of the homosexual movement. It was gay and lesbian propaganda.”); *New York School Head Fights for Gay Curriculum*, COURIER-NEWS, Dec. 11, 1992, at A-12 (claiming The Children of the Rainbow curriculum “promote[d] acceptance of sodomy and cover[s] up its dangers and would “mean[] first-graders would be taught about the homosexual lifestyle, including oral and anal sex”); Dana Kennedy, *Queens Panel Given ‘Rainbow’ Deadline*, STATEN ISLAND ADVANCE, Dec. 11, 1992, at A39 (“Thousands of letters were mailed to parents warning that ‘Children of the Rainbow’ meant first-graders would be taught about the ‘homosexual lifestyle’”); Toula Vlahou, *Christian Group Joins the Fray in NYC School Board Elections*, MIA. HERALD, May 2, 1993, at 29A; Steven Lee Myers, *How a ‘Rainbow Curriculum’ Turned into Fighting Words*, N.Y. TIMES, Dec. 13, 1992 (§ 4), at 6 (detailing parent views on tolerance curriculum as “dangerously misleading lesbian/homosexual propaganda” and “It’s gay rights, and it’s wrong.”); Joseph Berger, *Teaching About Gay Life is Pressed by Chancellor*, N.Y. TIMES, Nov. 17, 1992, at B3 (“[T]he district w[ill] not ‘indoctrinate’ its students to view homosexual couples as families with what the Rainbow guide had called ‘positive aspects.’”) (“We . . . reject . . . promoting acceptance of sodomy”); Robert D. McFadden, *Bishop Assails School Leaders Over Lesson on Homosexuals*, N.Y. TIMES, Dec. 28, 1992, at B8 (“[T]here’s an innuendo that homosexuality, which is a basic human disorder, should be accepted.”).

8. Leila Rafei, *How LGBTQ Voices are Being Erased in Classrooms*, ACLU (June 27, 2022), <https://www.aclu.org/news/lgbtq-rights/how-lgbtq-voices-are-being-erased-in-classrooms-censorship>.

9. Doni Gewirtzman, *“Make Your Own Kind of Music”*: *Queer Student Groups and the First Amendment*, 86 CALIF. L. REV. 1131, 1131 (1998); Ian Vandewalker, *Of Permission Slips and Homophobia: Parental Consent Policies for School Club Participation Aimed at Gay-Positive Student Groups*, 19 B.U. PUB. INT. L.J. 23, 23 (2009); Eleanor J. Bader, *Conservative Christians Are Making Schools Less Safe for LGBTQ Students*, TRUTHOUT (Dec. 1, 2019), <https://truthout.org/articles/conservative-christians-want-to-make-schools-unsafe-for-lgbtq-students/>.

10. Christine Yared, *Where are the Civil Rights for Gay and Lesbian Teachers?*, 24 HUM. RTS. 22, 22 (Summer 1997); KEVIN JENNINGS, *MAMA’S BOY, PREACHER’S SON: A MEMOIR OF GROWING UP, COMING OUT, AND CHANGING AMERICA’S SCHOOLS* 218 (2006); ARTHUR LIPKIN, *UNDERSTANDING HOMOSEXUALITY, CHANGING SCHOOLS*, at xiii–xiv (Routledge 2018) (1999).

11. Andy Birkey, *Anoka-Hennepin Schools’ Long History in the Culture War*, TWIN CITIES DAILY PLANET (Aug. 28, 2011), <https://www.tcdailyplanet.net/anoka-hennepin-schools-long-history-culture-war/>.

12. Samantha Riedel, *At Least 11 Schools Got Bomb Threats After Libs of TikTok Posted About Them*, THEM (Oct. 5, 2023), <https://www.them.us/story/bomb-threats-schools-lib-of-tik-tok>; Carla Rogner, *Bomb Threat to Hilton Schools Centered Around LGBTQ Book Found in Library*, WHAM (Mar. 23, 2023, 12:43 PM), <https://13wham.com/news/local/bomb-threat-to-hilton-schools-centered-around-lgbtq-book-in-school-libraries>.

13. Most recently, there is a bizarre rumor that has littered discourse on trans-inclusive education. Very roughly, it goes like this: That ever since passing trans-supportive school policies,

of now, the proclivity for returning to drawing boards to invent fresh methods of schoolhouse discrimination shows no signs of slowing.¹⁴

Pro-equality responses have largely kept pace.¹⁵ Time and again, the first line of the counter has been discursive. For instance, legislative efforts have been rebranded “No Promo Homo” laws, “Don’t Say Gay” laws, “License to Bully Legislation,” “Bathroom Bills,” and “Forced Outing”

schools across the United States are being overrun with children who “self-identify” as animals. Like all stories of the sort, the particulars are difficult to pin down, and the precise details depend on the teller. Ordinarily, the tale includes students meowing, barking, hissing, crawling on all fours, and reportedly, “sit[ing] at the feet of their teacher while licking their ‘paws.’” Ali Swenson, *Fact Check: Waunakee Students ‘Identifying as Animals’ Don’t Get Special Treatment*, WIS. STATE J. (Apr. 7, 2022), https://madison.com/news/state-and-regional/fact-check-waunakee-school-district-does-not-have-furry-protocol/article_62d9724b-b932-5661-b9f0-1d10f4123a6b.html [<https://perma.cc/4NPE-8UVT>]. Some report water bowls in hallways, alongside lowered cafeteria tables—to allow students to eat “like a dog eats from a bowl.” Michelle Evans (@ThinkerMichelle), X (Jan. 23, 2022, 6:45 AM), <https://x.com/ThinkerMichelle/status/1485262514338336772>. According to one especially elaborate rendition, set in some unnamed Iowan town, a local school is the habitat of two such students: One, a dog, that “has to be taken outside to use the bathroom by a teacher,” and another, a falcon, whose “screeches” frequently disrupt class. Jared Strong, *Carroll Community School District Superintendent: No Litter Boxes in Schools*, DES MOINES REG. (Feb. 11, 2022, 8:52 AM), <https://www.desmoinesregister.com/story/news/2022/02/10/carroll-school-district-superintendent-no-litter-boxes-schools/6734663001/> [<https://perma.cc/L6L9-HSCB>]. The most shocking tales, however, involve the claim that in response to parents’ demands, schools have outfitted restrooms with litterboxes to accommodate those who are transspecies. Even more shocking, is how widely that iteration has spread. Since January 2022, at least twenty conservative candidates and elected officials have suggested as much. Tyler Kingkade et al., *How an Urban Myth About Litter Boxes in Schools Became a GOP Talking Point*, NBC NEWS (Oct. 14, 2022, 5:30 AM), <https://www.nbcnews.com/tech/misinformation/urban-myth-litter-boxes-schools-became-gop-talking-point-rcna51439> [<https://perma.cc/XST5-9CF5>]. On the ground, that particular detail has popped up school districts in almost half of the fifty U.S. states, appearing in: Arkansas, Colorado, Illinois, Indiana, Iowa, Kentucky, Maine, Michigan, Minnesota, Missouri, Nebraska, New York, North Carolina, North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, and Wisconsin. If this all sounds ridiculous, that’s because it is. No concrete proof—whether in the form of pictures, videos, actual school policies, or other primary documents—exists. Calls for corroborating evidence go conspicuously unanswered. And, though reference to grapevine communications and citing friend-of-a-friend sources abound, not a single first-hand witness has ever materialized.

14. See Kingkade et al., *supra* note 13.

15. See Craig White, *The Resistance to Anti-LGBTQ+ School Policy is Emerging – Stories from the South*, CAMPAIGN FOR S. EQUAL. (Sept. 7, 2023), <https://southernequality.org/stories-from-the-south/>.

rules.¹⁶ Coinciding with such rejoinders has been ongoing litigation invoking the Equal Protection Clause.¹⁷

Say this for those replies: The labels are certainly clever, and the legal strategies are certainly sound. Even so, the go-to moves leave much to be desired. At first cut, the legal arguments typically occlude the centrality of religious involvement in devising and passing the policies, and even the cleverest monikers sometimes fail to stick.¹⁸ A steeper stumbling block is that, the counters are too individualized, missing what patterns—beyond the persistence and targeted group—mark the seemingly disparate offensive moves, as well as overlooking what unifying motivations—beyond rank queerphobia—drive the perennial protests against inclusion.

Should we hope to make headway, I suggest we turn towards another “powerful weapon[] in the liberal legal arsenal.”¹⁹ My inkling is that, what hinders responses is a suitable framing analogy, a reference point to anchor our understanding and aid in guiding possible paths forward. To gain a sense of what the payoff might be, one need do little more than consider the import of juxtaposing earlier civil rights debates with conflicts over gay rights within the past decade. After years of circulation, analogies to *Loving v. Virginia* won the day in *United States v. Windsor*.²⁰ And, since *Obergefell v. Hodges*, resemblances between divinely-inspired exceptions to queer equality, and those that once existed for racial equality, appear to grow stronger by the minute.²¹

16. Chris Sanders, *Fighting Back in a Red State: Tennessee’s “Don’t Say Gay” and “License to Bully” Legislation*, QED: J. GLBTQ WORLDMAKING, Fall 2013, at 141, 141, 144; Harper Seldin, *Trans Students Should Be Treated with Dignity, Not Outed by Their Schools*, ACLU (Jan. 26, 2023), <https://www.aclu.org/news/lgbtq-rights/trans-students-should-be-treated-with-dignity-not-outed-by-their-schools>.

17. See, e.g., *Supreme Court Oral Arguments in Landmark Transgender Rights Case Scheduled for December 4*, ACLU (Oct. 18, 2024, 12:03 PM), <https://www.aclu.org/press-releases/supreme-court-oral-arguments-in-landmark-transgender-rights-case-scheduled-for-december-4>.

18. See Victoria S. Kolakowski, *The Role of Religious Objections to Transgender and Nonbinary Inclusion and Equality and/or Gender Identity Protection*, A.B.A.: HUM. RTS. MAG. (July 5, 2022), https://www.americanbar.org/groups/crsj/publications/human_rights_magazine_home/intersection-of-lgbtq-rights-and-religious-freedom/the-role-of-religious-objections-to-transgender-and-nonbinary-inclusion-and-equality/.

19. Adrienne D. Davis, *Regulating Polygamy: Intimacy, Default Rules, and Bargaining for Equality*, 110 COLUM. L. REV. 1955, 1986 (2010).

20. Mark Joseph Stern, *Get Déjà Vu Listening to Opponents of Interracial Marriage Argue at the Supreme Court*, SLATE (June 12, 2015, 8:23 AM), <https://slate.com/human-interest/2015/06/loving-v-virginia-compared-to-gay-marriage-arguments.html>.

21. See *Marriage Equality’s Debt to Loving v. Virginia*, COLUM. L. SCH.: STORY ARCHIVES (June 12, 2017), <https://www.law.columbia.edu/news/archive/marriage-equalitys-debt-loving-v-virginia>.

When searching for an analog, the fallout from *Brown v. Board of Education* initially seems the likeliest candidate. Resistance to integrated schooling and resistance to LGBTQ-inclusive schooling share many rhetorical features,²² with participants in each relying on similar claims of “indoctrinat[ion],”²³ “propaganda,”²⁴ and “brainwashing.”²⁵ An ongoing exodus out of public schools²⁶ in protest of LGBTQ inclusion²⁷ retraces the

22. Compare Joy Pullmann, *The Trans Juggernaut Wants Your Kids, and Public Schools Are Just the Beginning*, FEDERALIST (Aug. 17, 2017), <https://thefdrlst.wpengine.com/2017/08/17/trans-juggernaut-wants-kids-public-schools-just-beginning/> (lamenting how “[p]arents are facing fewer and fewer ways to protect their children from being used as guinea pigs”), with Opinion, ‘*You People in Nashville Are Partly to Blame*,’ NASHVILLE TENNESSEAN, Jan. 1, 1961, at B1 (recording a parent on the topic of school segregation stating, “All I know is that I don’t want my children to be the guinea pigs. And I feel guilty about being able to move to an area where there are no Negroes . . .”).

23. Compare *Claims Anti-South Teaching Permitted*, CLARION-LEDGER, Apr. 1, 1960, at 6 (Mississippi Rep. Wilburn Hooker denouncing “anti-segregation teachings” that “indoctrinate our young people with destructive theories foreign to Mississippi’s laws, customs, and traditions”), and J.W. Davis, *Mixed Marriages Get Less Notice Now than Years Ago*, CLARION-LEDGER, May 28, 1961, at A4 (castigating “indoctrinat[ion]” of students “with the idea that there are no differences between the races”), with Dan Delzell, *Will America’s Public Grade Schools Become Transgender Mills?*, CHRISTIAN POST (Mar. 6, 2018), <https://www.christianpost.com/voices/will-americas-public-grade-schools-become-transgender-mills.html> (“[P]arents do not send their children to school to get indoctrinated with gender myths that contradict biology and human anatomy.”).

24. Compare PETER SPRIGG, F.A.M. RSCH. COUNCIL, *HOMOSEXUALITY IN YOUR CHILD’S SCHOOL 4* (2006) (assailing “pro-homosexual propaganda” in schools), with CITIZENS’ COUNCILS OF AM., *PROPAGANDA IN OUR SCHOOLS* (n.d.), https://egrove.olemiss.edu/citizens_pamph/59/.

25. Marshall Perry, Letter to the Editor, *State Jurist Says We Should Get Going on Our Part of Clean-Up*, CLARION-LEDGER, Dec. 7, 1970, at 12 (denouncing “integrated public schools that are brain-washing the children of America”); see also, e.g., Evelyn Morgan, Letter to the Editor, *Writer Finds Recent Letter on Public School Plight Unbelievable*, CLARION-LEDGER, Oct. 20, 1970, at 6 (warning White parents against “the instruction [their children] will receive from their [B]lack teachers” in “the blackboard jungles that the so-called public schools have become”); Eva Hodges, *Being Married to a Negro Is . . . Just Different*, DENVER POST, Mar. 18, 1962, at 13 (“The diabolical propaganda campaign to seduce Americans into accepting racial amalgamation is now well under way Since it is impossible to eliminate the sources, we must teach our young people to recognize such trash as false propaganda.”).

26. Ruth Graham, *Christian Schools Boom in a Revolt Against Curriculum and Pandemic Rules*, N.Y. TIMES (Oct. 19, 2021), <https://www.nytimes.com/2021/10/19/us/christian-schools-growth.html> (quoting Jeff Keaton, “founder and president of . . . a Virginia-based conservative evangelical organization whose work includes starting and consulting with evangelical schools,” as describing the exodus as “the second Great Awakening in Christian education in the United States since the 1960s and ‘70s.”). The first “Great Awakening” refers to the period “when white Southern parents founded ‘segregation academies’ as a backlash to racial integration” *Id.*

27. E.g., Lianne Laurence, *Mom Breaks Down Describing Effects of Kindergarten Transgender Lesson on Her 5-Year-Old*, LIFESITE (Feb. 23, 2018, 6:11 PM EST), <https://www.lifesitenews.com/news/mom-breaks-down-describing-effects-of-kindergarten-transgender-lesson-on-her/>; Kelsey Bolar, *Minnesota Kindergarten Students Forced to Confront Gender Identity*, DAILY SIGNAL (Feb. 29, 2016), <https://www.dailysignal.com/2016/02/29/kindergarten-students-forced-to-confront-gender-identity/>.

path cut by “White flight” to segregation academies²⁸ and home schools.²⁹ What’s more, opposition to desegregation bore an undoubtedly religious air.³⁰ Indeed, it is impossible to ignore the aid of mainstay White Christianity in sustaining the Black dehumanization institutionalized as Jim Crow segregation.³¹ No one in the 1960s would have missed how frequently scriptural citations cloaked anti-Blackness with the mantle of constitutionally protected religious belief, rather than racism.³² Nowadays as then, anti-equality activists often cast themselves as victims when met with pushback, contending their beliefs were unfairly maligned.³³

28. Ed Kilgore, *Marking 70 Years of White Flight from School Integration*, N.Y. MAG.: INTELLIGENCER (May 18, 2024), <https://nymag.com/intelligencer/article/marking-70-years-of-white-flight-from-school-integration.html>.

29. Cf. Milton Gaither, *Why Homeschooling Happened*, 86 EDUC. HORIZONS 226, 231-33 (2008) (documenting Christian homeschooling as responsive to conservative families’ realization that “minorities [were] in and God [was] out” at public schools); Tal Levy, *Homeschooling and Racism*, 39 J. BLACK STUDS. 905, 918 (2009) (suggesting a link between the adoption of homeschooling legislation and school integration).

30. Tisa Wenger, *Discriminating in the Name of Religion? Segregationists and Slaveholders Did It, Too*, WASH. POST (Dec. 5, 2017), <https://www.washingtonpost.com/news/made-by-history/wp/2017/12/05/discriminating-in-the-name-of-religion-segregationists-and-slaveholders-did-it-too/>.

31. See Jane Dailey, *Sex, Segregation, and the Sacred After Brown*, 91 J. AM. HIST. 119, 122-23, 129 (2004); CAROLYN RENÉE DUPONT, *MISSISSIPPI PRAYING: SOUTHERN WHITE EVANGELICALS AND THE CIVIL RIGHTS MOVEMENT, 1945–1975*, at 1-2 (2013).

32. See, e.g., Evelyn Morgan, Letter to the Editor, *Challenge Churches to Service, Outreach*, CLARION-LEDGER, Dec. 4, 1969, at C-4 (assailing churches for insufficiently “support[ing] private schools where the children can have decent, white schoolmates, and be taught and practice segregation which is clearly commanded in the Bible.”); *id.* (“One of the worst evils in our country and state today is race-mixing, and every Christian should take a stand against it and speak out in no uncertain terms . . .”); Evelyn Morgan, Letter to the Editor, *Have Right to Use Private Schools*, CLARION-LEDGER, Aug. 28, 1969, at B-8 (“We who sacrifice to send our children to private schools certainly feel that it IS in their best interest to provide them with a decent Christian education among those of their own kind as the Lord intended.”); Al Robinson, Letter to the Editor, *Proud White, Negro Must Ignore Court*, CLARION-LEDGER, Dec. 6, 1969, at A-6 (“Integration is amalgamation. This is tragic and atheistic.”).

33. See UNITED KLANS OF AM., RIGHT? OR WRONG? GOD AND LINCOLN ON NEGRO-WHITE MARRIAGES 1 (n.d.), https://egrove.olemiss.edu/citizens_pamph/61/ (contesting the implication that “those objecting to such ‘integration’ are bigots, or racists, or ‘White supremacists,’ or at least must ‘hate’ negroes”); F. Bailey, Letter to Editor, *Who Will Let Daughter Wed Coloured Man?*, W. LONDON STAR, Oct. 12, 1956, https://egrove.olemiss.edu/citizens_clip/119/ (“The racial propagandists represent all who oppose mongrelisation as hatemongers. The fact is that these subversive elements are encouraging racial hatred by their nauseating policy in which is a violation of Christian religious tradition.”); Robert B. Patterson, Sec’y, Citizens’ Councils of Am., Address at the Annual Leadership Conference of the Citizens’ Councils of America (Jan. 8, 1966), in THE TRUTH CRIES OUT 1, 2 (1966), https://egrove.olemiss.edu/citizens_pamph/78/ (“Those who speak this truth are immediately and arbitrarily set upon and branded as racists, hate-mongers and bigots.”); G.T. Gillespie, President Emeritus of Belhaven Coll., Address Before the Synod of Mississippi of the Presbyterian Church in the U.S. (Nov. 4, 1954), in A CHRISTIAN VIEW ON SEGREGATION 1, 2-3 (1954), https://egrove.olemiss.edu/citizens_pamph/1/; ASS’N OF CITIZENS’

Tempting as it is, a key disanalogy largely precludes the comparison to well-trodden stories from the post-*Brown* period. Resistance to integration—whether secular or religiously inspired—arose from the totalizing aim of preventing all interracial contact.³⁴ Segregationists sought, in other words, to have their children separated from Black children.³⁵ Simply, the harm occurred by way of *exclusion from* education.³⁶ Reasonably speaking, anti-queer efforts do not seek to bar students in any similar way, but instead, earmark the harm they inflict. Taking the presence of queer children as given, efforts today single them out for mistreatment. The harm occurs *through* education.³⁷ Since the former sought absence, and the latter requires presence, the analogy cannot hold.

Thus, the search continues.

In this Essay, I wish to outline an alternative comparator, capable of doing justice to the distinctive mechanics of the campaign against queer equality in public schools—harm carried out through education—on the one hand, even while on the other, able to maintain focus on the religiously-marked fervor. I will be arguing that, revisiting the bygone involvement of religious institutions in the education of Native American children provides a useful way to structure how we think about and respond to efforts in the present day.

To be clear, I do not mean to suggest that the two moments—anti-queer and assimilationist education efforts—are interchangeable or that they are equivalent in either effect or scale. Nor do I imply that there is some discernible throughline between the two histories. My point is simpler. Drawing a parallel reveals a functional similitude: the “logic[s] of elimination.”³⁸ What I intend to suggest is that, the two projects share the goals of converting, erasing, and impairing members of the targeted student

COUNCILS OF MISS., IS SEGREGATION UNCHRISTIAN? 1-2 (n.d.), https://egrove.olemiss.edu/citizens_pamph/45/.

34. See Davison M. Douglas, *The Rhetoric of Moderation: Desegregating the South During the Decade After Brown*, 89 NW. UNIV. L. REV. 92, 92-94 (1994).

35. See Sara Rimer, *Resistance to Racial Integration*, EQUAL JUST. INITIATIVE (Dec. 18, 2024), <https://eji.org/news/resistance-to-racial-integration/>.

36. See Peter Irons, *Jim Crow's Schools*, AM. EDUCATOR, Summer 2004, at 4, 6

37. See Jo Yurcaba, *Over 30 New LGBTQ Education Laws Are in Effect as Students Go Back to School*, NBC NEWS (Aug. 30, 2023, 12:04 PM PDT), <https://www.nbcnews.com/nbc-out/out-politics-and-policy/30-new-lgbtq-education-laws-are-effect-students-go-back-school-rcna101897>.

38. Patrick Wolfe, *Settler Colonialism and the Elimination of the Native*, 8 J. GENOCIDE RSCH. 387, 387 (2006).

population, deploy a common arsenal of eliminatory techniques, and take educational institutions as the sites on which to carry out those tasks.³⁹

This Essay has three parts. Part II explores the way Christian missionaries used education to aid in the mutually reinforcing projects of Native American subjugation and the solidification of White supremacy. Part III turns to the landscape of today, showing that the strategies unfolding before us even now bear frightening likenesses to those of yesteryear. Part IV reflects on the lessons that the history of missionary schools offers for responding to anti-queer education projects.

I.

Reflecting on his four years of service as Secretary of the Interior in 1881, Carl Schurz announced a grim prognosis for the future of Native Americans: “extermination or civilization.”⁴⁰ Since, to Schurz’s mind, the former would be “devoid of all sentiments of justice and humanity,” he made the case for the latter.⁴¹ “[I]f we mean to save [the Natives,]” he continued, “education in schools” would have to be “[o]ne of the most important agencies in the civilization process.”⁴² Almost a century earlier, pioneering anthropologist Lewis H. Morgan, came to a similarly dyadic conclusion: “There are but two means of rescuing the Indian from his impending destiny; and these are education and Christianity.”⁴³

In actuality, the forks in the road outlined by Schurz, and Morgan before him, would prove a singular path. Whether physically, spiritually, or culturally, the options were all eliminatory.⁴⁴ Underwritten by the 1819 Indian Civilization Fund Act, Nineteenth-Century America witnessed a national assimilation policy targeting Native children through the establishment of residential and day schools. Setting aside 150 years of church and state separation, fifty percent of the religiously supported

39. See Navin Kariyawasam & Nanky Rai, *Taking the Long Way Around: Towards a Depathologized Ethical Framework of Gender-Affirming Care for Trans Youth*, 51 J.L., MED. & ETHICS 926, 926-27 (2023).

40. Carl Schurz, *Present Aspects of the Indian Problem*, 133 N. AM. REV. 1 (1881), reprinted in *AMERICANIZING THE AMERICAN INDIANS: WRITINGS BY THE “FRIENDS OF THE INDIAN” 1880-1900*, at 13, 14 (Francis Paul Prucha ed., 1973).

41. *Id.*

42. *Id.* at 14, 18.

43. 2 LEWIS HENRY MORGAN, *LEAGUE OF THE HO-DÉ-NO-SAU-NEE OR IROQUOIS* 111 (Herbert M. Lloyd ed., Dodd, Mead, & Co. 1922) (1851).

44. Andrea Smith, *Boarding School Abuses, Human Rights, and Reparations*, 31 SOC. JUST., no. 4, 2004, at 89, 90.

institutions were also supported by government funding in pursuit of their conjoined goals to Christianize and “civilize the Indians.”⁴⁵

In subcontracting Native education to missionaries, the Act instructed the Government to employ “capable persons of good moral characters [to teach Native children].”⁴⁶ Nevertheless, the reality at mission schools was one marked by mistreatment, cultural erasure, physical violence from administrators, and on-campus burial sites.⁴⁷ Said in blunter terms, religiously-run schools did their part in furthering the mutually reinforcing projects of Native American subjugation and the solidification of White supremacy—and quite often, brutally so.⁴⁸

Early on, self-funded missionaries led the charge of educating Native Americans.⁴⁹ Soon, their efforts were federally subsidized. The Secretary of the Interior made the federal rationale explicit in his 1886 report, stating, “[G]overnment aid furnished [to religious societies] enables them to sustain their missions and renders it possible for their representatives to continue their efforts to lead these people, whose paganism has been the chief obstacle to their civilization, into the light of Christianity”⁵⁰

The established state of affairs solidified with President Benjamin Harrison’s 1889 appointment of the Baptist minister and former vice president of the National Education Association, Thomas J. Morgan, to Commissioner of Indian Affairs.⁵¹ Morgan, like his priors, saw education as the premier means of assimilating Natives since it was “humane, economic, and Christian.”⁵² Morgan transformed Native education. During his tenure,

45. S. COMM. ON LAB. AND PUB. WELFARE, INDIAN EDUCATION: A NATIONAL TRAGEDY—A NATIONAL CHALLENGE, S. REP. NO. 91-501 at 143 (1969) [hereinafter KENNEDY REPORT] (“The purpose of the act was to ‘civilize’ by converting Indians from hunters to agriculturalists. The funds involved were apportioned among those societies and individuals—usually missionary organizations—that had been prominent in the effort to ‘civilize’ the Indians.”).

46. Civilization Fund Act of 1819, ch. 85, 3 Stat. 516 (codified as 25 U.S.C. § 271).

47. Mark M. Lambert, *Reckoning with Re-Education: Christianity’s Role in Native American Boarding Schools*, UNIV. OF CHL.: DIVINITY SCH. (July 6, 2022), <https://divinity.uchicago.edu/sightings/articles/reckoning-re-education-christianitys-role-native-american-boarding-schools>.

48. See Andrea Smith, *Soul Wound: The Legacy of Native American Schools*, AMNESTY INT’L MAG. (Oct. 9, 2015), https://boardingschoolhealing.org/resource_database/soul-wound-the-legacy-of-native-american-schools/ (“Virtually imprisoned in the schools, children experienced a devastating litany of abuses, from forced assimilation and grueling labor to widespread sexual and physical abuse.”).

49. STAN JUNEAU, HISTORY AND FOUNDATION OF AMERICAN INDIAN EDUCATION 18-19 (Walter Fleming & Lance Foster eds., updated & rev. ed. 2013).

50. 1886 DEP’T OF THE INTERIOR, OFF. OF INDIAN AFFS. ANN. REP., at LXVI [hereinafter 1886 ARCIA].

51. See Thomas J. Morgan, *Statement on Indian Policy*, in AMERICANIZING THE AMERICAN INDIANS: WRITINGS BY THE “FRIENDS OF THE INDIAN” 1880–1900, *supra* note 40, at 74.

52. 1892 DEP’T OF THE INTERIOR, OFF. OF INDIAN AFFS. ANN. REP. 47 [hereinafter 1892 ARCIA]. See also 1882 DEP’T OF THE INTERIOR, OFF. OF INDIAN AFFS. ANN. REP. 22 (“It is more

the Office of Indian Affairs (“OIA”) sought to establish a “national Indian school system.”⁵³ Doing so demanded the conscription of Native children by any means necessary.⁵⁴ To Morgan’s mind, the removal of children was imperative to Christian charity, writing, “We owe it to these children, forcibly if need be, so great and appalling a calamity from befalling them.”⁵⁵ Morgan received ample government support in pursuit of his vision.⁵⁶ Although clauses compelling school attendance had featured in treaties signed prior to Morgan’s commission,⁵⁷ Congress aided further, by passing legislation that compelled school attendance for all Native children.⁵⁸ Towards the same ends, the OIA required all enrolled students to “attend[. . . weekly Sunday services.”⁵⁹ From that point on, the twin goals of Native American subjugation and the solidification of White supremacy would guide missionary education.⁶⁰

Life at missionary schools reflected the underlying aims.⁶¹ Upon arrival, Native students found their culturally significant names replaced by

humane and Christian-like to expend money for instruction in husbandry and education, and less expensive than breaking or not fulfilling treaty obligations”); *id.* at VI (“Civilization is a plant of exceeding slow growth, unless supplemented by Christian teaching and influences.”).

53. Frederick E. Hoxie, *Redefining Indian Education: Thomas J. Morgan’s Program in Disarray*, 24 ARIZ. & WEST 5, 6 (1982).

54. See FRANCIS PAUL PRUCHA, *AMERICAN INDIAN POLICY IN CRISIS: CHRISTIAN REFORMERS AND THE INDIAN, 1865–1900*, at 314 (1976).

55. *Id.* at 314-15.

56. *See id.* at 314-16.

57. *See, e.g.*, Robert Laurence, *Indian Education: Federal Compulsory School Attendance Law Applicable to American Indians: The Treaty-Making Period: 1857-1871*, 5 AM. INDIAN L. REV. 393, 394-96 (1977).

58. PRUCHA, *supra* note 54, at 314-15.

59. NATIVE AM. RTS. FUND, *TRIGGER POINTS: CURRENT STATE OF RESEARCH ON HISTORY, IMPACTS, AND HEALING RELATED TO THE UNITED STATES’ INDIAN INDUSTRIAL/BOARDING SCHOOL POLICY* 10 (2019).

60. *See* 1892 ARCIA, *supra* note 52, at 47 (“We must either fight [the] Indians, feed them, or else educate them. To fight them is cruel, to feed them is wasteful, while to educate them is humane, economic, and Christian.”); 1885 DEP’T OF THE INTERIOR, OFF. OF INDIAN AFFS. ANN. REPORT, at CXII [hereinafter 1885 ARCIA] (recommending compulsory boarding schools “at an early age, before the habit[s] of barbarous life has become fixed [T]hat they may be taught how to abandon the pathway of barbarism and walk with a sure step along the pleasant highway of Christian civilization”); 1888 DEP’T OF THE INTERIOR, OFF. OF INDIAN AFFS. ANN. REPORT, at xix (suggesting the expansion of the education system “would be more expensive . . . but certainly the American people would not . . . hesitate to adopt such a plan . . . if they could be assured that by its adoption the Indian race would be lifted out of darkness and superstition into the light of Christian civilization”).

61. *See* DAVID WALLACE ADAMS, *EDUCATION FOR EXTINCTION: AMERICAN INDIANS AND THE BOARDING SCHOOL EXPERIENCE, 1875–1928*, at 18-19 (1995).

European ones.⁶² The loss left lasting scars. As Professor Ward Churchill notes, students with “‘savage’ or ‘unpronounceable’ identifiers . . . quickly found themselves saddled with Anglicized replacements A consistent theme running through autobiographical material written by former students is how this procedure in particular engendered an abiding sense that they’d ‘lost’ themselves”⁶³

Renaming was the first of many assaults on identity. Native children were forced to cut their hair and were banned from wearing clothing that expressed their culture.⁶⁴ The former was especially traumatic, according to one secondhand account from the granddaughter of a boarding school survivor, her grandmother “recalled seeing boys’ spirits broken as their braids, literal ties to their Tribal identity and holding spiritual power, fell to the floor.”⁶⁵ While this process was traumatic for Native children, federal government employees viewed Native children who shed their culture as “progressing towards civilization.”⁶⁶ Describing the alleged progress in an 1886 letter to the Secretary of the Interior, one federal agent remarked, “When first brought in they are a hard-looking set. Their long tangled hair is shorn close, and then they are stripped of their Indian garb, thoroughly washed, and clad in civilized clothing. The metamorphosis is wonderful, and the little savage [*sic*] seems quite proud of his appearance.”⁶⁷

Cultural suppression on campus worked in concert with developments at a national scale. Announcing his interest in “any course toward [Native Americans] which tends to their civilization, [C]hristianization and ultimate

62. Liliana Elliott, *Names Tell a Story: The Alteration of Student Names at Carlisle Indian Industrial School, 1879–1890* (Apr. 3, 2019) (B.A. thesis, University of Colorado Boulder) (on file with author); ADAMS, *supra* note 61, at 108 (“Yet another assault on tribal identity came in the form of new names.”); see also Julie Davis, *American Indian Boarding School Experiences: Recent Studies from the Native Perspective*, 15 OAH MAG. HISTORY, Winter 2001, at 20, 20.

63. WARD CHURCHILL, *KILL THE INDIAN, SAVE THE MAN: THE GENOCIDAL IMPACT OF AMERICAN INDIAN RESIDENTIAL SCHOOLS* 19 (2004).

64. ADAMS, *supra* note 61, at 100-03 (describing the “traumatic experience” of cultural assault through haircutting at Native Schools); *id.* at 106-08 (describing uniform policies that were “a great cross to Indian pupils” for “going against the grain of Indian youngsters’ individuality”); MARY A. STOUT, *NATIVE AMERICAN BOARDING SCHOOLS* 70 (2012) (ebook) (“[T]he most horrific aspects of Native American boarding school education [were] hair cutting, the discarding of clothing and objects from home, and the brutal suppression of native languages.”); CHURCHILL, *supra* note 63, at 19 (“At the heart of the policy was the belief that the [boys’] long hair was symbolic of savagism; removing it was central’ to destroying their sense of themselves as Indians.”).

65. Ruth Hopkins, *Sexual Trauma: One Legacy of the Boarding School Era*, *LAST REAL INDIANS* (Mar. 25, 2013), <https://lastrealindians.com/news/2013/3/25/mar-25-2013-sexual-trauma-one-legacy-of-the-boarding-school-era-ruth-hopkins>.

66. 1886 ARCIA, *supra* note 58, at 200.

67. *Id.* at 199.

citizenship” in his inaugural address,⁶⁸ President Grant’s 1869 Peace Policy divvied reservations “to the exclusive spiritual care” of missionary groups, outlawing Native American religious practice as it did.⁶⁹ Lauding the plan in the next year’s *Annual Report of the Commissioner of Indian Affairs*, Ely S. Parker, the first Native American to hold the post, declared that “from the highest moral conviction of Christian humanity, the President wisely determined to invoke the co[o]peration of the entire religious element of the country, to help . . . [with] the civilization and Christianization of the Indian race.”⁷⁰

Decades later, the Office of Indian Affairs had passed the *Code of Indian Offenses* in response to an 1883 letter from the Department of the Interior’s Henry M. Teller.⁷¹ Expressing concern for what he says is the “demoralization” effect on “the young,” Teller assailed “the continuances of the old heathenish dances.”⁷² In particular, he worried that under the guise of being “social gatherings for . . . amusement,” the celebrations were, in fact, “intended and calculated to stimulate the warlike passions of the young warriors of the tribe.”⁷³ Teller continued by writing, “[t]hese dances, or feasts, as they are sometimes called, ought . . . to be discontinued, and if the Indians now supported by the Government are not willing to discontinue them, the agents should be instructed to compel such discontinuance.”⁷⁴ OIA leadership obliged, banning Native celebrations.⁷⁵ Not two years later, a United States Indian Agent would gleefully report, “The good influence of the Christian religion can be seen and felt. The Christian Indians are more cleanly in person and home; refrain from heathen dances and feasts, and are far more quiet and courteous in their general conduct than their wild brethren.”⁷⁶

68. President Ulysses S. Grant, Inaugural Address (Mar. 4, 1869), in BRADFORD REP., Mar. 11, 1869, <https://panewsarchive.psu.edu/lccn/sn84024558/1869-03-11/ed-1/seq-2/>.

69. Jon Butler, *Disestablishment as American Sisyphus*, in TURNING POINTS IN THE HISTORY OF AMERICAN EVANGELICALISM 44, 55 (Heath W. Carter & Laura Rominger Porter eds., 2017); see also Jennifer Graber, “If a War It May Be Called”: *The Peace Policy with American Indians*, 24 RELIGION & AM. CULTURE 36, 39-40 (2014).

70. 1870 DEP’T OF THE INTERIOR, OFF. OF INDIAN AFFS. ANN. REP.10.

71. Hiram Price, Comm’r, Off. of Indian Affs., Rules Governing the Court of Indian Offenses (Mar. 30, 1883) (on file with the University of North Dakota), <https://commons.und.edu/indigenous-gov-docs/131/>.

72. Letter from M. Teller, Sec’y, Off. of Indian Affs., to Hiram Price, Comm’r, Off. of Indian Affs. (Dec. 2, 1882) (on file with the University of North Dakota), <https://commons.und.edu/indigenous-gov-docs/131/>.

73. *Id.*

74. *Id.*

75. Rules Governing the Court of Indian Offenses, *supra* note 71.

76. 1885 ARCIA, *supra* note 60, at 22.

What was the effect of the assemblage of stigmatizing national policy and institutional rules? Stigmatization and internalized oppression.⁷⁷ As Dr. Lori Arviso Alvord, the first Navajo woman surgeon and survivor of missionary schools, remarked in her autobiography, “Navajo children were told that their culture and lifeways were inferior, and they were made to feel they could never be as good as white people Two or three generations of our tribe had been taught to feel shame about our culture”⁷⁸ Likewise, Diane Wilson notes: “[T]housands of Native children have learned the message that is implicit in boarding school education: that Native people are children of the devil who are condemned by God. This sense of worthlessness, of evil, of unlovability *because* they were Native was turned inward”⁷⁹ In the end, the true devastation of missionary schools lay not in the erasure of outward markers of Native identity, but rather the schools’ inward assault.

II.

Examined against the prior historical backdrop, many aspects of modern conflicts over the inclusion of queer students in public education run in clear parallel. Restrictions on markers of LGBTQ identity—akin to the prohibitions on cultural markers in missionary-run institutions—provide a fitting place to begin illustrating that point. Bills passed in Louisiana and Arizona allow educators to refuse respectfully addressing trans and non-binary students, “if doing so is contrary to [their] religious or moral convictions.”⁸⁰ As before, proponents frame the policy as beneficial. Confronted about the bill’s impact on trans youth, Alliance Defending Freedom (“ADF”)-Allied Attorney Sen. Alan Seabaugh contended that “the bill will reduce bullying,” arguing that “a transgender student is opening

77. NAT’L NATIVE AM. BOARDING SCH. HEALING COAL. ET AL., *INDIGENOUS CHILDREN AND THE LEGACY AND CURRENT IMPACTS OF THE BOARDING SCHOOL POLICIES IN THE UNITED STATES AND THE LACK OF REDRESS, RESTITUTION AND RESTORATION BY THE UNITED STATES TO ADDRESS THESE IMPACTS OR TO ACKNOWLEDGE RESPONSIBILITY FOR THEM: RESPONSE TO THE UNITED STATES 2013 PERIODIC REPORT 8* (June 4, 2014), https://www.iitc.org/wp-content/uploads/2014/08/CERD-85th-Session-Indigenous-Children-report-and-attachments_web.pdf (“They were intentionally and systematically inculcated with shame of being Indigenous through ridicule of their spirituality and lifeways.”).

78. LORI ARVISO ALVORD & ELIZABETH COHEN VAN PELT, *THE SCALPEL AND THE SILVER BEAR: THE FIRST NAVAJO WOMAN SURGEON COMBINES WESTERN MEDICINE AND TRADITIONAL HEALING* 86-88 (1999). See also Stephen Colmant et al., *Constructing Meaning to the Indian Boarding School Experience*, 43 J. AM. INDIAN EDUC., no. 3, 2004, at 22, 26-31 (collecting firsthand accounts).

79. DIANE WILSON, *BELOVED CHILD: A DAKOTA WAY OF LIFE* 133 (2011).

80. S.B. 1002, 57th Gen. Assemb., 1st Reg. Sess. (Ariz. 2025) (awaiting a vote in the Arizona House after passing Senate); H.B. 81, 2023 Leg., Reg. Sess. (La. 2023) (later vetoed by governor).

themselves up to bullying by identifying with a gender that differs with their sex assigned at birth.”⁸¹

Meanwhile, a rising tide of litigation from individual educators has asserted a religious right to misgender their students. In 2019, John Kluge, a music teacher in Indiana sought to avoid the policy by referring to all students by “last name only.”⁸² For Kluge, “gender dysphoria is a type/manifestation of effeminacy, which is sinful,” and accordingly, it is “sinful to promote gender dysphoria” by employing gender-appropriate address, which he viewed as “encouraging [students] in sin.”⁸³ A 2023 case in California struck the same chord. There, PE teacher Jessica Tapia opposed referring to students by their name and pronouns, stating, “The lies and confusions that children are fed in terms of ‘you aren’t who you were created to be’ is based in evil and I will not take part in that. I believe that God created male and female.”⁸⁴

Efforts to restrict pride flags and symbols, representing acceptance or support for the queer community, have likewise spiked in recent years.⁸⁵ For instance, members of the school board in Big Walnut, Ohio, voted to prohibit displays, with the president arguing that “a child who grew up in a household that’s very religious” would “feel condemned” by “walking into a room” that contained “the gay flag, or the pride, whatever you want to call it.”⁸⁶ Parents have embarked on their own campaign. To illustrate, a 2022 complaint filed by an Orthodox Christian father who “considers homosexuality a sin,” and believes “homosexuality is not in accordance with the[] bible,” sued the Emerald Cove Middle School when his son’s teacher “put up two gay pride (rainbow) flags in her classroom.”⁸⁷

Many legislative efforts have attempted to exclude coverage wholesale. Consider Tennessee’s Senate Bill 1216, prohibiting schools from using

81. Piper Hutchinson, *Restrictions on Transgender Students’ Pronouns, Names Clear Louisiana Senate*, LA. ILLUMINATOR (May 29, 2024, 7:12 PM), <https://lailluminator.com/2024/05/29/restrictions-on-transgender-students-pronouns-names-clear-louisiana-senate/>.

82. *Kluge v. Brownsburg Cmty. Sch. Corp.*, 64 F.4th 861, 869 (7th Cir. 2023), *vacated*, No. 21-2475, 2023 U.S. App. LEXIS 19535 (7th Cir. July 28, 2023).

83. *Id.* at 866.

84. Complaint at Exhibit C, *Tapia v. Jurupa Unified Sch. Dist.*, No. 5:23-cv-00789 (C.D. Cal. May 3, 2023).

85. Orion Rummler, *School Districts Have Begun Banning Pride Flags as Political Speech*, 19TH (Oct. 7, 2021), <https://19thnews.org/2021/10/school-districts-have-begun-banning-pride-flags-as-political-speech/>.

86. E-mail from Amy Gilbert, Senior Staff Att’y, Am. Civ. Liberties Union of Ohio, to Doug Crowl, President, Big Walnut Loc. Schs. Bd. of Educ. (Dec. 20, 2023) (on file with author).

87. Matt Papaycik, *Father Sues School District of Palm Beach County over LGBTQ Pride Flags in Classroom*, WPTV (Oct. 27, 2022), <https://www.wptv.com/news/education/father-sues-school-district-of-palm-beach-county-over-lgbtq-pride-flags-in-classroom>.

“textbooks and instructional materials . . . that promote, normalize, support, or *address* lesbian, gay, bisexual, or transgender (LGBT) issues or lifestyles,” since that would “offend[] a significant portion of students, parents, and Tennessee residents with Christian values.”⁸⁸ Just a few states over, Louisiana’s House Bill 837,⁸⁹ encouraged by “several pastors,” would outlaw “any classroom discussion or instruction” on “the topics of sexual orientation or gender identity.”⁹⁰

Not unlike the approach to suppression that worked in concert with extra-institutional activity, the modern crusade against the equal citizenship of queerfolk must be read against the backdrop of country-wide developments. Begin with local campaigns. Christian conservative activists aim to prevent access to LGBTQ books at local libraries, such as one group in Idaho, declaring a “spiritual battle for the hearts and minds of children” demanding that the library “judge books under God’s standards and not of the world’s standards.”⁹¹ Elsewhere, local pastors have taken a “guerilla warfare” approach, checking out all LGBT-themed books.⁹²

Ranked second-worst in quality of education, but first in total number of anti-LGBTQ bills introduced, Oklahoma provides the starkest illustration of the connection between religiously-marked activism and queer-antagonism at a state-wide level.⁹³ Even as state senators proclaimed Oklahoma “a Christian state” and vowed to “keep that [LGBTQ] filth out,”⁹⁴ the death of

88. S.B. 1216, 112th Gen. Assemb., Reg. Sess. (Tenn. 2021) (emphasis added).

89. H.B. 837, 2022 Leg., Reg. Sess. (La. 2022).

90. Will Sentell, *Louisiana Version of ‘Don’t Say Gay’ Bill Would Ban Talk of LGBTQ Issues in Classroom*, ADVOCATE (Mar. 18, 2022), https://www.theadvocate.com/baton_rouge/news/politics/legislature/louisiana-version-of-dont-say-gay-bill-would-ban-talk-of-lgbtq-issues-in-classroom/article_2d055508-a6ea-11ec-bd04-1b531b9bf777.html.

91. Tyler Kingkade, *Conservative Activists Want to Ban 400 Books from a Library—But They Aren’t Even on Shelves*, NBC NEWS (Aug. 23, 2022, 9:29 AM), <https://www.nbcnews.com/news/us-news/conservative-activists-want-ban-400-books-library-arent-even-shelves-rcna44026>.

92. E.g., Paul Brown, *Pastor Urges Christians to Shield Children by Purging Public Libraries of LGBTQ+ Propaganda During Pride Month*, PROTESTIA (June 10, 2024), <https://protestia.com/2024/06/10/pastor-urges-christians-to-shield-children-by-purging-public-libraries-of-lgbtq-propaganda-during-pride-month/>; Hemant Mehta, *A Kansas Pastor Checked Out a Library’s LGBTQ Books so No One Could Read Them*, FRIENDLY ATHEIST (June 12, 2024), <https://www.friendlyatheist.com/p/a-kansas-pastor-checked-out-a-librarys>; Don Hinkle, *Pastor, Deacons Lead Protest of Library’s Homosexual Books*, BAPTIST PRESS (May 19, 1998), <https://www.baptistpress.com/resource-library/news/pastor-deacons-lead-protest-of-librarys-homosexual-books/>.

93. *2025 Anti-Trans Bills Tracker*, TRANS LEGIS. TRACKER, <https://translegislation.com/> (last visited Jan. 26, 2025); *Mapping Attacks on LGBTQ Rights in U.S. State Legislatures in 2024*, ACLU, <https://www.aclu.org/legislative-attacks-on-lgbtq-rights-2024?state=> (last visited Jan. 26, 2025).

94. Barbara Hoberock & Janelle Stecklein, *State Senator Criticized for Calling LGBTQ+ Oklahomans ‘Filth’ During Public Forum in Tahlequah*, OKLA. VOICE (Feb. 23, 2024, 4:30 PM),

a 16-year-old Indigenous (Choctaw) non-binary and Two Spirit Oklahoman, Nex Benedict, spawned an OCR investigation detailing rampant anti-LGBT bullying in the state's public schools.⁹⁵ At the helm of the state's cultural campaign is Ryan Walters, Oklahoma's superintendent of public instruction, who has labeled queer inclusion "an absolute assault on our classrooms, on our kids' minds, [and] on Christianity," and launched a crusade against so-called "gender ideology in schools." He has pressured school districts to require students to use the bathroom of their "God-given natural sex"⁹⁶ and encouraged the removal of 190 LGBTQ-themed books to "protect our children from demented ideologies."⁹⁷ In July 2024, Walters went further still, mandating that schools incorporate the Bible into instruction, insisting that "students [cannot] understand American history and culture without understanding the Biblical principles from which they came."⁹⁸ Together, these moves mark a concerted effort to institutionalize a state-wide Christian moral order by purging queer presence from public education.

III.

For Native communities, the forced removal of children and their immersion in missionary institutions fractured the cultural transmission on which communal survival depended. Languages were silenced. Traditions lost. Communities were frayed. Queer youth today are not removed in the same literal sense, but the threat is no less existential. Born into families where shared identity is not guaranteed, educational institutions play a crucial role in the development of queer identity, operating as sites of affirmation, learning, and community building. When schools are stripped of supportive resources, the harm is not merely to individual students—it is a community-wide deprivation of the conditions that make cultural inheritance and identity formation possible.

<https://oklahomavoice.com/2024/02/23/state-senator-criticized-for-calling-lgbtq-oklahomans-filth-during-public-forum-in-tahlequah/>.

95. U.S. Dep't of Educ., Off. for C.R., Letter of Findings in Re: Owasso Public Schools, OCR Complaint No. 05-24-1363 (Nov. 13, 2024).

96. Beau Simmons, *Sec. Walters Sends Letters to Stillwater School Board, AG Urging Policy to Prohibit Transgender Girls from Using Girls' Restrooms in Schools*, STILLWATER NEWS PRESS (Apr. 8, 2022), https://www.stwnewspress.com/news/sec-walters-sends-letters-to-stillwater-school-board-ag-urging-policy-to-prohibit-transgender-girls/article_e52247d6-b770-11ec-9f19-0f3c8dbd2794.html.

97. Press Release, Okla. St. Dep't of Educ., Superintendent of Public Instruction Ryan Walters Delivers Inappropriate Materials in Schools Letter to Members of the Oklahoma State Legislature (Apr. 3, 2023) (on file with author).

98. Suzie Byrd, *Lawsuit Seeks to Stop School Bible Mandate*, ENID NEWS & EAGLE (Oct. 17, 2024), https://www.enidnews.com/news/lawsuit-seeks-to-stop-school-bible-mandate/article_bd7343fe-8ccd-11ef-9db5-0711c91e123c.html.

Consistent with that logic, religiously motivated anti-queer projects are designed to produce the same result as their assimilationist predecessors: Ensuring that the targeted students emerge from institutions with minimal knowledge of the cultural groups of which they are a part, frayed or cut ties to their cultural communities, and burdened by internalized stigma about their identity.⁹⁹ For those reasons, I'm inclined to believe that each effort to censor, exclude, or erase—from book bans to pride flag removals to curriculum restrictions—forms part of a coordinated assault on cultural continuity.

What are we to make of these echoes across time? At the very least, they suggest we have profoundly underestimated the stakes of the current campaign against queer inclusion in public education. If the insight drawn from this Essay's comparison is right, then piecemeal, reactive responses will never suffice. Winning individual battles over book bans or pride flags will not stem a movement designed to undermine queer identity itself. What is required is a shift in vision: to see the cumulative, orchestrated nature of the campaign, and to craft long-game strategies that preserve the infrastructures of cultural survival. Only then will advocates begin to strike at the root of the eliminatory enterprise.

99. Cf. CHURCHILL, *supra* note 63, at 6-7.