

## Draft of Statement in Opposition to the Texas A&M Board of Regents' Ban on Drag Shows

We, the TAMU Faculty Senate, strongly oppose the Texas A&M University System Board of Regents' recent decision to ban drag performances across all system campuses. This executive order

represents a direct affront to the values of free expression, inclusivity, and shared governance that should define our academic institutions.

Drag performances have long been a vibrant and meaningful form of artistic and cultural expression, particularly within the LGBTQ+ community. By banning these events, the Board of Regents sends a harmful message to LGBTQ+ students, faculty, and staff—that their identities, culture, and voices are unwelcome on their own campuses. This action exacerbates feelings of marginalization and contradicts Texas A&M's stated commitment to fostering an inclusive and respectful environment for all members of our university community.

### A Violation of First Amendment Rights

Public universities have a constitutional obligation to uphold the First Amendment, which guarantees freedom of speech and expression. Drag performances, like any other form of artistic expression, are protected speech under the law. By prohibiting these events, the Board of Regents engages in viewpoint discrimination—an impermissible government restriction on expression based on its content. This ban sets a dangerous precedent for the suppression of programming and risks legal challenges that could further erode trust in the administration's commitment to upholding fundamental rights.

### A Rejection of Shared Governance

Higher education functions best when decisions are made collaboratively, with meaningful input from students, faculty, and staff. The unilateral imposition of this ban without consultation undermines the principles of shared governance and academic freedom. Policies affecting the university community should be shaped through open dialogue and democratic processes, not dictated by top-down mandates that disregard the voices of those most affected.

### Gender and Research

The A&M Board of Regents' executive order banning drag shows is rooted in a flawed and reductive view of gender and biology. In their justification, they claim that gender and biology can be neatly categorized into two fixed groups: male and female. However, this assertion is not supported by decades of scientific research in biology, genetics, endocrinology, and psychology.

Biological sex itself is not a simple binary. While many individuals are born with XX or XY chromosomes, variations such as Klinefelter syndrome (XXY), Turner syndrome (XO), and androgen insensitivity syndrome demonstrate that sex characteristics exist along a spectrum (Blackless et al., 2000; Fausto-Sterling, 2012). Likewise, hormone levels, reproductive anatomy, and secondary sex characteristics do not always align neatly with binary classifications (Ainsworth, 2015). Research estimates that approximately 1.7% of the population is intersex, a prevalence comparable to that of red hair (Blackless et al., 2000).

Furthermore, gender—the social and psychological experience of identity—is distinct from biological sex and has long been recognized as fluid and culturally influenced (Hyde et al., 2019). Major medical and psychological organizations, including the American Psychological Association and the World Health Organization, acknowledge that gender diversity is a natural part of human variation (American Psychological Association, 2021; World Health Organization, 2022). Attempts to impose rigid, binary classifications ignore both the lived experiences of countless individuals and the scientific consensus that gender and sex are more complex than simple male-female categories.

By relying on an outdated and scientifically inaccurate understanding of biology and gender, the Board of Regents is not only misrepresenting established research but also enacting policy that marginalizes and erases the identities of many within the Texas A&M community.

Faculty Senate of TAMU

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