



NCAC, PEN America, and ACLU-FL: DeSantis's Veto of Florida Arts Funding Raises First Amendment Concerns

July 17, 2024 – As organizations committed to protecting the freedom of thought and expression, the National Coalition Against Censorship, PEN America, and the American Civil Liberties Union of Florida are alarmed by recent admissions by Florida Governor Ron DeSantis that his decision to cancel \$32 million dollars worth of state funding for the arts was driven by his personal belief that Fringe Theater Festivals—which stood to receive approximately .002% of the earmarked Florida arts budget—are “sexual” and therefore constitute an “inappropriate” use of taxpayer dollars.

The devastating impact of these budget cuts on Florida’s cultural sector is so great that the heads of the Orlando and Tampa Fringe Festivals recently proposed to waive any previously-earmarked state funding for their organizations in exchange for the restoration of the state arts budget.

Fringe Festivals, inspired by theatrical models that date back to the 1940s in Scotland, take place around the world and are typically low-budget, small-scale productions of theater, dance, performance, art, and children’s events that take place in non-traditional venues. The Orlando Fringe Festival, founded in 1992, is the longest-running such festival in the United States, and additional Fringe Festivals have emerged across Florida in recent years, including in Tampa (2016), Fort Myers (2023), and Sarasota (2023).

DeSantis’s claim that such festivals are primarily “sexual” in nature likely refers to productions that feature theatrical devices such as drag—which the DeSantis administration has targeted in recent years—and theater productions employing comic verbal innuendo. While the DeSantis administration may find some Fringe productions distasteful, that subjective judgment should not influence the availability of government funding for such performances. The purpose of such arts funding is to serve the broad cultural interests of Floridians, not to simply reflect the tastes of state administrators.

DeSantis likely decided to gut the state’s arts budget in its entirety to avoid the perception that he’s enforcing his personal viewpoint through the selective defunding of cultural works he dislikes. Nevertheless, his record of targeting drag productions, and his recent statements, make it abundantly clear that Florida’s art budget was sacrificed to protect the DeSantis Administration’s aesthetic sensibilities from the irreverent humor of drag and the theatrical use of verbal innuendo. The resulting devastating financial loss to the Florida arts community demonstrates how hatred and vitriol aimed at one particular group can negatively impact an entire society.

Our shared arts culture is at its strongest when it meets and challenges the expectations of a broad and diverse community, when it can surprise and amuse audiences, and when it pushes new boundaries of creativity. Public art funding should, by its designation, *serve the public* in all its eclectic interests, and such offerings should not be limited to any given politician’s personal taste and subjective evaluation of what is or isn’t “appropriate.”

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National Coalition Against Censorship

Since its inception in 1974, the National Coalition Against Censorship (NCAC) has functioned as a first responder in protecting freedom of expression, a fundamental human right and a keystone of democracy. Representing over 60 trusted education, publishing, and arts organizations, NCAC encourages and facilitates dialogue between diverse voices and perspectives, including those that have historically been silenced.

PEN America

PEN America stands at the intersection of literature and human rights to protect free expression in the United States and worldwide. We champion the freedom to write, recognizing the power of the word to transform the world. PEN America’s Florida office was established in 2023 to address the rampant free expression infringements in Florida. PEN America Florida works throughout the state to secure academic freedom and free expression and celebrate the written word without censorship. PEN America Florida expands the organization’s footprint, equipping it to advance free expression policy priorities in a state that is leading the country in efforts to curtail free speech and expression.

ACLU of Florida

The ACLU of Florida, headquartered in Miami, is the state affiliate of the national ACLU. Chartered in 1965, the ACLU of Florida operates with four offices throughout the state, and 42 staff members. In addition to the Miami headquarters, there are regional offices located in: Jacksonville, Pensacola and Tallahassee. The mission of the ACLU of Florida is to protect, defend, strengthen, and promote the constitutional rights and liberties of all people in Florida. We envision a fair and just Florida, where all people are free, equal under the law, and live with dignity.