

GAY RIGHTS AT THE BALLOT BOX

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To those within the LGBTQ movement
who persevere in the face of great odds

opposing federal statutes on child abuse, and prohibiting the promotion or support of homosexuality by the government.⁵⁹ The bill was “designed to strengthen the American family. . . to preserve [its] integrity to foster and protect [its] viability by emphasizing family responsibilities in education, tax assistance, religion and other areas related to the family and to promote the virtues of the family.”⁶⁰ After limited success on the federal level for its “moral issues agenda,” the Right moved “from an exclusive focus on making policy change at the federal level and, instead, dug their heels in for a long, multi-faceted struggle” that included direct action protests and local electoral politics.⁶¹

To develop strength for this struggle, growing Right organizations drew on emerging technologies, such as direct-mail fund-raising.⁶² Millionaire Richard A. Viguier helped develop computer lists of New Right voters to use in innovative direct-mail fund-raising by diverse Right organizations such as the Conservative Caucus and the Committee for Survival of Free Congress, often coordinating fund-raising for local campaigns through letter-writing campaigns.⁶³ Toward the end of the 1980s, Falwell and the Moral Majority sent direct mail that used AIDS and anti-gay sentiments to raise money. For example, in a 1987 fund-raising letter, Falwell asserted that gay men donate blood because “they know they are going to die—and they are going to take as many people with them as they can.”⁶⁴

Using fear of AIDS to raise funds was indicative of the growing use of public-health (and eventually legal) messaging during referendum and initiative campaigns. Embedding public-health concerns within a growing pro-family and family values message, the anti-gay Right steered away from explicitly religious justifications for their activism. Paul Cameron, a psychologist who resigned from membership in the American Psychological Association in 1983 while under an ethics investigation, pioneered this public-health approach. Cameron conducted questionable survey research on gay men and their sex habits, generating bogus statistics, including one that reported the average life expectancy of a gay man as thirty-nine years. Cameron made his debut during a 1981 debate over the Lincoln, Nebraska, gay rights ordinance, where he introduced these statistics, along with invented stories about child victims of homosexual pedophiles.⁶⁵ After the Lincoln ordinance was rescinded in a referendum, Cameron assisted other referendum campaigns, including the Committee for Public Awareness,

which was formed to repeal two gay rights laws in Houston in 1984.⁶⁶ Some local activists also experimented with legal messages that claimed gay men and lesbians were trying to usurp civil rights laws. For example, in 1980, a San Jose, California, Religious Right group asserted that two local referendums on gay rights “are not civil rights issues at all. Instead they give gay people special privileges, opportunities, and job considerations because of their sexual lifestyle. Gays feel their sexual choice makes them a special minority deserving of special treatment and protection.”⁶⁷

With a new arsenal of language opposing LGBT rights, local anti-gay activists used referendums liberally, and successfully placed nine referendums on the ballot during this time period while attempting four others. Local activists also innovated with initiative language that would prevent gay rights ordinances in the future and restrict support for LGBT rights by public officials. An initiative developed in 1982 in Austin, Texas, would have allowed discrimination based on sexual orientation in housing by using convoluted, confusing language: it stated that “it shall not be unlawful to deny housing on the basis of sexual orientation,” thereby preempting a local fair-housing ordinance.⁶⁸ The Austin initiative was not passed by voters, and lost 65–35 in the most dramatic defeat of the 1980s. In 1986, a Washington State group attempted both a statewide and a local initiative in King County that would eliminate “special rights” for gay men and lesbians. The statewide initiative was a response to failed legislation sponsored by State Representative Glenn Dobbs that would have overturned state and local gay rights ordinances and prevented both the government and schools from hiring gays. This failed legislation was likely inspired by the failed Family Protection Act.⁶⁹ The Washington Religious Right was unable to get either of these initiatives on the ballot owing to legal challenges and insufficient petitions.⁷⁰ Consistent with the Briggs initiative, these initiatives were responsive to either successful LGBT legislation or to failed Religious Right legislation.

Reflecting the growing trend of legislative candidates to use the initiative process to garner public attention and advance their own causes, radical activist Lyndon LaRouche sponsored a statewide HIV/AIDS initiative in California in 1986. Proposition 64, commonly known as the LaRouche Initiative, mandated state reporting of individuals with AIDS, the inclusion of AIDS in quarantine and isolation statutes, and a limitation on the occupations open to individuals with AIDS. LaRouche was a campaign

spokesman, and he asserted during a radio interview that "A person with AIDS running around is like a person with a machine gun running around shooting up a neighborhood."⁷¹ Even after the initiative failed at the ballot box, 29 percent to 71 percent, LaRouche asserted that "what I represent is a growing movement . . . the movement is coming strong all the time."⁷²

Although the LaRouche Initiative mimicked the Briggs Initiative in both its radical departure from state policy and its vitriolic language, this wave of anti-gay organizing was stronger than the earlier Briggs and Bryant wave. Even with little coordination of campaigns by national organizations, campaigns shared resources; for example, many campaigns used psychologist Paul Cameron or Judi Wilson, a consultant who had worked on the 1977 and 1980 Miami Dade campaigns.⁷³ Toward the end of this time period, anti-gay activism became more concentrated in a few states, often in response to growing LGBT activism. Some of this organizing in battleground states was coordinated by growing regional organizations, such as the Traditional Values Coalition (TVC) in California. There were also signs of increasing anti-gay tactical innovation in the use of direct mail and development of political messaging.

1988–92 Innovative Initiatives

In 1988, as Ronald Reagan finished his second presidential term, the New Right was left with a void in presidential leadership. The New Right was both growing exponentially and experiencing a decline of such major anti-gay organizations as the Moral Majority and Christian Voice.⁷⁴ In this contradictory period, the New Right became more focused on opposing LGBT rights, particularly through proactive opposition. Through a series of tactical innovations, anti-gay activists developed the legal-restrictive initiative, which would curb government recognition of LGBT rights. This period culminated in two statewide legal-restrictive initiatives in Oregon and Colorado in 1992. Of the forty-one attempted ballot measures during this time period, most were either referendums on nondiscrimination legislation (48.8 percent) or legal-restrictive initiatives (24.4 percent), although the Right also sponsored initiatives to restrict the rights of people with AIDS (14 percent) and to eliminate newly passed domestic partnership laws (9.7 percent). Slightly more than half of the ballot measures made it to the ballot box and 57 percent ended in a victory for the Right.

This activism was led by a new national organization, the Christian Coalition, and a growing anti-gay industry. After Pat Robertson briefly ran for the Republican nomination for president, he used his list of evangelical supporters to start the most important national Right organization of the late 1980s, the Christian Coalition.⁷⁵ To complement the Christian Coalition, a whole industry of anti-gay Religious Right leaders, organizations, and literature arose to address both HIV/AIDS and the growing strength of the LGBT movement. These anti-gay organizations increased their involvement in grassroots politics as part of a shift in focus within the New Right from national to local politics. This local focus included "stealth" campaigns to get Right-supportive city council and school-board members elected.⁷⁶ According to scholar Sara Diamond, "For the Christian Right, the strategic lesson of the 1980s was to keep one figurative foot inside formal Republican Party circles and another planted firmly within evangelical churches."⁷⁷

With the increasing attention to AIDS and growing strength of anti-gay organizations, opposition to LGBT rights became more central to the mainstream Christian agenda, expressed through both anti-gay ballot initiatives and public efforts to curtail any federal funding that was supportive of LGBT rights or individuals. Two examples of the latter trend are opposition to federally funded safer sex materials that express approval of homosexuality and the defunding of the NEA Four, four artists whose National Endowment for the Arts funding was revoked owing to the controversial nature of their art, which in many cases focused on gay or lesbian themes. These activities brought anti-gay politics firmly into mainstream Christianity, demonstrated by the increased space given to anti-gay rhetoric in the early 1990s in mainstream Christian journals.⁷⁸ This anti-gay activism culminated in the 1992 Republican National Convention, where anti-gay rhetoric was subsumed under a focus on "family values."⁷⁹ The Republican convention was a rallying call on the Right to fight LGBT advances supported by the Democratic Party.

The anti-gay Right increasingly sponsored referendums to rescind existing LGBT rights legislation, including domestic partnership rights in San Francisco. In 1988, the LGBT community in Oregon faced the Oregon Citizens Alliance (OCA) for the first time, as the OCA sponsored the first successful statewide initiative to rescind the governor's executive order prohibiting discrimination based on sexual orientation.⁸⁰ The growth of

This early campaign marked the beginning of almost two decades of struggle, as LGBT activists fought anti-gay ballot measures across the country, and frequently lost. In the late 1980s, several AIDS initiatives were on the ballot in California that tested the fund-raising, energy, and strength of LGBT organizing. Several cities faced multiple initiatives in the same city or a spate of direct legislation concentrated in one part of the state. For example, between 1978 and 1991, voters in St. Paul voted on two referendums sponsored by the Religious Right and one initiative sponsored by the LGBT movement, along with witnessing petition collecting for an initiative by the Right in 1991 that would have required all gay rights issues to go before the voters. And in Oregon, LGBT residents faced down the OCA for the first time in 1988 in a statewide initiative.

As the Religious Right experimented with referendums and different types of initiatives, local LGBT groups scrambled to respond. With underfunded national organizations, pressing concerns like HIV/AIDS, and few good models to follow, the movement's initial response to Religious Right-sponsored ballot measures was weak. Part of this weakness resulted from the absence of a real social movement infrastructure, especially strong national and statewide organizations, to support local campaigns. In addition, fighting ballot measures was not high on the agenda of movement leaders, because, during the late 1970s to early 1990s, ballot measures were sporadic and infrequent; other issues, such as the repeal of sodomy laws and addressing HIV/AIDS, took precedence. Despite this lack of infrastructure, as the epigraph at the beginning of this chapter suggests, these ballot measures did help draw activists together into a national movement, encouraging connections between LGBT individuals in cities across the country who were facing ballot measures.

As the relationship between social movements and campaigns was developing during this time period, activists struggled to develop a set of winning tactics and fought one anti-gay ballot measure after another. This was a time of tactical innovation and experimentation in which activists tried direct-action protests, new forms of political messaging about privacy, LGBT-sponsored initiatives, and professional polling. They sought to develop tactics, such as political messaging about LGBT rights, that were in accordance with movement goals. They learned by trial and error. Some tactics that were considered important during this time period were later

dismissed as ineffective. An examination of failed tactics is important given the lack of scholarly literature on tactical failure.³ Such an examination reveals much about how activists make decisions about which tactics are "winning" tactics and which are not.

This chapter analyzes what these early campaigns tell us about tactical innovation, and about how we can understand why activists select from within a set of tactics to determine which are the winning ones. I suggest that the development of movement infrastructure plays a strong role in the development of dominant tactics, and analyzing activists' interpretation of victories and defeats is critical to understanding why some tactics are used over and over again. This innovation took place at a time when the realities of ballot measure campaigns were becoming clearly evident, teaching the LGBT movement a series of painful lessons about the nature of the ballot box.

Early Lessons

The wake-up call for the LGBT movement came shortly after early campaigns in Miami-Dade County in 1977 and the spate of referendums in St. Paul, Wichita, and Eugene in the spring of 1978. It quickly became clear that the Religious Right had discovered a number of effective tactics in its fight against LGBT rights. It also became clear that local politics was national politics, as local victories and defeats had consequences for the national movement. For example, before the LaRouche Initiative, Tom Stoddard, the executive director of Lambda Legal, suggested that "Because of California's size, and because it is one of the two states most heavily affected by AIDS, the initiative will be to some degree a barometer of public opinion on the issue . . . A bad result will haunt us all."⁴

The first, and most painful, lesson was how easy it was to lose a ballot measure. Many early referendum battles involved time-consuming campaigns, only to see voters overwhelmingly reject LGBT rights. Even in the Miami-Dade County campaign, Task Force directors predicted a loss, despite polling to the contrary. "Discussions with civil rights leaders from other organizations and movements, and with public opinion pollsters and analysts, led us early in the Dade County campaign over a year ago to the conclusion that we were not likely to win referenda *at this early stage* of our

movement and campaign to educate the public.⁵ Even at this early stage, a victory or defeat at the ballot box was taken as evidence of the growing strength or weakness of the larger movement, as this analysis suggests.

The second (contradictory) lesson was that even when campaigns were won, they did not result in a change to the status quo. They did not necessarily advance movement goals. LGBT residents of the city or state in question retained a law that had already been passed or prevented a virulently anti-gay initiative from becoming law. But these residents were left with few *new* rights once the battle was over. For the LGBT movement, direct legislation is typically both defensive and regressive, offering few genuine civil rights gains even when the campaign wins, just maintenance of the status quo.⁶ For example, when activists successfully defeat a virulently homophobic initiative such as the Briggs Initiative in California, which would have led to the firing of gay and lesbian teachers, the community is left with no additional rights after election day.

Sometimes, however, winning a ballot measure was effective in cutting short tactical innovations of the Religious Right. Campaigns could contribute to movement goals by preventing the advance of the Religious Right. Movement leaders perceived these initiatives as test cases and feared that, if successful, the Right would pursue such initiatives across the country. There was general awareness that the Right was innovating with new types of ballot measures, and sometimes retaining the status quo meant preventing the Right from spawning a new wave of anti-gay ballot measures. Before the Austin election, Task Force executive director Lucia Valeska stated:

We have to win the Austin battle, since it is the first time anywhere that voters have been asked to approve a law explicitly permitting private, non-governmental discrimination against gay people. *A victory of this kind by our enemies would be a terrible, terrible precedent and example.* It's bad enough when they succeed in repealing laws meant to give us equal protection, but this one, like the "Family Protection Act," singles us out for discrimination. It's a license for bigotry.⁷

When campaigns did defeat these initiatives, the defeats were all interpreted as setbacks for the Right. For example, after the defeat of the LaRouche AIDS initiative, Bruce Decker, the chairman of the California State

AIDS Advisory Task Force, proclaimed it a victory over the advancing Right: "We have thrown a very, very cold bucket of water on this witch," he said, invoking the defeat of the Wicked Witch by Dorothy in *The Wizard of Oz*.⁸

An additional lesson was that local campaigns had national consequences. Dade County is the most obvious example. Social movement scholar Tina Fetner has documented the ways in which Dade County's defeat shifted the way LGBT activists elsewhere framed the need for LGBT rights to the greater public, permanently altering the growing movement.⁹ Other campaigns, however, were also important. In St. Paul in 1991 a referendum campaign member asserted that "The importance of this vote cannot be overstated. Beyond its obvious ramifications for St. Paulites, the veto has broader implications at the metro, state and national levels . . . both our friends and our foes are watching this vote as a litmus test to see if the gay community indeed has the political muscle it claims to have."¹⁰ When Santa Clara County faced two referendums in 1980, local activists stressed the importance of the campaign "in a traditionally liberal area, to the entire nation. All eyes will be on Santa Clara County, only 50 miles from San Francisco, to provide direction."¹¹ As the importance of local battles became clear, activists across the country realized the need for clear, decisive tactics to defeat anti-gay ballot measures.

Faced with these difficult lessons, campaign workers were creative in finding ways to fight ballot measures. As it became increasingly evident how important victory was to the larger movement and to local communities, activists sought to develop the most effective tactics to fight them.

Innovative Tactics

Between 1974 and 1991, activists across the country experimented with a wide range of tactics, from ballot box avoidance techniques to professional polls for messaging development to LGBT-sponsored initiatives. Innovation in the LGBT movement has come almost exclusively from local and statewide campaigns, as activists across the country fought the anti-gay Right. There was no consistent logic to these attempts. Indeed, many tactics contradicted one another; some activists developed tactics to avoid the ballot box entirely, whereas others worked to propose their own LGBT rights ballot measures. There was uncertainty about how ballot campaigns

victory of a well-organized, well-financed campaign over an inept one . . . it cost \$55,000 to convince the public to turn out and defeat it. Freedom is not cheap.”⁶¹ Austin, Briggs, and the LaRouche AIDS initiative in California were seen as important victories because of their precedent-setting nature.

These victories — particularly, unexpected victories — fueled activists’ interpretations of certain tactics as being more effective than others. Although there was no consensus as to which tactics were the most effective, with each victory came a new discovery of potentially useful tactics.

Movement Infrastructure

Even with widespread agreement about the efficacy of campaign tactics, they still may not spread across the country. Campaigns are by their nature ephemeral organizations, typically formed for six months or less. With high leadership turnover, particularly during the turbulent 1980s and the HIV/AIDS crisis, it was difficult to spread information about these campaigns beyond the immediate context. Although ballot measures can undermine the progress of a social movement (see chapter 6), successful ballot measure campaigns also depend on the development of a social movement infrastructure. In his book on the civil rights movement, scholar Kenneth Andrews examines social movement infrastructures to determine whether or not the movement has long-term impact. He focuses on three parts of a social movement infrastructure: resources, organizational infrastructure, and leadership.⁶² For the LGBT movement, the development of campaign leadership and resources was intimately connected to the development of social movement organizations. Within these movement organizations, resources and leadership were mobilized and trained to fight on ballot measure campaigns. This social movement infrastructure includes, most importantly, stable long-lasting national, regional, statewide, and local organizations to support ballot measure campaigns and keep the momentum of the movement going between campaigns. National organizations are social movement organizations that attempt to operate on a national level, working at the federal level and in several states or regions of the country simultaneously. Regional organizations focus on one region of the country, such as New England or the Pacific Northwest. Statewide organizations focus their efforts on one state and organize throughout the state. And local organizations include long-lasting organizations such as community centers, HIV/

AIDS service organizations, chapters of national organizations like Parents and Friends of Lesbians and Gays (PFLAG), and local political groups. In his work on LGBT campaigns, political scientist Donald Haider-Markel argues that the process of institutionalization was a critical part of the growth of the LGBT movement and often grew out of ballot measure campaigns.⁶³ This institutionalization of political action includes the formalization of bureaucratic organizations.

When the first campaigns began in 1974, the few established organizations were local in nature. Activists in cities and college towns across the country had formed their own political and social organizations that served the needs of their community. National organizations in the LGBT movement were fledgling organizations, and no statewide organizations existed yet. The movement was young and in the process of becoming a national movement.

However, the four national organizations that played a critical role in fighting anti-gay ballot measures were all formed during this time period. Gay lawyer Bill Thom founded Lambda Legal Defense and Education Fund in 1972 and conceived of the organization as the gay and lesbian equivalent of the NAACP (National Association for the Advancement of Colored People) or the ACLU. But Lambda Legal “became its own first client, suing to establish its very right to exist” when New York courts denied the need for a legal voluntary organization for homosexuals.⁶⁴ The National Gay and Lesbian Task Force was founded as the National Gay Task Force in 1973 by New York activists Bruce Voeller, Nathalie Rockhill, Ron Gold, and Howard Brown. Voeller, Rockhill, and Gold had worked within the post-Stonewall gay liberationist organization Gay Activists Alliance (GAA). Although it is one of the oldest LGBT national organizations, the Task Force has an organizational identity that gay historian John D’Emilio describes as “elusive.” It has both worked with mainstream legislative issues and supported grassroots direct action. Historically, it “exists to fill a void . . . its purpose from its inception has been to do what needs to be done, but what no one else is doing.”⁶⁵

Two other national organizations important today were not yet created in 1974. The Human Rights Campaign (HRC) grew out of the efforts of the Gay Rights National Lobby, an organization created in 1978 to lobby Congress. Steve Endean founded the Human Rights Campaign Fund (HRCF) in 1980. From the beginning, HRCF focused on federal politics and issues.

36. These states are followed shortly by Ohio (8), Massachusetts (8), Texas (8), Minnesota (4), and Missouri (4) for attempted direct legislation.

37. Magleby, *Direct Legislation*. Whether or not a state is a swing state may also matter. Florida, Michigan, and Colorado are swing states in presidential elections, although only 20 to 30 percent of all attempted ballot measures in these three states occurred during presidential elections, and many of these attempted measures were local, not state-level, initiatives.

38. "Overview of Initiative Use, 1904–2009," Initiative and Referendum Institute, last updated September 2010, <http://www.iandrinstitute.org>.

39. Donovan, Wenzel, and Bowler, "Gay Rights Initiatives after *Romer*," 165.

40. Button, Rienzo, and Wald, *Private Lives, Public Conflicts*; Mary Bernstein, "Sexual Orientation Policy, Protest, and the State," Ph.D. dissertation, New York University, 1997, 52.

41. Jerome L. Himmelstein, *To the Right: The Transformation of American Conservatism* (Berkeley: University of California Press, 1990).

42. Diamond, *Roads to Dominion*.

43. Glenda Russell, personal communication with author, May 20, 2010.

44. Judith Cummings, "Homosexual-Rights Laws Show Progress in Some Cities, but Drive Arouses Considerable Opposition," *New York Times*, May 13, 1974, 17. The mayor of Columbus, Ohio, who had been supportive of their newly passed nondiscrimination ordinance, also suffered a recall election, suggesting that this might have been a growing strategy. See Button, Rienzo, and Wald, *Private Lives, Public Conflicts*.

45. Concerned Voters of California Organizing Committee, Press Release on August 3, 1975, Box 5, David Goodstein Papers, #7311, Division of Rare and Manuscript Collections, Cornell University Library.

46. For a full account of Miami–Dade County's campaign, see Fejes, *Gay Rights and Moral Panic*.

47. Hardisty, *Mobilizing Resentment*.

48. And later on, both sexual orientation and gender identity or expression were targeted. Gender identity or expression covers many transgender individuals. For more information, see Paisley Currah and Shannon Minter, "Unprincipled Exclusions: The Struggle to Achieve Judicial and Legislative Equality for Transgender People," in *Regulating Sex: The Politics of Intimacy and Identity*, ed. Elizabeth Bernstein and Laurie Schaffner (New York: Routledge, 2005), 35–48.

49. Hardisty, *Mobilizing Resentment*, 100.

50. John Gallagher and Chris Bull, *Perfect Enemies: The Religious Right, the Gay Movement, and the Politics of the 1990s* (New York: Crown Publishers, 1996), 18.

51. Hardisty, *Mobilizing Resentment*.

52. Diamond, *Roads to Dominion*, 171.

53. Bernstein, "Sexual Orientation Policy, Protest, and the State," 53.

54. Hardisty, *Mobilizing Resentment*, 100.

55. Diamond, *Roads to Dominion*, 205.

56. Gallagher and Bull, *Perfect Enemies*, 20.

57. *Ibid.*

58. Diamond, *Roads to Dominion*, 231.

59. Leslie Bennetts, "Conservatives Join on Social Concerns," *New York Times*, July 30, 1980, A1; Thomas J. Burrows, "Family Values: From the White House Conference on Families to the Family Protection Act," in *Creating Change: Sexuality, Public Policy, and Civil Rights*, ed. John D'Emilio, William B. Turner, and Urvashi Vaid (New York: St. Martin's Press, 2000), 353.

60. Martin E. Marty, "Morality, Ethics and the New Christian Right," *The Hastings Center Report* 11, no. 4 (August 1981): 16.

61. Diamond, *Roads to Dominion*, 241.

62. Hardisty, *Mobilizing Resentment*, 100.

63. J. Charles Park, "Preachers, Politics, and Public Education: A Review of Right Wing Pressures against Public Schools in America," *Phi Delta Kappan* 61, no. 9 (May 1980): 608–12.

64. Gallagher and Bull, *Perfect Enemies*, 26.

65. *Ibid.*

66. Joe Baker, "Houston to Vote on Gay Rights Issue," *Advocate*, September 4, 1984, 9.

67. Moral Majority of Santa Clara County, political flyer "Enough Is Enough," 1980, Box 169, National Gay and Lesbian Task Force Records, #7301, Division of Rare and Manuscript Collections, Cornell University Library.

68. Report titled "Austin Housing Ordinance," February 3, 1982, Box 4, Human Rights Campaign Fund records, #7712, Division of Rare and Manuscript Collections, Cornell University Library.

69. Peter Freiberg, "Washington Homophobes Move to Deny Gay Rights," *Advocate*, March 18, 1986, 15. The other two legislative bills that Dobbs tried to sponsor were one quarantining people with AIDS and another reinstating Washington's sodomy law.

70. Bigot Buster/Decline to Sign, Handbook, 2005, Box 224, National Gay and Lesbian Task Force records, #7301, Division of Rare and Manuscript Collections, Cornell University Library.

71. Freiberg, "Washington Homophobes Move to Deny Gay Rights," 11.

72. Mark Vendervelden, "Californians Say 'No on 64,'" *Advocate*, December 9, 1986, 11.

73. Bruce Nichols, "Emotions Tinge Gay Bias Debate in Houston," *Dallas Morning News*, January 6, 1985, 45A.

160. "Gearing Up for a Fight," People for the American Way article, accessed June 22, 2010, <http://www.pfaw.org>.

161. Kathleen E. Hull, "The Political Limits of the Rights Frame: The Case of Same-Sex Marriage in Hawaii," *Sociological Perspectives* 44, no. 2 (2001): 216.

162. Schubert and Flint, "Passing Prop 8."

163. Frank Rich, "The Bigots' Last Hurrah," *New York Times*, April 19, 2009, accessed June 23, 2010, <http://www.nytimes.com>.

164. "Value Voters Summit," Family Research Council Action, accessed June 25, 2010, <http://www.valuevotersummit.org>.

165. Sean Cahill, "The Anti-Gay Marriage Movement," in *The Politics of Same-Sex Marriage*, ed. Craig Rimmerman and Clyde Wilcox (Chicago: University of Chicago Press, 2007), 156.

166. Meyer and Staggenborg, "Movements, Countermovements, and the Structure of Political Opportunity," 1651; emphasis in the original.

167. McAdam, "Tactical Innovation and the Pace of Insurgency."

2. An Uphill Battle in the 70s and 80s

1. Clyde Wilcox and Robin Wolpert, "Gay Rights in the Public Sphere: Public Opinion on Gay and Lesbian Equality," in Rimmerman, Wald, and Wilcox, *The Politics of Gay Rights*, 409–32.

2. Ghaziani, *The Dividends of Dissent*. Their peers in California a year later, in 1975, did better, as California activists mobilized against the attempted reinstatement of sodomy laws by the Religious Right organization California Coalition of Concerned Citizens. The gay and lesbian activists who mobilized against the ballot initiative before the Right even turned in petitions had already begun hiring a campaign manager, fund-raising, and testing media messages through the campaign management firm Winner, Wagner and Associates. See Concerned Voters of California Organizing Committee, press release, August 3, 1975.

3. For an exception, see Sarah A. Soule, "The Diffusion of an Unsuccessful Innovation," *Annals of the American Academy of Political and Social Science* 566, no. 1 (1999): 120–31.

4. Peter Freiberg, "LaRouche AIDS Initiative," *Advocate*, August 19, 1986, 10–11.

5. NGTF, memo to board of directors, June 1978, Box 153, National Gay and Lesbian Task Force records, #7301, Division of Rare and Manuscript Collections, Cornell University Library.

6. Donovan, Wenzel, and Bowler, "Gay Rights Initiatives after *Romer*."

7. Report titled "Austin Housing Ordinance," 1; emphasis added.

8. Vendervelde, "Californians Say 'No on 64,'" 11.

9. Fetner, *How the Religious Right Shaped Lesbian and Gay Activism*; Tina Fetner, "Working Anita Bryant: The Impact of Christian Anti-Gay Activism on Lesbian and Gay Movement Claims," *Social Problems* 48, no. 3 (2001): 411–28.

10. Paul Siskind, "C'mon, Folks, This Is Important," *Equal Time*, October 11–25, 1991, 5.

11. Santa Clara campaign leaders, letter to NGTF, January 7, 1980, Box 169, National Gay and Lesbian Task Force records, #7301, Division of Rare and Manuscript Collections, Cornell University Library.

12. For more details on the fair-housing referendum, see Thomas W. Castevens, *Politics, Housing, and Race Relations: California Rumford Act and Proposition 14* (Berkeley: Institute of Governmental Studies, University of California Berkeley, 1967).

13. NGTF, memo to board of directors, June 1978.

14. Bruce Voeller and Jean O'Leary, Dear Friends letter, April 13, 1978, Box 153, National Gay and Lesbian Task Force records, #7301, Division of Rare and Manuscript Collections, Cornell University Library.

15. Freiberg, "Washington Homophobes Move to Deny Gay Rights," 15.

16. Staff, "Briggs Initiative Qualifies," *The Blade*, July 1978, 6.

17. William E. Adams Jr., "Pre-Election Anti-Gay Ballot Initiative Challenges: Issues of Electoral Fairness, Majoritarian Tyranny, and Direct Democracy," *Ohio State Law Journal* 55, no. 583 (summer 1994).

18. Bigot Buster/Decline to Sign, Handbook, 6.

19. Seattle Committee Against Thirteen, flyer "We CAN Win in Seattle!" (1978), Box 169, National Gay and Lesbian Task Force records, #7301, Division of Rare and Manuscript Collections, Cornell University Library.

20. Their counterleafleting described earlier, which activists declared were "so effective that it resulted in the set-up arrests of three SCAT members by an off-duty police officer hired by SOME [Save Our Moral Ethics]. SCAT has pressed for a jury trial prior to the election, and will utilize this opportunity to expose SOME and its tactics. We are the people on the streets, taking the greatest risks and turning them to our advantage" (*ibid*).

21. Patricia Jean Young, "Measure 9: Oregon's 1992 Anti-Gay Initiative," master's thesis, Portland State University, 1997.

22. *Ibid*.

23. Lou Romano, "Move to Block Anita-Type Threat Here," *The Blade*, May 1978, 1.

24. Staff, "Initiative Bill Approved." The later success of this bill in Washington, D.C., may prevent same-sex marriage from getting onto the ballot.

25. *Ibid*.