

# The Rise and Fall of “No Special Rights”

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**THE OREGONIAN**, the largest newspaper in the state, delivered a bracing message to readers from its editorial page the morning of October 11, 1992: “Oregon faces a clear and present danger of becoming the first state since the Civil War to withdraw civil rights instead of adding to them.” The editorial warned that Oregon’s ballot would include a “ghastly gospel” promoted by “would-be ayatollahs.” The official name for this “ghastly gospel” was Measure 9, and the “ayatollahs” were its sponsors, the Oregon Citizens Alliance (OCA).<sup>1</sup> As it appeared on the Oregon ballot, Measure 9 asked voters: “Shall [the state] Constitution be amended to require that all governments discourage homosexuality, other listed ‘behaviors,’ and not facilitate or recognize them?” The “other behaviors” mentioned by the measure were “pedophilia, sadism, or masochism.”<sup>2</sup> It was one of the most comprehensive — and harshest — anti-gay measures put to voters in American history. The editors of the *Oregonian* were so concerned about the possibility of the measure’s passage that they did not limit their denunciation to a single editorial. The paper ran an eleven-part series condemning the measure, with each entry titled “Oregon’s Inquisition.” They had good reason to be vigilant. Four years earlier, OCA had sponsored another anti-lesbian, gay, bisexual, transgender, and queer (LGBTQ) measure, Measure 8, designed to overturn an executive order prohibiting discrimination in the state government.<sup>3</sup> That measure trailed in the polls through the entire campaign, only to win a shocking victory on election night.

The election of 1992 threatened to produce a similar outcome — and not only in Oregon. As Oregon voters considered Measure 9, voters in Colorado confronted another anti-LGBTQ rights measure: Amendment 2, which would overturn all gay-rights laws in the state and prohibit the passage of new ones.

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Courtesy of the Rural Organizing Project

**THE COLUMBIA COUNTY CITIZENS FOR HUMAN DIGNITY** group of Oregon formed in 1992 in response to Oregon Measure 9, a campaign to amend the Oregon Constitution to require discrimination on the basis of sexual orientation. Members of the group are pictured here marching in protest of the measure.

The amendment was sponsored by the Colorado analogue of OCA, Colorado for Family Values (CFV). Campaigns against LGBTQ rights did not begin with OCA and CFV, of course. The decades prior to Measure 9 and Amendment 2 had witnessed numerous clashes over LGBTQ rights. Observers, however, believed these two initiatives might mark a new chapter in the struggle. One Oregon activist claimed that the American right-wing had chosen the state “to demonstrate a strategy that, if successful, they hope to replicate throughout the country.”<sup>4</sup> This was not simply hyperbole. Ralph Reed, director of the Christian Coalition, believed that Measure 9 and Amendment 2 could provide models for countering the gay-rights movement across the United States: “If these two are successful,” Reed said, “they can roll back and snuff out the homosexual rights movement.”<sup>5</sup> His view was shared by those on the opposite end of the political spectrum. Urvashi Vaid, director of the National Gay and Lesbian Task Force, warned that these initiatives signified a new strategy by the Christian Right: “They’re test marketing it in Oregon and Colorado. They have a comprehensive agenda to eliminate the gains of the civil rights move-

ment.”<sup>6</sup> Observers might not have agreed on the wisdom of these initiatives, but they certainly agreed on their significance.

What set Measure 9 and Amendment 2 apart from previous campaigns against LGBTQ rights was their reliance on a punchy slogan, “No Special Rights,” which implied that homosexuals sought not equal but “special” rights. For a few years during the late 1980s and early 1990s, it seemed as if this message might persuade voters to roll back political victories that gay-rights advocates had won since the 1970s. Particularly striking was the evident appeal of this message to non-religious voters. Colorado and Oregon were two of the most secular states in the nation.<sup>7</sup> Still, in 1988, OCA’s “No Special Rights” slogan succeeded in convincing a majority of Oregon voters to approve an anti-LGBTQ rights measure. And while Measure 9 was defeated in Oregon in 1992, voters in Colorado approved CFV’s Amendment 2. The victories elated conservative Christians and concerned their foes. Yet, the “No Special Rights” slogan proved strikingly ephemeral. By the year 2000, both OCA and CFV — organizations that had terrified gay-rights advocates and dominated the political agendas in their home states — had collapsed.

**EXAMINING THE HISTORY OF OCA** and comparing it with the similar CFV in Colorado illuminates a transitional moment in the history of the Christian Right. Scholars have noted that this political movement began to “secularize” in the 1990s, exchanging explicitly religious language for putatively secular rights-based arguments. This shift was evident in the rise of “right-to-life” arguments against abortion.<sup>8</sup> During the late 1980s and early 1990s, observers also witnessed an organizational transformation within the Christian Right, as the movement began to develop a stronger presence at the grassroots. The national Christian Coalition, founded by Pat Robertson and directed by Ralph Reed, played a key role in this transition — indeed, OCA eventually affiliated with Robertson’s coalition.<sup>9</sup> The cases of Oregon and Colorado reveal, however, that these two changes were often in tension. Although national representatives of the Christian Right tried to secularize their arguments in the 1990s, local affiliates such as OCA and CFV were slower to abandon religious arguments, primarily because local activists with the passion and resources to organize were almost uniformly devout evangelical Protestants. Political scientist William Lurch’s careful studies of OCA make clear just how conservative and religious its members were; this article builds on Lurch’s work by placing OCA in the context of the national transformation of the Christian Right.<sup>10</sup>

This dynamic explains why “No Special Rights” organizations such as OCA and CFV followed the same trajectory: sudden and unexpected success, followed by a swift decline as their intense religiosity became apparent. Tracing

their rise and fall does more than illuminate the history of the Christian Right. It also intervenes in an ongoing scholarly debate about cultural divides in the United States. Historians have long emphasized the intensity of the conflict between liberals and conservatives over social issues such as LGBTQ rights and abortion. Many of these accounts reflect the influence of sociologist James Davison Hunter, whose book *Culture Wars* (1991) argued that Americans are divided into fundamentally irreconcilable liberal and conservative factions.<sup>11</sup> This “culture wars” argument also has its critics — social scientists and historians who have sought to draw attention to the areas of consensus in American politics, even on controversial matters such as LGBTQ rights.<sup>12</sup> This article seeks to harmonize these perspectives through a case study of the “No Special Rights” campaigns. Conservative activists certainly viewed political conflict in terms of war; as the leader of OCA declared, “We are in a mode of full-scale cultural war now.”<sup>13</sup> Activists such as those in OCA and CFV sought to translate this vision into political action. An essential part of this process was finding language to convince voters that they already were on the conservative side of these wars, even if they did not yet realize it. One Colorado activist remarked: “language doesn’t shape the campaign — it *is* the campaign.”<sup>14</sup> In “No Special Rights,” they found language that would make for a winning campaign, by pitting the rights of “normal” Americans against those of homosexuals.

Oregon’s history thus illustrates an important part of the culture-war dynamic. Conservative activists there recognized the potential power of linking the language of cultural warfare with the state’s tradition of direct democracy. The same process played out in Colorado. In both states, small groups of evangelical Christians succeeded in polarizing the electorate on the issue of gay rights. But their strategy of polarization worked almost too well, spurring a counter-mobilization among those who feared a religious takeover of their states.<sup>15</sup> These counter-activists argued that anti-LGBTQ discrimination would violate the libertarian traditions of Oregon and Colorado — a claim that, while eliding a long history of discrimination in both states, was politically effective. Moreover, despite occasional successes at the ballot box, conservative Christian activists struggled to win over mediating institutions such as courts, political parties, and state bureaucracies. The cultural divide revealed in the votes on Measures 8 and 9 in Oregon and Amendment 2 in Colorado vanished when the issue moved from statewide elections to different political arenas, such as federal courts and state legislatures. This is not to say the “culture wars” in Oregon were not real. Rather, I argue that these conflicts were not the product of a deep and irreconcilable cultural divide but rather arose from a complex interplay of activists, rhetoric, and institutions.<sup>16</sup>

Explaining the rise and fall of “No Special Rights” begins with placing it in the longer history of the struggle over LGBTQ rights. Federal and state governments had tightly circumscribed the rights of homosexual Americans beginning in the 1940s; homosexuals were expelled from the armed forces, barred from taking advantage of many federal welfare programs, and sentenced to prisons or mental asylums as “sexual psychopaths.”<sup>17</sup> This persecution intensified during the 1950s, when numerous homosexuals were hounded out of government jobs on the grounds that they were vulnerable to communist blackmail — a “Lavender Scare” intertwined with the Red Scare.<sup>18</sup> Gradually, small groups of homosexuals in urban areas such as San Francisco and New York City began mobilizing to defend themselves. They created homophile organizations (as they called the groups) and defended gay rights by invoking their right to privacy, arguing that what they did in their homes should not concern the government.<sup>19</sup> Inspired by the Civil Rights movement, advocates for LGBTQ rights became more assertive during the late 1960s and after, as many of them exchanged the sober approach of homophile organizations for a more confrontational style.<sup>20</sup> The expanding gay-rights movement began to win some small but significant political victories, most notably in the passage of anti-discrimination laws in certain cities. Usually, these victories occurred in university communities such as Berkeley, California, and Boulder, Colorado.<sup>21</sup>

As the gay-rights movement shattered the public consensus around homosexuality during the 1960s and 1970s, it was countered by an emerging “family values” movement rooted in conservative Christian communities.<sup>22</sup> Activists succeeded in undoing a number of gay-rights victories. The most spectacular case took place in Florida’s Dade County in 1977. When the Dade County Commission approved an anti-discrimination ordinance that applied to homosexuals, Protestant and Catholic churches organized to overturn it, grounding their campaign on the message “Save Our Children.” The slogan proved compelling: almost 70 percent of the county’s electorate voted to overturn the ordinance.<sup>23</sup> Activists waged similar campaigns against local anti-discrimination laws throughout the late 1970s. Battlegrounds included St. Paul, Wichita — and Eugene, Oregon, where gay-rights activism centered at the University of Oregon was countered by the mobilization of conservative Protestants and Mormons.<sup>24</sup> Protestant ministers spearheaded nearly all these campaigns; in Eugene, for instance, opposition to the city’s anti-discrimination ordinance was organized by a Baptist minister. And nearly all these campaigns (including the one in Eugene) were successful.

A cadre of anti-gay “experts” soon emerged to assist these grassroots, conservative activists by providing them with facts (most of them distorted) to use in local campaigns. They included Judith Reisman, an author who dedicated her career to debunking the work of sex researcher Alfred Kinsey in books

## Oregon Citizens Alliance SAVE THE CHILDREN

Dear Fellow Christian,

As you know, we members and supporters of the O.C.A. have long been engaged in a Holy War against the “MILITANT HOMOSEXUAL LOBBY” and their pedophillic agenda to legalize sex with our minor children. Many lessons have been learned. We know that fighting the devil and his homosexual disciples within our political system is fruitless. Their perverted lobby, Satanic in nature, is extremely powerful and cannot be overcome or changed through man’s laws alone. They can and will be defeated when all Christians unite. We must observe and implement God’s methods to exterminate homosexuals as laid out and proscribed to us in detail by our Heavenly Father as found in His Holy Bible.

Execution - Castration - Imprisonment - God’s solutions!!  
Plain and Simple. The Bible commands you to raise up the “Sword of Righteousness” and slash the throat of the perverted heathen. Show your compassion for the soul of the tortured homosexual by bleeding him... to his death. This is an act of True Mercy. You have freed this possessed pervert. “So Commandeth Your Holy Father”.

We all realize this is a difficult Commandment to adhere to as we are compassionate children of a kind God, but you must remember, We are the only true children of God and we have been commanded by God himself through the Bible to seek out and destroy those who would rape and recruit our male children. Jehovah compels us to protect our children. Remember Sodom and Gomorrah. Demonstrate your love for Jesus and for your children! The hope for a future without homosexuals is dependant on your faith and willingness to implement our Heavenly Father’s plan as laid out in our Holy Bible. Join us in our Blessed Crusade to Save The Children Of Oregon.

Support the OREGON CITIZENS’ ALLIANCE.

A public service message brought to you by the Ecumenical Christian Council and the many supporters of the Oregon Citizens’ Alliance.

For more information please contact your local branch of: The Oregon Citizens’ Alliance.

Should you know the names of suspected or self admitted homosexuals, please send their names, addresses and phone numbers to the O.C.A. Homosexual Names Collection Division. (H.N.C.D) in your area.

IN JESUS’ NAME  
GOD BLESS YOU!

**VIOLENT ANTI-LGBTQ MATERIAL**, such as this letter with the “Save the Children” slogan, circulated widely during the campaign about Oregon’s Measure 9. Although this flyer invokes the Oregon Citizens Alliance (OCA), it was probably not produced by OCA, which never explicitly called for violence against homosexuals.

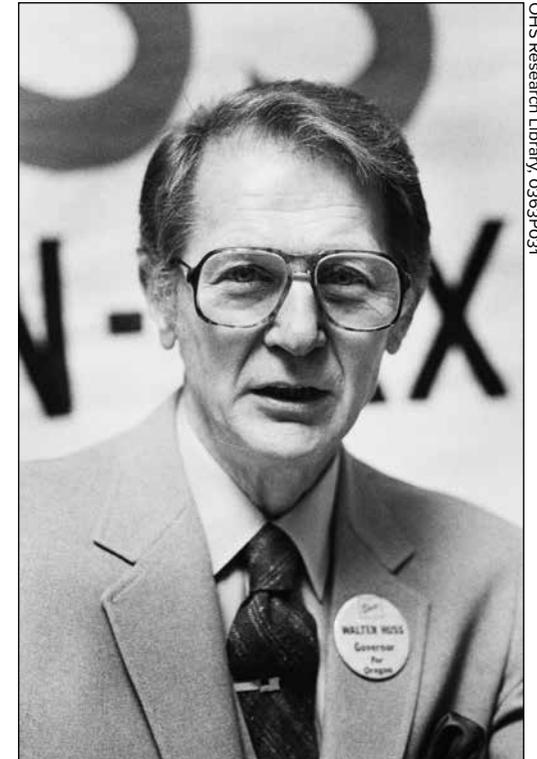
such as *Kinsey, Sex, and Fraud*; Joseph Nicolosi, a therapist who promised to “cure” people of their homosexuality; and David Noebel, a minister who easily transitioned from attacking communists during the 1960s to attacking homosexuals during the 1980s.<sup>25</sup> Almost all these experts were religious, but their public statements eschewed religious arguments in favor of legal and scientific claims. Typical of this approach was Enrique Rueda, a Cuban refugee and Catholic priest affiliated with the “Catholic Center for Free Enterprise, Strong Defense, and Traditional Values” at the Free Congress Foundation. His 1982 book *The Homosexual Revolution* would become one of the key texts of the anti-LGBTQ rights movement of the 1980s and 1990s. In it, Rueda claimed that apparent public support for LGBTQ rights was nothing more than an illusion created by a well-financed gay-rights movement and sustained by elites; in reality, “the overwhelming majority of the American public rejects the practice” of homosexuality. For Rueda, as for so many of his compatriots, homosexuality was not a sexual orientation. Instead, it was a radical political movement that sought to subvert traditional American values.<sup>26</sup>

Because homosexuality was a political movement, resisting it required a political solution, which figures such as Rueda made it their business to provide. These experts existed in a symbiotic relationship with grassroots activists; they provided activists with ideas, and the activists boosted their profile by deploying those ideas in local campaigns. No one better embodied this relationship than psychologist Paul Cameron. Cameron received his Ph.D. from the University of Colorado in 1966, and for the next decade and a half, he followed a typical academic path, teaching at Wayne State University, the University of Louisville, Fuller Theological Seminary, and the University of Nebraska.<sup>27</sup> Sometime during the 1970s, however, Cameron began developing a comprehensive anti-gay ideology, founded on the notion that the acceptance of homosexuality would tear apart the fabric of society.<sup>28</sup> Local politics gave him an opportunity to put his theory into practice. While Cameron was teaching at the University of Nebraska-Lincoln in 1982, Lincoln’s city council voted to expand the city’s anti-discrimination policy to cover sexual orientation. Cameron founded the “Committee to Oppose Special Rights for Homosexuals” to attack the ordinance, and in the ensuing election, Lincoln’s voters overwhelmingly rejected the new policy.<sup>29</sup> Cameron then left academia to found the Family Research Institute, which allowed him to take his campaign against LGBTQ rights from Nebraska to the nation. It was Cameron’s activism, first in Lincoln and then in electoral campaigns and court cases around the United States, that popularized “No Special Rights” as an anti-LGBTQ slogan.<sup>30</sup>

The “No Special Rights” slogan, which suggested that homosexuals sought something more than equal rights, dovetailed with a broader shift in American politics that began during the 1970s. Conservative activists from that

decade through the 1990s sought to mobilize voters by claiming that various minority groups were seeking special rights at the expense of “normal” Americans. When, for instance, former Klansman David Duke ran for governor of Louisiana in 1991 (winning a majority of the White vote in the process), he did so under the slogan “Equal Rights for All, Special Privileges for None.”<sup>31</sup> Republican senator Jesse Helms of North Carolina won re-election in 1990 thanks in part to his attacks on affirmative action. One Helms campaign surrogate declared that advocates of affirmative action “don’t want equal rights. They want more [rights] than the rest of us.”<sup>32</sup> It would be a mistake, however, to say that only conservatives attacked the concept of rights; some on the left side of the political spectrum also lamented that “rights” had been prioritized at the expense of responsibilities.<sup>33</sup> A number of political theorists warned that a focus on rights had corroded Americans’ sense of the common good.<sup>34</sup> At the level of practical politics, a manifesto issued in 1990 by the centrist Democratic Leadership Council called on Democrats to recommit themselves to the credo of “equal opportunity for all and special privileges for none.”<sup>35</sup>

Translating political ideas such as “No Special Rights” into political action was the work of local organizations — like OCA. The OCA did not emerge in response to the gay-rights movement; its immediate origins lay in a power struggle within Oregon’s Republican Party. The Oregon GOP was defined by moderation during the decades after World War II. Oregon’s long-serving Republican senators, Mark O. Hatfield (elected in 1966) and Bob Packwood (elected in 1968), were among the Senate’s most liberal Republicans.<sup>36</sup> Packwood had even gained a reputation as the



**WALTER HUSS** is pictured here as a candidate for Oregon governor in 1982. Huss had been the leader of the Freedom Center, a Portland-based, religious, right-wing organization that distributed anti-communist literature. His rise in Oregon politics revealed tensions between moderate and conservative Republicans leading up to the Measure 9 ballot initiative in 1992.

Equal Rights for  
all Oregonians...

Fall, 1988



... Special Rights  
for None!

FREE!

**“SPECIAL EDITION”**

## No Special Rights for Gays, Yes on 8

### Order Promotes Homosexuality, First Step in Militant Homosexual Agenda

In October 1987, Governor Neil Goldschmidt issued Executive Order 87-20 which gives homosexuals special status in state government. The Governor and his homosexual allies claim that the order was

**What homosexuals really want is to be granted the same minority status as blacks and hispanics, complete with hiring quotas!**

necessary to prevent discrimination against homosexuals. There is only one problem with this argument.

There was no discrimination against homosexuals.

Not only were there no proven cases of discrimination against homosexuals, there was not even one claim of discrimination.

**Already Protected**

The reason why there was no discrimination against homosexuals was because there are already laws protecting all Oregonians, including homosexuals, from discrimination based on non-job factors.

*Here's what Oregon law says:*

...personnel decisions shall be made without regard to non-job related factors.”

ORS 240.306

A person's sexual orientation is a "non-job-related" factor. As long as a state employee keeps his or her sexual orientation from interfering with their normal on-the-job duties, it cannot be used to discriminate against that employee.

In addition, homosexuals are protected from discrimination by the same Bill of Rights, constitutional, statutory, and common law that protects all Americans. What homosexuals really want is to be granted the same minority status as blacks and Hispanics, complete with mandatory hiring quotas for homosexuals!

**The Real Homosexual Agenda**

Oregon law ORS 240.306, which protects all state employee's from discrimination based on "non-job-related" factors, was passed with the *specific intention* of protecting homosexuals. Then, homosexuals claimed that this law was not enough. They pressured Gov. Goldschmidt to issue his executive order.

Now, do militant homosexuals regard the executive order as enough protection? No way. Homosexuals regard the executive order as only a *first step* toward forcing society to grant them *full minority status*. Here's what Cathy Siemens, Director of the Lesbian Community Project and now chairman of the opponents of Measure 8, had to say about the order:

“Of course we're very pleased”, said Cathy Siemens of Portland's Lesbian Community Project. She described the executive order as a

key point in the overall strategy' for passing a lesbian/gay rights bill in the Oregon Legislature.”

*Oregon Gay News*  
Friday, Dec. 18, 1987

**You, or a friend, could be discriminated against just because you're not homosexual.**

If constitutional protections afforded to all Americans aren't enough for militant homosexuals, if ORS 240.306 isn't enough for militant homosexuals, and if the executive order isn't enough for these militant homosexuals, *just what are they after???* Here's what one militant homosexual was quoted in the *New York Times* as saying.

“We aren't oriented toward acceptance, but toward changing every institution in this country.”

**How the Order Affects You**

While the Executive Order claims to be about preventing discrimination against homosexuals, it could easily lead to *reverse discrimination* against heterosexuals. For example, it would be difficult for a heterosexual who was facing legitimate on-the-job discipline, to claim that such discipline was a result of his or her sexual orientation. However, it is very possible that a homosexual employee,

facing legitimate discipline for various infractions, could lessen or even completely escape such discipline by claiming that it was a result of discrimination. In fact, a supervisor might be reluctant to even approach a homosexual employee because of fear that he or she might be *accused* of discrimination. These are advantages the Order doesn't give the heterosexual employee.

**Affirmative Action?**

While Section 3 of the Executive Order states, “Nothing in this executive order shall require or authorize any affirmative action”, section 5 of the order requires that agency heads report to the Governor *once a year* on what steps they are taking to carry out the order. This will make it difficult for state supervisors to avoid giving subtle preference to homosexuals in **hiring, promotion, and cutbacks**. You, or a friend, who applies for a state job, could be discriminated against just because you're *not* homosexual.

**Conclusion**

Neil Goldschmidt's executive order is too costly. It is too costly to our precious civil rights, too costly in promoting the homosexual agenda, too costly in the way it subtly gives preference to homosexuals in state hiring and employment and, finally, it is too costly to our most precious of all trusts, our children (see below). Let's stop Special Rights for homosexuals. Revoke the executive order.

**Vote YES on Measure 8. \***

**ANTI-LGBTQ ACTIVISTS** used the “No Special Rights” slogan to garner support for Oregon Measure 8, an initiative aimed at overturning Governor Neil Goldschmidt's 1987 executive order that banned discrimination based on sexual orientation. This newsletter, published in 1988 by the No Special Rights Committee of Wilsonville, Oregon, describes the arguments for Measure 8.

Senate's strongest champion of abortion rights.<sup>37</sup> These visible symbols of moderation concealed a deep divide between moderate and conservative factions in the Oregon Republican Party. Occasionally, this conflict burst into public view. In 1978, for example, conservative activists succeeded in electing Walter Huss as chairman of the state GOP. Huss had previously been the leader of the Freedom Center, a Portland-based organization so stridently anti-communist that it clashed with the John Birch Society.<sup>38</sup> These tensions resurfaced in 1986, when a group of conservative activists backed Baptist minister Joe Lutz in a primary campaign against Packwood. Lutz took 42 percent of the vote, a remarkable show of strength against a three-term senator.<sup>39</sup> The following year, one of Lutz's allies, restaurateur

T.J. Bailey, was elected chair of the Oregon Republican Party, much to the consternation of moderates.<sup>40</sup>

Even as they vied for control of the party, conservative Oregonians also sought to build an outside power base in the form of OCA. Joe Lutz, OCA's original leader, resigned after becoming embroiled in personal scandal. He was replaced by Lon Mabon, a California transplant and small-business owner. Under Mabon's leadership, OCA pursued a variety of conservative causes in the 1980s: opposing a statewide pre-kindergarten program; opposing parental-leave legislation; and opposing state divestiture from apartheid South Africa.<sup>41</sup> None of these efforts proved particularly successful. OCA broke through only when it shifted focus to opposing LGBTQ rights. In 1987, Oregon Governor Neil Goldschmidt, frustrated with the legislature's failure to pass gay-rights legislation, issued an executive order that prohibited the state government from discriminating against homosexuals.<sup>42</sup> Even before Goldschmidt signed the order, Oregon GOP chair — and OCA founding member — Bailey declared that he would gather signatures for an initiative to overturn it. Some within the Oregon GOP protested, arguing that their party ought to take a more moderate stance on LGBTQ rights, but OCA forged ahead.<sup>43</sup> A network of grassroots volunteers enabled OCA to collect 118,000 signatures for an initiative to overturn Goldschmidt's executive order, far more than the 63,578 required.<sup>44</sup> Measure 8, as it was labeled on the ballot, seemed to have little hope of victory. A poll taken in December 1987 found that 58 percent of Oregonians approved of Goldschmidt's executive order.<sup>45</sup>

OCA overcame this challenge thanks to a potent weapon: the “No Special Rights” slogan. Activists hammered this message from the very start of the campaign. When Mike Wiley, OCA's spokesperson, announced the petition drive, he did so while standing beneath a banner that read “No Special Rights.”<sup>46</sup> This slogan crystallized the broader message that OCA returned to throughout the campaign, namely, that Goldschmidt's executive order would (as Wiley put it) “[give] the homosexual state employee an advantage over his or her heterosexual counterpart.”<sup>47</sup> OCA insisted that Measure 8 was not discriminatory, arguing that its only impact on homosexuals would be to stop them from “flaunting” their homosexuality. As Mabon described it, the measure would protect anyone who “keeps their sex practices or lifestyles or whatever to themselves.”<sup>48</sup> Measure 8's foes pushed hard against this claim, basing their campaign on the simple argument that the measure would, in fact, discriminate against homosexuals. One of the managers of Oregonians for Fairness, the group directing the campaign against Measure 8, put it simply: “The issue is discrimination.” Tied to this claim was another argument: passing a discriminatory initiative such as Measure 8 would destroy Oregon's progressive reputation. When the Portland-based *Oregonian* came

out against Measure 8, the newspaper warned that a victory for the initiative “would be interpreted nationally as a retreat on civil rights and a victory for gay-bashing sentiment. This is not the Oregon we know and cherish.”<sup>49</sup>

The legalistic language of “No Special Rights” did not supersede the kind of moralizing that had characterized anti-LGBTQ campaigns of the 1970s. Instead, legal and moral arguments meshed seamlessly, as proponents of Measure 8 argued that the reason homosexuals did not deserve “special rights” was because of their moral failings. In particular, they emphasized the threat that homosexuals allegedly posed to children, rhetoric that had been a staple of anti-gay campaigns since the 1970s.<sup>50</sup> One OCA pamphlet cautioned readers that Measure 8 “forces impressionable young children to be placed with homosexual [foster parents]” — a patent untruth, given that Oregon had regularly placed children with homosexual foster parents prior to Goldschmidt’s executive order.<sup>51</sup> Protecting children was also the theme of OCA’s television advertisements. One such ad featured a social worker telling a young boy, “Well, Ryan, shall we meet your new parents?” only for the camera to reveal two men sitting together. The ad closed with a boy’s voice asking, “But where’s my mommy?” This was a step too far for several Portland television stations, which refused to run the ad.<sup>52</sup> OCA may have been led by business leaders rather than Baptist ministers, but its rhetoric remained deeply religious.

Surveys taken throughout the campaign suggested that Measure 8 faced an uphill battle. A September 1988 poll found that likely voters opposed the measure by a margin of 54 percent to 36 percent.<sup>53</sup> A poll taken in October found a similar result, with 40 percent supporting the measure and 54 percent opposing it.<sup>54</sup> So it was all the more shocking when, on November 8, 1988, Oregon voters approved Measure 8 by a margin of 53 percent to 47 percent — a difference of about 60,000 votes.<sup>55</sup> Measure 8 triumphed even as the state voted for Michael Dukakis over George H.W. Bush in the presidential election — the first time a Democrat had carried the state since 1964. The measure’s victory triggered grief and outrage within the state’s LGBTQ community. One organizer of the anti-Measure 8 campaign bitterly remarked: “To many of us, we saw this as a referendum on whether we were welcome into the family in Oregon. The answer is that apparently we’re not.” OCA, for its part, was jubilant. Mabon celebrated the fact that Oregonians had responded positively to his organization’s message: “We said, ‘This is where homosexuals are headed,’ and I think people listened.”<sup>56</sup>

Yet Mabon and OCA had trouble building on the success of Measure 8, and over the next few years, the organization alienated many potential allies. The U.S. Supreme Court’s decision in *Webster v. Reproductive Health Services* (1989), which upheld several state-level restrictions on abortion, led OCA to

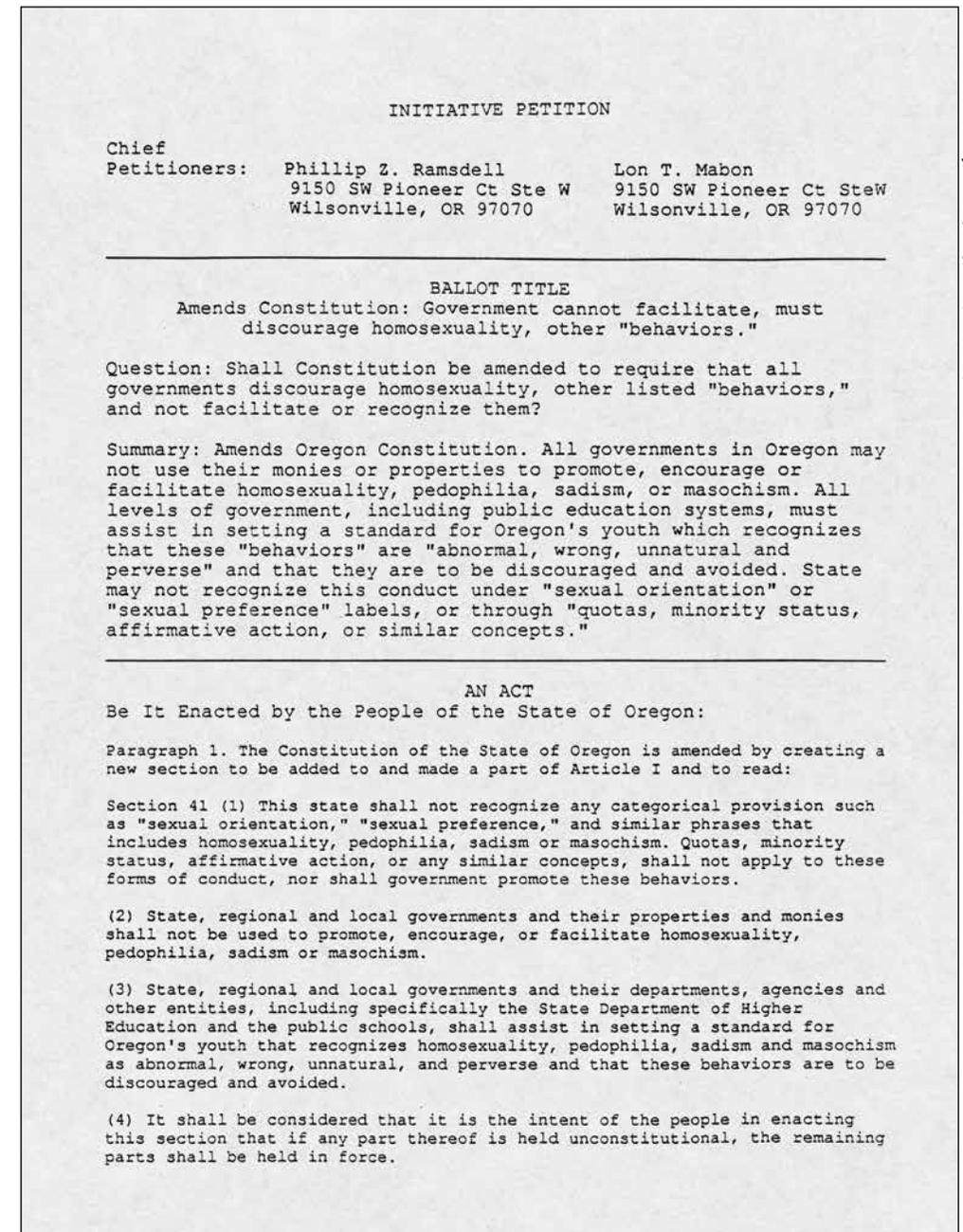
shift its focus to abortion in 1989 and 1990.<sup>57</sup> Foremost on its agenda was to pass a statewide initiative to curtail abortion rights. In doing so, however, OCA clashed with the anti-abortion rights organization Oregon Right to Life. Oregon Right to Life campaigned for an initiative that would require parental notifications for abortions. OCA pushed for a maximally restrictive initiative that would have prohibited all abortions except in the case of rape, incest, or when the life of the mother was at risk. Both measures made the ballot, but OCA’s measure was so deeply unpopular that it dragged the parental notification measure down to defeat as well.<sup>58</sup> Abortion also soured OCA’s already-fraught relationship with Oregon’s Republican Party. Oregon Attorney General Dave Frohnmayer, the Republican nominee for governor in 1990, supported abortion rights; he had even attended a fundraiser hosted by the National Abortion Rights Action League.<sup>59</sup> When Frohnmayer rejected a series of policy proposals from OCA, the organization recruited a retired engineer named Al Mobley to run for governor as a third-party candidate. Mobley’s platform indicated OCA’s desire to expand its agenda beyond social issues: in addition to opposing abortion, he also denounced the state’s land-use laws and a proposed sales tax.<sup>60</sup> Mobley’s campaign, which Mabon admitted was meant to sabotage Frohnmayer, infuriated the state’s Republican leaders.<sup>61</sup> But it also angered a number of prominent Oregon evangelicals who might otherwise have formed a natural constituency for OCA. A lobbyist for the Oregon Association of Evangelicals complained: “I don’t see anything good coming out of [the Mobley candidacy]. I’m growing a little bit weary of us not playing smart.”<sup>62</sup> In the end, Mobley took enough votes to hand the gubernatorial election to the Democratic candidate, Secretary of State Barbara Roberts. This was hardly an unalloyed victory for OCA, given that Roberts was a staunch liberal who enjoyed a particularly close relationship with Oregon’s LGBTQ community.<sup>63</sup>

OCA made its unsuccessful foray into abortion politics just as LGBTQ rights was returning to the forefront of local politics in the American West. Right-wing activists took advantage of the region’s relatively open ballot-access laws to submit conservative measures to voters, including attacks on labor laws and environmental regulation. Another target was anti-discrimination measures.<sup>64</sup> Southern California became a key battleground in this struggle. The Anaheim-based Traditional Values Coalition (TVC), led by former Presbyterian minister Louis Sheldon, attacked LGBTQ rights at the local level, and in 1989, the organization sponsored successful initiatives to repeal civil rights ordinances in the cities of Irvine and Concord.<sup>65</sup> Like OCA, the TVC invoked the “No Special Rights” message in its campaigns. The “Riverside Citizens for Responsible Behavior,” a TVC affiliate that sought to pass an anti-LGBTQ rights ordinance in the city of Riverside, argued that homosexuals “already have the same rights as other citizens. They

should not be granted special rights because they choose to have sexual intercourse with others of the same sex.”<sup>66</sup> The CFV campaign in Riverside was thwarted when the city council voted against placing its initiative on the ballot — foreshadowing the later failure of both OCA and TVC to develop support within established institutions of governance.

Grassroots anti-LGBTQ rights activists received encouragement from the national Republican Party, which pushed “family values” to the front of its agenda during the 1992 presidential election. Bush, the incumbent, sought to overcome a weak economy by appealing to socially conservative voters. To that end, his campaign gave a primetime speaking slot at the Republican National Convention to Pat Buchanan, a conservative commentator who had challenged Bush for the Republican nomination earlier that year.<sup>67</sup> Buchanan used the national spotlight to proclaim: “There is a religious war going on in this country. It is a cultural war, as critical to the kind of nation we shall be as was the Cold War itself, for this is a war for the soul of America.”<sup>68</sup> Vice President Dan Quayle echoed Buchanan’s message in his convention speech: “The gap between us and our opponents is a cultural divide. It is not just a difference between conservative and liberal, it is a difference between fighting for what is right and refusing to see what is wrong.”<sup>69</sup> Little wonder that Mabon happily declared that the Republican convention felt like “an OCA convention.”<sup>70</sup> In practical terms, defending family values often meant attacking LGBTQ rights — as when Bush declared his opposition to laws that prohibited discrimination on the basis of sexual orientation.<sup>71</sup> Bush’s opponent, Arkansas Governor Bill Clinton, responded by staking out a position in favor of LGBTQ rights. He did so partly due to goading from OCA. Scott Lively, communications director for OCA, confronted Clinton at a town hall in Portland to ask whether he supported “the teaching of homosexuality as a normal and natural alternative lifestyle to children.” Clinton responded by defending the rights of homosexuals to “live their lives and make a contribution to the rest of us.”<sup>72</sup>

OCA’s most notorious campaign, the fight for Measure 9, took place against this backdrop. In May 1991, as the Oregon Legislature was considering a gay-rights bill, Mabon announced that OCA would begin collecting signatures for an “Abnormal Behaviors Initiative” that would classify homosexuality as the equivalent of necrophilia, bestiality, and pedophilia and that would prevent governments from “condoning or promoting” those behaviors.<sup>73</sup> As with its previous initiatives, OCA had little trouble collecting the necessary signatures to put the measure on the ballot, in large part due to its success at gathering signatures in Christian churches. On July 3, 1992, OCA delivered 137,000 signatures to the secretary of state’s office in Salem to secure a place on the ballot for the “Abnormal Behaviors Initiative.” Oregonians would now have the opportunity to determine whether



**THIS OREGON CITIZENS ALLIANCE (OCA)** framed its ballot initiative petition for Measure 9 as a measure to prevent governments from funding “abnormal behaviors” that, according to the petition, grouped homosexuality alongside pedophilia.

homosexuality belonged in the same category as pedophilia, necrophilia, and bestiality.<sup>74</sup>

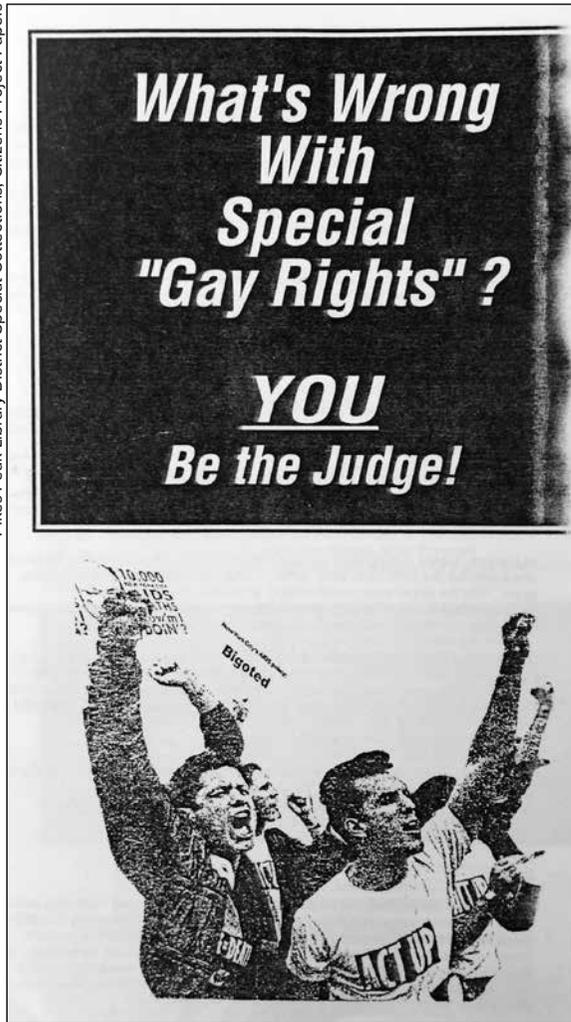
Measure 9 inspired imitations before it even reached the ballot. Its ablest imitators were in Colorado. The fight there began in Colorado Springs, a city that earned a reputation as an “Evangelical Vatican” in the 1990s due to the number of Christian ministries clustered there.<sup>75</sup> When the city’s Human Relations Commission proposed an anti-discrimination ordinance, evangelical activists organized and killed the proposal.<sup>76</sup> Those activists formed the nucleus of a new group, CFV. Most of CFV’s members were affiliated with the Colorado Springs–based Summit Ministries, which provided teenagers with an ultra-conservative education.<sup>77</sup> Triumph at the municipal level led CFV to set its sights higher. Inspired by the news of Measure 9, CFV drafted an amendment to the Colorado Constitution that would prohibit the passage of any gay-rights laws in the state.<sup>78</sup> CFV crafted the measure with care; writers consulted with the Virginia-based National Legal Foundation, founded by Robertson, to make the amendment sound as inoffensive as possible.<sup>79</sup> The result, which appeared on the Colorado ballot as Amendment 2, was convoluted language that even a supporter acknowledged was “legal gobbledegook.”<sup>80</sup> But, while Amendment 2 was as opaque as Measure 9 was blunt, the importance of both was clear: they marked a frontal assault on LGBTQ rights.

“No Special Rights” was the rallying cry once again, in Oregon and Colorado. OCA pointed to tentative efforts by Oregon’s government on behalf of LGBTQ rights as proof that homosexuals were seeking special rights. When, for instance, the City of Portland issued a document addressing hate crimes, Mabon denounced the plan as a clear example of special rights: “They want job quotas for homosexuals,” he asserted. “They want to be affirmed as a legitimate minority, and protected with the full weight of the law.”<sup>81</sup> CFV echoed Mabon’s language; in its very first statement to the press, a CFV spokesperson asserted that “our civil rights laws were not intended to give special protected status to sexual orientation including homosexuality, bisexuality, and lesbianism.”<sup>82</sup> Denouncing gays as seeking “special rights” allowed OCA and CFV to claim they were defending the rights of “true” minorities, African Americans in particular. Both organizations made a concerted effort to reach African American voters and to publicize their African American supporters. Typically, these supporters were ministers. One OCA broadsheet quoted an African American minister as saying, “When everyone can become a ‘minority’ because they claim to be a homosexual, then all our efforts for equality will be nullified.”<sup>83</sup> These claims, however, were not directed solely at African American voters. As CFV granted after

the election: “minority support is not only crucial because of their numbers, it’s also crucial as a bellwether signal to swing voters about which side truly represents ‘fairness.’”<sup>84</sup> African American support for Measure 9 and Amendment 2, in other words, would signal to White voters that they could support these measures without being bigoted.

Once again, a focus on civil rights did not preclude OCA and CFV from denouncing homosexual “depravity” in the strongest terms. OCA’s propaganda stressed the need to protect children. One OCA flier featured a fictional story about a twelve-year-old boy named Billy and his friend Chuckie, who coerces Billy into having sex with him by pointing to the debate over LGBTQ rights: “Our teachers say it’s OK. The newspaper says it’s OK. Even the Governor says it’s OK,” Chuckie tells Billy. “Do you think the Governor is going to tell us that something is good if it’s really bad?”<sup>85</sup> This was their message to the general public. When speaking to private audiences, especially in evangelical churches, they relied on even more lurid material. One of their most trusted weapons was a video titled *Gay Rights?* which consisted of footage taken at gay pride parades in San Francisco, accompanied by ominous narration. At the video’s conclusion, Mabon appeared to inform viewers: “These events, these images, are the things that we are trying to stop with our initiative.”<sup>86</sup> CFV also incorporated footage from the San Francisco gay pride parade into its first and only television ads, which some Denver stations refused to run on the grounds that they were too graphic.<sup>87</sup> Similarly, OCA and CFV freely drew on the work of anti-gay researcher Cameron, incorporating his statistics about violence and disease among homosexuals into their literature.<sup>88</sup> That the two organizations drew on the same reservoir of anti-gay material suggests that, while they may have been “grassroots,” they nonetheless relied on a national network of conservative Christian organizations.

While OCA and CFV tried to make secular, rights-based arguments, the significance of Christianity in these organizations was difficult to ignore. Mabon made no secret of his faith, often recounting the story of how his conversion to Christianity freed him from drug abuse. Nor was he afraid to describe his movement as Christian: “Hundreds of thousands of people across the country are looking on Oregon as a bellwether state — a place where Christians are taking a stand for them.”<sup>89</sup> One of the leaders of CFV was even blunter about the importance of faith: “We say we should have the separation of church and state,” he told an audience at a Colorado Springs church, “but you see, Jesus Christ is the King of Kings and the Lord of Lords. That is politics; that is rule; that is authority.”<sup>90</sup> Not surprisingly, the “No Special Rights” campaigns in Oregon and Colorado cultivated ties with national



**COLORADO FOR FAMILY VALUES (CFV)** distributed this pamphlet in support of Colorado's Amendment 2, warning readers that LGBTQ activists sought "special rights" and wanted to "trample on your freedoms."

Christian Right organizations. OCA enjoyed a particularly close relationship with Robertson's Christian Coalition. The Christian Coalition named Mabon the chairman of the board of its Oregon affiliate, and several OCA representatives attended the coalition's November 1991 "Road to Victory" conference in Virginia Beach.<sup>91</sup> Robertson's coalition ultimately donated \$20,000 to the Measure 9 campaign, making it the campaign's largest single donor.<sup>92</sup> Amendment 2 benefited from the support of Focus on the Family, a powerful evangelical media ministry headquartered in Colorado Springs.<sup>93</sup> James Dobson, Focus on the Family's founder and one of the most trusted figures in American evangelicalism, dedicated an hour-long episode of his *Focus on the Family* radio program to Amendment 2, giving CFV invaluable free air time. Focus on the Family and CFV continued collaborating even after the 1992 campaign ended.<sup>94</sup>

Opponents of the "No Special Rights" measures seized on these connections to argue that the initiatives were products of the extreme right. The very first item on a list of talking points prepared by No on 9, the Oregon organization leading the campaign against Measure 9, was: "The OCA is part of a national religious extremist movement that seeks to merge church and state and impose their narrow, repressive morality on all of us."<sup>95</sup> Equality Colorado, Colorado's equivalent of No on 9, attacked CFV as a front

for the Christian Coalition.<sup>96</sup> Gay-rights advocates in Oregon and in Colorado repeatedly invoked the metaphor of their states as laboratories in which the Christian Right was testing new ideas. No on 9 warned Oregon voters that the Christian Right "[sees] Oregon as a test case" and would "export their anti-homosexual measure to other states" if Measure 9 succeeded.<sup>97</sup>

By invoking the national Christian Right, No on 9, Equality Colorado, and their allies sought to strip the "No Special Rights" message of its power. Gay-rights advocates argued that CFV and OCA were not grassroots organizations of citizens concerned about "special rights," but instead were part of a concerted effort to promote discrimination. And *discrimination* was the watchword in both Oregon and Colorado. No on 9 leaders recognized the importance of this theme early on; a campaign document from June 1992 noted, "We know from February polling that 75% of Oregonians said they would vote against measures that legalize discrimination against homosexuals. Our job is to develop and carry out a campaign that will produce a strong majority of that 75% actually voting NO on the measure."<sup>98</sup> Sometimes, the two campaigns repeated the same anti-discrimination message almost word-for-word. In a campaign memo, a strategist for No on 9 recommended that the campaign hammer the point that "Oregon would be the first state to institutionalize discrimination since 1863"; that message became the subject of No on 9's first television ad.<sup>99</sup> Equality Colorado made the exact same point in its campaign literature: "Imagine Colorado! The first state to write discrimination into the Constitution. Don't let that happen!"<sup>100</sup> Hate crimes proved particularly effective in dramatizing the reality of discrimination. This message was especially potent in Oregon, where, only a few years prior to the Measure 9 campaign, three White supremacists had murdered an Ethiopian student named Mulugeta Seraw.<sup>101</sup> Another highly publicized hate crime took place in the midst of the Measure 9 campaign, when White separatists firebombed the home of a gay man and a lesbian woman, killing them both.<sup>102</sup> No on 9 did not hesitate to link OCA to these crimes, with one of its spokespeople asserting that OCA was directly responsible for "the rise in hate crimes in Oregon."<sup>103</sup> Against OCA's claims that Measure 9 was a mostly symbolic measure that would not harm anyone, these deaths provided a grim counterpoint.

Although attentive to hate crimes in the present, progressive activists frequently skirted the historic realities of structural injustice. Oregon's "live and let live" tradition, emphasized by so many foes of Measure 9, was more image than reality. The state's LGBTQ community had long been subject to surveillance and prosecution. And depictions of Oregon as a bastion of tolerance elided the state's long history of racism.<sup>104</sup> The state constitution written in 1857, for instance, "banned black people from coming to the state,

residing in the state, or holding property in the state.”<sup>105</sup> During the 1920s, Oregon was host to one of the largest chapters of the revived Ku Klux Klan.<sup>106</sup> Other racist and right-wing groups also called Oregon home, ranging from the quasi-fascist Silver Shirts to the anti-Semitic Christian Identity movement.<sup>107</sup> These visible outcroppings of White supremacy took place against a backdrop of discrimination, community disinvestment, and violence that disproportionately affected African American communities.<sup>108</sup> This history was rarely mentioned in the campaign against Measure 9. Many opponents of the measure simply denied that the state had ever discriminated, as when Senator Bob Packwood argued that Oregon should not be “the first state in the Union to retrench human rights.”<sup>109</sup> Indeed, the No on 9 campaign often echoed this message: “If Measure 9 passes, we’d take away citizens’ rights,” declared their first television ad. “No state’s ever done that.”<sup>110</sup> And while many activists linked Measure 9 to discrimination against African Americans, in doing so, they were more likely to invoke slavery and the Jim Crow-era South than Oregon’s own history.<sup>111</sup> Only occasionally did people connect Measure 9 with the reality of discrimination, both past and present, in Oregon. One exception, Portland minister Cecil Charles Prescod, suggested that Measure 9 was the figurative descendant of the Klan of the 1920s and the state’s original, exclusionary constitution. Another, activist Kathleen Saadat, played a key role in organizing the state’s African American community against Measure 9 and other OCA initiatives.<sup>112</sup> These voices, however, were often drowned out by defenses of Oregon’s progressive reputation — a claim that was as politically potent as it was historically dubious.

The difficulty of polling voters on LGBTQ rights led to widespread uncertainty about the popularity of Measure 9 and Amendment 2. Surveys suggested that both initiatives would lose by significant margins. In Oregon, a September 1992 survey found that only 27 percent of Oregon voters supported Measure 9, while 57 percent opposed it.<sup>113</sup> The polling was not much closer in Colorado, where a survey in late October found that 35 percent of voters supported Amendment 2 and 53 percent opposed it.<sup>114</sup> But Measure 8 had trailed in the polls only to triumph on Election Day. On November 3, 1992, the polls were proved accurate in Oregon. There, voters rejected Measure 9 by a substantial margin, 56 percent to 44 percent.<sup>115</sup> Colorado was a different story: voters there approved Amendment 2 by a margin of 53 percent to 47 percent.<sup>116</sup> Gay-rights advocates in Colorado greeted the results with shock. At an election-viewing party in Colorado Springs, one attendee offered consolation by repeating “We got Oregon,” demonstrating how closely the two races were linked.<sup>117</sup>

Election results and post-election surveys suggested that voters in Oregon and Colorado held ambiguous feelings toward homosexuals. It was,

however, clear that Measure 9 lost because No on 9’s message succeeded. One survey found that, among those who voted against the Oregon measure, 49 percent said they opposed it because of “Discrimination/Anti-human/Civil/Equal Rights,” while another 8 percent said they opposed it because it “Promotes hate/bigotry.”<sup>118</sup> Surveys taken in Colorado found that the vast majority of voters disagreed with the image of homosexuals put forward by CFV; a mere 6 percent, for instance, agreed with the statement that “a homosexual is more likely to sexually molest children than a person who is heterosexual.”<sup>119</sup> Why, then, did they approve Amendment 2? Because they accepted the claim that the amendment was about special rights. A *Denver Post* survey in February 1993 found that 56 percent of respondents agreed “gay rights” meant special treatment.<sup>120</sup> The vote totals from Colorado indicated that the “No Special Rights” slogan had succeeded in swaying moderate suburban voters who might not otherwise have been a natural constituency for the Christian Right. The amendment won the suburban counties around Denver, even as several of them voted for Clinton and Democratic senatorial candidate Ben Nighthorse Campbell.<sup>121</sup>

The surveys made one other thing clear: both OCA and CFV were very unpopular. Their opponents had succeeded in painting them as dangerous right-wing radicals. According to one post-election survey, only 14 percent of Oregonians viewed OCA favorably, compared to 58 percent unfavorably. Mabon’s personal favorability rating was even more dismal, a mere 9 percent (compared to 41 percent unfavorable).<sup>122</sup> As for CFV, its success with Amendment 2 belied its unpopularity. Even before the election, the organization struggled to shake its association with right-wing radicalism. A report on a focus group conducted in April 1992 concluded that “supporters of the amendment are perceived as extremists” and that those familiar with CFV “characterize the group as an ultraconservative organization, with a strong fundamentalist orientation.”<sup>123</sup> The election did nothing to change that perception. Focus groups conducted in 1995 found that CFV scored poorly among college-educated swing voters, although the group (or at least the phrase “Colorado Family Values”) was viewed somewhat more favorably by non-college-educated swing voters.<sup>124</sup>

As these organizations tried to expand from “No Special Rights” to a broader agenda, they found themselves weighed down by this unpopularity. Amendment 2’s victory had given Mabon and OCA hope that a “Colorado-style” initiative might succeed in Oregon.<sup>125</sup> Accordingly, OCA began collecting signatures for a new initiative, one that would have (as Mabon boasted) “squeaky clean constitutional language.”<sup>126</sup> Simultaneously, the group launched a series of local initiatives — all modeled on Amendment 2 — in towns and counties across Oregon, concentrating on rural areas that



**LON MABON** is pictured here in February 1993 with Kelly Walton, Idaho Citizens Alliance chairman, to support their agenda against “special rights.” Supporters in the background hold signs saying “Equal Rights — Not Special Rights.”

had voted for Measure 9.<sup>127</sup> These local measures proved more successful than Measure 9; in June 1993 alone, voters approved anti-LGBTQ rights initiatives in Junction City and in Josephine, Linn, Douglas, and Klamath counties.<sup>128</sup> OCA did not stop at the state line. In March 1993, Mabon attended a press conference in Boise, Idaho, to announce the creation of both the Idaho Citizens Alliance and the United States Citizens Alliance. “Today,” Mabon declared, “the vision of a strong grassroots conservative movement that was begun in Oregon has grown to become a national vision.”<sup>129</sup> Soon thereafter, the Idaho Citizens Alliance and OCA-affiliated Washington Citizens Alliance began collecting signatures to place Colorado-style initiatives on the ballot in their home states.<sup>130</sup>

Yet OCA’s hopes were dashed in every case. The

organization’s reliance on initiatives, to the neglect of other forms of politics, left it vulnerable. OCA’s victories at the local level were halted by the Oregon Legislature. Representative Gail Shibley, the first openly homosexual person to serve in the legislature, introduced a measure that would block local governments in Oregon from enacting or enforcing laws that “[single] out citizens or groups of citizens on account of sexual orientation.”<sup>131</sup> Legislators supporting Shibley’s bill included not only Democrats but also moderate Republicans who wanted to put the gay-rights issue to rest — an indication of OCA’s failure to develop a power base within the GOP.<sup>132</sup> The Oregon Court of Appeals ultimately upheld the law and thus strangled OCA’s local campaigns.<sup>133</sup> This was not the first major setback the organization had received from the judiciary. The court of appeals had earlier struck down

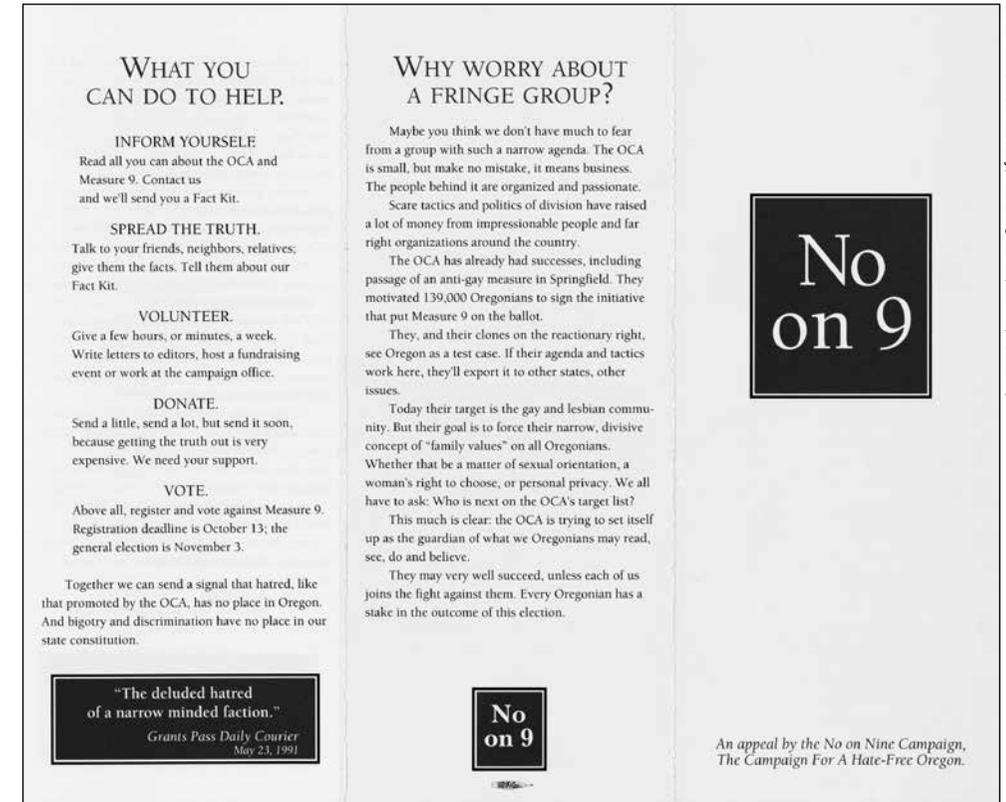
Measure 8, the 1988 initiative overturning Goldschmidt’s anti-discrimination executive order, as an unconstitutional restriction on the freedom of speech of state employees.<sup>134</sup> Rebuffed by the legislature and the courts, OCA could only hope for a better result at the ballot box. Measure 13, the Amendment 2–style initiative that the organization placed on the November 1994 ballot, seemed as if it might prove more successful than Measure 9. One survey found that 44 percent of Oregon voters favored it, and only 47 percent opposed it. Given that anti-LGBTQ rights initiatives regularly outperformed their polls, this suggested Measure 13 might be slightly ahead.<sup>135</sup> Gay-rights advocates feared that a lack of urgency and a low turnout might deliver the election to OCA.<sup>136</sup> But the measure’s opponents found success in repeating the themes from the Measure 9 campaign. One post-election assessment observed that “the basic message statement was: Measure 13 is the same as Measure 9. It would permanently legalize discrimination.”<sup>137</sup> Moreover, the state’s elite, including many Republicans, rallied against the measure.<sup>138</sup> OCA’s dire warnings about the threat homosexuals posed to children could not overcome these obstacles. On November 8, 1994, Oregon voters rejected Measure 13 by a margin of 51.5 percent to 48.5 percent — closer than Measure 9, but a rejection nonetheless. On that same day, Idaho voters defeated OCA-supported Proposition 1 by 3,098 votes. Its opponents had succeeded in painting the anti-LGBTQ rights measure as an expansion of government authority, a powerful message in conservative Idaho.<sup>139</sup>

CFV fared no better than its sibling organization in Oregon. As with OCA, the association with right-wing extremism thwarted all CFV’s efforts. Initially, CFV’s leaders claimed they had no ambitions beyond Amendment 2.<sup>140</sup> Only three months after the amendment’s victory, however, CFV began publishing a newsletter, *Fairness Watch*, which promised to help Coloradans defend their communities against “homosexual activists” who “will soon begin showing up in your area; your city council meetings, school board and assorted civil functions.”<sup>141</sup> CFV would spend the next few years trying to rally Coloradans against the “gay agenda” — with little success. Non-evangelicals might have been willing to vote for Amendment 2, but they found it difficult to support CFV’s more hard-edged proposals. CFV sponsored anti-gay, anti-pornography “community standards resolutions” in small towns throughout Colorado, only to meet with lukewarm responses. They hoped to gather 25,000 signatures for these resolutions but were able to scrape together just 3,000.<sup>142</sup> CFV also fumbled when it demanded that schools in Colorado Springs implement a “sexual morality” proposal that condemned homosexuality.<sup>143</sup> The organization succeeded in convincing several hundred people to attend a school board meeting to discuss the proposal, but its success ended there. The school board responded to the demands by creating a subcommittee to consider CFV’s

proposal. After a few months of study, the subcommittee simply reaffirmed the old policy.<sup>144</sup> CFV's brand of politics, so effective at gathering signatures for initiatives, proved ineffective against a relatively insulated bureaucracy. The heaviest blow landed in 1996, when the U.S. Supreme Court struck down Amendment 2 in *Romer v. Evans*.<sup>145</sup> Like OCA, CFV had no way to counter adverse judicial rulings; its initiative-based strategy was powerless against a Supreme Court decision.

The political shortcomings of OCA and CFV were painfully evident when they ran their own candidates for office. Their failure to cultivate alliances, expand their bases, or shed their association with right-wing extremism doomed these efforts. In Oregon, the victim was Mabon himself. Mabon's candidacy began when Oregon's Packwood resigned after a number of women accused him of sexual assault. In the ensuing special election to replace Packwood, OCA endorsed the Republican nominee, state senate president Gordon Smith. When Smith accepted the endorsement, his Democratic opponent, Representative Ron Wyden, attacked him for it relentlessly; many observers credited Wyden's narrow victory in January 1996 to his efforts to link Smith with OCA. Oregon's other Senate seat opened later that same year, when Hatfield retired. Smith ran again, this time refusing to accept OCA's endorsement. Infuriated, Mabon ran against Smith in the Republican primary, only to win just 25 percent of the vote.<sup>146</sup> CFV's leader, used-car dealer Will Perkins, met the same fate. Perkins ran for mayor of Colorado Springs in 1999; although he sometimes tried to move on from the opposition to gay rights, he found it impossible to keep from returning to CFV's signature issue. At one candidates' forum, when an audience member asked "What role are you taking to stand up for the rights of everybody?" Perkins quickly responded: "I'm opposed to government giving special rights to anyone based upon how they have sex," which sparked a heated debate among the candidates — until one audience member shouted "We've had enough!"<sup>147</sup> His opponent, a moderate, business-friendly Republican, used Perkins as a symbol of the ultra-conservative image she wanted the city to leave behind.<sup>148</sup> On election day, Perkins lost by about 10,000 votes.<sup>149</sup> CFV went bankrupt the next year. OCA outlived its Colorado counterpart — barely. It struggled on into the early 2000s, with Mabon occasionally running for office or floating new anti-LGBTQ rights initiatives, but its influence was broken.<sup>150</sup>

Ultimately, the story of the "No Special Rights" campaigns is a story of failure, albeit an instructive failure. It simultaneously demonstrates the power and the fragility of the "culture wars" framing. Organizations such as OCA and CFV could emerge, transform state and national politics, and then vanish, all in less than a decade. Their rapid rise and equally swift fall suggest that the American culture wars can best be understood by examining the political and



**NO ON 9** led the campaign against the Oregon Citizens Alliance (OCA) and the anti-LGBTQ rights Measure 9. They won in part by arguing — as is evident in this No on 9 pamphlet — that OCA wanted to make Oregon a “test case” for far-right policies.

cultural contexts in which those battles occurred. Oregon became a battleground not because it was particularly conservative, particularly religious, or even particularly polarized, but because of the interaction of national experts, local activists, and the state's political structure. Future research on the culture wars might delve deeper into the circulation of ideas, resources, and experts through conservative and religious networks, examining how and why a certain concept — such as “No Special Rights” — might take hold in one community and not another. Or one might compare left- and right-wing networks to see what, if any, qualitative differences exist between them.

One avenue for future research is the complicated relationship between conservatism and direct democracy in the United States. Since at least the New Deal era, conservatives have invoked “the people” to attack various

unelected “elites,” including bureaucrats, professors, and judges.<sup>151</sup> That rhetoric did not always reflect reality. But from the 1970s through the 1990s, conservatives found surprising success with state and local initiatives, winning victories on issues such as term limits and tax limitation.<sup>152</sup> Oregon’s Measure 9 was part of this trend. But this embrace of direct democracy had its limits. Many conservative policy goals — attempts to restrict abortion rights, for example — consistently lost at the ballot box. What victories conservatives did win were often thwarted by judicial rulings. And so, while conservatives have not abandoned the language of populism, they have shifted much of their attention from initiatives to the judicial system. Republican politicians have prioritized the appointment of judges, while an interlocking network of think tanks identifies and promotes judges with conservative views.<sup>153</sup> Conservative Christians have made a particularly concerted effort to re-shape the judiciary.<sup>154</sup> Cultural conflict in the United States will not, of course, abate any time soon, but the nature of these conflicts may change as convincing voters becomes less important than convincing judges. Slogans like “No Special Rights,” tailored to reach voters, may fall by the wayside. The “culture wars” of the future will be conducted in a different kind of language.

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## NOTES

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1. “Oregon’s Inquisition I,” *Oregonian*, October 11, 1992.

2. “Initiative Petition,” Campaign for a Hate-Free Oregon Records, Mss 2988-3 [hereafter Hate-Free Oregon Records], box 1, folder 24, Oregon Historical Society Research Library, Portland, Oregon [hereafter OHS Research Library].

3. This essay uses “LGBTQ rights” throughout to reflect current terminology but retains the phrase “gay rights” when quoting from sources.

4. Suzanne Pharr, “Focus on Oregon,” Bonnie Tinker Collection, Coll. 209 [hereafter Tinker Collection], box 23, folder 8, OHS Research Library.

5. Sura Rubenstein, “Oregon becomes test case in battle over gay rights,” *Oregonian*, August 3, 1992.

6. John Gallagher, “The Right’s New Strategy,” *Advocate*, July 30, 1992.

7. Philip Deloria, “Polarized Tribes: Colorado, Wyoming, and Montana,” in *Religion and Public Life in the Mountain West*, ed. Jan Shipp and Mark Silk (Walnut Creek, Cal: AltaMira Press, 2004); Wade Clark Roof, “Religion in the Pacific Region: Demographic Patterns,” in *Religion and Public Life in the Pacific Region: Fluid Identities*, ed. Wade Clark Roof and Mark Silk (Walnut Creek, Calif.: AltaMira Press, 2005).

8. Matthew C. Moen, *The Transformation of the Christian Right* (Tuscaloosa: University of Alabama Press, 1992); Andrew R. Lewis, *The Rights Turn in Conservative Christian Politics: How Abortion Transformed the Culture Wars* (New York: Cambridge University Press, 2017).

9. On the shift toward the grassroots, see Allan J. Lichtman, *White Protestant Nation: The Rise of the American Conservative Movement* (New York: Atlantic Monthly Press, 2008), 398–404. On the significance of the Christian Coalition, see Daniel K. Williams, *God’s Own Party: The Making of the Christian Right* (Oxford, England: Oxford University Press, 2010), 227–35.

10. William M. Lurch, “Oregon: Identity and Politics in the Northwest,” *God at the Grassroots: The Christian Right in the 1994 Elections*, ed. Mark J. Rozell and Clyde Wilcox (Lanham, Md.: Rowman and Littlefield, 1995); William M. Lurch, “Oregon: The Flood Tide Recedes,” *God at the Grassroots, 1996: The Christian Right in the American Elections*, ed. Mark J. Rozell and Clyde Wilcox (Lanham, Md.: Rowman and Littlefield, 1997); Lawrence M. Lipin and William Lurch, “Moralistic Direct Democracy: Political Insurgents, Religion, and the State in Twentieth-Century Oregon,” *Oregon Historical Quarterly* 110:4 (Winter 2009): 514–45.

11. James Davison Hunter, *Culture Wars: The Struggle to Define America* (New York: Basic Books, 1991). Notable historical works in this vein are Robert O. Self, *All in the Family: The Realignment of American Democracy since the 1960s* (New York: Hill and Wang, 2012); Andrew Hartman, *A War for the Soul of America: A History of the Culture Wars* (Chicago, Ill.: University of Chicago Press, 2015); and R. Marie Griffith, *Moral Combat: How Sex Divided American Christians and Fractured American Politics* (New York: Basic Books, 2017).

12. The most comprehensive critique of Hunter’s thesis by a social scientist is Morris Fiorina’s *Culture War? The Myth of a Polarized America* (New York: Pearson Longman, 2005). For a programmatic statement by a historian about the need to look beyond the culture-war framing, see Matthew D. Lassiter, “Political History Beyond the Red-Blue Divide,” *Journal of American History* 98:3 (December 2011): 760–64. For an excellent example of this program in action, see Clayton Howard, *The Closet and the Cul-de-Sac: The Politics of Sexual Privacy in Northern California* (Phil-

adelphia: University of Pennsylvania Press, 2019). Rachel Guberman applies this framing to Colorado politics in “No Discrimination and No Special Rights’: Gay Rights, Family Values, and the Politics of Moderation in the 1992 Election,” *Beyond the Politics of the Closet: Gay Rights and the American State since the 1970s*, ed. Jonathan Bell (Philadelphia: University of Pennsylvania Press, 2020).

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