The Rise and Fall of “No Special Rights”

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). 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.” 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. 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, designed to overturn all gay-rights laws in the state and prohibit the passage of new ones.

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.” 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.” 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-
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. 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 fortified 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. 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. 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 Lynch’s careful studies of OCA make clear just how conservative and religious its members were; this article builds on Lynch’s work by placing OCA in the context of the national transformation of the Christian Right.

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. 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. 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.” 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.” 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. 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.
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.” 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. 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. 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. 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.

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. 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. 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. 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, such as this letter with the “Save the Children” slogan, circulated widely during the campaign against 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. 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.

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. 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. 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. 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.

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.” 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.” 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. A number of political theorists warned that a focus on rights had corroded Americans’ sense of the common good. 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.”

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. Packwood had even gained a reputation as the
wasn’t interested in the job sufficiently. As long as it was available, the job didn’t matter. At that time, there was no discrimination against that employment. In addition, homosexuals are protected from discrimination by the state Job of Rights, unemployment, pensions, and more that gives them such a sense of security. Homosexuals really want to be in the public eye, to appear as blacks and Hispanics, complete with mandatory hiring quotas for homosexuals.

The Real Homosexual Agenda

Oregon law ORS 253.000, which protects all employees from discrimination based on sexual orientation, does not explicitly deal with the issue of protecting homosexuals. Then, homosexuals started that the law was not enough. They prevailed. Gov. Goldschmidt in June of 1987 executive order 108, which prohibits discrimination in employment and housing. The order was signed by the last change in the mood of the public. In 1987, Oregonians for Fairness actually had their first successful campaign on the issue. By early 1987, the group had formed their own chapter in Portland and worked hard to get the measure adopted. They had already made their point to the public. Bill Wiley, OCA’s spokesperson, announced the petition drive, he did so while standing beneath a banner that read “No Special Rights.”

Order Promotes Homosexuality, First Step in Militant Homosexual Agenda

In October 1987, Governor Neil Goldschmidt signed Executive Order 108, which prohibited all state employees from discrimination based on sexual orientation. This was the first step in fighting with their own sexual orientation. It is not enough, however, to have a law on the books. The real issue was to get the state government and its employees to apply the law in practice. It is not sufficient to have a law; it must be enforced.

Sen. T.J. Bailey, the Oregon Republican Party, much to the consternation of moderates.40 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.41 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.42 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.43 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.44 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.45 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.”46 This slogan crystallized the broader message that OCA returned 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.”47 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.”48 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."49

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.50 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.51 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 Oregonians; it was forbidden, they said, to use the camera to reveal two men sitting together. The ad argued that measure was so deeply unpopular that it dragged the parental notification measure down to defeat as well.52 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.53 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.54 Mobley's campaign, which Mabon admitted was meant to sabotage Frohnmayer, infuriated the state's Republican leaders.55 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."56 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.57

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.58 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.59 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.”66 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.67 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.”68 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.”69 Little wonder that Mabon happily declared that the Republican convention felt like “an OCA convention.”70 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.71 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.”72

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.73 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.  

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. When the city’s Human Relations Commission proposed an anti-discrimination ordinance, evangel-ical activists organized and killed the proposal. 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. 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. 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. The result, which appeared on the Colorado ballot as Amendment 2, was convoluted language that even a supporter acknowledged was “legal gobbledegook.” 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.” 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.” 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.” 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.’” 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?” 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.” 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. 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. 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.” 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.” Not surprisingly, the “No Special Rights” campaigns in Oregon and Colorado cultivated ties with national
Christian Right organizations. OCA enjoyed a particularly close relationship with Robert'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. \(91\) Robertson's coalition ultimately donated $20,000 to the Measure 9 campaign, making it the campaign's largest single donor. \(92\) Amendment 2 benefited from the support of Focus on the Family, a powerful evangelical media ministry headquartered in Colorado Springs. \(93\) 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. \(94\)

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." \(95\) Equality Colorado, Colorado's equivalent of No on 9, attacked CFV as a front for the Christian Coalition. \(96\) 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. On no 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. \(97\)

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 grass-roots 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." \(98\) 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. \(99\) 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!" \(100\) 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. \(101\) 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. \(102\) 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." \(103\) 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. \(104\) 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. During the 1920s, Oregon was host to one of the largest chapters of the revived Ku Klux Klan. Other racist and right-wing groups also called Oregon home, ranging from the quasi-fascist Silver Shirts to the anti-Semitic Christian Identity movement. These visible outcroppings of White supremacy took place against a backdrop of discrimination, community disinvestment, and violence that disproportionately affected African American communities. 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.” 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.” 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. 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. 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. 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. 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. Colorado was a different story: voters there approved Amendment 2 by a margin of 53 percent to 47 percent. 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.

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.” 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.” 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. 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.

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). 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.” 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.

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. Accordingly, OCA began collecting signatures for a new initiative, one that would have (as Mabon boasted) “squeaky clean constitutional language.” 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 9.97 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.98 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.”99 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.100

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.”101 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.102 The Oregon Court of Appeals ultimately upheld the law and thus strangled OCA’s local campaigns.103 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.104 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.105 Gay-rights advocates feared that a lack of urgency and a low turnout might deliver the election to OCA.106 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.”107 Moreover, the state’s elite, including many Republicans, rallied against the measure.108 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.109

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 2.110 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.”111 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 3,000.112 CFV also fumbled when it demanded that schools in Colorado Springs implement a “sexual morality” proposal that condemned homosexuality.113 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. 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.* 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.

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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 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 conservativism 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. 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. 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. Conservative Christians have made a particularly concerted effort to re-shape the judiciary. 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.

NOTES

2. “Initiative Petition,” Campaign for a Hate-Free Oregon Records, Ms 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.
19. Howard, Closet and the Cul-de-Sac, 185–217.
22. Williams, God’s Own Party, 105–12;
30. Addressing a 1994 conference of Christian Right leaders, Cameron declared: “There is a sense in which, in a way, you are all my children...we [were] the first to use ‘no special rights’ as a slogan.” "CFV Transcript, 1994,” Institute for First Amendment Studies Records, MS 034 (hereafter First Amendment Studies Records), box 65, folder 41, Tufts University Special Collections, Somerville, Massachusetts [hereafter Tufts University].
37. Hatfield and Packwood regularly placed among the Republican senators who most consistently voted against their party majority, as measured by the CQ Almanac. On Hatfield’s politics, see David Swartz, Moral Minority: The Evangelical Left in an Age of Conservatism (Philadelphia: University of Pennsylvania Press, 2012), 68–85.
64. Edwin Bender, “Initiatives & Ballot Measures,” Western States Center, Gary Smith Collection, Mss 2988-24 (hereafter Smith Collection), box 1, folder 2, OHS Research Library.
66. “We Need Your Help to STOP THE HOMOSEXUAL AGENDA!” Equality Colorado Records, WH 1787, box 10, folder 20, Denver Public Library.
buchanan-culture-war-speech-speech-text (accessed December 22, 2019).


72. Ibid.


80. Brasford, Gay Politics vs. Colorado. 43.


95. "No on 9 speaking points," Tinker Collection, box 23, folder 4, OHS Research Library.

96. EPOC mailer, Citizens Project Papers, box 9, folder 1, PPL.

97. "Say No to the OCA" and "No on 9" pamphlets, Tinker Collection, box 23, folder 1, OHS Research Library.


100. "Not in Colorado!" Citizens Project Papers, box 9, folder 1, PPL.


111. African Americans Voting No on 9," Tinker Collection, box 23, folder 1, OHS Research Library.


113. Foster Church, "Poll finds Measure 9 divides Oregonians in many ways," Oregonian, October 11, Tinker Collection, box 24, folder 4, OHS Research Library.
118. “Oregon Truck Post Election,” Hate-Free Oregon Records, box 2, folder 2, OHS Research Library.
122. “Oregon Truck Post Election,” Hate-Free Oregon, box 2, folder 2, OHS.
124. Confidential memo from Celinda Lake, October 25, 1995, Smith Collection, box 2, folder 7, OHS Research Library.
127. “No Special Rights Committee” press release, January 15, Tinker Collection, box 24, folder 12, OHS Research Library.
135. Sura Rubenstein, “Poll shows anti-gay initiatives gaining,” Oregonian, April 22, 1994, Dr. Inga Sorensen, “We can win this,” Just Out, October 7, 1994, Tinker Collection, box 24, folder 13, OHS Research Library.
141. Farren Watch, February 1993, Citizens Project Papers, box 49, folder 7, 1005, PPL.
145. Suggesting the interlinked nature of the Colorado and Oregon initiatives, OCA filed an amicus curiae brief in support of Amendment 2, while the state of Oregon, represented by Attorney General Ted Kulongoski, filed an amicus brief opposing the amendment. Romer v. Evans 517 U.S. 620 (1996).
146. “Oregon: The Flood Tide Recedes.”