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Photo by David Sachs/SEIU.

Rev. Samuel Rodriguez joined members of national trade, faith, and labor organizations to speak at the “Reform Immigration For America” Campaign Summit at the National Press Club in 2009.

Rev. Samuel Rodriguez Not So Moderate

By Frederick Clarkson

Rev. Samuel Rodriguez, executive director of the Sacramento-based National Hispanic Christian Leadership Conference (NHCLC) is regularly tapped by national media outlets like *CNN* and *The New York Times* as the leading voice of Latino evangelicals and has been treated accordingly by both major political parties.¹ From 2007 to 2009, he was a columnist for the *Washington Post’s* On Faith section online, and he frequently appears on NPR’s “Tell Me More.” He is a member of the boards of some of the leading organizations of evangelicalism—*Christianity Today* magazine, Gordon Conwell Theological Seminary, and the National Association of Evangelicals.

But he is not nearly the evangelical moderate that he is presented as being.

The 42-year-old Puerto Rican evangelist often describes himself as a cross between Billy Graham and Martin Luther King, Jr. “with a little salsa tossed in.” He describes Latino evangelicals the same way, with the same joke, and has for years.² The humor takes the edge off of the grandiosity, but leaves little doubt about his sense of destiny for himself and the people he seeks to lead towards a distinctly conservative Christian America. He is, in fact, a leader of the Christian Right who says he is not. He is a partisan Republican who claims not to be. And he is conservative on just about everything but immigration

Rev. Samuel Rodriguez continues on page 17

The New Religious Freedom Argument

Gay Marriage in the 2012 Election

By Amy L. Stone

The political world was abuzz this spring when the National Organization for Marriage’s confidential battle plan to block LGBTQ marriage rights became public in a Maine lawsuit and the Human Rights Campaign posted it for the world to see.¹ The National Organization for Marriage (NOM) had formed in 2007 to fight marriage equality—California’s Proposition 8 battle was its coming out party—and wrote the strategy document soon after its successful campaign to overturn marriage equality laws in Maine in 2009.

“Gay marriage is the tip of the spear, the weapon that will be and is being used to marginalize and repress Christianity and the church,” NOM wrote in its December 2009 strategy document, drawing on the longstanding sense of conservative Christians that they are persecuted. We learned of the group’s tactic of creating

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Do We Have to Be “Equal”?

By Yasmin Nair

The 2012 election promises to be an intensely contested one, but one constituency seems guaranteed to vote for Barack Obama in large numbers: The LGBTQ community, especially given his endorsement of gay marriage.

Even Republicans are coming out in support of gay marriage. Billionaire hedge fund manager Paul Singer, described as “one of the Republican Party’s most important money men,” has donated over \$2 million to gay marriage advocacy groups. Marc Solomon, national campaign director for Freedom to Marry, pointed out, “The strong support that we’re getting from members of both parties indicates that this has become a mainstream American cause.”¹

But acceptance in mainstream America comes with costs. In the case of gay marriage, the selling point has been a promise that our families will not deviate from the norm and that gay marriages will echo mainstream marital values, even though the style and substance (and popularity) of marriage have shifted dramatically in the last few decades.

Gay marriage advocates assert that this strategy was forced upon them. When it comes to gay issues, the Right resurrects scare tactics: gays and lesbians are unfit parents, marriage is only between a man and a woman, and gays and lesbians prey upon innocent children.

Faced with such rhetoric, the gay community spins counter-narratives. One pro-gay-family advertisement declares that, “Two gay dads are better than NONE” (the phrase is also the name of a gay blog).² We are reminded that gay parents adopt unwanted foster children, like Black/multi-racial children or children with disabilities. In a sign of the changing times, the Obama administration has noted approvingly that gays and lesbians can help with the larger number of children who supposedly need to be adopted or fostered—it has increased its efforts to recruit LGBTQ parents to become foster care parents, and through its Adopt Us Kids program seeks to find adoptive homes—including those with LGBTQ parents—for “hard to place kids.”³

Obama emphasized the kind of families he meant while supporting gay marriage, those “... who are in incredibly committed monogamous relationships, same-sex relationships, who are raising kids together.”⁴

But those of us who want a world where people are both protected from harm and able to live their lives as they see fit should not be heartened by these words.

In her book, *Shattered Bonds: The Color of Child Welfare*, Dorothy Roberts reveals how child protective services and the welfare system tear Black children away from their families, particularly from those headed by single women. Using case studies based in my city of Chicago, Roberts’ book shows how the foster care system funnels children away from Black communities.⁵

I think of Roberts’ work often as I watch campaigns and PSAs about the benefits of gay adoption.⁶ I cringe when I read media accounts of how gay parents found their children, and at the dehumanizing and congratulatory tone so present in narratives about “trans-racial adoptions,” particularly those that occur when the mother is “troubled.”⁷

We hear about the difficulties encountered with supposedly obdurate women who change their minds about giving up their babies—the “problem” presented here is that experienced by the adoptive parents. This one-sided problem excludes discussion of the fact that, perhaps, the decision is emotionally wrenching for the women. There is also,

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The Legal Arm of the Christian Right

Inside the American Center for Law and Justice

By Brian Tashman

After his unsuccessful 1988 presidential bid mobilized Christian Right voters, televangelist Pat Robertson channeled his campaign's energy into forming two influential right-wing organizations. One was the voter mobilization powerhouse the Christian Coalition of America; the other was the American Center for Law and Justice (ACLJ).

Make no mistake, the similarity of the American Center for Law and Justice's name and acronym—ACLJ—to the American Civil Liberties Union (ACLU) is no accident. Robertson declared that he founded the group to “stop the ACLU in court.”¹ The group claims that “activist judges” and liberal attorneys from the American Civil Liberties Union and the Department of Justice have made the judicial branch antagonistic to the rights of Christians, purporting to serve supposedly persecuted Christians by representing them in the courtroom, drafting proposed laws, and promoting a right-wing interpretation of the Constitution.

In a 2011 broadcast of the *700 Club*, Robertson declared that God told him directly that the ACLJ “will be needed as never before.”² The ACLJ maintains that Christians have been losing their religious liberties due to a government hostile to their faith and that America's Founding Fathers never intended a strict separation of church and state.

Brian Tashman is the Research Associate at People For the American Way. He writes about politics and religion for the Right Wing Watch blog, which monitors and exposes the activities of right-wing figures and political organizations.



Jay Sekulow of the American Center for Law and Justice with 2012 Republican president candidate Mitt Romney in 2007, consulting during GOP meetings around 2008 presidential nominations.

Photo by Joe Raedle/Getty Images.

The similarity of the American Center for Law and Justice's name and acronym—ACLJ—to the American Civil Liberties Union (ACLU) is no accident. Robertson declared that he founded the group to “stop the ACLU in court.”

The ACLJ is particularly active in battles over marriage equality; the group helped draft the Defense of Marriage Act (DOMA),³ the federal law that defined marriage as the “legal union of one man and one woman.”

Despite claims of protecting “freedom of religion,” the group vigorously supports organized prayer in public schools and worked with anti-Muslim activists to try to stop the construction of the Park 51 Islamic Community Center near Ground Zero in New York City, insisting that Muslims cannot be loyal American citizens.⁴ Its executive director even appeared alongside anti-Muslim leaders Pamela Geller, Robert Spencer, Geert Wilders, and James Lafferty at a rally opposing the construction of the community center.⁵ Other current cases listed on the ACLJ's website include opposition to reproductive rights and “ObamaCare,” defense of Ari-

The ACLJ is now one of the principal legal advocacy groups in the conservative movement, along with the Alliance Defense Fund, Liberty Counsel, the Liberty Institute, and the Thomas More Law Center.

zона's draconian anti-immigrant law, arguments for government promotion of religion, and campaigning against "Sharia Law."

The ACLJ is now one of the principal legal advocacy groups in the conservative movement, along with the Alliance Defense Fund, Liberty Counsel, the Liberty Institute, and the Thomas More Law Center. The group has built strong partnerships with many Religious Right groups, including the Christian Defense Coalition, Faith and Action,⁶ the American Family Association,⁷ and WallBuilders.⁸ Its reach has expanded globally with affiliates in countries including France, Israel, Kenya, Pakistan, Russia, Zimbabwe, and Brazil. The ACLJ launched the offshoot African Center for Law and Justice in 2010 and the East African Center for Law and Justice in 2011.

To lead ACLJ, Robertson tapped Jay Alan Sekulow, a messianic Jew and a former General Counsel of Jews for Jesus. Sekulow's son, Jordan, became the ACLJ's executive director following a stint in Mitt Romney's unsuccessful 2008 presidential campaign; both Sekulows are staunch Romney supporters, who has expressed admiration for the Sekulows in turn.

Robertson continues to serve as president of the ACLJ's board, bringing the full benefit of his powerful foothold in Christian Right politics and media. The Regent University School of Law, a private Christian institution that Robertson founded as the "Christian Broadcasting Network University" in 1978, has a working partnership with the ACLJ, housing one of the organization's primary offices and providing a

faculty position for Jay Sekulow.⁹ The Sekulows and other ACLJ attorneys frequently appear on Christian Broadcasting Network programming and its flagship show, *The 700 Club*, which is hosted by Robertson.

Both Jay and son Jordan Sekulow host their own radio talk shows, where they frequently entertain Republican members of Congress and presidential candidates.¹⁰ Jay Sekulow Live airs on over 850 radio stations¹¹ and ACLJ This Week broadcasts on a number of other Christian televangelist networks, including Trinity Broadcasting Network,¹² NRB Network (National Religious Broadcasters),¹³ and Daystar.¹⁴

ACLJ Finances

The Better Business Bureau says the ACLJ does not meet ten of its twenty standards for charity accountability, citing problems with oversight, compensation, accuracy of expenses, financial transparency, and disclosure; the president of the American Institute of Philanthropy and even the founder of the conservative Rutherford Institute have criticized the group's financial mismanagement.¹⁵

An Associated Press investigation found that since 1998, the ACLJ and Christian Advocates Serving Evangelism (CASE), Sekulow's family-controlled charity, "have paid more than \$33 million to members of Sekulow's family and businesses they own or co-own."¹⁶ Sekulow does not take a salary from the ACLJ because, as reported by the *Legal Times*, "Sekulow outsourced his own legal services" and private contractors are not required to release salary information. Sekulow has previously

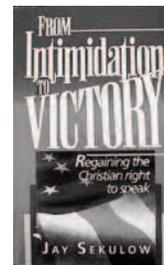
admitted to a high six figure salary.¹⁷

The primary source of revenue for CASE lies in rerouted ACLJ donations. In fact, more money—even three times as much—ends up in CASE's coffers, which helps support his family's "lavish lifestyle" of multiple homes, exorbitantly priced meals, and trips in corporate jets.¹⁸ In the April 1, 2009 to March 31, 2010 fiscal year, the ACLJ reported more than \$13 million in revenue,¹⁹ while from Jan 1, 2010 to December 31, 2010 CASE reported a whopping \$41,462,286 in revenue.²⁰ Sekulow's brother, wife, two sons, and daughter-in-law all have roles in the ACLJ, CASE, or both.²¹

According to the ACLJ's Fiscal Year 2011 990 form, the ACLJ also paid over \$2.6 million to the Constitutional Litigation and Advocacy Group (CLAG), which is 50 percent owned by Sekulow, and over \$500,000 to another Sekulow-affiliated group, the Law and Justice Institute.²²

Jay Sekulow

Jay Sekulow writes in his 1990 book *From Intimidation to Victory* that the United States is a "Christian nation, founded on Christian principles,"²³ but that secular humanism has "replaced the Judeo-Christian ethic as the moral base for law"²⁴ and



is its own established religion.²⁵ He says Christians are becoming a persecuted group in America and counsels them to take political and legal action: "If you really believe what the Bible says—that Jesus is the only way, that outside our comfortable church buildings there is a world full of drifting souls, doomed to hell—then you have to be aggressive."²⁶

"When courts are forced to examine the freedoms guaranteed in our divinely inspired code of law," Sekulow writes, "more often than not the freedom to proclaim the gospel rises above Satan's smoke screens and lawyers' hot air."²⁷

Indeed, Sekulow asserts that Satan is responsible for twisting the First Amend-

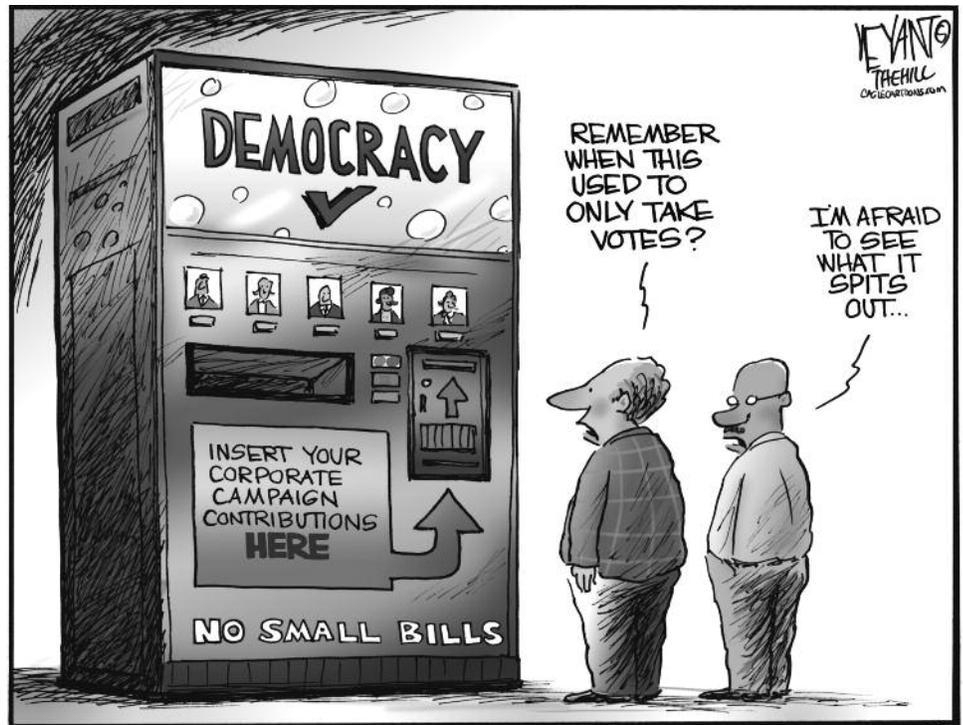
ment to the detriment of Christians.²⁸ “Satan’s legions have got the jump on us in this area. They have perverted the precious guarantees of freedom found in our nation’s First Amendment,” Sekulow explains. “The broad result has been diminished freedom of religious expression while expressions of immorality enjoy increased freedom.”²⁹

As Sekulow’s clout has grown, he has toned down such “spiritual warfare” language for a wider audience, particularly with his frequent appearances on outlets like Fox News.³⁰ However, the central message that Christians are facing persecution from an inimical secular government remains at the heart of the ACLJ’s work under Sekulow. “If you are a God-fearing Christian, then powerful forces in our culture say YOU are the dangerous radical that needs to be censored, chastised and even punished!” Sekulow writes in a 2009 direct mail appeal providing an “Anti-Christian Bigotry Alert.” “It is as if ‘open season’ has been declared in the courts on Christians.”³¹

Also in 2009, Sekulow claimed that his group “discovered” a measure in Obama’s economic stimulus package that would infringe on religious freedom. But as People For the American Way Senior Fellow Peter Montgomery points out, “the provision ‘discovered’ by the ACLJ has been included in legislation for decades, and has been upheld by the Supreme Court.” The offending provision “prevents federal funds from being used to construct buildings, like chapels, designed for religious worship or sectarian instruction.”³² The ACLJ threatened to sue the federal government if the stimulus plan was enacted with that provision. So far, it has not followed through.³³

The ACLJ has attacked school science standards for not including creationism and intelligent design in the classroom, with Sekulow promising to challenge the teaching of the theory of evolution, calling it the issue that is “most prominent now in our nation’s public schools, and may well present the new frontier on school-related issues.”³⁴

With a growing political voice and



financial success, Jay Sekulow emerged as a top adviser to the George W. Bush administration on judicial nominations, including the selection of Supreme Court justices. He backed Mitt Romney for the 2008

To lead ACLJ, Pat Robertson tapped Jay Sekulow, who believes that Christians are becoming a persecuted group in America.

Republican presidential nomination, and is now assisting Romney’s campaign with outreach to Religious Right activists. ACLJ attorney David French founded the group Evangelicals for Mitt,³⁵ co-authoring a book with his wife, *Why Evangelicals Should Support Mitt Romney (And Feel Good About It!)*.³⁶

Jay Sekulow’s son Jordan bragged in a radio interview with right-wing pseudo-historian David Barton that his father “was one of four people that were involved in the [judicial] nomination process in the Bush White House” and promised that a future Romney administration will listen to the elder Sekulow. “Do you want more Alito and Roberts? He’s made these pledges,” he said.³⁷

Romney welcomed the endorsement from Jay and Jordan Sekulow, crediting the two with being “on the front lines fighting for conservatives.” Romney said: “On issues of great importance to me, including religious freedom and protecting human life, Jay and Jordan have been tireless leaders. I look forward to working with them to ensure that we can bring conservative change to Washington.”³⁸

LGBTQ Rights

In a 1997 fundraising note entitled, “Chief Counsel’s Confidential Report on the Homosexual Agenda,” Jay Sekulow accused everyone from the entertainment industry and public schools to Fortune 500 companies of promoting the “homosexual agenda,” which he described as a “run-away train bent on destroying our com-

THE SEKULOWS ABROAD

Why does the mainstream media overlook the appalling activities of Jay Sekulow and Jordan Sekulow, the father-son team leading the American Center for Law and Justice (ACLJ)? They are high-profile social conservatives who are advisors and supporters of Republican Presidential candidate Mitt Romney, working to overcome the candidate's enthusiasm gap within the right-wing evangelical community. Yet their ACLJ is also leading the drive to criminalize homosexuality in Africa through its offices in Zimbabwe and Kenya.

The ACLJ also lobbied the Obama administration to lift sanctions on Zimbabwe, which the international community levied because of the human rights abuses of ruler Robert Mugabe.¹

Just this August, Mugabe's "unity" government brutally rounded up gay activists who oppose his drive to criminalize homosexuality, winning the condemnation of the U.S. State Department.² Despite the violent crackdown, the ACLJ's office in Zimbabwe mobilizes that country's evangelicals as a political force and a potential base for the Mugabe government's homophobic policies, with the goal of making it a "Christian nation."

Only months after Uganda's infamous Anti-Homosexuality Bill made global headlines in 2009, ACLJ executive director Jordan Sekulow oversaw the launch of ACLJ's African offices, strategically located in countries undertaking reform of their constitutions. Once open, they sought to ensure the constitutions barred homosexuality and abortion, and even assert Kenya as a Christian nation. ACLJ's Kenya office failed to win an article criminalizing homosexuality in that country's constitution but has not given up the fight there, and the constitutional reform process in Zimbabwe is still underway.

Jordan Sekulow met personally with Robert Mugabe's vice president John Nkomo and other leaders of the "unity government" as ACLJ-Zimbabwe lobbied to criminalize homosexuality in the country's new constitution.³ The chairman of the ACLJ's office in Zimbabwe, Alex Chisango, joined Mugabe and his cabinet in a ceremony inaugurating the constitution-reform process, leading the group in an opening prayer.⁴ The ACLJ, along with other groups, asked the constitutional commission to include the prohibition of homosexuality, even though Mugabe had criminalized it in 2006. While Article 4:6:3 of the draft constitution defines marriage as between a man and woman, it also prohibits discrimination on various social, economic, religious, and "natural differences or condition." As in Kenya, ACLJ and other religious and political leaders interpreted the phrase "natural differences or condition" as permitting homosexuality and objected.

Jordan Sekulow said the ACLJ's goal is to "lobby [African] parliament[s] to take the Christian's views into consideration as they draft legislation and policies."⁵ In Zimbabwe, "the unity government did open the window for US groups like the ACLJ" to have influence, he told a Christian Broadcasting Network reporter.⁶ The effort to get the Obama administration to lift sanctions was perhaps modest payback for the access and influence ACLJ won in that tortured nation. Unfortunately, that influence fanned the flames of the continent-wide anti-gay campaign that led to the murder of gay activists David Kato in Uganda in 2011 and Maurice Mjoba in Tanzania in July.

The Sekulows and ACLJ are well known for their work drafting and promoting the Defense of Marriage Act and other legal initiatives that curtail LGBTQ rights in the United States. At home, the Sekulows and the ACLJ advocate second class citizenship for LGBTQ persons. In Africa, it's far worse. The ACLJ fights to ensure the constitutions criminalize people simply because they are a sexual minority and cozies up to dictators like Mugabe. Yet the Sekulows are not held accountable.

—Kapyra Kaoma

PRA exposed the American Center for Law and Justice anti-LGBT activities in Africa in the July 2012 report, Colonizing African Values: How the U.S. Christian Right is Transforming Sexual Politics in Africa.

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¹ Sarah Posner, "Pat Robertson's Women Warriors Leading Spiritual Warfare In Zimbabwe," Religion Dispatches, August 1, 2010. http://www.religiondispatches.org/archive/sexand-gender/3056/pat_robertson%E2%80%99s_women_warriors_leading_spiritual_warfare_in_zimbabwe. Also see ACLJ Special Operations Unit: Zimbabwe post from March 30, 2009. http://www.facebook.com/notes/american-center-for-law-and-justice/aclj-special-operations-unit-zimbabwe/6498158444?comment_id=1220426

² Kapyra Kaoma, "US Christian right links with Zimbabwe's Mugabe to suppress gay rights," Global Post, October 2, 2012. <http://www.globalpost.com/dispatches/globalpost-blogs/commentary/us-christian-right-links-zimbabwe-s-mugabe-suppress-gay-right>

³ ACLJ Special Operations Unit: Zimbabwe, June 23, 2010. <http://aclj.org/aclj/african-centre-for-law-justice---zimbabwe-update->

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⁵ "About Us," East African Center for Law and Justice. <http://www.eaclj/about-us.html>

⁶ "Rebuilding in the Spirit," Christian Broadcasting Network, n.d. http://www.cbn.com/media/player/index.aspx?s=/vod/GTH247v2_WS

munities."³⁹

"Homosexuals are not only out of the closet, they are out to destroy the family as we know it," Sekulow warned, writing that gay rights advocates intend to make America "the world's greatest promoter of every form of sexual deviancy." He insisted

in the memo that "the state has a compelling interest to ban the act of homosexuality" and at minimum refuse "to promote the act that society deems destructive."

Though Sekulow has toned down his rhetoric, the ACLJ still lists the "radical homosexual agenda" as a principal concern,

alleging that "there is a continuing threat against the free speech rights of those who refuse to subscribe to the notion that homosexuality is an inborn trait that is morally neutral."⁴⁰

In Congress and in the courts, the ACLJ has been a consistent opponent of gay

rights initiatives and a champion of anti-gay legislation. According to Sekulow, the ACLJ has employed an “aggressive strategy of defending the traditional view of marriage in each significant marriage case that existed anywhere in the United States,”⁴¹ including California,⁴² Connecticut,⁴³ Massachusetts,⁴⁴ Nebraska,⁴⁵ New Jersey,⁴⁶ Oregon,⁴⁷ Vermont,⁴⁸ and Washington.⁴⁹ In 2010, in an attempt to force Washington, D.C., to put its own marriage equality law up to a popular referendum, the ACLJ filed a brief on behalf of 49 Republican members of Congress.⁵⁰

In addition to helping to draft and defend DOMA, Sekulow testified before the U.S. Senate in 2004 on behalf of the Federal Marriage Amendment, which if passed would have defined marriage in the Constitution as between one man and one woman. Sekulow claimed that since marriage between one man and one woman is the “the cornerstone of our welfare, of our liberties and of our responsibilities as a free people,” offering same-sex couples the freedom to marry would put such freedoms at risk. “No matter what you call the union of any grouping of persons other than one man and one woman, it will never be a marriage,” Sekulow stated, predicting that “the legal recognition of any relationship on the same level as traditional marriage will wreak irreversible harm on American society.”⁵¹

When the Obama administration’s Department of Justice dropped its defense of DOMA on the grounds that it is unconstitutional, Sekulow told Robertson on *The 700 Club* that “we are now living in a monarchy,”⁵² and on his own radio show, Jay Sekulow Live, claimed that Obama is leading an “imperial presidency.”⁵³ Sekulow neglected to mention that the Departments of Justice under both presidents Bush opted not to defend laws they deemed unconstitutional.⁵⁴

Beyond targeting marriage equality initiatives, ACLJ works against any efforts to end anti-LGBTQ discrimination. In 1999, the ACLJ challenged an ordinance in Louisville, Kentucky, that banned employment discrimination based on “sexual ori-

entation” and “gender identity.”⁵⁵ A year earlier, the group successfully represented two Minnesota teachers who protested their school’s requirement that they participate in a session on “Gays and Lesbians in the Workplace,” charging that the “state of Minnesota tried to force these employees to change their beliefs about homosexuality.”⁵⁶

The organization even opposed the Matthew Shepard and James Byrd Hate Crimes Prevention Act, which in 2010 made it a federal hate crime to attack someone based on their sexual orientation, gender, or gender identity. The ACLJ maintained that “this isn’t really anything

Jay Sekulow emerged as a top adviser to the George W. Bush administration on judicial nominations, including the selection of Supreme Court justices.

about crime, it’s really about approving the sexual orientation statutes to include that in the context of civil rights.” Sekulow called the law a “slippery slope” meant to “change a social structure” and “serve as a muzzle,” eventually giving attorneys a chance to prosecute “a pastor for giving a sermon.”⁵⁷

Sekulow has championed the Boy Scouts of America’s ban on openly gay scoutmasters for years, telling donors in March 2000 that the Scouts have “come under attack from homosexual activists—who may well set their sights on your church next.”⁵⁸ In an *amicus* brief to the Supreme Court, the ACLJ defended the Boy Scouts’ finding that homosexuals are not morally “clean,” writing, “Men who by word or deed condone homosexuality can-

not, therefore, be good role models.”⁵⁹

The group unsuccessfully defended state bans on sodomy in *Lawrence v. Texas* (2003), arguing in an *amicus* brief to the Supreme Court that “the ban on same-sex sodomy clearly passes constitutional muster” in order to further “public morality” and combat “health risks.”⁶⁰

Most recently, the ACLJ has championed the poorly-named Military Religious Freedom Protection Act, which would prohibit facilities on military property from use in same-sex marriage ceremonies, even in states where such unions are legal and chaplains may want to officiate.⁶¹ In an ominous email to members, Sekulow warned that if such practices are not banned, then “soon military chaplains could be required to perform same-sex marriages.”⁶² Sekulow’s son Jordan hosted the bill’s chief sponsor, Rep. Tim Huelkamp (R-KS), on his radio show, where the congressman alleged that the Obama administration is “using the military as a guinea pig” for the “radical homosexual agenda.”⁶³

This fall, the ACLJ fired a senior counsel, James Henderson, after bloggers revealed he lived a double life as a gay man who had sex with at least one underage (17-year-old) boy.⁶⁴

Reproductive Rights

The ACLJ is firmly rooted in the anti-choice movement, building its “pro-life” reputation by defending opponents of abortion rights who harassed health care workers and clients.

Sekulow argued on behalf of anti-abortion rights activists in the 1996 Supreme Court case *Schenck v. Pro-Choice Network of Western New York*. In the case, Paul Schenck, then executive vice president of the ACLJ, was leading blockades intended to prevent access to abortion clinics. Sekulow challenged the constitutionality of court-ordered “buffer zones” prohibiting demonstrations around the clinic’s entrance (“fixed buffer zones”) and vehicles and people seeking to enter the clinic (“floating buffer zones”). The Supreme Court ultimately upheld the constitutionality of

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fixed buffer zones, but struck down floating buffer zones.⁶⁵ In a similar Supreme Court case in 1999, Sekulow unsuccessfully represented anti-choice activists in Colorado who violated a state regulation prohibiting unwanted communications at health clinic entrances with people going inside.⁶⁶

During the George W. Bush administration, an ACLJ fundraising appeal warned that “babies are still at risk of the gruesome torture-murder called partial-birth abortion.” While awaiting the passage of Congressional legislation banning a form of late-term abortion, the ACLJ called for donations to fight expected attacks from the ACLU and the “multi-million-dollar abortion industry.” The Partial-Birth Abortion Ban passed in 2003 and was upheld by the Supreme Court in 2007.⁶⁷

In 2011, the ACLJ represented a Texas bus driver fired after refusing to transport two women to a Planned Parenthood clinic. While the clinic offers a wide range of services ranging from pregnancy tests to breast cancer exams, the driver came to the conclusion through prayer that the passengers were seeking an abortion and refused to drive them.⁶⁸ Even the ACLJ attorney representing this seemingly omniscient bus driver admitted that he could not have known why the women were going to a Planned Parenthood facility.⁶⁹ The transit service settled with the driver in 2011, under the condition that he would never seek work in the transportation system

again, under advice “that it would cost a lot more in attorney fees than it would cost to settle.”⁷⁰ That same year, the ACLJ won a lengthy legal battle representing four Illinois Walgreens pharmacists who were fired for denying customers the “morning-after” pill.⁷¹

The ACLJ claimed that under Obama, the Department of Homeland Security labeled “pro-lifers [to be the] most dangerous domestic terrorists,”⁷² in what Sekulow called an “inflammatory” report.⁷³ The report in question mentioned “opposition to abortion” in a single footnote as an example of a single issue that might motivate some homegrown terrorists.

A leading proponent of defunding Planned Parenthood, the ACLJ filed an *amicus* brief in May 2012 supporting the state of Texas’s decision to strip funding from the women’s health organization.⁷⁴ ACLJ founded the Committee to Stop Taxpayer Funding of Abortion in order “to stop this atrocity,”⁷⁵ even though the Hyde Amendment already bars federal dollars from going towards abortion services. Sekulow boasted that the ACLJ has brought “a whole series of lawsuits” against Planned Parenthood.⁷⁶

The ACLJ also started the Committee to Protect America’s Constitution to protest the Obama administration’s decision to require birth control coverage in insurance plans, including those at institutions affiliated with religious denominations. Sekulow called the move a “radical assault on our

values” and has filed an *amicus* brief, representing Rep. Jeff Landry (R-LA), against the new regulation.⁷⁷

“It is clear we have a president who is doing everything he can to change the history and heritage of this nation,” Sekulow wrote in response to the administration’s move. “His vision and actions put at risk the Judeo-Christian values that have been the cornerstone of our republic.”⁷⁸ ■

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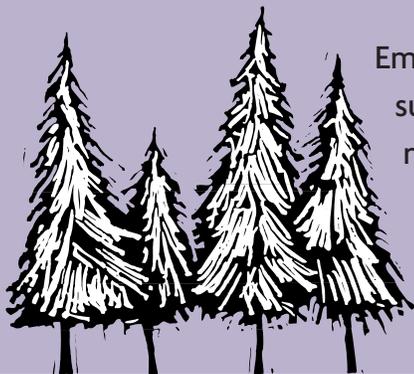
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THE NEW RELIGIOUS FREEDOM *continued from page 1*
wedges between (straight) Blacks and gays under the slogan, “Not a Civil Right.” We also learned that it resurrected arguments that same-sex marriage is a threat to people’s religious liberties.

“People of faith are increasingly denounced as bigots simply because they stand up for marriage,” the document reports. Earlier it states, “When the government punishes some Methodists because they don’t allow gay union ceremonies on their own property, we need to capture not only the facts, but the stories—the faces, the names, the emotions of the people threatened with litigation.”

We are seeing religious liberty arguments this fall as NOM and state “family” alliances lead the battle around marriage ballot initiatives in Washington State, Maine, Maryland, and Minnesota. In three of those states, the election could result in legalized same-sex marriage, a historic first.

Christian Right organizations are quite tactical in their choice of arguments they use to attract moderates, and in past years, have won all but one same-sex marriage ban at the state ballot box. These bans were typically constitutional amendments to outlaw same-sex marriage in states without existing same-sex marriage rights, an attempt to prevent “activist” judges and politicians from enacting pro-LGBTQ laws. The vote in North Carolina earlier this year is a case in point. Since 1998 same-sex marriage bans have multiplied on ballots in states across the country; in the November 2004 election alone there were eleven same-sex marriage bans on ballots.

In the absence of a federal Employment Non-Discrimination Act (ENDA), same-sex marriage law, or other federal protections, LGBTQ rights laws are susceptible to challenge by ballot measures. Organizers have to work state-by-state and city-by-city to pass laws, which can be

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A member of the American Society for the Defense of Tradition, Family and Property at a Washington, D.C. ‘Stand Up For Religious Freedom’ rally in opposition to Affordable Care Act mandates in March 2012.

Roll Call/Getty Images

“People of faith are increasingly denounced as bigots simply because they stand up for marriage.”

—National Organization for Marriage

challenged by a referendum. In addition, in many states and municipalities, Christian Right organizers can use initiatives to write new, anti-gay laws to counteract any LGBTQ gains in that state as in this fall’s votes.

But in recent years, the Right has had to react against legalized same-sex marriage at the state level. For example, California’s Proposition 8 in 2008 and Maine’s Question 1 in 2009 sought to overturn court rulings that legalized same-sex marriage.

Earlier this year, legislators in Washington and Maryland legalized same-sex marriage; and in Maine, LGBTQ organizations put same-sex marriage on the ballot after Question 1 passed in 2009. Now, voters in these three states will decide whether or not to legalize same-sex marriage; voters in Minnesota will decide the fate of a same-sex marriage ban.

The anti-LGBTQ campaigns in all four states use the same organizing tactics that were employed so effectively in California and Maine a few years ago, including large scale grassroots mobilizing and the use of the same political consultants.² Both campaigns excelled at political messaging that appeals to moderates, for instance by advocating for civil unions or domestic partnerships as a reasonable alternative to same-sex marriage.

The Right’s new focus on religious freedom tries to reach a broad audience by using civil rights style language rather than morality to make its claim. Although the Right will no doubt continue to warn of how LGBTQ marriage rights threaten children, schools, and marriage, arguments about religious freedom—seen in the fight

against contraception coverage in Obamacare and elsewhere—are on the rise.

Strategy Shift

On September 4, 2012, the four Catholic bishops of Washington State declared that the vote on same-sex marriage in November “would have a chilling effect on religious liberty and the right of conscience.” They argued that the redefinition of marriage would lead to discrimination against religious individuals, as “no institution or individual could propose that married mothers and fathers provide a singular benefit to children without being accused of discrimination. Recent attacks on churches, businesses and nonprofit organizations that express their conscientious objection to the redefinition of marriage underscore the danger.”³

These claims were echoed earlier in the week in Maryland, when Derek McCoy, executive director of the Maryland Family Alliance, warned that business owners may be sued if they disapprove of same-sex marriage.⁴

We heard similar arguments earlier this year when faith-based conservatives put the defense of religious freedom at the center of the fight against contraceptive coverage in the Patient Protection and Affordable Care Act (ACA). Although ACA does not mandate churches to cover contraception in their health plans, faith-based colleges, charities, and hospitals would be required to do so.

Newspaper headlines shouted “Obama Insurance Decision Declares War on Religion;” Mitt Romney’s political ad “Be Not Afraid” played on this fear of religious persecution.⁵ According to *New York Times* reporter Dorothy Samuels, “Opponents of the contraception rule claim the fight isn’t about birth control, but religious liberty. It’s about both, though they are right that the battle for religious exemptions goes well beyond birth control coverage—to employment discrimination, zoning, mandated reporting of child abuse, a pharmacist’s duty to fill valid prescriptions and that of hospitals to give life-saving emergency care.”⁶

The Right has long invoked threats to

religious freedom and organized religion in campaigns against local and state non-discrimination laws that include sexual orientation and gender identity. The Right argues that faith-based organizations, including schools, will be forced to hire gay men and lesbians due to nondiscrimination laws. These messages include stories about churches being forced to hire gay music teachers in St. Paul,⁷ fraternal orders and service clubs being able to screen for sexual behavior,⁸ and general concerns about individual religious liberty.⁹ To allay these concerns, some nondiscrimination laws have a clause that exempts churches and synagogues from the law.

Religious freedom arguments used to oppose same-sex marriage frequently make the spurious claim that churches and syn-

The Right’s arguments about religious freedom— seen in the fight against contraception coverage in Obamacare and else- where—are on the rise.

agogues would be required to conduct same-sex marriages. We still hear that argument in the false claim that churches will be forced to open their facilities to same-sex marriage ceremonies.

This year, Protect Marriage Maine invoked the story about the Ocean Grove, New Jersey Methodists losing a state tax exemption for a beachside pagoda after they refused to rent it out for a same-sex marriage. In 2009, NOM broadcast a national ad based on the case.¹⁰

The National Organization for Marriage and other campaigners warn that not only churches but faith-based nonprofits are threatened. In Rhode Island, NOM

warned, “Religious groups like Catholic Charities or the Salvation Army may lose their tax exemptions, or be denied the use of parks and other public facilities, unless they endorse gay marriage.”¹¹

Christian Right organizations frequently reference Catholic Charities shutting down their foster care services in Massachusetts, New York, Illinois, and Washington, D.C., because they refused to let same-sex couples adopt. The group also changed its health insurance policies rather than provide insurance for same-sex partners of employees.

This fall, we are also seeing arguments that say the threat to religious freedom is not just to religious institutions and organizations but to individuals’ religious liberties. For example, in a Maryland Marriage Alliance message on its website they argue that professionals in the wedding industry may be fined, and licensed professionals such as doctors, counselors and lawyers could lose their licenses if they oppose same-sex marriage: “A counselor, for example, could not refuse “marriage therapy” to a same-sex couple because she doesn’t believe in gay marriage.”¹² Maryland Archbishop Edwin F. O’Brien warned,

Despite the limited measures some states have taken to protect religious institutions, none have recognized the religious freedom of individuals. Specifically, they should be protected against having to violate their moral beliefs about marriage. It is hard to believe that any measure can avoid the inevitable collision that redefining marriage will bring between government and people of faith. The slippery slope has already become an impending avalanche and who can seriously guarantee that efforts to promote “religious exemptions” will survive future judicial or legislative reversals.¹³

This “inevitable collision...between government and people of faith” invokes a definition of religious freedom that focuses on an individual’s ability to make decisions in accordance with their faith.

Religious Freedom

What is religious freedom? Matthew Wilson, associate professor of political science at Southern Methodist University, argues that today's understanding goes far beyond the right to worship and includes "the ability to live a life of faith in the world, to act socially, economically, politically, etc. in concert with one's convictions, without fear of being coerced by government into violating the tenets of faith."¹⁴

This definition is echoed by Manhattan Declaration co-author and Christian Right leader Chuck Colson who commented on a speech by Hillary Clinton that "in one fell swoop, she changed our God-given right to freedom of *religion*, a public act, to a much more restricted 'freedom of worship,' a private act, which any Chinese official could go along with," while placing the "right to love in the way they choose' as a fundamental human right."¹⁵

The Manhattan Declaration, the November 2009 statement signed by conservative Roman Catholic, evangelical, and orthodox Christian leaders, promises "resistance to the point of civil disobedience against any legislation that might implicate their churches or charities in abortion, embryo-destructive research or same-sex marriage."¹⁶ The document also says,

Because the sanctity of human life, the dignity of marriage as a union of husband and wife and the freedom of conscience and religion are foundational principles of justice and the common good, we are compelled by our Christian faith to speak and act in their defense.

An argument about religious freedom focuses on the ability of individuals to actualize themselves and to make decisions in all aspects of their life in accordance with their beliefs and without obstruction. Religious freedom as living a life of faith *in the world* includes the ability to bring religion into government, educa-



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The Right argues that faith-based organizations, including schools, will be forced to hire gay men and lesbians due to nondiscrimination laws.

tional, and corporate environments. Thus controversies about religious freedom flared over prayer in public schools, the health care coverage of faith-based institutions, fast food company Chick-fil-A's statement against same-sex marriage, the posting of the Ten Commandments in government buildings, and, of course, LGBTQ rights.

Rather than arguing about a particular moral perspective (e.g., the immorality of homosexuality), religious freedom rests on an argument that all individuals should have the freedom to make decisions based

on their religion and should not be obstructed in their daily lives in doing so.

Religious freedom is often used rhetorically as a civil right, with parallels made to civil rights for African Americans or LGBTQ people. For example, in late 2011, a Macy's department store employee in San Antonio, Texas, would not allow a transgender customer to access the women's fitting room, and she made an argument that "it would go against her religious beliefs to lie that he was a woman or compromise with homosexuality."¹⁷ This decision contradicted LGBTQ friendly company policies, and the employee was fired. As this story was reported in Christian newspapers and on Christian Right organization websites, the woman in this case was defending her religious freedom, her ability to make choices in accordance with her religious beliefs.¹⁸ Indeed, in

her defense of her decision she compared company policies that protected religion with those very rights protecting the LGBTQ community.

The fall's religious freedom messaging does not concentrate on the specifics of a religious belief (although almost all arguments are about Judeo-Christian belief systems) but rather on an individual's right to follow their religion at all times. These arguments avoid universalizing morality and instead argue about individuals' rights. In political messages about same-sex marriage and religious freedom, the focus is not directly on whether or not same-sex marriage is inherently moral or immoral but rather whether or not individuals who do not believe in same-sex marriage due to their religion will be forced to be supportive of same-sex marriage.

For Christian Right organizers, this conflict between government and people of faith will include everything from criminal prosecution to persecution under hate speech laws to being sued for their beliefs to being labeled "bigots." In a Minnesota Marriage Minute advertisement, anti-gay group Minnesota for Marriage spokesper-

HOW THE RIGHT WINS OVER MODERATES TO OPPOSE MARRIAGE

This year, Freedom to Marry and other LGBTQ rights campaigners are trying to learn from history and avoid some of the traps faced by pro-LGBTQ coalitions in previous ballot campaigns. Since 1998, advocates have proposed 40 separate statewide LGBTQ-related ballot measures; in all but three of these instances, voters in these states approved the anti-gay position, often with large margins. The campaigners often skirted the issue—LGBTQ acceptance—in favor of appealing to a heterosexual audience uncomfortable with same-sex relationships.

But Christian Right organizations, including state level groups aligned with Focus on the Family and the relatively new National Organization for Marriage, are savvy about choosing the right message for the right community, speaking one way to its base and another way to moderate voters. Perhaps reflecting the advance of the LGBTQ community in recent years, we no longer see Anita Bryant-style ads warning the country it will fall down a slippery slope toward bestiality if LGBTQ people are granted rights. It avoids messages that could be characterized as blatantly homophobic or narrowly religious.

Based on a review of advertising from 1998 to the present, and data collected by Vote for Equality in California after the 2008 Proposition 8 vote overturned same-sex marriage, we tracked the Right's strategy.

- In states where they enjoy a large base of support, they air conservative Christian-oriented media arguing the deep roots of **traditional marriage** between a man and a woman is under threat. Seventy-five percent of the ads tracked used this argument.
- They reach moderate voters with advertising focused on the supposed **harm to children** that will occur if pro-LGBTQ ballot measures pass – particularly from the teaching about same-sex behavior in schools. Forty-eight percent of all media reviewed had this theme.
- Forty-two percent of the ads warned of elites like judges or powerful people from outside the state seeking to advance a “**gay agenda**” against the will of the people, resonating with right-wing populist arguments.
- The Right relays stories of Christians as “**victims**” suffering from religious persecution if same-sex marriage becomes legal.
- Twenty percent of the anti-LGBTQ media reviewed for this report prominently feature people of color, and were largely aired in Arizona, California and Oregon. They tended to use arguments defending “traditional marriage.”

Based on door-to-door research in neighborhoods that opposed gay marriage rights, conducted in partnership with Vote for Equality in California, we found the most successful ads that reached voters were ones including:

- Strong rebuttals to anti-LGBTQ ads that warn kids in schools will be harmed by being taught about gay sex.
- Stories by LGBTQ people about their loving relationships and how they are injured, on an emotional level, by not having marriage rights.

The LGBTQ community will continue to suffer setbacks at the ballot box until it wins the hearts and minds of a majority of the nation's voters. No matter the outcome, this November will serve as a good laboratory for understanding what messages do and do not resonate with voters.

– From PRA's new report by David Dodge, *The Right's Marriage Message: How the Right Wins Over Moderates to Oppose LGBT Rights*, 2012.

son Kelly Yanta said, “Same-sex marriage impacts the religious freedom of individuals and groups in many profound ways. If marriage is redefined to be genderless and people and groups do not accept that, they will be in conflict with the law and subject to legal consequences. This already has occurred in a variety of ways in other states.”¹⁹

The National Organization for Marriage—one of Minnesota for Marriage's organizational supporters—is tracking these cases of supposed discrimination with plans to “gather a rapid response

The fall's religious freedom messaging does not concentrate on the specifics of a religious belief but rather on an individual's right to follow their religion at all times.

team of videographers and reporters to collect and record stories of those who have been harassed, threatened or intimidated as a result of their support for traditional views on marriage and sexuality.”²⁰ NOM was following in the footsteps of the American Family Association, which reminded the activists at the Christian Right Values Voter Summit this September that its “Speechless: Silencing the Christians” documentary is available in seven easy to share snippets on YouTube.²¹

The argument may have traction, especially as there has been growing conservative activism in support of “religious freedom” laws. The argument may have traction, especially as there has been a growing conservative activism in support

of “religious freedom” laws. Despite *Boerne v. Flores*, the 1997 Supreme Court case that struck down the federal Religious Freedom Restoration Act (RFRA) due to its restrictions on states, similar bills continue to be introduced—most recently in 2012 by Sen. Marco Rubio (R-FL) to oppose contraceptive coverage in the ACA.²² Local and state efforts have proven more successful, with voters passing RFRA ballot measures in over ten states.²³

Colorado organizers have tried for years to put a religious freedom initiative on the ballot. Just a few months ago, North Dakota voted down Measure 3, which would have prevented the government from “burden[ing] a person or religious organization’s religious liberty.”²⁴ Measure 3 was sponsored by the Religious Liberty Restoration Amendment Committee and received financial support from Roman Catholic organizations and the North Dakota Family Alliance, which is one of dozens of state-level groups loosely affiliated with the Family Research Council.²⁵ The North Dakota Family Alliance also coordinated the initiative campaign to get the 2004 ban on same-sex marriage on the ballot in their state.²⁶ Some political ads for Measure 3 focused on religious liberties for “faith-based hospitals, schools, universities and charities.”²⁷

On August 7, 2012, Missouri voters overwhelmingly backed the Public Prayer Amendment, allowing voluntary prayer in schools and other public displays of religion even though opponents said it was already protected under the U.S. Constitution. Florida voters have a chance to vote on Amendment 8 in November, which would repeal the state’s ban on religious groups receiving government funding. Teachers unions are big opponents because it would pave the way for state funding of religious schools through vouchers.

Appeal to moderate voters

Christian Right arguments about religious freedom are effective because they potentially appeal to three key groups: evangelical Christians, libertarians who want less government involvement in their

lives, and moderates who are supportive of civil rights.

Since the first anti-gay referendum in Boulder, Colorado in 1974, the Christian Right has shifted its strategy to succeed at the ballot box, experimenting with different types of ballot measures and messaging. The political messages that the Christian Right has developed include everything from virulently homophobic messages about pedophilia to more innocuous messages about kids in schools. This latest argument about the threat to religious freedom fits into a long tradition of the Christian Right creating sophisticated

The U.S. Conference of Catholic Bishops warned that marriage equality would create conflict “on a massive scale between the law and religious institutions and families.”

messages for secular and moderate voters.

In same-sex marriage bans, the Right has used gay male spokespeople, advocated for civil unions rather than same-sex marriage, and argued that same-sex marriage would create a “genderless marriage.”²⁸ For example, a political ad used in the Yes on 8 campaign in California depicted a heterosexual family that was close friends with their gay neighbors but opposed extending the benefits of marriage to them. The ad described how the parents, Jan and Tom, were relieved to find out that their neighbors would get the same benefits of marriage with a domestic partnership.²⁹ One of the most successful messages warned against teaching same-sex marriage in schools. In this messaging, opponents of same-sex marriage argue that

elementary school children will learn about same-sex marriage, gay sex, and same-sex parents in the classroom. They also display books that positively portray gay and lesbian parents or families, such as *Daddy’s Wedding* or *King & King*. Some arguments reach back to the 1990s, when the Christian Right framed civil rights as only necessary for “legitimate minorities” like African Americans and asserted that gays were trying to get “special rights,” which would dilute the rights of these so-called legitimate minorities.

These types of Christian Right messages have been effective in persuading moderate and secular voters. Researcher David Dodge and Vote for Equality in Los Angeles found that the Right’s “moderate” advertisements focusing on children in schools had a negative impact (an anti-LGBTQ effect) on 15 percent of all voters, and 25 percent of all undecided voters. In early polling for the Yes on 8 campaign in 2008 conducted by Lawrence Research, a public relations firm active in anti-gay campaigns, more than 60 percent of “No” supporters polled had changed their mind when confronted with information about how health education teachers would have to teach children about same-sex marriage.³⁰ In 1992, for the controversial initiative Colorado Amendment 2, 40 percent of voters surveyed in exit polls asserted that they had voted “yes” because they believed gay people should not have “special rights.”³¹

The current polling on same-sex marriage and religious freedom shows a growing majority of Americans support same-sex marriage and a large percentage are also concerned about religious freedom. Since 2004 there has been a 16 point increase in the percentage of Americans who support same-sex marriage, with a majority now in favor.³² During the debates about health care and the ACA, over 59 percent of Americans surveyed by the Pew Research Center had heard about bishops’ protest against policies that restrict religious liberties. Of those, 41 percent of all American adults and 56 percent of Roman Catholics agreed with these concerns about religious liberty and freedom.³³

This past summer, the U.S. Conference of Catholic Bishops designated June 21 to July 4 as a “Fortnight for Freedom” which focused on the ACA’s threat to religious freedom and, at times, marriage.³⁴ On day six of the Fortnight for Freedom, the argument was made that “changing marriage law will jeopardize the religious liberty of both individuals *and* communities or institutions.” The legalization of same-sex marriage would create conflict “on a massive scale between the law and religious institutions and families, as the State will apply various sanctions against the Church for its refusal to comply with the State’s definition.”³⁵

While the Fortnight’s messaging and interpretation conjure up scare tactics, the real potential of the religious freedom argument may be seen after November, in the courts. Marc D. Stern, the American Jewish Committee’s associate general counsel for legal activity, said that while “no one seriously believes that clergy will be forced, or even asked, to perform marriages that are anathema to them,” he believes there may be consequences for other religiously-run institutions such as “schools, health care centers, social service agencies, summer camps, homeless shelters, nursing homes, orphanages, retreat houses, community centers, athletic programs and private businesses.”³⁶

In recent years it has been the courts that crucially defended protections for the LGBTQ community—not voters at the ballot box. But that could change. ■

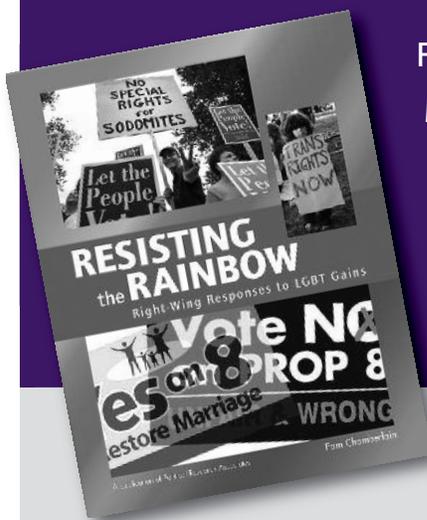
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HOT OFF THE PRESSES!



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REV. SAMUEL RODRIGUEZ *continued from page 1*
policy.

Yet when the Democrats and the Obama White House woo him, for instance to back the Supreme Court candidacy of Sonia Sotomayor or serve on the President's Advisory Council on Faith-Based and Neighborhood Partnerships, they elevate his influence, his power to oppose LGBTQ marriage, and even Obama's own reelection.³

Who is Samuel Rodriguez?

The Silence of the Lamb

“This is a justice movement,” he is fond of saying. “This is what makes us different. We’ve never seen this before. We’ve never seen a movement that is black, white, brown, yellow, committed to both the vertical and the horizontal, that can reconcile Dr. Billy Graham with Martin Luther King, Jr., that is committed to both righteousness and justice.”⁴ But justice, by any standard definition, can be hard to find in the world according to Rodriguez.

He calls this intersection between Graham and King “the agenda of the Lamb.” Using the metaphor of the Cross, Graham represents the “vertical agenda” of holiness and faith values while King represents the “horizontal agenda” of social justice. The Lamb’s agenda, he says, requires both. This bold invocation of historic figures and the bars of the Cross is part of what makes Rodriguez a compelling figure and why he is viewed as a bridge builder. But on closer examination there seems to be little of the social justice advocacy of Dr. King in this man’s activities, political and otherwise. Indeed, when we set aside the parsing of the metaphors, we see that he is deeply involved in the promotion of a Christian Right worldview, and is engaged in Republican voter mobilization, the results of which inevitably leave even immigration reform behind.

Frederick Clarkson is a senior fellow at Political Research Associates. He is co-founder of the group blog Talk To Action, and the author of Eternal Hostility: The Struggle Between Theocracy and Democracy.

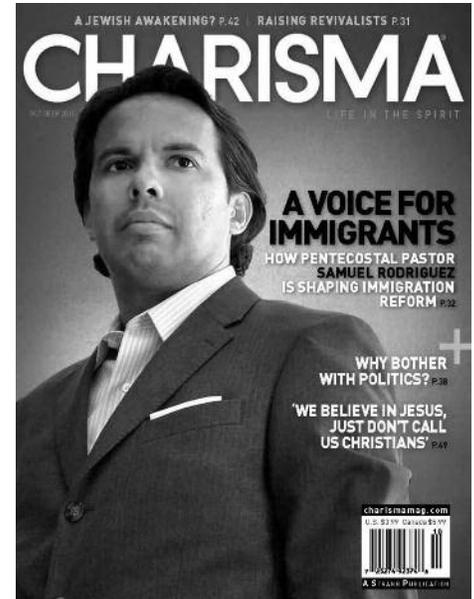
His group, NHCLC, purports to represent more than 34,000 churches comprising some 16 million people. Founded in 2001 by Latino leaders in the Pentecostal denomination Assemblies of God, the name echoes the Southern Christian Leadership Conference once headed by Dr. King. The organization’s evangelical constituency and leadership are interdenominational, and Pentecostal/charismatic, but the group also seeks to engage charismatic Catholics. Like Rodriguez himself, the organization claims to seek to address a broader agenda than the usual Christian Right fare.⁵

The organization is, however, small and low budget.⁶ While it has many prominent

Rodriguez is deeply involved in promoting a Christian Right worldview and is engaged in GOP voter mobilization, leaving immigration reform behind.

partners and well publicized efforts to promote comprehensive immigration reform, it has few organizational activities. NHCLC’s reach, too, may be exaggerated. Journalist Sarah Posner points out the NHCLC’s numbers may be grossly inflated since only 6.5 million Latinos in the United States, about 13 percent of the country’s Latino population, identify as evangelical, according to data collected by the Pew Hispanic Center.⁷

But it is also true that the NHCLC’s core constituency is growing. A 2007 Pew study found that Pentecostal/charismatic renewalism is three times more prevalent among Latinos than it is among non-



Rev. Samuel Rodriguez told Charisma that he believes the National Hispanic Christian Leadership Conference had “misplaced its priorities by emphasizing immigration over the sanctity of life and traditional marriage.”

Latinos. What’s more, a majority of Latino Catholics describe themselves as charismatics.⁸ This makes Rodriguez’s claim to be the spokesman for this growing constituency all the more deserving of greater scrutiny.

Rodriguez’s main claim to fame is his work with two presidents towards greater fairness in U.S. immigration policy. He has gone so far as to publicly denounce nativism, xenophobia and mean spiritedness among elements of the conservative movement and of the Republican Party.⁹ However, in addition to conventional Christian and human rights reasons for a more just policy towards immigration policy and immigrants, Rodriguez also has controversial motives. He sees, for example, the immigration of evangelical Christian Latinos as part of the salvation and replenishment of Christian America and as a bulwark against Islam.¹⁰ Perhaps most revealing is how, for Rodriguez, immigration is nevertheless a decidedly secondary concern. Shortly after the inauguration of President Obama in early 2009, for example, Rodriguez participated in the creation

and release of a highly publicized document, *Come Let Us Reason Together: A Fresh Look at Shared Cultural Values Between Evangelicals and Progressives*. The several signatories announced they had crafted a “Governing Agenda” proposal for the new Democratic president and Congress, including “creating secure and comprehensive immigration reform.”¹¹ But only a few months later Rodriguez told *Charisma* magazine that he believed NHCLC had “misplaced its priorities by emphasizing immigration over the sanctity of life and traditional marriage.”

“Immigration is one of God’s values,” Rodriguez said. “But when we have to prioritize, if we are faithful to life and marriage, God’s going to be faithful to making sure we get comprehensive immigration reform.” Rodriguez’s comment came on the occasion of his joining Democratic State Senator Reuben Diaz (who is also a Pentecostal minister) in rallying Hispanic Christians against marriage equality in New York.¹²

Prioritize: Vote Vertical

“This is not an issue of equality,” Rodriguez said regarding marriage equality on a radio show in May 2012. “There is an attempt to silence the voice of Christianity, there is an attempt to silence the voice of truth, of righteousness and Biblical justice.”¹³

Although the Lamb’s Agenda is supposed to require both bars of the Cross, Rodriguez said, “We must vote vertical. We must look at our legislators and those that represent us on Capitol Hill and say, ‘religious liberty, the family, biblical marriage and life, must stand protected.’”¹⁴

As off message as it sounds for those who view him as a bridge builder, his real views should come as no surprise. Rodriguez is a frequent headliner at Christian Right political conferences. He was featured, for example, at regional election year conferences hosted by veteran Christian Right televangelist James Robison in the summer of 2012. At the Dallas conference, which drew some 7,000 participants, Rodriguez declared, “The 21st century stands poised

to experience the greatest transformative Christian movement in our history.” He denounced such demonic spirits as Jezebel, which he says push people into “sexual perversion” and the spirit of Herod, which he says is responsible for abortion. “This movement will affirm biblical orthodoxy,” he declared. “It will reform the culture. It will transform our political discourse. I am convinced God is not done with America and America is not done with God.”¹⁵

This September, Rodriguez was a featured speaker at a capstone political event

**“We must vote vertical.
We must look at our
legislators and those that
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Hill and say, ‘religious
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—Rev. Samuel Rodriguez

called “America for Jesus” that was broadcasted and live-streamed nationally from Philadelphia outside Independence Hall.¹⁶ Ostensibly a prayer rally, it is part of a 30-year tradition of similar election season events. Another featured speaker is Lou Engle of The Call, who came to mainstream attention in the documentary *Jesus Camp* and played a catalytic role in passing the anti-gay marriage Proposition 8 in California. At a pre-election stadium rally he hosted in San Diego, Engle and others called for Christian martyrs to stop marriage equality and abortion.¹⁷

Philadelphia’s America for Jesus event is

the latest in a series beginning in the 1980s, which brought hundreds of thousands to the Mall for the event “Washington for Jesus” in the run-up to the 1980 and 1988 elections.¹⁸ Televangelist Pat Robertson recalled in a promotional segment for America for Jesus on his Christian Broadcasting Network (CBN) that the late Bill Bright of Campus Crusade for Christ believed that Ronald Reagan was elected president because of Washington for Jesus in 1980.¹⁹

Although Rodriguez tries not to flaunt it, he cannot hide the fact that he is a leader in the New Apostolic Reformation (NAR), a movement that is transforming historic Pentecostalism and is playing an outsized role in American politics by building networks that span across denominations and churches. For example, many NAR leaders, including Rodriguez, helped organize and attended a prayer rally to help launch Texas Governor Rick Perry’s unsuccessful campaign for president in 2011 which drew 30,000 people.²⁰

NAR’s political roots go back to the era when Pat Robertson led historically apolitical Pentecostals and charismatics off the political sidelines and into the mainstream of the Republican Party. The relationship with the America for Jesus events epitomizes this long term trend.

Rodriguez’s efforts to downplay his involvement in NAR notwithstanding, he is a frequent headliner at events organized by fellow NAR leaders. His NAR apostolic overseer Bishop Steve Perea, who leads a megachurch in Manteca, California, has been public about his role.²¹ Rodriguez, in turn, is the overseer of an international network of indeterminate size and scope, called the Third Day Believers Network.

The NAR is seeking to transform traditional Christian denominations into a more powerful social and political force. The leaders of the NAR, who call themselves apostles and prophets, claim authority in and over the Church beyond denominations and offer what they say are fresh revelations from God to inform what the Church should be doing. NAR leaders see themselves as transcending the tra-

ditional doctrines and elected leadership of both mainline and evangelical Protestantism.²²

C. Peter Wagner, a longtime professor at Fuller Theological Seminary, is the leading figure in the movement. Christians, he declares, are called to take dominion in all areas of life. One expression of this totalitarian vision is the “seven mountains mandate” in which Christians are to take control of seven areas of life: business, government, media, arts and entertainment, education, the family and religion.

Rodriguez cannot hide the fact that he is a leader in the New Apostolic Reformation, a religious movement that is playing an outsized role in American politics.

Researcher Bruce Wilson points out that Wagner stated at a conference that year, “Dominion has to do with control. Dominion has to do with rulership. Dominion has to do with authority and subduing and it relates to society. In other words, what the values are in Heaven need to be made manifest here on earth. Dominion means being the head and not the tail. Dominion means ruling as kings.”²³

Since NAR is a movement without a formal doctrine or structure, and comprising many independent networks, it is fair to say that not all may share Wagner’s theocratic fervor, but in fact, many do.

Islamophobia in Sharp Relief

Last year, Rodriguez’s duplicity on several matters was revealed in a remarkable series of events beginning with growing concern about his involvement in and leadership of the NAR-led, South Carolina-based political project called The Oak Initiative. The Initiative is a religio-political organization with a mandate to save America from a Marxist/Leftist/Homosexual/Islamic enemy. Rodriguez co-founded the group in 2009 and served as its Vice President until his resignation in 2011.

Rodriguez represented the Initiative on conference calls in preparation for Lou Engle’s The Call, Detroit in 2011. The event was billed as a rally to help cleanse the city from the demon of Islam by engaging in “spiritual warfare.” The website of the event’s sponsor stated, “Transformation Michigan is in partnership with The Oak Initiative. We have established groups in Michigan who, with one united purpose, are taking the Seven Mountains in Michigan. Join us in this warfare.”

As the details of Rodriguez’s true views and organizational commitments began to

WHERE DO LATINOS STAND?

Media’s deference to Samuel Rodriguez and the National Hispanic Christian Leadership Conference (NHCLC) as the voice of the Latinos belies recent findings that the Latino community—in all its diversity—is more likely to be open to lesbians, gays, bisexuals, and transgender individuals than the rest of the populace.¹ Two 2012 studies, one conducted by the Pew Hispanic Center of the Pew Research Center, “When Labels Don’t Fit: Hispanics and Their Views of Identity,” the other by Social Science Research Solutions, in conjunction with La Raza, “LGBT Acceptance and Support: The Hispanic Perspective,” show this—as do recent organizing partnerships.

In July 2012, twenty-one national Latino organizations launched *Familia es Familia*, a public education campaign to build support for the LGBTQ community that aims to “build support among Latino communities for acceptance of gay and lesbian family members, including supporting them to marry—eventually leading to support for broader societal and political inclusion.”² The campaign has already coalesced into mutually beneficial organizing partnerships in Maryland. This November, Maryland has ballot initiatives affecting both communities: one legalizing same-sex marriage, another making undocumented immigrants eligible for in-state tuition at public colleges and universities. Casa de Maryland, Equality Maryland, and Latino LGBTQ History Project identify both struggles, gay rights and comprehensive immigration reform, as civil rights issues.

But, according to the *Washington Post*, Rodriguez said he doubted that center-right and religious Americans who support the Dream Act for immigration reform would also support same-sex marriage: “They will not sacrifice biblical truth on the altar of political expediency.”³

Polling casts skepticism on Rodriguez’s claims—somewhat. The Pew Research Center found that 59 percent of Latinos say homosexuality should be accepted by society.⁴ Protestant Latinos (who Rodriguez purports to represent) were found to be less open than Latino Catholics (who are a larger part of the community) to LGBTQ rights.

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catch up with him in 2011, he sought to minimize his involvement in NAR and the Oak Initiative in a published interview with journalist Greg Metzger.²⁴ However, a series of articles by Rachel Tabachnick proved Rodriguez's deep involvement.²⁵ Rodriguez was compelled to not only resign but to publicly state, "I repudiate all vestiges of Islamophobia or any other platform that engages in fear-mongering..."²⁶ While this statement was issued, it was not publicized, and he has no other obvious public record of opposing the continuing Islamophobia among his religious and political associates.²⁷

**Along with Harry Jackson,
Samuel Rodriguez is
part of a "Black/Brown
coalition to defend
biblical marriage."**

Similarly, Rodriguez has also sought to simultaneously oppose both homosexuality and homophobia. In the wake of President Obama's announcement that he supports marriage equality, African-American Christian Right activist (and fellow NAR leader) Bishop Harry Jackson hosted an event in Washington, D.C. called the Defense of Marriage Summit (which he has since taken on the road).²⁸ The duo then announced a "Black/Brown coalition to defend biblical marriage." Rodriguez said, "The partnership aims to engage Hispanics and African American clergy and laypeople in prophetic activism that repudiates homophobia while simultaneously preserving the biblical definition of marriage."²⁹

Rodriguez's contradictory role extends into right-wing economics. He has been an avatar of the evangelical version of envi-

ronmentalism (also called "creation care," according to the National Association of Evangelicals, where Rodriguez is an executive board member) but he is also a global warming skeptic and has served as a front man, along Harry Jackson, for an industry-financed group called the American Power Alliance. Rodriguez signed a statement of the NAE's Evangelical Environmental Network called "An Evangelical Call to Stop Mercury Poisoning of the Unborn," but he is also a director of the American Power Alliance which opposes this regulation.³⁰

Nonpartisan, But Somehow Strangely Republican

His nonpartisan image notwithstanding, Rodriguez emerged in July 2012 as a key "Hispanic outreach" adviser for the presumptive Republican presidential nominee Mitt Romney.³¹ David Brody of CBN reported that Romney had been "regularly meeting" with Rodriguez (in addition to a larger group of some 70 top Christian Right leaders) since he clinched the nomination. Brody also reported that as a result, the candidate had "made a 180-degree turn and is headed to a significant Hispanic outreach."³²

These conversations do not appear to have been about Romney's views on immigration. Indeed, anti-immigrant lawyer Kris Kobach still serves as the GOP candidate's adviser on immigration. Kobach helped draft Arizona's draconian SB1070 law, and promotes similar policies across the country.³³ Rodriguez's advice is more likely

about how to find Latinos who will vote for Romney *despite* his anti-immigrant views.

Indeed, Rodriguez is part of historic efforts by the Christian Right and the Republican Party to peel off some Latino and African-American voters, and to inoculate other recent immigrants against their traditional affinity for the Democratic Party. Aaron Manaigo, a political operative working for Harry Jackson, told a breakout session at the 2012 Values Voters Summit, sponsored by Christian Right groups like the Family Research Council in Washington, D.C. in September, that they were seeking "some demographic advantage." To this end, they have staged events in swing states and those with marriage initiatives on the ballot. One notable event in New Mexico featured Rodriguez, Republican Lt. Governor John Sanchez and Fr. Frank Pavone, head of the militant anti-abortion organization Priests for Life. Jackson and Manaigo's session at Values Voters was titled: "Vertical Vote Campaign for Life, Marriage, and Religious Liberties."³⁴

Despite Rodriguez's apparent embrace of Mitt Romney's candidacy, his intentions have been complicated and contradictory over the years. For example, in 2008 he described Mark Gonzales, a Texas pastor and NHCLC's longtime Vice President for Government Affairs as "a die hard Republican operative" who "represents a walking billboard for the Hispanic versions of Family Research Council, Focus on the Family, Council on National Policy and Christian Coalition." He claimed that

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Gonzales was disappointed with the GOP's approach to immigration issues and that therefore his main objective was to register voters in states with high concentrations of Latino voters, regardless of party affiliation "as long they vote and demonstrate that Latino Christians represent a deliverable constituency."³⁵ This might sound sensibly nonpartisan under the circumstances—except at the time Gonzales was serving as chairman of the Hispanic advisory council for John McCain's presidential campaign.³⁶

Unsurprisingly perhaps, Rodriguez's Republican stock soared when he gave the benediction to close the first day of the Republican National Convention in Tampa in August 2012. His prayer immediately followed a speech by Ann Romney and the keynote address by Gov. Chris Christie of New Jersey. But, since then, he has maintained a nuanced critical distance. "For Republicans, the bridge to the Hispanic promised land is the Hispanic faith voter, and that bridge is now broken," Rodriguez declared in September. "Republicans look and talk like us, but we're not sure they want us."³⁷

Rodriguez and Fresh Faith Voters

But the Christian Right *does* want the Latino vote, and its targeted approach to mobilize a specific subset of religiously informed Latino voters is aimed for the long run. An expanding conservative evangelical electorate, including a growing Latino demographic, could be decisive in some parts of the country. Rodriguez and the NHCLC are at the center of that outreach through a partnership with the conservative Champion the Vote which aims to build the Christian Right's capacity to win a theocratic power bloc in the American electorate.

As Rodriguez told Pat Robertson in an interview on *CBN*, "The Hispanic electorate may be the salvation of the conservative movement and the Christian Church in America."³⁸ Champion the Vote is a project of United in Purpose (UIP), an organization of conservative Christian Silicon Valley entrepreneurs that the *Los*

Angeles Times reports is spending millions of dollars, and using advanced data mining techniques to identify unregistered conservative Roman Catholics and conservative evangelicals. They aim to widen the Christian Right electorate this year by registering and turning out five million new voters, primarily in states where, in the 2008 presidential contest, the margin of difference was less than the number of unregistered conservative Christians. To get there, they are seeking to recruit 100,000 "champions" to follow-up once UIP has identified the right kind of unregistered Christians.

NHCLC and UIP have closely collaborated for a number of years. UIP's 2010

**Rev. Samuel Rodriguez
has emerged as a key
"Hispanic outreach"
adviser for presidential
candidate Mitt Romney.**

tax return, for example, shows that it provided \$112,500 for "voter registration Fuerza 2010." (NHCLC was the organization's only grantee.) Rodriguez claims the Fuerza project registered 268,000 new voters by focusing on evangelical Latino churches in Colorado, Nevada, New Mexico, and Texas.³⁹ As part of that effort, UIP issued a video in English and Spanish which stated that "friends have turned into foes"—and then showed pictures of President Obama, Senate Majority Leader Harry Reid, and then-Speaker of the House, Nancy Pelosi, all Democrats (The top issues featured in the video were abortion and marriage).⁴⁰

NHCLC is, at this writing, one of some six-dozen Christian Right, anti-abortion, GOP, and Tea Party organizations, and reli-

gious broadcasters partnering in Champion the Vote.⁴¹ These include The Manhattan Declaration, the premier alliance of conservative evangelicals and conservative Roman Catholics, and Ralph Reed's Faith & Freedom Coalition. Champion the Vote's three foci are anti-abortionism, anti-marriage equality, and "religious freedom"—and its stated mission is "... to get unregistered Christians registered to vote, educated in the Biblical worldview, and voting accordingly on Election Day."

This year, Rodriguez appeared in the organization's voter mobilization DVD, "One Nation Under God"—along with Dr. James Dobson, founder of Focus on the Family; Christian nationalist author David Barton, and former Speaker of the House Newt Gingrich—but with no Democrats. The ostensibly nonpartisan DVD is intended for use in churches and house parties.⁴²

NHCLC and Champion the Vote's approach updates the mobilization efforts by conservative activist Ralph Reed who led Pat Robertson's Christian Coalition in the 1990s.⁴³ The Coalition and others successfully expanded and mobilized the conservative Christian electorate at the time in ways that transformed American politics.⁴⁴ Reed describes his current organization, the Faith & Freedom Coalition, as a "21st century Christian Coalition on steroids."

Reed claims that his new organization's experiments in mobilizing conservative Christian voters have been so successful that they may explain why pre-election polls underestimated the winning margin of the conservative Republican candidates by eight to nine points in both the 2009 governor's race in Virginia and the 2012 recall election in Wisconsin, as journalist Adele Stan has reported.⁴⁵ Reed's associate, Gary Marx, explained at the 2012 Values Voters Summit that they were seeking to find two million unregistered conservative Christian voters and to identify and turn out some eight million more registered voters who did not vote in the last presidential election. Whether they met their voter registration goal, Marx did not say. But he did say that

the Virginia and Wisconsin models worked so well that they are now being applied in swing states and nationally.

It is worth noting that in the 1990s, Reed routinely inflated the membership figures of the Christian Coalition to a unquestioning and credulous national press corps. *Church & State* magazine eventually proved that the Coalition could not have 1.7 million members as claimed, since the official circulation of its membership magazine, according to U.S. Post Office records, was only about 350,000.⁴⁶ But Reed's hyperbole notwithstanding, the Christian Coalition's methods proved to be catalytic in crafting the Christian Right political movement as we know it today.

"The first strategy and in many ways the most important strategy for evangelicals is secrecy," Reed once famously declared. "Sun Tzu says that's what you have to do to be effective at war and that's essentially what we are involved in... It's not a war fought with bullets, it's a war fought with ballots."⁴⁷

UIP claims to have compiled a database of some 120 million people and is running it against purchased subscription lists, among other data, to identify anti-abortion and anti-marriage equality Christians who are not registered to vote. This year, they are looking for five million, but over the next few election cycles, they are seeking to ID and register forty out of the sixty million they believe to be eligible.⁴⁸ The Faith & Freedom Coalition uses the same numbers and the same general methods, which suggest a high degree of common purpose and coordination.

Grandiose visions, of course, like anything else, do not always turn out as planned. However, if UIP, NHCLC, and the many other partner organizations find even a few million ideologically oriented new voters who can be engaged in the wider movement we broadly call the Christian Right, it could be, as Rodriguez suggests, a transformational moment in American history. ■

An expanding conservative evangelical electorate, including a growing Latino demographic, could be decisive this fall.

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NEW REPORT!

Colonizing African Values

How the U.S. Christian Right is Transforming Sexual Politics in Africa



A PUBLICATION OF POLITICAL RESEARCH ASSOCIATES
BY KAPPA JOHN KADIA

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DO WE HAVE TO BE “EQUAL”? *continued from page 2*

of course, no sense of the larger systemic ways in which we have failed to provide a support system for single women, and particularly poor women of color, so that it becomes impossible to be able to raise a child on one’s own. Even though three-quarters of single mothers work, the majority of them are employed in low-paying retail or service industries, with few benefits and taxing schedules. In addition, the United States is the only top-tier industrialized nation which does not guarantee paid sick or vacation leave.⁸

The gay community demands the right to adopt children often without adequately considering how adoptive children come to gays and lesbians; the systemic problems surrounding these children are erased. The *New York Times* recounted the story of Matt and Ray Lees who have adopted eight children: two from Haiti, one as a baby, and five from a “drug-addicted

Dr. Yasmin Nair is a Chicago-based writer and activist. Nair is a co-founder and member of the editorial collective Against Equality. Her work has appeared in publications like GLQ, The Progressive, and Bitch magazine. She is currently an investigative reporter for the Windy City Times.

mother [who] could not care for them.”⁹ The phrase “could not care for them” ignores a world of systemic conditions: the drug wars do little more than increase criminalization in our poorest neighborhoods while, simultaneously, drug rehabilitation programs are being de-funded. The irony is that it’s judged desirable that two men should adopt such a large number of children, even though a slight dip in their fortunes could place all the children at risk, but the anonymous Black woman is implicitly demonized as an addict and welfare queen.

In all this, there is also the erasure of non-traditional families, both LGBTQ and straight, which are on the rise in a country where fewer than 50 percent of people marry, where divorce is increasing, and where many children grow up quite comfortably with multiple sets of parents and/or caretakers who might not be related to them by blood.

We ought to be wary of the Right’s scrutiny of our families, and we must assert the right of LGBTQ people to form families. It is also worth noting that things are not always black and white, as it were, and that gays and lesbians are perfectly capable of thoughtful, careful adoptions and even trans-racial adoptions. We also have to bear in mind that Black gays and lesbians also adopt children, either from adoptive and foster care agencies or from previous and often heterosexual relationships.

But two daddies are not better than none and, for that matter, no one needs to be a parent to be considered worthy of support. We keep calling for the recognition and fostering of families, but only in affective ways, not through legislation that might actually provide stable support. As a result, we forget that the state ought to provide for resources for all, regardless of marital status and we allow the state to place the bur-



den of responsibility for our well-being upon archaic and often meaningless kinship formations. The progressive-left vision to validate the normality of gay families threatens to erase the harsh economic and racial inequalities upon which the modern American family is built. We need to remember that resistance to the Right does not mean giving up on the complicated ways that queer and straight people have fought to have our complex relationships—and ourselves—exist for their own sake. ■

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.....Reports in Review.....

FEATURED REPORT

“LGBT Acceptance and Support: The Hispanic Perspective”

By Social Science Research Solutions (SSRS), West Baltimore, PA and National Council of La Raza, Washington, D.C., April 2012. http://www.nclr.org/images/uploads/publications/LGBTAS_HispanicPerspective.pdf

After the demoralizing passage of Proposition 8 overturned same sex marriage in California in 2008, those with a national platform laid this defeat for LGBTQ rights at the feet of racial minority communities. Much of this chatter went uncontested, as major news outlets asked mainstream LGBTQ groups (typically featuring White male spokespersons) as well as right-wing voices (often conservative religious voices of color) to analyze African-American and Latino communities’ perspectives on LGBTQ rights, cementing ideas of intolerance. Rarely were queer people of color or progressive clergy of color given opportunities to complicate stereotypical notions or beliefs supposedly held by these communities.

Today, mainstream commentary is finally catching up to public opinion. This is, in part, due to comprehensive polling research proving what many in marginalized communities already know—Latinos and African Americans are more supportive of a wide range of LGBTQ rights than what has been assumed and often carelessly discussed. More evidence comes from SSRS’s telephone poll of Latinos, done in conjunction with La Raza, which found that “Hispanics are as open and tolerant, if not more tolerant, than the general population.”

Interviewers asked people a range of demographic questions including their country of origin, religious affiliation, experience with discrimination, and frequency of internet and social media usage. A majority identified as being of Mexican heritage; and most respondents identified as Roman Catholic. Questions on issues specific to the LGBTQ community included whether respondents favored giving gays and lesbians legal protection against job discrimination; allowing gays and lesbians to serve in the military; and allow-

ing gay and lesbian couples to gain access to healthcare and pension benefits for their partners. The responses overwhelmingly showed strong support for LGBTQ people to have access to a full range of legal and economic rights and social services.

Marriage equality polling results were more complex, and respondents’ religion played a larger factor in shaping attitudes. The results were telling when people were asked whether they favored allowing gay and lesbian couples to enter into legal agreements with each other that would afford them similar rights as married couples; allowing gay and

lesbian couples to marry in your church or religious institution; and allowing gay and lesbian couples to marry legally: Slightly more respondents supported LGBTQ rights than the national average, including those religiously identified. Roman Catholics showed more support for LGBTQ equality than Protestants.

While the report found that the large concern over Latino homophobia was greatly exaggerated, there is cause for concern within several sectors of the Latino community, specifically at the cross section of religion and sexuality. Intolerance increased

among respondents who expressed greater religiosity, and those who considered themselves “born again” or biblical literalists were among those more intolerant of the queer community. One of SSRS’s most interesting discoveries was the link between participants who oppose marriage equality and those who frequented churches or religious institutions in which clergy shared anti-gay messages or touted the “traditional” family model as moral.

Although the study does not directly consider the impact of queer Latino social justice activists, their voices have created important bridges within their communities and challenge the mainstream LGBTQ movement’s analysis of and subsequent work in their communities. A key takeaway from this study is the need for LGBTQ and heterosexual faith leaders to ally and work with one another, making the moral case for marriage equality in harmony with the larger queer movement.

—Malika Redmond

Data showed a link between those who did not favor marriage equality and those who frequented churches that spread anti-gay messages or lauded the “traditional family” as a moral model.

Other Reports in Review

Profit Over Public Safety?

Dollars and Detainees: The Growth of For-Profit Detention

By Cody Mason, *The Sentencing Project*, Washington, D.C., July 2012. <http://www>

sentencingproject.org/detail/publication.cfm?publication_id=402

This report documents two key problems created as for-profit companies increasingly take over the business of immigrant detention:

1) an overall lack of transparency and accountability about the number and ownership of private-detention facilities by government agencies and private companies; and 2) the problematic results of a detention system that

operates on a business model more interested in profits than public welfare.

In the last decade, the number of privately held Immigration and Customs Services (ICE) and U.S. Marshals Service (USMS) detainees increased far faster than those in other privately held state or federal prisons. By 2011, the report estimates 45 percent of ICE detainees and 30 percent of USMS detainees were in private prisons. Yet it is difficult to get a reliable count of these immigrant detention centers because a plethora of intermediaries and subcontractors run a complicated “web of facilities” that are classified with unclear methods, and staffed by those who are either unable or unwilling to share data.

The report calls for greater transparency and oversight, and takes aim at the inherent dangers of a privately run detention system. The report debunks claims that for-profit companies are more efficient and cost-effective at operating detention and incarceration services than the government. Rather than significantly reducing costs for governments and taxpayers, many studies show privately run facilities save no money or even cost more. More importantly, these companies often cut costs in order to ensure profits, which leads to understaffing, poorly trained and/or compensated staff members, substandard health care, and deplorable living conditions.

Because company profits rely on the number of people imprisoned, contractors have an interest in keeping detainee populations high.

And the companies spend to get it. Corrections Corporation of America (CCA), one of the two largest private prison companies in America, spends four times more on federal lobbying than it did a decade ago; private prison companies give significant campaign contributions to state-level politicians involved in promoting severe immigration legislation that will lead to more undocumented immigrants being rounded up, including Arizona’s SB1070 and similar bills in Utah and Georgia. The report deserves serious consideration. Is privatized detention, where “individuals are treated as commodities, and where profit, rather than public safety, is the bottom line,” really the type of justice system we want for this country?

—Alicia Steinmetz

In their reports, groups like In The Public Interest and The Sentencing Project warn readers about the dangers of privatizing public systems.

from \$7,000 to \$25,000 to join. ALEC also acts as matchmaker, creating opportunities for the companies to woo and influence the conservative state lawmakers who are also members and submit the bills for votes back home.

The report walks readers through ALEC’s Virtual Public School model bill from conceptualization to birth. In 2005, representatives from K12 Inc. and Connections Academy—the virtual education industry’s two largest companies—collaborated with state legislators in ALEC on bills allowing states to contract with private companies to offer virtual education as an alternative to public schools. Since then, ALEC members have sponsored this “model bill” in Mississippi, Maine, Tennessee, Massachusetts, Virginia, and Texas. In all of the states but Massachusetts, this bill became law. The virtual education market is projected to grow by 43 percent between 2010 and 2015, and private companies can expect to reap enormous profits if states delegate this service to them. ALEC has already opened opportunities for corporations to capture a large share of this market and promoted other legislation to open schools as target markets for partner industries such as beverages and snack foods.

The report similarly untangles how major health insurance companies are now trying to profit from state Medicaid spending, and ALEC’s involvement in the private prison and detention industry.

In the Public Interest captures the extent to which ALEC has succeeded in its privatization mission, and reminds us that with increased privatization legislation, we could well lose control over public services and weaken our democracy. To ensure private interests do not usurp the public good, the report identifies four questions we should ask when we come across privatization legislation: 1) Does the bill use language from ALEC model legislation? 2) Who introduced or sponsored the bill? 3) What corporations helped draft the legislation? and 4) What interests would benefit or profit from this bill’s passage? Through practical information on ALEC’s internal processes, In the Public Interest equips social justice advocates to push back against its corporate agenda.

—Will Tomasko

The Right’s Privatization Mission Profiting from Public Dollars: How ALEC and Its Members Promote Privatization of Government Services and Assets

In The Public Interest, Washington, D.C., September 2012. <http://www.inthepublicinterest.org/blog/new-report-profiting-public-dollars>

This report documents the role of the right-wing American Legislative Exchange Council (ALEC) in state legislative bills to privatize vital public services, with the aim of helping activists fight back.

Using case studies on education, health care, and prisons, the report shows how ALEC produces “model” bills that benefit its member corporations, which pay fees ranging

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Eyes RIGHT

WILL THE CHRISTIAN RIGHT OBJECT TO OBJECTIVISM?

Uniting social conservatives and libertarians under one banner is no easy task. But John Aglialoro, a producer of the film “Atlas Shrugged II,” has found the woman for the job: Ayn Rand, *Atlas Shrugged* author and literary inspiration for his “Atlas Shrugged” Trilogy. Aglialoro argues that Rand’s objectivist philosophy—which has received more attention since Rand-fan Paul Ryan’s addition to the Republican presidential ticket—can appeal to both groups with its emphasis on small government, individual rights, and capitalism.

One can’t help wonder whether a woman who once stated that religion drives a follower “to become an abject zombie” could ever *really* be a figurehead for social conservatism. While not socially liberal by today’s standards, Rand argued for government’s equal-treatment of LGBTQ individuals and defended abortion as a “moral right—which should be left to the sole discretion of the woman involved.” While the Bible points to money as the root of all evil, Rand argued that money represented the achievement and productivity of the individual, objectivism’s greatest virtue. Today, many who follow Rand’s philosophy are pro-choice, pro-LGBTQ rights—and atheists.

Even Aglialoro, an objectivist and self-described “liberal when it comes to sexuality and drug laws,” seems to sense this contradiction. In a recent interview, he said that objectivists will “run to engage an alignment with Christianity because we need our country back and we need to be friends and get this done.” Given this enthusiasm, perhaps he is hoping for a marriage of convenience with Rand rather than a love affair. Even so, Aglialoro can take comfort that he is among the many waiting for someone who

can rally these two bases. So far, like the characters in his film, Aglialoro and his fellow conservatives are left wondering, “Who is John Galt?”

VOTING—IN HEELS

What’s a giant, lipstick-red stiletto doing at the Values Voter Summit? The annual Christian Right conference hardly seems the place for this bold image, suggestive of female sexual promiscuity. Yet right-wing group Concerned Women for America (CWA) has chosen this iconography for its “She Votes 2012” project. CWA helps members “across the country bring Biblical principles into all levels of public policy,” and their advocacy work centers on socially conservative issues, such as “traditional marriage,” “sanctity of life,” and obscenity and pornography. So what explains the group’s contradicting imagery and mission?

When one considers a recent right-wing trend, which embraces a kind of conservative feminism within a deeply patriarchal political movement (take the popularity of former beauty pageant winner and vice presidential candidate Sarah Palin, for example), use of this imagery may be less of a paradox than it seems. Far from challenging the male-dominated structure of right-wing politics, this trend allows for women’s entrance into the political arena only if they are made non-threatening through use of images and behavior that affirm traditional gender roles. What’s more, this brand of empowerment espoused by conservative women leaders of late, such as Palin and presidential contender Rep. Michele Bachmann (MN-R), resonates more with White male voters than with women. Eric Ostermeier, a political scientist at the University of Minnesota, cites a recent poll that Bachmann received “the support of 56

percent of men versus just 39 percent of women.”

Currently, CWA and their “She Votes 2012” campaign is rolling out an extensive bus tour through major swing states, sporting a flashy style and impractical political agenda. Their mission may be divorced from the lives of women facing a rapidly increasing cost of living and inching job growth—but, hey, at least they’ll grab the men’s attention.

Eye LASHES

“All that stuff I was taught about evolution and embryology and Big Bang theory, all that is lies from the pit of hell...I don’t believe the Earth’s but about 9,000 years old.”

— Rep. Paul Broun, who serves on the House Science, Space and Technology Committee

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