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Photo by Vagner Campos/News Fries/LatinContent/Getty Images

Millions of evangelicals flood the streets of Sao Paulo during the annual March for Jesus, showing the strength of the religious movement in Brazil.

Why Marriage Won

The Right's Marriage Messages and the 2012 Elections

By David Dodge

Before the November 2012 elections, 37 states had voted on statewide ballot measures seeking to restrict marriage equality in this country. Each time, voters in these states—family members, friends, neighbors, and co-workers of LGBTQ people—approved the anti-LGBTQ position, often by large margins. Though the LGBTQ community has made significant progress over the last couple of decades in legislatures and courthouses across the country, this persistent losing streak at the ballot box gave anti-LGBTQ advocates a powerful talking point: liberal politicians, judges, and Hollywood celebrities may support same-sex marriage, but the American people do not.

But now, this past Election Day, voters helped make history by approving the legalization of same-sex marriage in Maine (51.5%), Maryland (52.4%), and Wash-

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A Beachhead in Brazil

Christian Right Legal Center's "South American Way"

By Jandira Queiroz

From a modest building in a central neighborhood in Goiânia, the capital of the Brazilian state of Goiás, Filipe Coelho is launching the American Center for Law and Justice's (ACLJ) Brazilian branch, following the example of the Christian Right organization's offices in Eastern Europe and Africa.

For Coelho, the son of a prominent evangelical minister and the brother of two others, the goal of the Brazilian Center for Law and Justice (BCLJ) is simple: to offer legal services for "people who don't have the means to pay for lawyers when they're wronged," and to defend "religious

freedom, human rights and life." As the Brazilian Center's website states, freedom is a universal right given by God and an unalienable right that must be protected.

In the United States, the ACLJ, since its founding in 1990 by televangelist Pat Robertson, has taken to courtrooms and legislative halls to inscribe the conservative Christian worldview into law. The Defense of Marriage Act, the federal law banning LGBTQ marriage that Congress passed in 1996, was its creation. It also promotes legal efforts to curtail abortion access and defends the prolife activists who target reproductive health clinics that provide

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EDITORIAL

Roe at 40

Battered and Embattled

This January, we both celebrate the fortieth anniversary of *Roe v. Wade* for legalizing women's right to abortion in the United States and mourn the staying power of legislation that seeks, piece by piece, to block access to that right. Poor women, rural women, and women of color, in particular, experience the effects of these impediments the most. Today's battle with the Right over whether states will expand the number of people covered by Medicaid under the Affordable Care Act is only the latest fight in the struggle for access.

First it was the Helms Amendment blocking USAID funds from being used for abortion care abroad, even where abortion is legal. Then in 1976 the Hyde Amendment ended federal funding of abortion care through Medicaid, the "largest healthcare program in the United States," except for cases deemed "legitimate": rape, incest, and health risk to the woman. By depriving poor women (disproportionately women of color) of access to the procedure, Hyde essentially nullified their right to an abortion and set in motion the strategy of using legislation to chip away at *Roe*. Thirty-three states enacted similar laws, and of the seventeen that use state funds to cover abortion under Medicaid, all but four do so under court order.¹

Right now in Mississippi, where women's health activists fight to keep the last abortion-providing clinic open, a rightwing governor is refusing to expand Medicaid under the federal Affordable Care Act. It is one of ten states taking advantage of the U.S. Supreme Court decision that allowed states to opt out of the expansion. This means thousands of women will remain without affordable access to reproductive health care, contraceptive services, and even abortion in cases of rape, incest, women's health risk, or fetal impairment. This is only one example of how the antichoice Right remains committed to undermining both reproductive *rights* overall and *access* to safe and legal abortion. Any defense of *Roe* must acknowledge the intimate link between abortion access and racial and economic justice. — *Malika Redmond*

¹"State Funding of Abortion Under Medicaid," *State Policies in Brief*, Guttmacher Institute, January 1, 2013. http://www.guttmacher.org/statecenter/spibs/spib_SFAM.pdf

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Washington, DC Takes on Trans Discrimination

By *Miriam Zoila Pérez*

Iden Campbell McCollum is the founder of The Campbell Center, a peer-run resource center for people living with mental health challenges. The center serves the primarily low-income and African-American community in Southeast Washington, DC. McCollum, a man in his mid-forties with a bright smile, has been running the Center for almost five years now.¹

He is also transgender, and one of five people featured in a groundbreaking new ad campaign that ran on 200 DC-area bus shelters from September 2012 through January 2013.

While the definition varies from individual to individual, transgender people generally are those who identify with a gender that is different from the one they were assigned at birth. For McCollum that means while he was assigned female at birth, he has come to identify as male and has made steps toward embracing that identity.

Now he is part of the first ever city government-funded ad campaign to address respect for transgender people. You might find McCollum featured on a bus shelter, full bodied and larger than life, with the quote, “I love the wharf, listening to jazz at Westminster Church and playing basketball with other guys. I’m a transgender man and I’m part of DC.”² Of the four other people featured in the series, two are transgender women; another is a trans-

gender man, and the fifth person’s ad features language about gender nonconformity (“I may not fit some ideas about gender, and I’m a proud part of DC”).

McCollum says he was inspired to participate in part because of the murder of Campbell Center intern, Lashai McLean, in July 2011. A trans woman, she was fatally shot one evening while walking home in Northeast DC. The details remain unsolved, but McCollum says he thinks her death may have been related to her gender identity: “Had [the assailant] been educated that trans people are people like anyone else, maybe they could have passed by each other in a safe manner.”



Office of Human Rights, Washington, DC

Miriam Zoila Pérez, a former staffer of the National Latina Institute for Reproductive Health, is a columnist at RH Reality Check and a former Editor of Feministing.com. Her writing also has appeared in The Nation, Colorlines, Alternet, The American Prospect, and in a number of anthologies. She was chosen as a 2010 Lambda Literary Foundation Emerging LGBT Voice in Non-Fiction and runs the blog Radical Doula.

You might find McCollum featured on a bus shelter, full bodied and larger than life, with the quote, “I love the wharf, listening to jazz at Westminster Church and playing basketball with other guys. I’m a transgender man and I’m part of DC.”

If it was a bias crime, that wouldn’t be unusual in Washington. According to the DC Trans Coalition, “Since July 2011, there have been over 60 attacks against trans people in DC, according to information published [by] DC’s Metropolitan Police Department (MPD). Overall, anti-trans violence made up 14 percent of all anti-LGBTQ violence in 2011.”³ The MPD keeps detailed statistics of bias crimes in the District, and anti-LGBTQ crimes top all categories by leaps and bounds. For exam-

ple, in 2010, 57 percent of all bias-related crimes were based on sexual orientation, gender identity, or gender expression. The next highest percentage, bias crimes related to race, only accounted for 30 percent of crimes.⁴ And even these statistics may not reflect the true reality of crimes against transgender people specifically. Captain Edward Delgado of the MPD says that reporting for bias crimes against transgender people have historically not been representative of what police believe, from

anecdotal reports, takes place in the city.⁵

This ad campaign, spearheaded by the city's Office of Human Rights, is just one effort among a number that aims to improve conditions for transgender and gender nonconforming residents of Washington, DC. Elliot Imse, Policy and Public Affairs Officer at the Office of Human Rights, says the ad campaign came about after a group of transgender advocates sat down with recently elected Mayor Vincent Gray in August 2011 to discuss unemployment among transgender people in the district. According to those at the meeting, the new mayor was eager to work with the community to improve conditions. One project that resulted was a specific job-training program for transgender residents. Another was the ad campaign.⁶

What Transgender People Face

Data about the transgender community remains limited because few national surveys, for example, the Census, or the National Health Interview Survey, ask about transgender identity. What we do know nationally suggests a community that faces extreme levels of discrimination across all aspects of life—from the workplace, to housing and health care. The most comprehensive survey to date is collected in “Injustice at Every Turn,” a 2011 report by the National Gay and Lesbian Task Force (NGLTF) and the National Center for Transgender Equity (NCTE). Based on a survey of 6,400 self-identified transgender and gender nonconforming people in the United States, the researchers found that 90 percent had faced some sort of harassment or discrimination on the job, or hid their gender identity to avoid it. The report concludes,

Transgender and gender nonconforming people face injustice at every turn: in childhood homes, in school systems that promise to shelter and educate, in harsh and exclusionary workplaces, at the grocery store, the hotel front desk, in doctors' offices and emergency rooms, before judges and at the hands of landlords, police officers, health care workers and

other service providers.⁷

Each individual's path to discovering their transgender identity is distinct. McCollum says a turning point for him was a magazine cover story in 2006. “The article talked to kids who lived in California who were five or six years old, and they were already living the gender they felt they were inside.” Up until that point, McCollum says he'd feel a connection with the men he knew growing up who dressed like women, or tomboys, or gays and lesbians, but he didn't exactly know why. But after reading that article, he understood and was emboldened. “If these kids can do it, I can do it. They were so powerful in the

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way they lived the life they felt and that's when I knew it was time for me to live the life I felt inside as well.”

While more and more attention is paid to kids who are discovering their transgender identity at younger and younger ages, for the majority of transgender people in the United States today, the path is much longer. Of the transgender people surveyed for “Injustice at Every Turn,” a majority transitioned between the ages of 18 and 44, with transgender women transitioning much later in life than transgender men.⁸

Lisa Mottet, Transgender Rights Attorney at NGLTF and one of the authors of the report, explains that 45 percent of the country, by population, is covered by anti-discrimination laws that protect trans-

gender and gender nonconforming people. “Laws are part of the solution,” Mottet says, “but the other part of the solution is making sure the public gets to a better place with regard to respecting transgender people.”⁹ Laws only go so far in providing protection against discrimination because many people don't know the laws exist, or don't know how to seek recourse when they are discriminated against in an illegal manner. Consuella Lopez, one of those featured in the DC ad campaign, told me she faced discrimination when she tried to apply for private health insurance. “I was denied health insurance for being transgender in the state of Maryland. The preexisting condition was gender identity.”¹⁰ At the suggestion of friends, Consuella moved into DC, where she successfully applied for insurance coverage.

Unfortunately, discrimination can also end with loss of life or serious injury. Some of what puts transgender people at physical risk says Mara Keisling, executive director of the National Center for Transgender Equality, is the difficulty finding employment due to discrimination.¹¹ This lack of economic opportunity means transgender people are more likely to make a living in the underground economy, including sex work and drug sales—increasing their risk of incarceration and violence associated with those industries. This is particularly true for transgender women of color, who face even higher levels of discrimination and violence than their White counterparts. “We know that transgender women of color are more likely to be on the street trying to survive, they are more likely to be homeless, more likely to be engaging in sex work or selling drugs to survive because they have been shut out of traditional employment,” explains Mottet. “They've been harassed and physically assaulted in schools, they've dropped out of school, they may or may not have a welcoming family.”

Opposition to Trans Rights

Despite the widespread evidence that transgender people face serious levels of discrimination, there is often strong opposition to laws or policies that might



protect them. While the Christian Right is among the most outspoken (see box), rightwing beltway groups like the Heritage Foundation also campaign against such bills as the Employment Non-Discrimination Act (ENDA).¹² Supported by President Barack Obama, ENDA would bar large, civilian, nonreligious employers with 15 or more employees from discriminating in hiring and employment on the basis of sexual orientation or gender identity.

The opposition to trans acceptance is wide-reaching locally and nationally. In Anoka, Minnesota, a town represented in Congress by Representative Michele Bachmann, conservatives are resisting an anti-bullying task force created by the school board under court order after eight students committed suicide over just a few years.¹³ In October 2012 the East Aurora school board in Illinois unanimously passed a policy requiring school officials to respect transgender students' preferred names and pronouns, and accommodate them in physical education and athletics. Five days later, the same school board abruptly voted to rescind the policy after facing pressure organized by the Illinois Family Institute, a conservative Christian group affiliated

with the American Family Association. In a blog post titled "East Aurora High School Board of Education Adopts Radical Policy on Gender Confusion," the Illinois group posted an email link to the school board, urging supporters to object to the policy pushed by "gender/sexuality anarchists" on boys and girls with "healthy desires." It also argued that the "objective biological sex" of children should be used to determine what pronouns and bathrooms they use.¹⁴ Chicago public radio station WBEZ reports that the school board officials received close to 1000 emails, suggesting the post resonated with a substantial number of people.¹⁵ The irony is that Illinois law already protects transgender people, and this school board policy could

simply be seen as "implementing and making sure the school district complies with state law," says Mottet.

Trans activist Ryan Sallans, while applauding the ads, says that the real difference might come from the support the campaign displays from city officials.

Changing Hearts and Minds

Clearly trans advocates must not only change laws, but hearts and minds as well. Gender identity is a fundamental part of the fabric of our society—underpinning much of how we interact with one another, how we relate to each other and how we see ourselves. So perhaps it's not sur-

prising that controversy erupts over questions about whether our identities are as fixed as we believe.

But, as with many communities facing bias, if someone knows a transgender person they are much more likely to be accepting. And that, in many ways, is the goal of the Washington DC ad campaign—to introduce the public to a range of transgender people, and demonstrate how they are more than just their gender. When I asked activists about the biggest challenge facing transgender people today, many cited low visibility. McCullom said, "I think with the ads and with people starting to come out and talk more, see that we own businesses, we're artists, we have government jobs. As people see us more, things will change and some of the barriers will start coming down." Ryan Sallans, a prominent transgender activist who extensively documented his gender transition online, agrees. "The biggest challenge is just ignorance around this issue, around what the term transgender means," says Sallans. "In the past seven years people are going out and sharing their stories, you're putting a personal face to the stories."¹⁶

But visibility was just one of the goals of the campaign—another was to educate the public that discriminating against transgender people in the District of Columbia is against the law. And the goal of that, ultimately, is to actually decrease discrimination against transgender people in the District. In 2006, gender identity and discrimination were added to the Human Rights Act through a unanimous vote by the DC City Council, paving the way for the Office of Human Rights to handle complaints. The number of claims based on gender identity and expression remains very low, but Imse argues the figures don't reflect the discrimination advocates believe is commonplace.

Most agree that this campaign is groundbreaking in its content and goals, particularly as a campaign funded by a city government. Developing it took much longer than expected, says Imse. "We started building a campaign in April [2012], and we thought we'd get it out in

TRANS ISSUES AND THE CHRISTIAN RIGHT

Christian Right groups like Focus on the Family, Family Research Council (FRC), and the American Family Association (AFA) share an aversion to trans people that motivates their campaigns against the East Aurora school board and other targets.

Their public pronouncements diminish transgender as an identity and they often use dismissive language that conflates it with cross-dressing, for instance by deriding “boys who dress as girls.”²² In challenging the legitimacy of transgender identity, the groups sometimes cite the Bible as evidence, other times biology or genetics. In 2011, when the Girl Scouts reversed a troop leader’s decision to bar a young transgender girl from joining the group, FRC and AFA both registered outrage. Cathy Ruse, senior legal fellow at FRC, said the decision to include transgender girls in the troop was “child sexual abuse, the violation of children’s genetic reality.”

The Christian Right also depicts transgender people — along with lesbian, gay and bisexual people — as having made an immoral “choice,” suggesting that they are not eligible for legal protection. Peter Sprigg, vice president for policy at FRC, writes: “What both race and sex have in common is that they are inborn, involuntary, immutable, and in the Constitution of the United States. None of those criteria apply, however, to the voluntary decision of some individuals to present themselves to the public with a “gender identity” which is the opposite of the inborn biological sex that is written immutably in the chromosomes found in every cell of their bodies.”²³

Focus on the Family’s 2008 statement against “transgenderism” makes religious arguments saying it violates God’s plan for a world with clearly distinct sexes and the nuclear family. It states, “In recent years, a revisionist transgender theology has been put forth in some theological circles that violates God’s clearly articulated and intentional design for the sexes—thereby distorting His image and His plan for sexuality, marriage, family and the just and proper ordering of society.”²⁴

Christian conservatives also deem transgender people as victims of the failure of the nuclear family. At the end of her post about the Girl Scouts, FRC’s Ruse makes this connection: “Dare I state the obvious, unspoken truth? This poor little boy [the transgender girl being allowed entry to the girl scouts] desperately needs a father.”²⁵

two months. It ended up being a six-month campaign and we knew it was delicate and we knew we had one shot at this. We decided to invest the time, be careful and make sure we got it right.” “Getting it right” included three focus groups with transgender residents and advocates, as well as extensive consultations with local and national organizations working on transgender issues. The main theme that emerged was promoting respect for transgender people, Isme said. The ads also reflect the desire to show that transgender people are also members of the broader DC community.

While the campaign budget was only \$24,000, thanks to social media and the efforts of the Office of Human Rights in publicizing the campaign beyond DC, it seems to be having an outsized impact.

Consuella Lopez talks of receiving many media requests from local and national outlets, and even an interview with a Mexican radio station.

The question remains whether this kind of campaign can actually change hearts and minds enough to have a positive effect on the experiences of transgender residents. While changing policy may seem to be the bigger hurdle, changing people’s attitudes might actually be the real battle. On this front, at least in terms of this ad campaign, people are optimistic. “Absolutely,” responded Mara Keisling, when asked whether the ad campaign could be effective. “What we’ve seen with every single population that has been disrespected and discriminated against and had violence committed against them—it’s about education. It’s about educating people that

these are people. . . , that society is not okay with you being a jerk to these people [and] that violence against anybody is not tolerated. And this [ad campaign] starts going toward all these things.”

Mottet of NGLTF was similarly optimistic. “I think there are so many well meaning good folks out there who don’t know anything about transgender people other than what they see on TV. Although it’s just an ad so it can only do so much, it paints a different picture of a transgender person.”

Whether the ad campaign can reduce violence against transgender people is less clear. This was not the stated aim of the ads, but Imse did acknowledge that the subject came up in the focus groups, and that he sees a connection. “It’s kind of implicit that if discrimination is banned, violence is not going to be tolerated,” he explained. McCollum agreed. “You know you definitely can’t say one hundred percent for sure that an ad like this can ever prevent something like [Lashai’s murder]. But you hope that ad can spark something in them that says if I kill this person they can never come back. Is it cruel to kill that person just because of that? If it can spark that conversation, it’s worth it.”

Sallans, while applauding the ads, says that the real difference might come because the campaign displays support from city officials. It’s an important question to explore because efforts to stem bias crimes tend to focus on laws which enforce harsher sentences on perpetrators, an approach that has received much criticism from activists.¹⁷ This ad campaign, however loosely tied to an effort to stem violence, represents a different path toward improving public opinion of transgender people.

In DC, the ad campaign is part of a much larger effort by the city to improve the lives of transgender people, including a mayor-initiated job-training program specifically for transgender residents. Project Empowerment helps those with a criminal record find and maintain employment, and now has a cohort specifically for transgender residents. The first cohort placed 19 residents in job training full-time for one month. Then they were placed in jobs

with area businesses and local government, with the city paying their salaries for three to six months. Mottet explains, “[During that period] the ‘hard to place’ employee has the ability to prove themselves and then the employer often hires that person outright because that person has now been proven to be a good employee.” Because bias towards transgender people is so strong, this kind of facilitated relationship has proven instrumental to helping them secure employment. The program was continued for a second cohort, and now transgender people, regardless of their criminal background, are integrated into the program as a whole.

Mottet gives credit to Mayor Gray for these changes, but some of the other areas where DC is a leader preceded his tenure. The Metropolitan Police Department, for example, has long been at the forefront of other police departments when it comes to reaching out to the LGBTQ community. Captain Edward Delgado oversees the MPD’s Gay and Lesbian Liaison Unit which trains officers to work specifically in this community.¹⁸ One of four liaison units—the others are for Asian, Latino, and deaf and hard of hearing residents—they are often led by members of the community itself. In this regard, DC is also a trailblazer, and Delgado reports that other jurisdictions have begun replicating the model.

But while the MPD has won much praise and attention for its efforts, there continue to be criticisms of its work within the community.¹⁹ Following a shooting involving an off-duty police officer and three trans women in August 2011, the DC Trans Coalition published an op-ed in a local gay newspaper about its concerns with the MPD.²⁰ A recent *New York Times* article also detailed the complaints of the community against the MPD, particularly police Chief Lanier, and how it has handled outreach in the LGBTQ community.²¹

So while the efforts of the DC government related to transgender people are groundbreaking in many respects, Mottet is hesitant to call DC a model. “[DC has]

a lot of good things that are moving forward but there is so much poverty and violence and isolation that I wouldn’t yet say it’s a model. It’s got too far to go. What DC does have that a lot of other places don’t have is a significant number of policies that purport and aim to create equal opportunities.”

That is no small feat, particularly when the picture for transgender people nationally remains bleak, and societal acceptance remains at the end of a long road also traveled by social conservatives. Sallans, who lives in Omaha, Nebraska, far from many of the cities with the groundbreak-

Focus on the Family’s 2008 statement against “transgenderism” makes religious arguments saying it violates God’s plan for a world with clearly distinct sexes and the nuclear family.

ing programs, remains optimistic about the future. “We have so many families coming out and supporting their kids. They are working with the school systems to change policy. There is so much building in terms of organizations today and it’s only going to improve what is happening for our youth who are growing up. I think we don’t give enough people credit for the compassion they have.” ■

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WHY MARRIAGE WON *continued from page 1*

ington (53.7%), and by rejecting a constitutional amendment banning same-sex marriage in Minnesota (52.56%).

So what happened this year to produce such different results?

As I argue in my new report, “The Right’s Marriage Message: Talking Tolerance, Marketing Inequality,” a major part of the previous losing streak was due to how both sides waged their media campaigns. In particular, I argue that opponents of LGBTQ rights such as the National Organization for Marriage (NOM) and Focus on the Family traditionally ran extremely effective media campaigns with the help of right-wing spinmasters. Pro-LGBTQ media campaigns, on the other hand, largely failed to connect with important middle of the road voters.

However, it appears this dynamic flipped; opponents of same-sex marriage ran surprisingly ineffective media campaigns compared to previous years, while pro-LGBTQ advocates did a much better job winning over the hearts and minds of voters with their ads. As I suggest below, a range of factors contributed to the victories, including a better ground game and outreach to faith communities, major cultural and political shifts in the national discourse including a sitting president endorsing marriage, and the hospitable territory offered by the four blue states. But this key shift in messaging needs to be part of any story about the big ballot wins of 2012. Our research shows the Right didn’t

David Dodge is the author of the forthcoming PRA report, “The Right’s Marriage Message: Talking Tolerance, Marketing Inequality.” He has worked as an electoral and grassroots community organizer and researcher. In 2008, he was lead organizer on SAVE Dade’s “No on Amendment 2” campaign opposing Florida’s anti-LGBTQ marriage amendment. His analysis of the campaign appears in PRA’s 2012 report, “Resisting the Rainbow: Right Wing Responses to LGBTQ Gains.” He holds a Masters of Public Policy from the Harvard Kennedy School of Government.

broadcast as many dark warnings that LGBTQ marriage rights would threaten people’s children as they have in years past as a means to reach socially moderate voters. And, we found, the pro-LGBTQ forces learned from previous defeats. On to the messaging.

Somewhat surprisingly, anti-LGBTQ advocates did not run as effective media campaigns as they have in the past. As part of my research for “The Right’s Marriage Message,” I reviewed television and radio advertisements that ran in statewide LGBTQ-related ballot measures cam-

Opponents of same-sex marriage ran surprisingly ineffective media campaigns compared to previous years.

aigns from 1998 to May 2012 to identify the most common and most effective messages used by the Right to convince voters to support anti-LGBTQ positions. All the ballot battles were over marriage, civil unions, or domestic partnerships except for one Arkansas measure seeking to ban gay adoption.

During this eleven-year time period, the most common anti-LGBTQ messaging themes broadcast by conservative groups were the following:

- **Traditional Marriage:** In states where the Christian Right enjoys a large base of support, the groups took to the conservative Christian airwaves to praise the deep roots of traditional marriage as being between a man and a woman, and

warned voters that same-sex marriage posed a threat to that tradition. The bulk of all anti-LGBTQ ads—75 percent—featured “traditional marriage” messages.

- **Harm to Kids:** In states with more socially moderate electorates, the Right sought to warn voters of the supposed harm to children that will occur if pro-LGBTQ ballot measures pass, a long-standing messaging tactic dating back to Anita Bryant and California’s Proposition 6 in 1978. Ads particularly focused on the harm coming from teaching about same-sex relationships and sexual behavior in schools. Forty-eight percent of all anti-LGBTQ ads featured “harm to kids” messaging.

- **Gay Agenda:** Many 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 populist arguments on the Right. Forty-two percent of all anti-LGBTQ ads featured “gay agenda” messaging.

- **Victims:** In another attempt to connect with moderate voters concerned about personal and religious freedom, the Right relays stories of how those opposed to same-sex marriage will be discriminated against if same-sex marriage becomes legal. Ten percent of all anti-LGBTQ ads featured “victims” messaging.

Of these messages, the “harm to kids” theme was particularly prominent in the last couple of election cycles, such as California’s Proposition 8 campaign in 2008 and Maine’s Question 1 campaign in 2009. The most infamous example of this messaging was found in a television advertisement, known as the “Princes” ad, which ran in both English and Spanish during California’s Proposition 8 campaign in 2008.¹ The commercial features a conversation between a mother and her young daughter

ter in which the girl expresses excitement over learning that she can marry a “princess” someday:

Young girl: “Mom, guess what I learned in school today! I learned how a prince married a prince, and I can marry a princess!”

These types of ads were very effective in suggesting to voters that legalizing same-sex marriage would lead public schools to teach children about LGBTQ relationships, which in turn could lead impressionable young children to experiment with same-sex behavior. Moreover, as demonstrated in detail in “The Right’s Marriage Message,” this messaging theme is quite effective at persuading moderate and undecided voters, particularly those with children living at home, to support the Right’s positions. The pro-LGBTQ group Vote for Equality (VFE) conducted an in-depth, multi-year survey project with voters in the Los Angeles area to test the effectiveness of various messaging tactics. An analysis conducted in partnership with VFE found that “kids in schools” messaging had a clear, negative impact on how voters felt about same-sex marriage. For example, 15 percent of all voters became less supportive of same-sex marriage after

watching an anti-LGBTQ advertisement featuring “harm to kids” messaging. Even more telling, 14 percent of all those who initially supported marriage equality lessened their support, while 26 percent of all undecided voters did so.

Given these findings, it is surprising that the Christian Right did not make more use of the “harm to kids” message this electoral season compared to previous years. Of 19 anti-LGBTQ television advertisements that ran in the four states facing LGBTQ ballot measures this year, fewer than half prominently featured “harm to kids” messaging. In contrast, during California’s 2008 campaign and Maine’s Question 1 campaign in 2009, nearly every anti-LGBTQ advertisement warned voters that legalizing same-sex marriage would force public schools to discuss LGBTQ relationship and sexual behavior with children. When they did appear, “harm to children” messages were often a much less prominent feature of the ad than in years past. Minnesota for Marriage’s “Not Live and Let Live” television ad is typical of much of the anti-LGBTQ media developed this year²:

When same-sex marriage has been imposed elsewhere, it has not been live and let live. People who believe

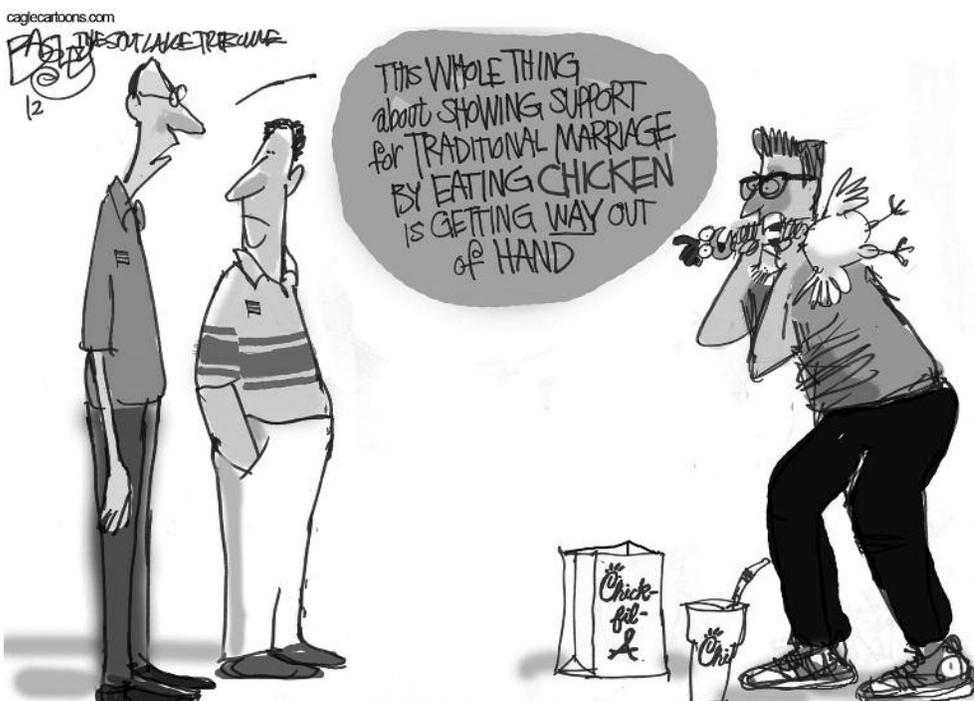
marriage is one man and one woman have faced consequences. Small businesses fined, individuals fired, churches sued, charities closed down, same-sex marriage taught to young children in elementary school...

This year, ads such as “Not Live and Let Live” focused on a variety of “consequences” that will befall society as a result of legalizing same-sex marriage. In other words, this year anti-LGBTQ advocates decided to rely much more heavily on the “victims” media theme which warns of the threat to people’s ability to act according to their conscience and religious beliefs if marriage equality passes.

Perhaps anti-LGBTQ advocates felt that warning of the threat to religious freedom would connect with a greater number of voters. “Harm to kids” messaging is most effective with voters with young children living at home. “Victims” media, in contrast, potentially connects with a variety of voters, including small business owners and voters concerned with freedom of religion. It is possible, however, that rather than reach new voters, NOM and its affiliates were hurt by this broadened theme, as the impact of “harm to kids” messaging was somewhat diluted.

The heavy reliance on the “victims” ads should not come as a surprise. NOM said they would begin to emphasize this theme in an internal strategy document released this past March under court order. In one document, NOM outlines a media strategy which it called the “document the victims” project, seeking to highlight the supposed harm that befalls people as a result of legalized LGBTQ relationship recognition:

When a young Michigan grad student gets kicked out of her school program a few weeks before graduation (as happened this spring) because she won’t personally counsel a gay couple on how they can keep their relationship together, we need more than her story—we need her face, her voice, her outrage and her suffering on camera.



In setting out this strategy, NOM hoped to co-opt and neutralize pro-LGBTQ charges that anti-LGBTQ positions are homophobic or discriminatory. This tactic is part of a long lineage of the Right's freedom of religion argument, which it uses to oppose local and state nondiscrimination laws that include sexual orientation and gender identity.³ The Right paints those who hold anti-same-sex marriage views as "victims" of religious persecution, contending that churches would be required to conduct same-sex marriages were the practice to become legal. This language has expanded to include faith-based non-profits in the last few years, and grown wider in scope so that now the Right warns that individuals' beliefs regarding sexual orientation—as with contraception—are the target of state-based religious persecution.

The "victims" strategy was readily apparent in television advertisements developed this year. While only 10 percent of the advertisements that ran from 1998 to 2009 prominently featured this theme, this year, roughly half of the ads did so. For example, the following is an excerpt from an ad ran by Protect Marriage Maine this year, which features a couple, Jim and Mary O'Reilly, who own a small business:

A lesbian couple sued us for not supporting their gay wedding because of our Christian beliefs. We had to pay thirty thousand dollars and can no longer host any weddings at our inn.

Similar ads highlight other instances where those opposed to marriage equality have been "victimized" for their beliefs, such as the backlash against the fast-food chain Chick-fil-A earlier this year when the company's president, Dan Cathy, took a stand against marriage equality. Given the results of this year's election, anti-LGBTQ advocates might have been better served inundating voters with the "harm to kids" messaging as they have in recent electoral cycles.

NOM's internal documents also revealed a strategy, much covered in the media earlier this year, to develop anti-LGBTQ media that directly appeals to racial minorities. In particular, NOM

sought to inflame tensions among those in the African-American community who take issue with characterizing LGBTQ equality as a civil rights concern. NOM sought to "find, equip, energize and connect African American spokespeople for marriage; develop a media campaign around their objections to gay marriage as a civil right; provoke the gay marriage base into responding by denouncing these spokesmen and women as bigots."⁴

There was notable silence from high-level political voices on the Right in the campaign against marriage equality this electoral season.

Of the states facing ballot measures this year, this strategy was really only potentially viable in Maryland, where 30 percent of the population identifies as African American, well above the national average of 13.1 percent. For example, Protect Marriage Maryland worked closely with Bishop Harry Jackson, Jr. on reaching out to African Americans in Maryland. Jackson is the senior pastor at Hope Christian Church in Beltsville, Maryland, and is the founder of the High Impact Leadership Coalition, a socially conservative non-profit opposed to LGBTQ marriages.⁵ This group, which is closely aligned organizationally with NOM, already actively opposed marriage equality in Florida and the District of Columbia, also home to very racially and ethnically diverse electorates. Similarly, Emmett Burns, Jr., an African-American Democratic delegate from Baltimore, is an outspoken critic of same-sex marriage, and actively sought to drum up support for the anti-LGBTQ amendment in Maryland this November among other

Democratic African Americans. Yet other Black clergy stepped up in defense of the ballot measure, along with the NAACP.

Overall, NOM's strategy to use same-sex marriage as a "wedge" issue between the African-American and LGBTQ communities failed to prevent the legalization of same-sex marriage in Maryland. This isn't to say, however, that NOM had zero impact in this area. In late September, the Baltimore Sun produced a poll showing African American support for same-sex marriage above 50 percent. By mid-October, once Protect Marriage Maryland began deploying its spokespeople and airing television advertisements targeting racial minorities, the newspaper put support among African Americans around 42 percent.⁶ Though NOM's advertising likely contributed to the dip in these numbers, the change in the polls also likely reflects a simple tightening of the race. The *Baltimore Sun's* September poll, for example, put support for same-sex marriage 10 percentage points above the opposition among all voters, a lead no one on either side of the race expected LGBTQ advocates to maintain.

Still, come Election Day, African Americans supported legalizing same-sex marriage by 46 percent according to Maryland exit polls. Moreover, according to national exit polls, African Americans supported legalizing same-sex marriage in their state by 51 percent, even greater than Whites, 47 percent of whom supported legalization.⁷ While NOM's race-baiting messaging strategy may have had some limited impact on support for marriage equality within communities of color in Maryland, ultimately it was not enough to prevent passage of marriage equality in the state. This does not mean that NOM won't persist or find greater success with this strategy in more socially conservative and religious states.

While anti-LGBTQ campaigners stumbled in their attempt to connect with voters this year, pro-LGBTQ advocates have started to get it right. This year, LGBTQ rights campaigners successfully avoided some of the traps faced by pro-LGBTQ messaging in previous ballot campaigns. Based on a review of television and radio advertisements, the following were the



A Maryland marriage certificate captured on January 1, 2013, the first day same-sex marriage could be celebrated in the state.

AFP/Getty Images

two most prominent messages used by pro-LGBTQ groups during statewide ballot measure campaigns from 1998 to 2009:

Rights-Based: Of the pro-LGBTQ media reviewed, 61 percent contained “rights-based” media messaging, which sought to convey to voters that LGBTQ families are discriminated against and denied basic rights and protections.

Avoidance-Based: Another prominent messaging tactic employed by pro-LGBTQ advocates is to reframe the issue away from one concerning the LGBTQ community. This “avoidance-based” messaging strategy reflects an assumption that voters will not connect with, or be persuaded by, media that prominently features LGBTQ individuals and their stories so it brings up domestic violence or some other surrogate issue. Of all pro-LGBTQ media reviewed for this research, 43 percent contained an “avoidance-based” media theme.

Previous research shows that “rights-based” messaging effectively saturated much of the public’s thinking towards

same-sex marriage. For example, in 2010, the organizations Third Way and Basic Rights Oregon conducted research into how heterosexual couples in the state saw topics related to marriage. When asked why LGBTQ couples would want to get married, 42 percent responded for “rights” and “benefits.” However, when asked why “couples like you” would want to get married, 72 percent of respondents said to “publicly acknowledge” their “love and commitment” for each other.⁸ In essence, pro-LGBTQ advocates have been communicating to voters that LGBTQ couples want to get married for different reasons than their heterosexual peers. As a result, voters are often confused why other forms of relationship recognition that provide legal protections, such as civil unions and domestic partnerships, aren’t enough.

Another common pro-LGBTQ messaging theme seeks to reframe the issue away from one concerning the LGBTQ community to a surrogate issue. Rather than directly engage in the debate concerning rights for LGBTQ couples, most of these ads do not attempt to persuade voters to support relationship recognition for LGBTQ couples.⁹ An example of this avoidance-based messaging tactic was aired

in North Carolina. The ad suggested that anti-LGBTQ ballot initiatives would not only hurt LGBTQ individuals, but unmarried heterosexual survivors of domestic violence as well, depending on court rulings.

Encouragingly, this year pro-LGBTQ advocates largely abandoned the “rights-based” and “avoidance-based” themes in favor of one that is strongly pro-LGBTQ. They stressed how LGBTQ couples and their families are affected—on an emotional level—due to their inability to marry. For example, the following is an excerpt from an ad that ran in Maine, featuring a couple, Cathy and Phil Curtis:

Phil: We have three daughters. Our youngest, Katie, is gay.

Cathy: People will ask, ‘why wouldn’t a civil union be enough for her?’ When we were young, we never dreamed about having a civil union, or signing a piece of paper. We wanted to be married.

Phil: I want our Katie to have what we have, the joy and security of marriage

Cathy: A civil union is no substitute for marriage. We know that in our hearts.

This more emotionally resonant message connects well with voters. It moves beyond the limitations of “rights-based” messaging by describing marriage as an important cultural tradition, one that serves as a signal in society of the level of commitment that exists between two people. Encouragingly, this more resonant, LGBTQ-inclusive messaging strategy was dominant in all four states facing ballot measures this year.

While these changes in messaging strategy on the part of both anti- and pro-LGBTQ advocates were noteworthy and no doubt contributed to the pro-LGBTQ electoral sweep of ballot campaigns this year, it’s important to remember that these were still close, competitive campaigns,

with many factors at play. It would be shortsighted, in other words, not to account for several other important elements of these wins.

For instance, these four ballot measure campaigns all took place in liberal-leaning “blue” states. This is not to downplay the importance of these victories: given the LGBTQ community’s long-running losing streak at the ballot box, winning the support of a majority of voters in any state marks a turning point. We have, after all, lost in plenty of other liberal-leaning states, such as California, Maine and Oregon. Nonetheless, LGBTQ advocates likely owe their victory in part to the friendly electoral terrain in which these campaigns took place. In the years to come, when the fight for LGBTQ relationship recognition moves to less hospitable territory, electoral victories may be harder to come by.

Also in 2012 arguably more than any other, we witnessed several major cultural and political shifts in the national discourse on same-sex marriage thanks to years of dedicated organizing by LGBTQ advocates. Through the previous year, a wave of important political voices spoke out in favor of marriage equality. Most notably, for the first time in history, a sitting president, Barack Obama, endorsed marriage equality. Unlike nearly every previous LGBTQ-related ballot measure campaign, moreover, the governors in three of the four states facing measures this year were vocal supporters of same-sex marriage. In Maryland, Governor Martin O’Malley even named the legalization of gay marriage as one of his top legislative priorities. In another historic shift, the board of the NAACP, the prominent civil rights organization, voted for the first time to support same-sex marriage. These high profile endorsements no doubt played to the advantage of LGBTQ advocates, helping shore up support from a growing chorus of prominent political voices.

On the flip side, there was also a notable silence from high-level political voices on the Right in the campaign against marriage equality this electoral season. This is not to say that opposition did not exist: Mitt Romney stated his opposition to same-sex marriage early and often throughout his campaign, and like many conservative Republicans, has voiced support for a federal marriage amendment banning same-sex marriage nationally. However, unlike the campaign to reelect George W. Bush in 2004, in which the Right Wing proposed a litany of anti-LGBTQ ballot measures

National Organization for Marriage’s attempt to create a wedge between the African-American and LGBTQ communities failed to prevent the legalization of same-sex marriage in Maryland. This isn’t to say, however, that the group had zero impact.

partly as a means to turnout Christian conservatives to the polls, Romney’s campaign did not go out of its way to bring up his opposition to same-sex marriage. This reflects a clear shift in the use of same-sex marriage as a “wedge” issue, at least in national presidential politics. While support for same-sex marriage was once universally seen as a political liability, vocal opposition to LGBTQ rights is increasingly seen as such.

Additionally, in comparison to previous years, pro-LGBTQ advocates improved their fieldwork in advance of November’s elections. This is particularly true in Maine, where advocates conducted intensive door-to-door canvassing and phone banking throughout the electoral season. This type

of one-on-one contact with voters is extremely effective in persuading them to support pro-LGBTQ positions, but it is a tactic previously underused in LGBTQ-related ballot measure campaigns. For example, despite the high profile nature of the campaigns, very little field work occurred in California in 2008 or in Maine in 2009. According to a web advertisement released by the lead pro-LGBTQ campaign committee, Mainers United for Marriage, volunteers knocked on 110,000 doors, made 125,000 phone calls, and held 62,000 conversations with Maine voters about same-sex marriage in preparation for the November vote. Having lost in 2009 by just over 33,000 votes, these face-to-face conversations likely helped tip the balance in favor of marriage equality in Maine. Similarly, unlike years past, the pro-LGBTQ campaigns ensured outreach to faith communities was a significant part of the field campaigns. This is particularly seen as an improvement over California’s 2008 Proposition 8 campaign, where critics contend far less was done to involve faith communities.

Lastly, as anti-LGBTQ advocates have been quick to point out in the wake of their defeat, pro-LGBTQ advocates held a large fundraising advantage this year. In an attempt to rationalize their losses this year, Brian Brown, president of the National Organization for Marriage, released a statement the day after the election bemoaning the group’s fundraising disadvantage this electoral season, claiming to have been “heavily outspent, by a margin of at least four-to-one.”¹⁰ The clearest example of this advantage was in Washington, where the primary pro-LGBTQ campaign committee, Washington United for Marriage, raised over \$12 million, aided by large donations from corporate donors such as Amazon CEO Jeff Bezos, while the main anti-LGBTQ campaign committee, Preserve Marriage Washington, brought it just over \$2.6 million.

There is no question that the ability of LGBTQ advocates to outpace their opponents in fundraising likely contributed in some way to the victories this year. More resources translate into more television advertisements, larger ad buys, and more extensive field campaigns; in sum, more voters reached. However, this fundraising advantage is nothing new. Pro-LGBTQ advocates have out-fundraised their opponents in all but seven of the last thirty-six statewide ballot measure campaigns that have occurred since 2004, yet we have lost in the vast majority of those cases. While the fundraising advantage clearly helped, therefore, it only did so in concert with the other factors working in favor of pro-LGBTQ advocates this year.

Fresh off electoral victories this year, it will be important for LGBTQ advocates not to become complacent in preparing for future campaigns. While this election will likely be looked back on as a turning point for the marriage equality movement, it is important to remember that none of these victories were won in a landslide. These campaigns were truly competitive, despite taking place in perhaps the most favorable political climate ever for LGBTQ advocates. So we should celebrate these victories this year, but keep an eye to the future when LGBTQ advocates may be working under less hospitable conditions.

NOM and its right-wing affiliates will not concede future battles simply because they are unaccustomed to electoral defeat. Rather, these groups will learn from their mistakes in order to prepare for future campaigns, several of which are just around the corner. Indiana voters may be asked whether to adopt a constitutional ban on same-sex marriage as early as 2013, and the following year, in 2014, Oregon voters are likely to face a measure seeking repeal of that state's marriage ban. In preparation for these fights, Brian Brown, NOM's president, recently called upon supporters to help the group raise \$30 million in the coming year.¹¹

The group will also likely continue developing messages to appeal to the broadest base of voters possible. NOM may revert back to "harm to kids" messaging in the coming elections, for example, or continue tweaking its "victims" religious liberty media theme to be more targeted to undecided and persuadable voters. In the next couple of years, however, most of the upcoming state battles surrounding issues of LGBTQ equality will be taking place in courthouses and legislatures, rather than at the ballot box. In March, all eyes will turn to the Supreme Court, which will hear oral arguments related to challenges to California's Proposition 8 and the federal Defense of Marriage Act. While the outcome is unclear, we know high court intervention throughout history has played a vital role in securing rights for minorities.

Advocates in a handful of states, including Delaware, Hawaii, Illinois, Minnesota, New Jersey, and Rhode Island, have also already announced their intentions of pursuing same-sex marriage bills in the next year or two. Here, NOM is likely to respond to pro-equality efforts by threatening to unseat politicians and judges, particularly Republicans and moderate Democrats, who support pro-LGBTQ legislation and court cases, thus intimidating others who might otherwise consider supporting such measures. The group has already found success with this strategy. In 2010, NOM successfully unseated three State Supreme Court judges in Iowa who ruled in favor of legalizing same-sex marriage in the state. Though NOM failed to unseat a fourth pro-equality judge in Iowa this year, the group did successfully unseat several Republicans in New York's State Senate that supported marriage equality in the state in 2011.

Regardless of the political arena, LGBTQ advocates and allies will no doubt continue learning from and improving upon the factors that contributed to the 2012 successes. We should continue rejecting "avoidance-based" media in favor of messages that are thoroughly pro-LGBTQ. Pro-equality community organizations should continue learning from the impor-

tant field work by groups like Vote for Equality, and dispel anti-LGBTQ sentiment by speaking one-on-one with voters on an ongoing basis, regardless of whether it is an election year. This work, changing hearts and minds one person at a time, will ultimately be what advances the LGBTQ rights movement in all 50 states. ■

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those abortions.

Robertson, founder of the Christian Broadcasting Network and the Christian Coalition of America, envisioned the ACLJ as a counterweight to the American Civil Liberties Union. But instead of undermining “family values”—as Robertson believes the secular ACLU does—the ACLJ would promote them. In particular, it would defend “the sanctity of human life, and the two-parent, marriage-bound family.” The ACLJ’s two African affiliates, in Kenya and Zimbabwe, fight to promote anti-LGBTQ and harsh abortion restrictions in those countries’ constitutions.¹ (See box)

In its short existence, it is clear that the BCLJ is using some of ACLJ’s same tactics to try to win influence: wooing government officials and facilitating access to them, building alliances with key evangelical powerbrokers, and hiring local staff to serve as its face. But the evangelicals here are much better resourced than in some of the other countries in which ACLJ operates. It remains to be seen whether it will find a place for itself in a country with a more moderate evangelical movement than it is used to, and where evangelicals are already highly engaged in the political scene.

Meet Filipe Coelho

When I interviewed BCLJ’s Filipe Coelho in August 2012, the enterprise was so new that he was waiting for the Brazilian government to issue the affiliate’s legal registration. The funds for navigating this process, paying Coelho’s salary and maintaining BCLJ’s operations above the real estate office of Coelho’s father-in-law, are sent in monthly installments from the ACLJ in the United States—at least until BCLJ begins fundraising in Brazil. Making the shift to a domestic funding base won’t be easy, Coelho acknowledged. In the

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United States, the ACLJ benefits from a tax system and tradition that promotes charitable giving. Brazil has neither. Brazilian law also discourages volunteering, to avoid exploitative work conditions. But church people have their own ways, and, as Coelho says, “If people want to volunteer, they’ll be welcome.”

“While in the U.S. there’s more of a donations culture, because these are deducted in income tax, I’ve found out that in Brazil it’s different,” he told me. “Deductions are too small. So, it doesn’t work so much here for local rules.”

Still, he believes BCLJ can get enough donations from companies, churches, and individual donors, “but first we need to show people our work. For now we’re establishing our office, starting the work. Then we’ll start hiring people, and this is how we’ll be spreading the word about our work, so that people may get involved.”

The dynamism of Brazil’s growing evan-

gelical community can be seen in their donations. In April 2011, a good friend of Coelho’s father, the televangelist Pr. Silas Malafaia, asked his TV audience to help him pay a debt of about \$750,000—or 1.5 million Brazilian reais (BRL)—to broadcast his show all over the country, and even abroad. He asked for about \$50,000 toward that debt, and he got it.² Months later, in an interview to *Piauí Magazine*, he commented on the issue. “People in Brazil think all evangelicals are poor and stupid. Evangelicals are donating BRL 100,000, people don’t have a clue of what’s going on within the evangelical world.”³

Evangelicals in Politics and the Media

The ACLJ’s move into Brazil is sharply strategic. Brazil is the largest Christian country on the globe except for the United States. And the number of evangelicals in Brazil is growing fast. While 90 percent of

WHY BRAZILIANS SHOULD BE WARY OF THE ACLJ

In the summer of 2012, when I described the American Center for Law and Justice’s (ACLJ) activities in Africa as neocolonialist in my report *Colonizing African Values*, its director Jordan Sekulow responded that his nonprofit is merely engaged in “defending Christianity.” In reality, ACLJ’s overseas offices—in Africa, Europe, and now Brazil—are extensions of the U.S. culture wars, hiding behind local faces.

In Kenya and Zimbabwe, for example, the ACLJ sought to ensure that anti-abortion and antigay laws are enshrined in these countries’ constitutions. In Kenya, it operates as the East African Center for Law and Justice and in Zimbabwe as the Africa Center for Law and Justice. Presenting themselves as true representatives of evangelical Christianity and defenders of traditional family values, the ACLJ wins alliances with religious leaders who then serve as conduits to political leaders in various countries. In Zimbabwe, for example, Rev. Goodwill Shana, the president of the Evangelical Fellowship of Zimbabwe (a grouping of theologically conservative churches), first learned about ACLJ through its weekly broadcasts on the Christian satellite network Daystar. Once it began operating in his country, Rev. Shana then brokered meetings for ACLJ with the politicians in Zimbabwe’s unity government.

In Kenya, Sekulow’s association with that country began when an American pastor from Iowa introduced a Kenyan bishop to ACLJ. Once in operation, its office campaigned against a proposed constitution that allowed abortion “if a trained health professional deems it necessary, or if the life or health of the mother is in danger.” Sekulow went as far as predicting that abortion would lead “the proposed constitution to its demise” (Sekulow 2010). The new constitution passed with 64 percent of the vote, in spite of ACLJ’s “dire” prediction.

But the ACLJ has not given up the fight. In both countries, it continues to promote culture war politics that stigmatize LGBTQ people and harms women’s reproductive rights.

—Kapyra Kaoma

the country identified as Roman Catholic in 1980, 21 percent of the population now identifies as Protestant.⁴ That number grew 61.5 percent between 2000 and 2010 alone, according to the latest census. The growth is mostly among youth and lower-income people. But while Brazilians tend to call all Protestants “evangelicals,” there remains a small mainline Protestant presence in the country. Most Brazilian Protestants are evangelicals who believe you must be “born again” to be saved. Most Protestants—80 percent—said they were either Pentecostal or charismatic, according to a 2006 survey by Pew Forum on Religion and Public Life.⁵ Pentecostals and charismatics are evangelicals who believe that, after your born again experience, you can receive the Holy Spirit through God-given gifts like speaking in tongues, prophesying, or faith healing. Coelho and his family are Pentecostals in the rapidly growing Assemblies of God church.

With at least 30 million followers in Brazil, evangelical representation in politics is also growing and institutionalizing. Their ranks are not unified. As with other Latin American evangelicals, many in Brazil are left-leaning, particularly but not exclusively on economic issues. A Pew study found that 51 percent of evangelical leaders in Latin and Central America believed that homosexuals should be accepted by society, compared to 23 percent of evangelical leaders in Europe and nine percent in North America.⁶ But the social conservatives seem to have the strongest will to political power.

The Evangelical caucus at the Brazilian National Congress was inaugurated with 26 members during the Constituent Assembly of 1987. There are about 70 deputies (out of 513) in the lower house and three senators (out of 81) currently in its ranks. Most are pastors, bishops, or self-nominated “apostles” from a range of denominations. This caucus, though a minority group, is influential because of its alliance with landowners, entrepreneurs, and other conservative groups represented in the Brazilian Parliament. Together, they make up the majority of the Congress and

have been blocking some of the progressive aims of the federal government, especially over the last decade.

Evangelicals provided key support for the rise of Luiz Inácio Lula da Silva and his Workers Party to the presidency in 2002. Many continue to provide support to his successor, the current president Dilma Rousseff. But in 2011, led by Rev. Silas Malafaia, the popular Assemblies of God pastor who is friend of the Coelhos, evangelicals forced Rousseff to remove a curriculum promoting LGBTQ understanding from public schools. In the fall 2012 elections, the right-wing Brazilian Republican Party was backed by the Pentecostal Universal Church of the Kingdom of God.⁷

The American Center for Law and Justice reaches out through Brazil’s powerful evangelical media.

This may come as a surprise to people who know that Brazil is home to the largest gay rights parade in the world. Yet in Brazil, legal rights for gays are restricted, and abortion remains illegal. Twenty-five years ago, during the drafting of the current constitution, advocates failed to have sexual orientation protected in its all-important Article 5, which defends individual rights and freedoms, according to Rafael de la Dehesa, author of *Queering the Public Sphere in Mexico and Brazil*. Rev. Malafaia mobilized thousands in 2011 to march through the streets of Brasilia, the national capital, to block a bill that would have remedied that.⁸

The Christian Right also won a law explicitly restricting marriage to a man and a woman, which means a ban on

adoption by LGBTQ couples. By contrast, civil unions between a man and a woman are explicitly protected in Brazil, as is adoption by single women. While conservatives once opposed these civil unions, they now claim these measures are the basis of Brazil’s legal culture, precluding egalitarian marriage or adoption for same sex couples.

For Prof. Maria das Dores Campos Machado of the Federal University of Rio de Janeiro, who researches religion and politics in Brazil, evangelicals are using politics to take back social arenas that are increasingly juridical. “When you have problems at home or in your personal life you look for a judge or lawyer... but no longer a priest. More and more, even the moral regulators within communities are judges rather than priests or pastors,” she said. “It’s not merely pragmatism. It’s a search for an institutional space for the church in modern society.” The BCLJ seeks to provide new tools to wage that battle on legal grounds.

The Brazilian LGBTQ movement, meanwhile, is also on the offensive in the political arena. For the past eleven years, it has actively promoted an anti-homophobia bill, currently running under Nr. PLC 122/2006, which would make homophobia or discrimination based on sexual orientation or gender identity an aggravating factor in hate crimes, assaults, and hate-speech crimes.

Evangelicals fear that, if enacted, it would interfere with the media channels they use to reach out to the faithful. In Brazil, many pastors and televangelists are, like Pat Robertson, owners of communications empires that include publishers, producers, record labels, and radio and television channels, as well as elaborate portals on the internet. They perceive the so-called anti-homophobia bill as a threat to their “freedom” to keep preaching on national television that homosexuality is an abomination in the eyes of God, and that the homosexual movement is implementing a plan to transform the whole country into Sodom and Gomorrah.

Here and there, LGBTQ groups are



filing lawsuits against pastors who use their “freedom of expression” to call on their country, as Rev. Malafaia said after the 2011 pride parade in Sao Paulo, “to beat [literally “stick”] down those gay activists.”

On radio and TV, evangelists are broadcasting more talk shows, preaching programs, and live transmission of services, with pastors, bishops, and apostles promoting political campaigns on the airwaves. Through all the tensions and competition among different denominations—from charismatic Roman Catholics to the most “fast-miracle drive-through” neo-Pentecostal—you hear a common message: the defense of life, traditional values, freedom of expression, and religious freedom. This is in clear opposition to congressional efforts to advance sexual

and reproductive rights and LGBTQ and women’s rights.

Evangelical programs, especially those broadcast on TV, clearly follow a North-American style of televangelism. It is not unusual to see U.S. evangelical leaders on Brazilian shows promoting their new best-selling books and DVDs, encouraging people to join the church, or alerting evangelical masses to some “new threat” to the family and tradition, or to religious freedom and freedom of expression in the country or around the world. And the Brazilian audience responds. When Rev. Malafaia asked his audience in 2009 to vote against the approval of the anti-homophobia bill in a poll posted on the Senate’s webpage, there were half a million “NO” clicks in less than a week.

ACLJ also taps the power of Brazil’s evangelical media. When ACLJ’s Executive Director Jordan Sekulow appeared on Rev. Malafaia’s Verdade Gospel (Gospel Truth) show to ask Brazilians to “Tweet for Youcef” in support of the release of Pastor Youcef Nadarkhani, imprisoned by Iran, the response reportedly shook the rafters. According to ACLJ and the Brazilian version of the *Christian Post*, after Sekulow and his wife Anna swept through Brazilian evangelical TV shows, met with groups of pastors, and spoke in pulpits, the total number of people tweeting for Youcef reached more than 3 million, up from 1.1 million.¹⁰ The “Tweet for Youcef” campaign then gained a whole Brazilian webpage in Portuguese, so that Brazilians could send their messages of hope to the Iranian pastor.

Sowing the seeds

As its first director for Brazil, the ACLJ chose a man from one of Brazil's most important evangelical families, measured in terms of theological, business, and political influence. Filipe Coelho is one of four children of Rev. Silmar Coelho, a Methodist minister. Most of his uncles and aunts preach or otherwise serve evangelical churches. Two of his brothers are also pastors of evangelical churches. Tiago Coelho is cofounder with their father of the Living Church (Igreja Viva) of Taquara, a neighborhood at the northern area of Rio de Janeiro. Lucas Coelho, the younger son, graduated in Youth Ministry and Missions at King College and got a masters degree in Divinity at the Emmanuel School of Religion, both in the U.S. state of Tennessee. He once lived in Rio de Janeiro and preached at another branch of the Living Church located in Jacarepaguá, but, Filipe told me, was recently invited to return to the United States to lead a church in Virginia. His only sister is a graphic designer disseminating the word of God in the "gospel design" business. Her company creates anything from gospel-music CD and DVD covers to posters, books, and magazines.

Despite this family background, Filipe Coelho says he doesn't feel like preaching. He is shy and prefers to act behind the scenes. During our interview in his office, he revealed, "I was a preacher some time ago, but I realized that my work with ACLJ is what I love doing. This is my ministry."

He is young, with a beautiful smile, kind eyes, and an open and honest expression. When he couldn't answer some of my questions, he frankly said so. He received me in his comfortable, yet spare and fairly modern, office. On a bookcase, ACLJ materials share shelves with family photos, a picture of his beautiful wife and cute baby, Bibles, and some books and pictures of his first official mission as part of the ACLJ/BCLJ team, in which he's seen shaking hands with Brazilian Vice President Michel Temer. Another one shows him with Senator Magno Malta, one of the most

right-wing, anti-gay evangelical representatives in Congress, and the participants of that meeting: Vice President Temer, ACLJ director Jordan Sekulow and his wife, Anna, and Rami Levi, the former Israeli Tourism Ambassador to North and South America.

Those pictures were taken during the first official interaction between ACLJ and Brazilian officials, a meeting asking Brazil to support the release of the Iranian Christian pastor Youcef Nadarkhani. Among other decorative items are two miniatures of President Barack Obama and Mitt Romney, the first bigger than the latter. "I tried to find both the same size, but couldn't," he said with a smile.

“Homosexuals are trying to treat homosexuality as if it were a race, while it is really an attitude, a behavior.”

—BCLJ Director of Operations Filipe Coelho

Coelho said he personally was not engaged in politics until ACLJ asked him to be its Director of Operations in Brazil a few months earlier. He spent almost half of his life in the United States, where

he graduated in Business and Economics from King College, which is affiliated with both the Presbyterian Church (USA) and the Evangelical Presbyterian Church. "In politics, I just like to see what's related to my area. I just came back [to Brazil] five years ago but I just started to work on politics three months ago, with BCLJ. I'm still green."

Coelho was back in time for the 2010 presidential election in Brazil, where Rev. Malafaia, one of his father's close friends, and other evangelicals brought their concerns about abortion and same-sex marriage into the campaign. People generally credit evangelicals for Rousseff's victory. Coelho had no opinion on that.

I asked him whether he thought countries could be chosen. He shared his impressions of the United States as a country chosen by God, where Americans can achieve their objectives through hard work, although it is harder for immigrant Brazilians. His own experience working in the United States includes strawberry harvesting—"one dollar for each shoebox full of fruits"—and other "Latino jobs" such as grass-cutting and serving at fast-food restaurants. He said, "The U.S. is a chosen country, an evangelical country, and if Americans don't take God out of there, God won't leave."

But he came back for family and the warmth of his home country. And he is ready to fight for freedom of expression and religious freedom to guarantee democracy there. He joins other conservative evangelicals who see these two rights as threat-

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ened by Worker's Party initiatives, such as "prohibiting pastors to preach on radio and TV channels" and the anti-homophobia bill. While democracy is not yet being menaced, he says, the anti-homophobia bill indeed "may" move in that direction by threatening freedom of expression.

With the bill, he explained, "homosexuals are trying to treat homosexuality as if it were a race, while it is really an attitude, a behavior."

"Let's say I hire someone to work in my house as a nanny or a maid, and let's suppose I find out she's homosexual, and she's taking care of my baby girl all day. So I think I have the right to decide who to have inside my home. Let's say I find out she's homosexual, and I tell her I don't want her to work within my family anymore. I can be arrested because of that. So there's no more freedom of expression; in your own home you have to be careful."¹¹

Coelho believes this legislation reflects the strong political influence from the LGBTQ movement in the United States

on Brazilian strategy. While in the United States, he heard a lecture about how homosexuals are seeking to become the new Blacks in society, with similar legal protections. He believes Brazilian activists witnessed the LGBTQ rights movement in America and "imported" its tactic to Brazil. This critique is ironic given the group's own origins.

Widening ACLJ's Global Impact

ACLJ has two offices in Europe, one in Kenya, and another one in Zimbabwe. The African offices opened most recently. According to Political Research Associates' 2012 report "Colonizing African Values," the Center actively intervenes in those countries' constitution-making processes, aiming to "bring about a new legal infrastructure in Africa that enshrines their Christian Right world view." The strategy for entering Brazil seems to be quite similar to what they've done in African countries, "by hiring locals as office staff, ACLJ (...) hides an American-based agenda

behind (local) faces, giving the Christian Right room to attack gender justice and LGBTQ rights as a neocolonial enterprise imposed" on the country or region, while obstructing critiques of the U.S. Right's activities.

There are obvious differences. Brazil is by some measures the eighth-largest economic power in the world, with more than 120 years of republican history and nearly two centuries of independence from the Portuguese Crown. It has an active civil society. And it is now exerting its influence over other countries in the political and economic realms and in cultural exchange and technological cooperation, to name but a few examples. Brazil also exports its religious power to other countries in the region, such as Argentina and Ecuador, and to countries of the Community of Portuguese Language Countries, including Angola, Mozambique, and Portugal. Its influence even extends to the United States and Mexico.

Because of this power, the field is not so fertile that American evangelicals can just throw their seeds and watch them sprout like weeds. Local battles for political space and power are taking place right now within the Brazilian Christian community that may determine BCLJ's fortunes in Brazil. But even where institutional ties across continents are weak, one-on-one relationships seem to have enormous power for sharing strategy and resources.

Jay Sekulow, ACLJ's chief counsel, is regularly invited for prominent speaking engagements in Brazil, including the 2011 CIMEB meeting (Interdenominational Council of Evangelical Ministers in Brazil). While Sekulow was unable to attend because of apparent back problems, he continues to receive invitations. Rev. Malafai's Victory in Christ invited him to participate in ESLAVEC, a religious leaders' school program in November 2012.

The Coelhos and the Sekulows are old family friends from the time when Filipe was living in the United States. Pastor Silmar Coelho visits the United States quite often to preach to Brazilians in churches throughout the country. Accord-

FORTHCOMING FROM PRA!

The Right's Marriage Message

TALKING TOLERANCE, MARKETING INEQUALITY

by David Dodge

Dodge tracks how Christian Right organizations appeal to moderates to oppose LGBTQ marriage and adoption rights, where they fell short in 2012, and how they may regroup in the future.

The New Battle Over Religious Liberty

THE RIGHT'S LATEST FRONT AGAINST LGBTQ RIGHTS

by Jay Michaelson

The Christian Right opposed school desegregation and interracial dating in the name of defending religious freedom. Now it opposes LGBTQ rights on similar grounds. Michaelson uncovers how a group of Roman Catholic intellectuals crafted the latest strategy, tracks its support among rightwing evangelicals, and evaluates its prospects for winning over hearts and minds.

www.politicalresearch.org

ing to Filipe Coelho, it is quite common for his father to spend two or three weeks visiting and preaching to Brazilians in one or more churches a day, in different cities and states.

Rev. Malafaia is also close to both families. The similarities between Jay Sekulow's and Silas Malafaia's arguments in defense of the "freedom of expression and religious freedom" are clearly noticeable from their speeches and other texts. Rev. Malafaia's publisher also released a translation of Louis P. Sheldon's "The Agenda: The Homosexual Plan to Change [Society]" and distributed it free to all members of federal parliament elected in 2010.

ACLJ's campaign for the release of Iranian Christian pastor Youcef Nadarkhani, jailed and condemned to death in Iran for the crime of apostasy and preaching Jesus's gospel, gave the spark to finally open an office in this powerful country. In the struggle for his release, ACLJ identified the importance of winning the government's support in Brazil, one of the few countries to keep diplomatic relations with Iran. Indeed, ACLJ's mode of operating in countries around the world is to win high-level political access as a way to broaden its power. Coelho recalled,

ACLJ called us saying that they needed a contact with Brazilian vice president and asked for our help. We obviously offered our support, called Brasilia, and got them a direct contact (via phone) with Vice President Michel Temer. Forty-eight hours later, Jordan and Anna [his wife] were in a meeting with him. From this, they saw how strong evangelical power is within Brazilian politics. They were 'enchanted' with Brazilians, because of the favor we did. So they decided to help Brazilian people by opening a Brazilian branch of ACLJ.

In a post dated March 8, 2012, ACLJ Executive Director Jordan Sekulow talks about his impressions from the meeting with Vice President Temer.

Our international team was warmly welcomed by Brazil's Vice President Michel Temer in his office in Brasilia, the capital of Brazil. Through an interpreter, he told me in Portuguese that the Brazilian government took immediate action when it became aware of Pastor Youcef's plight just weeks ago.¹²

That isn't the only high-level meeting Coelho has arranged. Israel's Foreign Affairs Ministry recently asked his help in setting up a meeting with President Dilma Rousseff. He had another chance to engage with

Local battles for political space and power are taking place right now within the Brazilian Christian community that may determine BCLJ's fortunes in Brazil.

the vice president, this time to request a meeting with the Foreign Minister of Israel. "I asked Vice President Temer if it was possible to set a date for that meeting; he immediately accepted and told his secretary to set it for the following Wednesday at 4:30 pm. The Foreign Affairs Ministry of Israel called the president's office three times to confirm the meeting and was told there was nothing set in the agenda for them," he told me. "When I called there to check on that, I was told that the meeting was set for me, that I was the one taking the Foreign Affairs Minister of Israel to the presence of Brazilian vice-president. Then the Israelis were also surprised with our influence."

Coelho continues: "I never thought that I'd be with the Brazilian vice president,

but it's all God's plans for us. I'm very thankful to God for all this."

BCLJ counts on the support of other, old family friends of Coelho's. Rev. Everaldo Dias da Silva, the vice president of the Social Christian Party, and one of the founders of the Evangelical caucus at the Parliament, is one. His son, Filipe Pereira was at 22 the youngest federal deputy ever elected in Brazil. He's from Rio de Janeiro and is currently in his second term. Edmilson Dias, one of Everaldo's brothers, is also engaged in politics and ran for alderman in Rio de Janeiro, but with the Worker's Party. He was not elected, but he got enough votes to be listed as a substitute.

Coelho shared that Rev. Dias is being tapped by a Brazilian groups of pastors (CIMEB) to run for president in 2014. Christian news sources also mention the federal deputy, Rev. Marco Feliciano, as a popular choice among evangelicals.

Evangelical Splits

The fall of 2012 was the time for local races—mayors and aldermen. Rev. Malafaia followed a statement by the president of the General Convention of the Assemblies of God by saying they had the goal to "make one Assembly of God's alderman in every city of the country," which would total about 5,600. An ambitious goal, but even if it fails, it provides a strategy to empower the Assembly of God and the evangelical community as a whole—and to build, region by region, the base for an evangelical candidate in national elections.

Just how many "pastors" ran for local office is impossible to track (though one journalist apparently tried, reaching 5,000), since some churches, such as the Universal Church of the Kingdom of God, led by the powerful Edir Macedo, no longer allow their pastors to register as "pastors" for fear of a political scandal involving their church's name.

In Rio de Janeiro, the mayor seeking reelection with PMDB—a center-right party that is a coalition partner with the ruling Workers Party—counted on the support of former President Lula and President Rousseff but allied with no less than Rev.

Malafaia in his search for evangelical votes against a leftist candidate. A third candidate had a prominent ally “gay-bait” the mayor as no friend of the church.

In São Paulo, a Roman Catholic charismatic mayoral candidate, Celso Russomanno, shot to first place in the polls after a scandal tainted the frontrunner affiliated with the Workers Party. He was the candidate of the Brazilian Republican Party (PRB), a party founded by Rev. Edir Macedo and other leaders of the Universal Church of the Kingdom of God in opposition to the Social Christian Party, mostly supported by Assemblies of God leaders.

Prof. Machado suggests that PRB chose a Catholic candidate and shifted away from Pentecostal candidates after failing to elect Bishop Marcelo Crivella to various offices in Rio in previous years.¹³ It is remarkable Russomanno became a frontrunner, even if only temporarily, in a city known as one of the most gay-friendly in the world, where the largest LGBTQ Pride Parade takes place every year. It also shows a shift of Rev. Macedo away from the close ties he originally built with the Worker’s Party in the early 2000s, which won him political space for his media enterprises. His party’s endorsement of Russomanno implies a declaration of political independence from the ruling party.

The elections seem a success for evangelicals. Rev. Malafaia’s candidate was elected in Rio de Janeiro. The evangelical caucus at the Rio city hall now totals seven aldermen, which represents 14 percent of the seats. It includes three IURD followers, two Assemblies of God representatives, and two from minor denominations. In São Paulo, twelve evangelicals were elected alderman out of 55 seats on the council. One is a member of the Christian Congregation of Brazil, three are from the IURD, two are from the Assemblies of God, one is Presbyterian, and there are five from other denominations.

Brazil is a country of contradictions. It can produce the Brazilian Carnival and lay the intellectual foundation for the Christian conservative group Tradition, Family

and Property. It has a president who worked on the shop floor and was educated by the Roman Catholic Left, and it is home to right-wing Christian empires such as the Universal Church and the Assembly of God Victory in Christ. This country, just as the poets have said, isn’t for beginners. Whoever wants to navigate its wonderful byways must tread carefully. If BCLJ pursues a legal and diplomatic focus through one-on-one networking, it may someday find a niche for itself among the power-brokers. But it is organizing in a very competitive environment, one in which evangelicals have already made a vigorous bid for political power and have found ways to generate huge cash resources. So BCLJ’s path to power is far from clear. ■

Endnotes

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⁹ Carta Capital, May 14, 2012. <http://www.cartacapital.com.br/politica/resposta-ao-pastor-silas-malafaia/>

¹⁰ <http://aclj.org/iran/brazil-stands-pastor-youcef-nadarkhani>

¹¹ Actually, the PLC 122/2006 text proposes an amendment to Law no 7.716/1989 (Brazil’s antiracism law), including defining prejudice or discrimination against gender, sex, sexual orientation and gender identity as a crime.

¹² <http://youtu.be/NwpzKup2k0o>

¹³ <http://sergyovitro.blogspot.com.br/2012/09/um-embate-politico-e-religioso-maria.html>

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

FEATURED REPORT

Judges Bought and Paid For

Public Financing of Judicial Races Can Give Small Donors a Decisive Role

By Billy Corriher, *Center for American Progress*, December 2012.
<http://www.americanprogress.org/issues/civil-liberties/report/2012/12/12/47657/public-financing-of-judicial-races-can-give-small-donors-a-decisive-role/>

In his re-election campaign, North Carolina Supreme Justice Paul Newby received millions from two tobacco companies and the state Chamber of Commerce, a major business lobby. Now he needs to decide whether to recuse himself from a lawsuit against the state's redistricting because of his largest donation — \$1.2 million from a state GOP group.

Newby is only one example of the way state supreme court judges across the country are wooed by large corporate donors and raise real ethical questions, as this report shows. In 2012, candidates in state supreme court elections spent a record total of \$27.8 million on television advertising. In ten states alone, contenders for state supreme court seats spent a total of over \$1 million.

The solution? In this final installment of a five-part series, author Billy Corriher argues public financing of judicial elections can dilute the influence of large contributors. While some courts ruled the public financing of elections is unconstitutional, a small-contribution matching system passes constitutional muster, argues the author. This magnifies small donations by adding a certain number of dollars for every dollar raised, up to a certain amount (for example \$6 for every \$1 donated up to \$175 as in New York City). A similar system statewide could open races to more candidates, increase diversity in the courts, expand interest and influence in underrepresented populations, improve the perception of judicial legitimacy, and, of course, diminish the influence of self-interested super-donors. The report does limit itself to this solution, however, rather than propose or argue against other proposals. Though perhaps beyond the intended scope, the report also does not discuss how large donors might respond to such programs. One can imagine they will not give away their advantage easily.

—Alex Zadel

Other Reports in Review

Fighting the Filibuster

Curbing Filibuster Abuse

Mimi Marziani, Jonathan Backer, and Diana Kasdan, *Brennan Center for Justice*, New York University School of Law, November 2012.
http://www.brennancenter.org/content/resource/curbing_filibuster_abuse/

This report argues that the 112th Congress, which met from January 2011 to January 2013, was one of least productive in a generation because of the widespread abuse of filibustering. No Congress in over half a century has passed fewer laws. While many attributed this to the division between the Democratic Senate and the Republican-led House of Representatives, similar divides historically were not nearly as unproductive.

The Senate passed only 2.8 percent of bills introduced—a record low. The cause was filibustering. A filibuster used to involve a U.S. senator speechifying in a marathon session to slow down the passage of bills. Only a vote of 60 senators could end it. Now senators need

only make the threat of a filibuster, turning it essentially into a veto for the minority. And its use has skyrocketed since 2006. Recognizing the problem, Senate Majority Leader Harry Reid and Minority Leader Mitch McConnell made a handshake deal vowing to reduce filibustering, as well as the use of what's called "filling the amendment tree." This last procedure allows the majority leader to fill the limited number of available amendments on a bill, preventing the minority from shaping the measure.

The report suggests requiring 40 votes to sustain a filibuster, rather than 60 votes to end it, allowing only one opportunity to filibuster any given measure or nomination; requiring filibustering senators to actually stay on the floor and debate, as was previously practiced; and reserving a minimum number of slots on the "amendment tree" for the minority. These common sense measures still await a champion who can navigate the Senate rules to make them a reality. —Michael Juhasz

The Rich and the Rest of Us

Born on Third Base: What the Forbes 400 Really Says About Economic Equality & Opportunity in America

United for a Fair Economy, September 2012.
<http://www.faireconomy.org/BornOnThird-Base2012>

This report uses a baseball analogy to make visible the privileges of the Forbes 400 list, whose members make up the top 0.1 percent of earners. And they were largely born on third base, close to home. Over 60 percent of the Forbes 400 began from privileged backgrounds. Furthermore, the group is disproportionately White and male; has used finance as its largest source of wealth; and, overall, is not as "self-made" as the image Forbes projects. They report cites prominent examples like the Koch brothers and Donald Trump.

Women make up only ten percent of the list. But they were even more likely to have largely inherited their wealth. There is only one Black member of the list—Oprah Winfrey.

Moreover, you have to be even richer than you used to be to qualify for the list. As the report notes, “In 1982, when the list was created, one needed \$75 million to make the cut. Today, every person on the list is a billionaire.”

To challenge this widening inequality, the report promotes policies such as raising the minimum wage, promoting savings and home ownership, assisting with college tuition, and freeing up unionization as remedies to this self-perpetuating cycle of privilege at the highest levels. The rich must be taxed more, and not discriminate against the working stiffs who pay higher taxes on their wages than the wealthy pay on their “capital gains” from stocks, bonds, and investment real estate.

Though at times the relevance or intuition of the baseball metaphor is a bit lost, the report offers an interesting and illustrative method of thinking about the inequality gap by looking at those at the top. The breakdowns by race, gender, and industry, in addition to financial background, also offer a level of analysis that can be applied beyond income distribution to other areas of inequality and privilege. Finally, perhaps the great advantage of the report is that it offers a broader audience a fun but thoughtful look into the serious economic inequalities in our country—complete with Donald Trump and Oprah Winfrey baseball cards. —Alex Zadel

Turning Prejudice into Play Videogame Bigotry and the Illusion of Freedom: How game designers turn prejudice into play

By J. F. Sargent *Extra! Fairness and Accuracy
In Reporting (FAIR)*, November 2012
<http://fair.org/home/videogame-bigotry-and-the-illusion-of-freedom/>

If the videogame character Mario wasn't Italian but still an adorable plumber in overalls who saves the princess, would we still love him the same way? More serious versions of this question and many others on prejudice are at the center of J.F. Sargent's article, “How game designers turn prejudice into play.”

The article calls into question the design decisions of video game developers that seem to feed off of real-world stereotypes through several striking cases. For example, it is difficult to escape the underlying racism in the decision by “Elder Scrolls” developers to create a dark-skinned race known as “Redguards”

who have increased physical abilities, but, in at least one phase of the series, also come with lower intelligence statistics. Similar prejudicial plotlines exist for women as well. As Sargent notes, many games portray sex as a side plot or “Easter egg” within the game and women are rarely given names or substantial roles.

These types of choices and interactions are inherently contrived and yet become embedded in players' minds. Hence, there is the inherent risk that choices like race appear to be life-or-death decisions while interactions with other characters are inherently one-sided and largely inconsequential. In this sense, this article raises points that must also be considered along with violence as we ask ourselves what role video games play in developing real-world behaviors and prejudices.

Perhaps Sargent's best argument is that video games immerse their players in a world more vivid, consuming, and often longer-lasting than books or movies, giving them great power to shape minds. As he argues, video game designers must recognize that this power comes with a certain level of responsibility and they must consider how their decisions affect the subconscious attitudes players carry IRL (in real life). —Alex Zadel

Race, Gender and the School-to-Prison Pipeline: Expanding Our Discussion to Include Black Girls

By Monique W. Morris, *African American
Policy Forum*, September 2012
[http://aapf.org/wp-content/uploads/2012/08/
Morris-Race-Gender-and-the-School-to-
Prison-Pipeline.pdf](http://aapf.org/wp-content/uploads/2012/08/Morris-Race-Gender-and-the-School-to-Prison-Pipeline.pdf)

Black girls and boys represent 17 percent of the Americans between the ages of 10 to 17, but are 58 percent of all juveniles sent to adult prison. Their most direct pathway into the criminal justice system is being arrested in schools. However, studies also find that students who are suspended, expelled, or referred to alternative schools in high numbers are also much more likely to end up in the juvenile or criminal justice system. This is the school-to-prison pipeline.

Alarming, studies suggest that these numbers are not due to higher instances of misbehavior in Black youth. Rather, Black students are punished more frequently and severely for the same actions that might result in a more moderate scolding where the

student is not Black. In part, says report author Monique M. Morris, this is due to cultural attitudes, perceptions of racial threat, criminalization of “ghetto” behavior, and other “unconscious biases” that guide the decision-maker.

While there has been growing interest in the school-to-prison pipeline and its racial characteristics, not nearly enough research has been directed toward studying Black girls who suffer from a unique set of problems. Black girls are caught in a double bind: pressured by the combined forces of racism, sexism, and classism, Black girls may adopt “loud, defiant, and precocious” behaviors. Yet, the author argues, this same behavior leads to discipline in school. Black girls often feel that if they are to succeed in school, they must become silent and invisible. To speak up is to be labeled defiant, disrespectful, and “unladylike.”

Of course, Black girls are girls and their problems are distinct from Black boys'. Morris asserts that comparing Black girls with Black boys is less appropriate than comparing them to other girls. However, because her data comes from studies based on racial rather than gendered analyses, it is difficult to assess what that comparison might reveal. It is clear that more research on this topic is needed.

There are positive alternatives to frequent punishment, e.g. conferencing circles, mediation, and counseling. State and county agencies could be restructured to respond to girls of color, and a system which criminalizes Black girls' noncriminal behavior must end.

—Michael Juhasz

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HERITAGE WARNING A BIT FLUFFY

In another move to protect the everyman, the Heritage Foundation released an important warning about the Affordable Care Act back in December: Obamacare is coming to get you—and now your little dog, too.

In a December 7 article on the foundation's website, Lachlan Markay, an investigative reporter for Heritage, argued that the Affordable Care Act (ACA) will increase costs for pets by raising veterinary costs. As evidence, Markay cited an IRS rule released in December that states that “dual use” devices used by veterinarians will fall under a 2.3 percent device tax as part of the ACA. These are devices that are designed for humans but also sometimes used by veterinarians: gloves, catheters, and pumps are some examples.

While perhaps missing the big picture of the ACA, Markay also misses the big picture for pet owners. Studies show that pets, rather than being just another expense, are in fact

adorable bundles of fur that bring their owners extraordinary health benefits, such as reduced stress and lower blood pressure. And yes, they even lower their owners' own healthcare costs.

EXCOMMUNICATE MORMON WOMEN FOR WEARING PANTS?

For many Christian women, “Wear Pants to Church Day” is simply called “Sunday.” But for a growing number of feminist Mormons, the special day is, in the words of the Mormon writer and professor Joanna Brooks, “the largest concerted Mormon feminist effort in history.”

The group “All Enlisted” was founded by two faithful and observant Mormons, Stephanie Lauritzen and Sandra Durkin Ford, to combat gender inequalities ranging from positions and titles in the Church to the secondary status women are given in the home. For example, one of their statements reads, “I feel unequal when I am taught at church that my husband presides in my family, he is the head, and all things being equal, he has the final say.” Sounds like a prime example of inequality indeed.

Hoping to start a larger dialog about egalitarianism, the group organized “Wear Pants to Church Day” on December 16. Women all over the world participated—some even posting their pictures to Facebook—and reveled in the chance to publicly identify

themselves to each other and the Church without ruffling too many feathers. After all, wearing pants is not specifically prohibited by Mormonism; all participants are simply encouraged to wear their “Sunday best.”

Lauritzen and Ford heard many hurrahs but also provoked disagreement, and even outrage, from some male members of the faith. Some of the men apparently believe that pants-wearing women deserve nothing less than excommunication.

CHRISTIANS OPPOSE THE SPREAD OF JESUS'S TEACHINGS

Thomas Jefferson created his own version of the Bible by cutting and pasting together biblical passages into a new book that included moral lessons and parables, but largely omitted “supernatural” events such as miracles and the resurrection. But some conservative Christian news outlets are unhappy that the American Humanist Association created its own version, called *Jefferson Bible for the Twenty-First Century*, saying it promotes atheism—and therefore communism—while rewriting the Christian history of the United States.

The American Humanist Association sent each member of Congress and President Obama copies of its volume, which also includes the “bests” and “worsts” from other religious texts like the Quran, the Book of Mormon, and the Bhagavad Gita. In the first half of the twentieth century, 9,000 of the original Jefferson Bibles were also distributed to Congress at taxpayer expense.

In response to the new Bible, Bradlee Dean of Conservative Action Alerts quotes religious phrases of American Revolutionary figures and recites statistics of atrocities carried out by communists such as Mao Zedong and Joseph Stalin. Dean further denies that Jefferson had anything other than religious intentions in his exercise and says that anyone who argues otherwise is simply un-American.

Sam Rohrer, president of the Pennsylvania Pastors' Network, told Charisma News that “this new attempt to replace God's Holy Word, the Bible with man's words and still call it a Bible should be rejected.”

Yet here are humanists using their own money to spread Jesus's teachings to lawmakers, including the Sermon on the Mount. Is that so objectionable?



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