

Movement and Countermovement Dynamics Between the Religious Right and LGB Community Arising from Colorado's Amendment 2

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Photo: Tea Schook, who started CLIP and EPOC, photographed after defeating the repeal of Denver's Anti Discrimination Ordinance in 1991; photo provided by David Duffield.

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Finally, this thesis is dedicated to the fiftieth anniversary of the Stonewall Riots in New York City June 28, 1969 and the many LGBTQ+ activists before and after that catalyzing event. May we remember their histories and expand on their work.

ABSTRACT:

This case study of Equality Colorado will demonstrate how countermovements and litigation may limit and change how social movement act. Colorado for Family Values helped pass Colorado's Amendment 2 in 1992, which limited any present and future anti-discrimination legislation that would protect sexuality as a class. This ballot initiative passed by 53% of Colorado voters, was the first of its kind, and was replicated in other states like Idaho and Oregon. Amendment 2 put the LGB community on the defensive and inclined the movement to collectively respond to the religious right with coalitions, pooled resources, and litigation. Equality Colorado, established in 1992, will exemplify how a social movement could respond to prejudicial legislation. One of Equality Colorado's primary tactics was to reframe religion as inclusive of gay rights. It did not cede religion entirely to its opponents and attempted to take away some of the religious right's legitimacy by labeling them "radical right" as opposed to the more popular term "religious right" or "Christian Conservatives." Additionally, Equality Colorado tried to compensate for the downsides of litigation by "translating" the legal terms to the general public and connecting litigators with the broader movement.

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INTRODUCTION:

1992 was a critical year for the religious right and LGB movements.¹ A movement-counter movement dynamic manifested during and after the passage of Colorado's Amendment 2, a public fight regarding whether sexual minorities should be protected by anti-discrimination ordinances that historically had protected race and gender. A religious right group in Colorado Springs, Colorado for Family Values, helped pass this ballot initiative with 53.4% of the vote. The Supreme Court overruled Amendment 2 in *Romer v. Evans (1996)*, in part as a result of a successful lawsuit and activists from local Colorado LGB organizations. This critical moment offers insight as to how actors in a social movement on the defensive responded in unexpected but remarkable ways in the face of classically demobilizing factors like a counter movement and litigation.

Before proceeding, it is critical to understand just how jarring and comprehensive Amendment 2 was in restricting LGB rights. The amendment would have been added to the Colorado constitution as follows:

NO PROTECTED STATUS BASED ON HOMOSEXUAL, LESBIAN, OR BISEXUAL ORIENTATION. Neither the state of Colorado through any of its branches or departments, nor any of its agencies, political subdivisions, municipalities, or school districts, shall enact, adopt, or enforce any statute, regulation, ordinance, or policy whereby homosexual, lesbian, or bisexual orientation, conduct, practices, or relationships shall constitute or otherwise be the basis of, or entitle any person or class of persons to have or claim any minority status, quota preferences, protected status, or claim of

¹ LGBTQ+ is the more inclusive acronym by today's standards, but this is a historic case study

discrimination. This section of the constitution shall be in all respects self-executing.
(Wadsworth 1997, 350)

This amendment would have blocked preexisting protection ordinances passed in the relatively progressive cities of Denver, Boulder, and Aspen. In addition, it would have limited future political action, in essence barring the LGB community from passing basic civil rights protection laws in other cities. No other initiative like this had ever been passed, but Oregon attempted a similar ballot initiative that same election year, and Idaho attempted one a year later (Stone 2012).

After Amendment 2 passed, Colorado was labeled the “hate state.” Tourists, conventions, and businesses alike boycotted Colorado, causing the economy to lose nearly \$120 million by the end of 1993 (Schultz 2018). Money and support flowed into the state from people like actor Ian McKellen and tennis player Martina Navratilova to help the LGB community fight Amendment 2 (Duffield 2019b). Local philanthropists like Tim Gill started foundations to better



Figure 1: Denver Post 1992

fund local LGB organizations (Schultz 2018). The boycott may have staved off similar discriminatory attempts between 1992 and 1996, in eight other states that voted down similar initiatives (Stone 2012). However, the Supreme Court of the United States (SCOTUS) ended any future

comprehensive anti-LGB initiatives like Amendment 2 when it ruled in favor of the LGB movement in *Romer v. Evans* (1996). If SCOTUS had not overturned Amendment 2, it could have become a blueprint for the religious right to pass similar initiatives in other states.

Figure 1 shows a political cartoon created a month after Amendment 2 passed, which indicates the national impact Amendment 2 was about to have. Even though the Amendment 2 battle took place in Colorado, there were nationwide implications for the religious right and LGB community. What's more, Colorado was the incubator for this fight because it had all the vital local elements that were products of broader national trends—evangelical institutions, a strong LGB community, a subcommunity of LGB Christians, and a broadly conservative voter base.

The religious right put Amendment 2 on the ballot with the help of an organization called Colorado for Family Values (CFV), based in Colorado Springs. As parachurch organizations² cropped up in the 1980s, Colorado Springs became a hub for politically engaged evangelicals keen to spread “family values,” a code term for conservative social policy. Behind this small local group run by a local car salesman was a much larger conservative religious movement. The same year that Amendment 2 passed, a large evangelical parachurch Focus on the Family moved to Colorado Springs from southern California. Focus on the Family received so much mail that the post office had to give the campus its own zip code (Williams 2010, 236).

Amendment 2 emerged from this growing evangelical political network.

Cities in Colorado had been focal points for the LGB community since WWII. Denver was the main hub for the intermountain west and only major LGB-friendly city between Chicago and San Francisco (Fetner 2008; Marcus 2017). The community had been active in the state

² Parachurches are typically nondenominational organizations doing evangelical work funded privately. They can have religious or nonprofit status. They could range in interests from homelessness services to multicultural community centers (“What Is Parachurch?” n.d.).

since the 1860s with bars like the *Moses Home* (Sylvestre 2014). LGB members successfully elected friendly politicians like Denver Mayor Federico Peña who took a strong stance against discrimination issues, including unfavorable zoning laws that were hostile to unmarried people living under the same roof (Sylvestre 2014). Peña announced the official Gay Pride Day in 1986 in response to the AIDS crisis, but the first Pridefest in Denver can be traced back to 1974 (Marcus 2017). By 1990, Denver, Boulder, and Aspen had passed municipal ordinances that protected the LGB community from public accommodation discrimination. These were the very ordinances that Amendment 2 overturned, exemplifying the movement-counter movement dynamic studied by sociologists like Mayer Zald, John McCarthy, David Meyers, and others.

According to social movement scholar Tina Fetner in her book *How the Religious Right Shaped Lesbian and Gay Activism* (2008), these two social movements had been feeding off of each other since the Stonewall Riots in 1969. If the LGB community was the progressive movement pushing for more expansive civil rights, then the religious right was the conservative counter movement (Meyer and Staggenborg 1996; Zald and Useem 1987; Mottl 1980). This dynamic had been cropping for decades nationwide but came to a hilt in 1992. In 1974, Boulder citizens had overturned municipal protections in housing for the LGB community, appealing to similar arguments of traditional family values made by Anita Bryant's "Save our Children Campaign" in Florida's Dade County Referendum a few years later. Yet Boulder was one of the most liberal cities in the country and still would not pass a protection ordinance (Duffield 2019b). Fifteen years later, the Boulder protection ordinance was passed with minimal pushback, though Amendment 2 threatened it. These Colorado disputes were part of larger national counter movement dynamics. "Between 1974 and 2009, the religious right placed 146

anti-gay ballot measures on the ballot, using direct democracy to successfully fight LGBT legislative gains on both the state and local level” (Stone 2012, xv).

Amendment 2 took the LGB community by surprise, partially because the religious right had never attacked so directly through political means. Throughout the 1980s, the religious right focused on realizing its anti-abortion goals, according to law and society scholar Joshua Wilson (Wilson 2016, 2013). Meanwhile, the AIDS epidemic was ravaging urban gay communities, forcing the LGB community to face inwards and reassess priorities. Conservatives blocked federal research funding for AIDS until 1985 and the release of educational pamphlets until 1987. President Reagan’s press secretary Larry Speakes called AIDS the “gay plague” (Lopez 2015). Blocking funding was detrimental for the LGB community. However, blocking funding was more an affront against a community already in crisis. Blocking funding may have exacerbated a preexisting crisis. LGB activists mobilized around fighting AIDS for its own sake, not just against the religious right. In response to the AIDS crisis, the LGB community returned to street activism and local politics in the attempt to change the hostile culture. Organizations like ACT UP promoted radical street protests to break the silence surrounding AIDS. By the turn of the 1990s, Fetner claims that the LGB community had pretty strong control over its local agendas³ (Fetner 2008, 31:85–92).

During the 1980s, the religious right had largely been focused on abortion while the LGB community was fighting AIDS and focusing on municipal level policies and electing local politicians. Thus, when Amendment 2 blindsided the Colorado LGB community when it passed

³ According to GLAAD’s reference guide, “homosexual agenda” is a term that should be avoided because it has rhetorical roots of “anti-gay extremists seeking to create a climate of fear by portraying the pursuit of equal opportunity for LGBT people as sinister.” However, when I write LGB agenda, I am referring to the literature regarding social movements and institutions as nothing more than an established movement’s goals and efforts (“GLAAD Media Reference Guide - Terms To Avoid” 2011).

with 53% of the vote. This initiative comprehensively attacked the LGB community, barring them from present and future political action to fight discrimination, because it forbade any Colorado governments from recognizing LGB individuals as a protected class. In the words of lawyer Jean Dubofsky, who represented the LGB position at the Supreme Court, “[Amendment 2 prohibited] all levels of government in the State of Colorado from ever providing any opportunity for one to seek protection from discrimination on the basis of gay orientation” (Casey 2016). The LGB community had no choice but to fight back. It could not allow its municipal successes and future collective opportunities to be lost.

The LGB movement’s preexisting political infrastructure allowed it to reorganize after Amendment 2 passed. Colorado Legal Initiatives Project (CLIP) responded with a lawsuit on behalf of the LGB community to fight the amendment. Even though many scholars illustrate that litigation can be demobilizing due to focusing on the technical, legal arguments, the LGB movement emerged from this legal battle less scathed than expected due in part to the organization Equality Colorado (Albiston 2010; Hunt 1990).

The Equal Protection Ordinance Coalition (EPOC) activists who worked to pass the Denver protection ordinance established Equality Colorado (EC) in Denver almost immediately after Amendment 2 passed. While not directly engaged in the ensuing litigation, EC educated the community about the legal arguments to keep the broader movement engaged throughout the four-year lawsuit process. It also reached out to the mainstream community regarding the adverse effects of Amendment 2 and how “gay rights” were not “special rights,” as the religious conservatives claimed. Additionally, EC wanted to minimize future discriminatory policies. The primary, though unexpected, way that EC reached out to the mainstream community was through an inclusive religious framework. This religious framework served to invite the

religious LGB members back into their faith. What's more, harnessing inclusive religion undermined the LGB activists' political opponents—mainly the religious right. EC exemplifies how a movement can defy classically demobilizing effects like litigation and a countermovement. Though this study will not unpack the effects of the internal decisions, it will examine how a social movement that was under attack by a stronger movement (based on funding and size) and facing institutional difficulties related to litigation responded in a politically savvy way that allowed the LGB community in Colorado to emerge from the 1990s remarkably intact.

LITERATURE REVIEW

The case study of the LGB community in the 1990s will illustrate how a movement and countermovement dynamic can manifest. I will harness social movement sociologists John D. McCarthy and Mayer N. Zald's framework of social movement resource mobilization. Focusing on organizational features, the LGB movement would be considered a social movement because it consists of "preference structures directed toward social change" whereby structures would become more inclusive or less discriminatory against sexual minority groups (McCarthy and Zald 2003, 172). EC, CLIP, and EPOC, however, constitute social movement organizations (SMOs) because they were "complex, or formal, organization[s] which [identify] goals with the preferences of a social movements or countermovements and attempted to implement those goals" (173). Each organization had a targeted goal, which it was working to achieve. For example, CLIP's targeted goal was to overturn Amendment 2 through litigation. One of a SMO's targeted goals could be to turn adherents (those who believe in the SM's broader goals) into constituents (those who would donate money or time to an SMO) (172-175). EC filled this

function by attempting to mobilize either new LGB members or the mainstream community to fight against Amendment 2. Part of this effort was to identify potential beneficiaries of the movement (i.e. transgender or straight community members) who would be affected by Amendment 2 and make those people aware of the problem. One attempt to broaden the constituency was through litigation translation and inclusive religious outreach.

However, the LGB collaboration and resource mobilization that occurred to fight Amendment 2 cannot be understood in a purely SMO sense because a strong countermovement existed. Typically countermovement literature either adds or modifies characteristics of how countermovements emerge or function. For example, in 1996, Meyers and Staggenborg identified that countermovements are more likely to emerge in federalist systems like Germany and the United States, using the concept of political opportunity structure, which was overlooked by Zald and McCarthy in 1987 (Zald and Useem 1987; Meyer and Staggenborg 1996). Political opportunity structure advocates argue that there are institutional spaces—classically courts and congress—for social movements to act and realize their goals. Federalist systems expand those institutional spaces because of the political dynamics at the state and municipal level. Another social movement sociologist, Tahi Mottl, identifies countermovements as oftentimes conservative because they “perceive [their] power as threatened by change or as augmented by [their] resistance to change” (Mottl 1980, 627). These are just a handful of relevant characteristics that I could test with this case study, but I am validate or debunk characteristics set forth by predecessors. Instead, I will accept, as scholars like Tina Fetner have, that the religious right acted as a countermovement to the LGB social movement (Fetner 2008). Once established, the dynamic changed the way the original social movement could act. In this way my case study will not critique characteristics of countermovements as comprehensive or not, but

it will show some consequences that can emerge by the nature of the countermovement's presence.

The bottom line is that when a countermovement materializes in response to another movement, it changes the way that the original movement can realize its goals because the movement no longer just contends with the resource and institutional limitations (Meyer and Staggenborg 1996; Meyer and Whittier 1994; Zald and Useem 1987; McCarthy and Zald 1977; Mottl 1980). As limitations emerge in response to countermovement tactics, the movement becomes more creative. Often movements must attempt a different political venue such as changing from legislation to litigation (Zald and Useem 1987). In the case of the LGB community in the early 1990s, it was compelled into litigation because of the countermovement's success in passing a ballot initiative, and litigation had its own slew of institutional barriers and implications for the social movement.

Though the LGB community had established legal organizations like Lambda Legal, GLBTQ Legal Advocates and Defenders (GLAD)⁴, and National Center for Lesbian Rights (NCLR) in the 1970s, the LGB movement had not been very successful at overturning discriminatory laws in the courts (Mezey 2007; Fetner 2008). As a result, the LGB movement shifted its focus to grassroots activism by the early 1990s. By 1991, the only constitutional protection SCOTUS upheld on behalf of the LGB community was in *One, Inc. v. Olesen* (1958); the court permitted the sales and publication of a homosexual magazine because it did not consider the homosexual materials "obscene, lewd or lascivious" under the Comstock Laws of 1873 (Andersen 2006; Mezey 2007, n.d.; Brandon R. Burnette n.d.). As recently as 1986, in *Bowers v. Hardwick*, the Supreme Court ruled that consensual sodomy was not constitutionally

⁴ Its original name was Gay Legal Advocates and Defenders.

protected (Andersen 2006; Mezey 2007; “*Bowers v. Hardwick*” n.d.). The courts had not been supportive thus far on behalf of LGB interests so a lawsuit to fight Amendment 2 would not have been the first choice. Furthermore, litigation has the capacity to demobilize social movements because it is expensive and requires legal expertise (Albiston 2010; Hylton 1993; Barclay and Fisher 2006). The LGB movement probably would not have brought forth a lawsuit if not for the countermovement passing such a discriminatory amendment and blocking other political opportunities.

Litigation also requires an appeal to power that street activism does not. Though some of the countermovement literature argues that tapping cultural and political elites could be a way to maintain itself, elites are not vital to sustaining a movement (McCarthy and Zald 1977). Successful social movement litigation, on the other hand, requires this appeal to elites. Applying Antonio Gramsci’s theory of hegemony to litigation, law and society academic Alan Hunt argues that subordinate groups can use a rights framework to explain their interests in terms of those who are in power so that the latter adopt some of the subordinate group’s interests. If the social movement wants to better its conditions, it “must develop the capacity to integrate class aspirations with leadership over other subordinate groups by taking up and integrating the interests of those other groups and classes” (Hunt 1990, 312). Typically, subordinate groups will appeal to values or interests that appeal to the powerful class such as freedom or equality or less idealist values like the right to enter a contract. Once the ruling class understands the legal case on this ground and adopts that rationale, the court’s decisions are more likely to endure because overturning a decision based on the values that have benefitted those in power would hurt or embarrass the ruling class. Rights are a convenient way to make this type of argument in a democracy, especially one like the United States with an enshrined Bill of Rights. Thus,

litigation—especially that which appeals to rights—has the capacity to transfer what was once controversial to a secured right (Hunt 1990). However, attempting to make a nuanced legal argument that would reach the mainstream community could have compromised any preexisting goals of the LGB movement. Thus, demobilizing effect could have occurred within the part of the movement that was not involved in litigation.

Mainstream community outreach can be understood in two ways. From the litigation perspective, EC extended to the mainstream public (the ruling class) so that it could understand and endorse the decisions of the court (Hunt 1990). From the social movement resource mobilization perspective, EC attempted to garner more support from potential beneficiaries in the mainstream to ally with the SMO's goals (McCarthy and Zald 2003). Thus, EC had to educate and reach out to the mainstream community as well as inform its own community.

A primary way that Equality Colorado extended to the mainstream community was through inclusive religion. I borrow from Paula Coppel a Unity-ordained minister's definition of inclusive religion that references Gandhi and other non-Christian leaders who garner a similar sentiment. However, it's important to note that the primary LGB religious appeals and religious right appeals stemmed from Christianity. According to Coppel, this type of Christian appeal is based on Jesus as a loving and accepting figure; the literal biblical interpretation is less important. She writes,

We know Jesus as loving and kind, but he was also a passionate advocate for change. History indicates he was a witty philosopher and a bold reformer. He is perhaps best known for reaching out to the disenfranchised—the women, the poor, the oppressed, the sick, the lepers, the tax collectors. Jesus made it clear that the kingdom of God—the here-and-now possibility of perfection on earth—was for everyone. (Coppel 2013)

This inclusive appeal to religion was strategic for a few reasons. EC wanted to prevent legislation or ballot initiatives like Amendment 2 from being passed again. Also, appealing to the mainstream community via religion was a creative “win” within the context of the movement-counter movement dynamic with the religious right. “Wins” do not have to be strictly political as measured by elections, legislation, or litigation; they can be cultural or symbolic (Meyer and Staggenborg 1996).

Trait ownership from candidacy work offers additional insight as to why EC would appeal to religion. “Trait ownership argues for a direct connection between issues ‘owned’ by a political party” (Petrocik 1996). In applying this theory to movements and counter movements, trait ownership can be framed in terms of how the public perceives each movement owning certain traits. If one can theoretically encroach on its opponent’s territory, then it undermines the opponent’s stability (Hayes 2005). For example, if the religious right were to position itself to own “tradition” or “morality” because of its religiosity and if the LGB community were to show different manifestations of religiosity, then it would delegitimize the religious right’s sole claim to tradition and morality. This is one way to make sense of the approach that EC employed to destabilize the religious right.

Lastly, there was political space for an inclusive appeal to religion at the turn of the 1990s. This Amendment 2 fight started just after the Moral Majority was collapsing and Pat Robertson had failed his 1988 presidential bid but before the Conservative Coalition was established. The religious right was weakening nationally, and there were deep chasms between leadership in evangelical organizations like the Moral Majority and Focus on the Family; the religious right did not have the stronghold on religion that it had during the 1980s (Fetner 2008; Williams 2010). This critical moment offered a space for a progressive interpretation of religion.

Once a movement-counter movement was sparked in Colorado with the passing of Amendment 2, it pushed the LGB movement into a new political venue—litigation. In order to compensate for some of the downsides of litigation, the LGB movement educated people within and outside its constituency. In order to build allies outside the community, the LGB community appealed to religion, which was strategic in light of trait ownership and the historic context of the 1990s. Based on the literature, one may expect EC and other SMOs to disband or crumble in the face of litigation and a counter movement. However, it did not because of the movement's strategic choices during this critical time period.

This research is grounded in the American Political Development notion that history is vital to making sense of politics. Institutions and ideas are central to uncovering why the LGB community responded like it did (Mettler and Valelly 2016, 2–3). This historic case study may challenge assumptions about the presence of litigation and counter movements (Galvin 2016, 6). With this in mind, there is much that can be learned from this case study, but it is historically imbedded and its transferability limited.

METHODS

I approached this study interested in what institutional and societal conditions limited the LGBTQ+ movement's agenda from realizing more salient issues like unemployment and housing discrimination (Shepard 2013). Based on Tina Fetner's book *How the Religious Right Shaped Lesbian and Gay Activism*, I considered the presence of the counter movement might have been a limited factor. Colorado had both elements of a politically engaged religious right and urban LGBTQ+ centers. First, I compiled a list of Colorado organizations mentioned in the Colorado LGBTQ+ magazine *Out Front*'s timeline of LGB history (Sylvestre 2014). I contacted

the following organizations via email or through its websites contact forms in early February 2019 and planned to narrow the pool depending on responses: Imperial Court of the Rocky Mountain Empire, Colorado AIDS Project, Colorado Gay Rodeo Association, One Colorado, Gill Foundation, Rainbow Alley, The Center, Mile High Freedom Band, Denver Gay Lesbian Chamber of Commerce, and *Out Front* Magazine. I sent the following email along with my contact information and affiliations with the University of Denver Honors Program and Political Science Department:

I am writing an honors thesis about LGBTQ+ advocacy in Colorado. I am interested in any archival or meeting materials you may have regarding critical decisions your organization has made since its inception. This may include any previous mission statements, arguments regarding how to spend or change funding procedures, or decisions regarding time allocation.

Only two organizations responded my cold email. Colorado Gay Rodeo Association updated me with the new president's email, but I was never able to create a working relationship with the president or the organization. The Gill Foundation's Colorado Program Director, Denise Whinnen, returned my email with advice to reach out to Colorado Health Network, One Colorado, and the Center, all of whom I had already contacted once. I asked Whinnen if we could schedule a quick call, so I could ask for more information about the Gill Foundation. Its annual reports were publicly available, so I considered tracking its public reports to see changes in its agenda.

February 11, 2019, I spoke with Whinnen about the Gill Foundation's founding and goals. She made it very explicit that the Gill Foundation is not an advocacy group and is under high tax scrutiny because it is a foundation. It is not able to lobby, endorse candidates, bring

about ballot initiatives, or express advocacy positions. However, it can grant funds to other LGB organizations that are educational or research-based—not political (Whinnen 2019). I considered tracking which organizations the Gill Foundation funded since the 1990s. However, these public reports are not available for 1992 when Amendment 2 occurred. If I wanted to investigate the dynamic with the religious right, I would have to focus on Colorado’s marriage equality bill of 2000. Additionally, Whinnen recommended that I contact Deb Pollock at the Center. Though Whinnen did not know Pollock’s exact current position, she said that I could use Whinnen’s name to be connected to more information.

Though I had already contacted the Center, I reached out a second time using Denise Whinnen’s name and requesting the email of Deb Pollock. Steven White, who monitors the info@glbtcolorado.org account, redirected me to David Duffield, the contracted historian.

David Duffield and I exchanged many emails, and he offered more detailed information about the LGB organizations that had risen and fallen in order to pass and fight certain legislation and litigation battles. He provided the historic context I had been lacking for the 1980s and 1990s regarding LGB organizations within Colorado. He also directed me to the Denver Public Library’s (DPL) archival website with a topical focus on Gay, Lesbian, Bisexual and Transgender history (Rogers 2014). Because I had told Duffield that I was interested in the countermovement dynamic with the religious right, he recommended the Equal Protection Ordinance Coalition (EPOC), the Tea School Letters, and the Colorado AIDS Project archives. Though the Colorado AIDS Project may have been rich in information, I determined that the AIDS crisis would offer more insight regarding a movement facing internal crisis, and I was more interested in a countermovement dynamic.

EPOC passed Denver's antidiscrimination ordinance in 1987 and led the statewide fight against Amendment 2 before it passed. While reading about EPOC on the DPL website, I realized that many of the same actors in EPOC founded EC after Amendment 2 passed ("EQUALITY COLORADO RECORDS" n.d.). EC appeared more relevant to a case study of countermovements than EPOC because it was founded explicitly to fill the education and litigation gap needed to fight the religious right. The Tea Schook papers were a personal collection by Theresa L. Schook,⁵ the first LGB member to run for governor and founder of Colorado Legal Initiatives Project (CLIP) and EPOC. She also helped in the creation of EC to inform the broader community of the legal fight brought forth by CLIP ("Tea Schook Papers, 1964-1995" n.d.; Duffield 2019b, 2019a).

Both the EC and the Tea Schook Papers intrigued me and were relevant to a study pertaining to countermovements. However, because I was more interested in the organizational choices made within the movement as a response to a countermovement, I started with the EC archives. I decided that if I could not find sufficient materials in these archives, I would investigate the Tea Schook materials. Fortunately, the EC materials were very extensive with a plethora of evidence relating to the effects of the religious countermovement dynamic. More importantly, up until EPOC and by extension EC, the LGB community was relatively dormant politically because Colorado was in a socially conservative state. EC was one of the first local Colorado groups established to inform and promote political work rather than work as a resource organization or legal advocacy group (Duffield 2019b). With more time, the Tea Schook papers could be insightful and strengthen my argument, but for the purposes of this thesis, I focused on the EC records. EC provided an example of how an activist group that was established explicitly

⁵ Front cover of thesis has a photograph of Tea Schook

to fight the countermovement might act. Also, because EC was comprised of preexisting political actors, it demonstrated how a broader social movement could delegate jobs in order to fight the countermovement more effectively.

I visited the Denver Public Library's public archives from February to April 2019. When looking through the archives, first I looked through all EC's available meeting minutes and internal planning documents in order to get a sense for the following information: types of events being hosted, internal disputes, and pressing issues. Next, I looked at correspondence between EC and other LGB groups in order to detect any specialization that may have been occurring within the broader social movement. Then I broadly read any educational pamphlets or event fliers in order to see which efforts were actually realized. Many of these materials were undated. Lastly, I skimmed all the organization's newsletters, returning later to read any articles pertaining to the religious right or litigation more in depth. Newsletters were published once a season (roughly 4 times a year) under a few different names.⁶ I investigated any emergent, key actors who were writing the articles and any event advertisements either hosted by EC or other LGB organizations.

In order to sort through all the archival materials, I made notecards for nearly 100 different pieces of evidence. I sorted these cards by concept and color-coded them by content areas. I created maps and networks to try to connect ideas. Based on the literature pertaining to movements, the two most prevalent and surprising aspects of this concept mapping were litigation and the religious appeal. Thus, the remainder of this paper will focus on how EC attempted to realize these two emergent trends. EC defies the literature pertaining to litigation and countermovements because it persisted and responded in interesting ways.

⁶ The newsletter was published under two different names: The Neighborhood Voice (1993) and The Equal Times (Spring 1994-Fall 2000).

CASE STUDY

THE COUNTERMOVEMENT AND PASSAGE OF AMENDMENT 2

Amendment 2's success surprised the LGB community and religious right itself. In 1994, Stephen Bransford, media advisor to Colorado for Family Values (CFV), published a book called *Gay Politics vs. Colorado and America: The Inside Story of Amendment 2* in order to tell "the untold Amendment 2 success story...and to make complex lessons accessible and understandable" (Bransford 1994, 8). In this book, Bransford outlines the creation and passage of Amendment 2 by CFV and other conservative allies while showing, in his opinion, how "judicial activism" was undermining democracy. This book frames Amendment 2 as a triumph against all odds and offers a toolkit for future religious right groups to pass similar amendments.

By August 1991, CFV had applied for 501(c)(4) status with a board of directors comprising of Will Perkins, Narzarene Pastor Woodie Stevens, Chuck Chaney, Sharon Bath, and Barbara Sheldon. Both Sheldon and Bath had been involved in fighting the Denver protection ordinance a few years earlier—the ordinance passed by Equality Colorado's founders. Many of these people started working together earlier to fight an ordinance similar to Denver's in Colorado Springs where allegedly "the Colorado Springs group realized that its city had been targeted for a gay rights ordinance without its knowledge. Unless someone stopped it, its city would join Denver, Boulder, and Aspen on the list of cities granting special protections to anyone claiming homosexuality" (Bransford 1994, 25). Beyond these experienced politically engaged board members, CFV also appealed to Colorado evangelical elites like Bill McCartney, CU Boulder's football coach, who had started the Christian men's organization Promise Keepers, for Amendment 2's fiscal and social support (Wadsworth 1997).

CFV was founded explicitly to gather the required number of signatures to put the initiative on the ballot and raise support for the passage of Amendment 2. CFV consulted with many lawyers and experts to craft narrow, precise language for the amendment so that the initiative seemed to promote equality rather than limit rights. CFV framed the issue “as inclusive, pluralistic—appealing to fairness in the law, crossing all political and religious lines” (Bransford 1994, 40). CFV appeared to be preparing for the future legal battle; it needed its language and public intentions to be legally sound before collecting the 49,279 signatures required to put initiative on the statewide ballot.

Some of the legal organizations CFV consulted to draft this amendment, like the National Legal Foundation in Virginia Beach were founded explicitly in order to

Implement innovative strategies that, through decisive action, will cause America’s public policy and legal system to support and facilitate God’s purpose for her, all while conducting ourselves at all times with the utmost integrity and in such a way as to glorify the Lord Jesus Christ. (“About” n.d.)

As opposed to the National Legal Foundation, which aimed to use litigation to reach its religious ends, CFV prepared for the legal fight that was bound to arise if Amendment 2 passed. Even though Amendment 2 was not a legal attack against the LGB community, CFV reflects keen awareness that the initiative needed to hold up in court. For this reason, Bransford spends a large portion of his book constructing how Amendment 2 did not *legally* discriminate against homosexuals, though most mass media considered it discriminatory in practice.

In order to succeed, CFV framed the public debate within the constructed idea of “special rights” and relied on the broader Colorado evangelical community for support. According to political scientist Nancy Wadsworth, this argument worked within the framework of a larger

“special rights” campaign put forth by evangelicals at the time claiming to protect racial minorities and, in this way, galvanized other protected classes like the African American community to support Amendment 2 (1997). CFV proposed that gay rights were “special rights” as opposed to civil rights. This “special rights” campaign was a public appeal, not a legal argument specified in the language of the ballot initiative or constitution (*ACLU of Colorado* 1993).

CFV was a part of a larger community of evangelical organizations and churches emerging in Colorado Springs. The same year that Amendment 2 passed, Focus on the Family moved to Colorado Springs from Southern California to build a huge complex because land and construction costs were cheaper. Additionally, the El Pomar Foundation promised \$4 million contingent upon the move (Ward 1990). The “special rights” campaign and Focus on the Family indicate that there were larger forces contributing to Amendment 2’s success.

POLITICALLY VIABLE RESPONSES FOR THE LGB COMMUNITY

Before the ballot initiative passed with 53.4% of the vote, Denver’s 9News reported that Amendment 2 would lose 47-53% (Bransford 1994, 155). When it did pass, it came as a shock because the religious right appeared to be weakening nationally and its local LGB opposition had recently been successful with municipal protection ordinances. The LGB community had to respond to Amendment 2 because it enfranchised them as second-class citizens. The LGB community could not remain complacent because if enacted Amendment 2 would have limited future political opportunities and overturned previous successes. LGB activists filed a lawsuit, but given the cost and demobilizing nature of litigation, they perhaps should have chosen a different political venue (Hylton 1993; Albiston 2010; Levitsky 2006). The LGB movement only litigated because there was no other option.

State legislative options were not viable politically. The nature of Amendment 2 as a Colorado Constitutional amendment prevented state and municipal legislation efforts. A counter ballot initiative was also not viable. Up until that point, the broader Colorado public had not sided with the LGB community in public opinions (Stone 2012). Furthermore, if Amendment 2 were to be fully enacted, it would be nearly politically impossible to act collectively to produce the necessary signatures to overturn Amendment 2 as a ballot initiative in the following election cycle. Moreover, if the Colorado citizens just passed Amendment 2 with 53% of the vote, LGB activists needed to change the culture and perceptions of the LGB community in attempting to win over the public long term. Thus, state legislative and ballot initiative responses were practically impossible.

The next option may have been attempting to pass a federal bill or amendment that would null the state amendment under the Supremacy Clause. Democrats had just won control of the presidency, House, and Senate in the same election that Amendment 2 passed. The *Washington Times*, a conservative newspaper, considered the ballot initiative “the brightest light in an otherwise disastrous election year for conservatives” (Bransford 1994). However, LGB interests were not yet secured in the Democratic Party. Even though a Republican win would have been worse for the LGB community, it was only becoming a part of the Democratic coalition because the religious right was officially anchoring itself to the Republicans via Pat Robertson’s Christian Coalition under new direction of Ralph Reed. The Democrats became natural allies because the religious opposition had wedged itself into the Republican Party since nearly 1984. Thus, the LGB community preferred a seat at the table with the Democrats to no seat at all.

However, a seat at the legislative or executive table did not necessarily translate into beneficial legislation as both the religious right and LGB activists learned. Prior to Bill Clinton’s

election in 1992, he vowed support for the LGB community, yet he passed the “Don’t Ask, Don’t Tell” policies as a compromise to allowing LGB people to serve in the military in 1994 (Fetner 2008; Williams 2010). This indicates that he was hardly ready to fight for LGB rights in Colorado. For other congressional Democrats, supporting LGB friendly policies was risky. According to a Gallup Poll taken June 1992, only 48% of respondents thought homosexual relations should be legal between consenting adults, and 8% had no opinion (Gallup Inc. 2019). This was not parsed out by political affiliation; however, there was no clear mandate by the American public at the time to substantiate the efforts for a federal law or amendment. Thus, the national legislature and executive were also unlikely to politically support overturning Amendment 2. A lawsuit starting at the local level was the only viable solution for the LGB movement.

EARLY LGB RESPONSE TO AMENDMENT 2

Colorado Legal Initiatives Plan (CLIP) announced a lawsuit within two weeks of Amendment 2 passing (Kuta 2016). Equality Colorado (EC) was founded about the same time. 1992 documentation shows close correspondence between CLIP and EC. At first glance, it may seem strange that a brand-new advocacy group would be in close contact with the legal team bringing forth the lawsuit because grassroots activists are typically separated from litigating elites. However, the same activists who founded Equal Protection Ordinance of Colorado (EPOC) in order to pass Denver’s protection ordinance and fight Amendment 2 before the election founded CLIP and EC (“Tea Schook Papers, 1964-1995” n.d.; “Equality Colorado Contact Form” 1992). After the effort by EPOC failed to block Amendment 2 from passing, some LGB activists outside the state blamed Colorado activists like Tea Schook. Thus, the activists tried to reorganize in order to overturn Amendment 2 from many different angles as

opposed to focusing only on mobilizing LGB people like during the Amendment 2 election fight (Duffield 2019b).

LeRoy L. Miller, CLIP volunteer, sent a letter to Tony Ogden at EC on November 30, 1992 less than a month after Amendment 2 passed. In this letter, Miller tasked EC with educating the LGB community through a newsletter regarding “all aspects of the fight against Amendment 2” (Miller 1992). Also, CLIP needed an organization to collect information about the religious right by “[developing] and [maintaining] a repository of information on the activists of the religious right, both in Colorado and elsewhere” (Miller 1992). What this letter shows is how the Colorado LGB movement was self-organizing its SMOs. Part of the reason the Colorado movement could do this was because many of these actors had already worked together in EPOC (“Equality Colorado Contact Form” 1992). Thus, the Colorado LGB movement defied what one would expect from the countermovement literature that would suggest disorientation and demobilization due to being jarringly attacked in such an all-encompassing way (Meyer and Staggenborg 1996). Instead, because there was an existing activist network and overwhelming sense of urgency, it was quick to respond. This is an example of resource mobilization because the SMOs delegated jobs between each other to realize individual goals (McCarthy and Zald 2003). By early 1993, EC established itself focusing on these specific, targeted goals:

- Increase awareness of the gay/lesbian/bisexual experience in Colorado and the ramifications of Amendment 2 on them
- Highlight the dangers inherent in the radical right’s ‘stealth’ campaign tactics and its long-term agenda
- Distinguish the radical right’s ‘stealth rights’ campaign [from] basic civil rights
- Un-do Amendment 2

- Strive for equal rights for all Coloradans

(“Equality Colorado Contact Form” 1992)

EC needed to effectively realize these goals delegated to them by other Colorado LGB SMOs, specifically CLIP. Its main goals clustered around education about the religious opposition and Amendment 2. First, I will examine how Equality Colorado undermined the legitimacy of the religious opposition by using inclusive, affirming religion. Next, I will examine how it acted as a litigation translator.

TIGHTENING TARGETED SMO GOALS

Even though EC had a clear, concise goal to fight the religious right in 1992 it had an identity crisis regarding *how* to achieve this about a year after initial establishment. According to meeting minutes from September 26, 1993, EC appeared to have lost focus in the year between the organization’s founding and this meeting, discussing whether to advocate or educate, resentment towards wasted time in coalitions, whether to boycott, buycott,⁷ or neither, amongst other things. The occasion for debate was pressing because the stakes to overturn Amendment 2 by compelling new people to donate their time or money towards the effort were high. A meeting attendee said, “we are imploding—what the religious right wants” and “our mission is not about what CFV⁸ is, it’s about us” (“Notes from Stakeholder Meeting” 1993).

This meeting did not decide the fate of the organization, but it reveals internal strife and the need to reprioritize. Movement-counter movement literature suggests that if EC activists did not perceive themselves to be gaining some traction against the religious right, the organization may have dismantled. Too many perceived failures typically cause social movements to lose

⁷ A buycott refers to only supporting LGB friendly businesses.

⁸ CFV refers to Colorado for Family Values.

internal support (Zald and Useem 1987; Meyer and Staggenborg 1996). EC had to find a way to “win,” even if it was not in a classic political way or this organization might have dismantled long before litigation success.

EC noted that the organization needed to “be more proactive.” These notes are part of the discussion section of the meeting, and it is unclear what questions were posed to the group and what ideas participants brought forth; the notes say, “identify what other organizations are doing. Look for overlaps. What is left to do that is not being done now?” (“Notes from Stakeholder Meeting” 1993). What this suggests is that EC recognized that resources were finite, and it had to specialize even further than its 1992 goals. EC mentioned that it should not focus on providing direct services because GLCCC⁹ already provided those. Additionally, CLIP was handling the lawsuit, so EC needed to clarify “who was filling what niche” (“Notes from Stakeholder Meeting” 1993). This illustrates great self-awareness and a fear of self-destruction. This may also exemplify an SMO positioning itself within what Zald and Meyer call an emerging social movement industry (McCarthy and Zald 2003, 173).

EC was in a tricky position. After EPOC failed to prevent Amendment 2 from passing, there was some residual tension based on the comment that “[we] need to get out of the mindset of who is going to be ‘the’ group and just move on. Just do what needs to be done” (“Notes from Stakeholder Meeting” 1993). Within a year of Amendment 2’s passage, EC reprioritized its goals. These notes indicate that EC activists settled on “outreach into the straight community” and the idea of articulating the effects of Amendment 2 on the LGB community through

⁹ GLCCC stands for Gay and Lesbian Community Center of Colorado, which later became the GLBT center. The name was later changed to the Center on Colfax and still operates today (Duffield 2019b).

“individual stories” and “supporting individuals who come out” (“Notes from Stakeholder Meeting” 1993).

Ultimately, what this document confirms is that members of EC felt themselves to be “focusing on too many things.” By the end of 1993, a new goal emerged focusing on an offensive position relative to the religious right. “We don’t counter the CFV, we should be proactive and tell the truth so that what [CFV] says is laughed out of the room” (“Notes from Stakeholder Meeting” 1993). From this point forward, EC emphasized even more its religious appeal to the LGB and mainstream community. The remainder of this section will focus on how EC attempted to ridicule the religious right through reframing religion as inclusive for the LGB movement’s own ends and how it built a network with the religious community. EC was not the only organization coordinating inclusive religion (for example, PFLAG¹⁰ established in 1973), but it was locally connecting LGB people and inviting them to return to their respective religions (Duffield 2019b). Harnessing religion as inclusive was strategic in that it delegitimized its opposition and was an offensive action in the midst of an attack by Amendment 2.

Political Opportunity of Religion

Even though CFV had just passed Amendment 2, nationally the religious right was on shaky ground at the end of the 1980s, which created a space for this religious trait debate that EC harnessed. Pat Robertson, famous Christian broadcaster and the founder of Regent University and the American Center for Law and Justice, was easily defeated in the Republican presidential primaries of 1988. Robertson could not even win the majority of the evangelical vote, and Jerry Falwell, founder of the Moral Majority, would not endorse him. A poll in 1987 showed the chasm that was emerging within the religious right when merely 13% of evangelical pastors

¹⁰ Parents and Friends of Lesbians and Gays

supported Robertson. After Robertson's defeat, Bush's actions disappointed the evangelicals even though 81% of them had overwhelmingly supported him in the national election. For example, Bush did not restrict funding for the National Endowment for the Arts, and he invited LGB activists to the White House (Williams 2010, 221).

Institutionally, the religious right appeared to be waning at the national level. The Moral Majority had been in decline since 1985 because of alienating African Americans and Catholics. Headlines read "The Rise and Fall of the Christian Right: Conservative Protestant Politics in America, 1979–1988 (1988)" and "Fall from Grace: The Failed Crusade of the Christian Right (1989)." Some evangelicals, most famously Randall Terry, were so disenchanted with traditional political venues that they started "civil disobedience" campaigns to fight abortion by blockading clinics (Williams 2010, 221–22)

In 1989, Pat Robertson and Ralph Reed took a different route than Terry to fill the vacuum left by the decline of the Moral Majority by establishing the Christian Coalition, a lobbying organization. James Dobson, leader of Focus on the Family in Colorado Springs, did not support Robertson's presidential bid or the Christian Coalition ascendance (Williams 2010). The Dobson v. Reed debate, disappointment in Bush, and failure of Robertson in the presidential candidacy created a space for religion to be captured by progressive movements like the LGB community. Nationally within the evangelical community, it was uncertain who could or should harness religion to legitimize its own ends. However, locally in Colorado Springs, evangelical movements were strengthening even if the broader public did not realize this (Bransford 1994; Wadsworth 1997).

This internal strife within the evangelical political community left a space for more liberal, inclusive religiosity. Following in Martin Luther King Jr.'s footsteps, Equality Colorado

appealed to the inclusive love of Jesus Christ and how Jesus would accept everyone regardless of race and by extension sexuality (King Jr. 2016). The civil rights movement exemplifies how Christianity can be used to realize progressive ends. Time and time again, social movements ranging across the political spectrum have attempted to tap into religion to mobilize constituents. However, EC not only followed in these footsteps when it made inclusive religious appeals; it strategically attempted to undermine the countermovement that claimed to be the spokesperson of religion. The aftermath of Amendment 2 was a critical moment in that it was unclear if conservatives could maintain a stronghold on religion. For this reason, the LGB inclusive religious appeals were so deeply embedded in this context that a similar tactic might not have been viable in another time period.

Beyond the political opportunity available, based on countermovement literature constructing a clear enemy could act as a mobilizing force (Zald and Useem 1987; Meyer and Staggenborg 1996). In the contact document referenced earlier, EC used words pertaining to sexuality (such as gay, lesbian, or bisexual) twice but references the religious right three specific times as radical. This signals that the religious right appeals were extreme and outside the bounds of political consensus of religious values. Two of EC's five goals directly target its enemy with "highlight the dangers inherent in the radical right's 'stealth' campaign tactics and its long-term agenda" and "distinguish the radical right's 'special rights' campaign with basic civil rights." According to this document, one of the twelve projects EC was working on was "exposing the extremist right" ("Equality Colorado Contact Form" 1992).

On the other hand, when referencing its internal movement, EC wrote weaker rhetoric such as "Lesbian & Gay Awareness Project" and "Diversity Awareness" ("Equality Colorado Contact Form" 1992). Both of these projects were not as rhetorically active or compelling as

distinguishing and *exposing* the religious right. This suggests that EC's goals were more outward facing as opposed to internal and was in part shaped by the need to challenge the countermovement during this time.

The next task became how to realize this goal of spreading the experiences of the Colorado LGB members into the mainstream community. The main way that the organization did this was through religion. Upon deciding to harness faith, EC figured out how to shape its definition of religion so as to harness only a very specific, LGB inclusive type of religiosity. This typically was a Christian framework though EC frequently promoted interfaith events and published rabbis. The religious right's Christianity was not the type of Christianity that EC wanted to promote. It was worth the time and effort to make this religious appeal though because EC activists recognized the preexisting and beneficial network of religious LGB members and allies. In order to do this, it had to deconstruct the religious right through rhetorical shifts in order to control the framework and reorient Christianity to social justice goals. This was a strategic goal and effort because if successful, new religious LGB allies would expand their base of supporters while undermining the very nature of the opposition. This rhetorical analysis also indicates how the opposition shaped the social movement's choices.

What is important to note and will be explored in the following section is the nuanced strategic approach that Equality Colorado took with respect to religion. On one hand, there was the political opportunity to make a religious appeal and reach into the mainstream community to mobilize preexisting and new allies. On the other hand, if EC could construct the religious right as a clear and present enemy, it could mobilize even more people—especially those most effected by Amendment 2. Equality Colorado straddled mobilizing new constituents through religion while controlling what type of religiosity needed to be harnessed.

Controlling the Religious Framework and Language

EC's first critical internal choice was to refer to the religious right only as the radical right. In 1993, the first two newsletters use the term religious right. By the third newsletter, EC put religious right in quotes as "religious right." This first subtle rhetoric shift questioned the opposition's religiosity. Is it really religious? Is it really right? Maybe EC wanted readers to question both aspects of this term—the religiosity and the political right-wing character. In parallel, CFV and the religious right more broadly embraced the term "radical gay agenda" with films like "the Gay Agenda" documentary in 1993.

After this subtle syntactical shift, EC started using the term radical right. This was a powerful usurping of language. First, by deleting religion all together, the term deflated the legitimacy of the religious right as a whole. As previously discussed, religion can be and has been a mobilizing force for progressive and conservative politics. Nothing about the term religious should imply either. What's more, the term religion typically often gives organizations some semblance of legitimacy for those who find religion salient. Most people may not support an organization labeled "discriminatory right" but they might if it is labeled "religious right." Organizations like Focus on the Family and CFV may lose their credibility if they were to stop being perceived as grounded in religion or the political mainstream.

Replacing religion with radical was the second rhetorical choice. This appealed to more moderate people. Those who were more right on the political spectrum were not quick to consider themselves radical, especially the neoconservatives emerging at this time. Generally speaking, neoconservatives were Democrats disenchanted with President Johnson's Great Society policy attempts. They were more economically conservative but socially liberal and would not have wanted to affiliate with the socially radical right (Glenn and Teles 2009). The

term radical gave conservative constituents the space to question the legitimacy of the religious right's claims. Once EC attempted to control the language, it was easier to demonize the "radical right" as the clear and present enemy (as opposed to religion in general) because religious appeals were outside consensus on basic civil rights protections.

However, a natural argument to debunk CFV may have been to argue for a greater wall of separation between church and state where the religious right should not have been allowed to impose its religiously informed politics on others. In an undated memo, EC directly addressed the role of religion in civil society more broadly by harnessing the constitution and arguing on behalf of a porous wall of separation.

Equality Colorado trusts that the constitutional framers knew what they were doing when they called for freedoms of and from religion. We know that religion can be a transforming vehicle for people of faith. We know that religion can hurt people when it is used to exclude...we respect everyone's right to make moral and ethical decisions based on its values. Equality Colorado is organizing "Voices of Faith for Human Rights," an interfaith collation of people whose religious beliefs lead them to be human rights activists. ("Freedom of and from Religion" 1992)

In this quotation, EC critiqued the opposition as using religion to exclude but recognized the transformative nature of religion. EC recognized that if it could harness religiously founded values, it would be more compelling than other types of value claims like human rights. Based on this memo, EC decided against demonizing religion and rather opted to harness it for its own ends. Additionally, this memo substantiates why EC started Voices of Faith, an education initiative to build its religious network.

When listing what EC activists would never do or become, of the twenty-four listed items, three of the items directly related to religion. Members wrote “never use the phrase ‘religious right’” strategy which is discussed above. It also recorded “never be anti-religious” or “arbitrarily exclude anyone” (Moore 1994). This was an effective strategy because it broadened potential alliances to include political progressives and moderates who were also religious. Interestingly, it highlighted “never be anti-religious” which implies that in the first eighteen months the organization existed, there may have been some internal push back against religious engagement or that religiosity may have felt at odds with the LGB movement.

Educating and Networking Through Voices of Faith

Laurene Lafontaine offers an example of how EC reached out to the mainstream community through inclusive religion as a mobilizing and legitimizing force as EC’s founding director of the Voices of Faith Program, a Presbyterian minister, and a lesbian. Lafontaine was ordained as a Minister of the Word and Sacrament in 1987 at Princeton Theological Seminary. As early as 1991, Lafontaine attended the General Assembly in Baltimore questioning how the Presbyterian Church addressed sexuality. She met other LGB clergy and supportive allies at this event. According to a flyer produced by a Community Presbyterian Church discussing her background, when Lafontaine moved from Denver to Rochester, MN, Lafontaine founded the AIDS/HIV Interfaith Network of Colorado (“Laurene Lafontaine · LGBTQ Religious Archives Network” n.d.).

In November 1991, she allegedly “made herself and God a promise on the steps of the Capitol building in Denver” during an Amendment 2 protest alongside several thousand other people to share her sexuality in all of her private and professional spaces. This was remarkable considering her part time position as a coach at an all girls’ Catholic school. However, the

school offered her a full-time position even after she came out as a lesbian. During these years, Lafontaine could not find a job as a pastor and instead found ways to inform her LGB activism with religion (Barnett n.d.). She began coordinating the Voices of Faith educational campaign by 1993. She hosted events and published frequently in the newsletter.

Lafontaine planned many Voices of Faith events with the assistance of other religious leaders. An undated Voices of Faith flyer advertised “Integrating our Sexuality and Spirituality: An interfaith perspective,” which was a workshop that would address “the difference between religion and spirituality, understanding God and oneself.” The workshop hosted two weeks later called “Spirituality and Relationships” was about “the interaction and impact of our spirituality on our primary GLBT¹¹ relationships” (“Colorado Voices of Faith Presents...” 1993). Both of these events were outward facing in the sense that mainstream community members could attend and glean relationship regardless of sexuality. At the same time, it was an invitation for LGB members to readopt their faith and turn back towards a religion that may have once been important to them.

Additionally, these specific events appear to be equipping religious LGB members in how to wed their spiritualities and sexualities. Lafontaine struggled to combine her sexuality and religion by her trip to Baltimore in 1991; Voices of Faith was a way to help her LGB peers with the same struggle. EC did not want its constituents to disassociate their religion when they came out of the closet. If the LGB community had to choose between religion and living out their sexual identities, this may feel as if the religious right had already won the cultural fight. However, there was a ripe community of religious LGB activists that Lafontaine was connecting

¹¹ Lafontaine’s written acronym, including transgender individuals

through these events. Thus, the religious right did not yet have a firm enough grasp on religion to compel the LGB members to forsake God entirely.

These events and resources helped the LGB community, but they also attempted to broadly educate the public. EC expanded the amount of public spaces where the mainstream community could come in contact with religious LGB people. Leading these events with ministers and reverends gave the events religious legitimacy in order to appeal to potential allies. Additionally, it possibly equipped the LGB members to discuss their sexualities within frameworks that their religious families and friends would understand so as to demystify their sexualities—not as deviancy but as an equal expression of themselves before God.

As aforementioned, Lafontaine also published frequently in the newsletter. For example, in the Fall/Winter edition of the 1995 *Equal Times*, she wrote the article “Biblical Self-Defense.” In this article, she articulates how the Bible has been harnessed to uphold slavery and the suppression of women, but it can also be interpreted to support social justice goals. She encouraged people to read the Bible so that if an opponent quoted the Bible to substantiate its position, an LGB member or ally could constructively respond rather than shying away.

Part of our challenge if we want to counter the misinterpretations of those who are opposed to gay, lesbian, bisexual and transgendered persons is to learn what the Bible says with an understanding of the historic context of the passage and the issues being addressed by the passage. I find it important to take the Bible seriously, but I will not take it literally. To take the Bible literally can be irresponsible, because what happens is that a person will pick and choose what is to be taken literally. (Lafontaine 1995, 5)

She later provides some historical context about when the word homosexuality was actually added to the Bible and more analysis of the six Bible verses used to demonize the LGB community from a Christian perspective.

Lafontaine's argument can be read as a direct response to CFV Stephen Bransford's book (1994). In Bransford's subsection "Religious Right, Religious Left," he wrote, "The values of the religious left are relative. They change with the forces of evolution. This makes them completely compatible with polytheistic or pagan societies worshipping any god but the Judeo-Christian God" (Bransford 1994, 132). To Bransford, the type of argument that Lafontaine presented was practically pagan. To interpret the Bible as anything but the literal truth of God was an aberration of Christianity.

Such Biblical interpretation disputes were not novel, dating back for at least forty years. For example, Wilfred Cantwell Smith called for a more ecumenical approach to Christianity in 1960, critiquing that if "one's chances of getting to heaven...are dependent on other people's not getting there, then one becomes walled up within the quite intolerable position which says that the Christian has a vested interest in another man's damnation" (Smith 2016, 470). That is to say, a more inclusive Christianity that accepts that God can "meet other men in other ways" will promote harmony and unity (Smith 2016, 469–70). That same year, Boston preacher Harold John Ockenga wrote "Resurgent Evangelical Leadership" positing that "the Bible [was] the authoritative Word of God and the norm of judgment in faith and practice" (Ockenga 2016, 473). This embodies an understanding of the Bible as the literal word of God as opposed to an inspiring text that can be contextualized to modern times.

Lafontaine and Bransford merely extended the debate of their predecessors, exemplified by Smith and Ockenga. However, in 1960 Ockenga was writing on the brink of an evangelical

resurgence; the evangelicals did not yet have the political clout to pass powerful legislation the likes of Amendment 2. In the early 1990s when Lafontaine and Bransford were once again disputing when to harness the Bible, the evangelicals had just blocked basic civil rights for the LGB community. Lafontaine's appeal to the Bible and questioning its literal interpretation was much more urgent because she needed to salvage religion (or at least other interpretations of scripture) for her own community's sake.

The "Biblical Self Defense" article was only one of many Lafontaine published pertaining to faith and sexuality. She additionally published other religious leaders like rabbis, pastors, and ministers. One of EC's full-length articles was called "God, Religion, and Homosexuality." The article starts with a quotation from a retired pastor and bishop of the evangelical Lutheran Church, Stanley E. Olson, arguing that homosexuality was not a sin and substantiating that claim with the inclusiveness of the Bible and Jesus Christ. The rest of the article reads like an interview, with questions like "Is homosexuality a sin?" and "Do the Scriptures Object to Homosexuality?" with answers from religious leaders from many different denominations, including rabbis and professors of theology (Olson et al. 1993). Earlier newsletters focused on shocking and updating readers on the religious right's activities and national attempts. This article indicated a shift towards including religiously supportive voices.

In addition to hosting events and publishing in the newsletter, Lafontaine disseminated a list every year of open and affirming churches in Colorado. Churches have been used in the past to mobilize collective action—for example when Mormons resoundingly voted down the Equal Rights Amendment and African Americans used churches as bases for civil rights organizing (Campbell and Monson 2007). In a survey of community organizations, Metropolitan Community Church (MCC) of the Rockies was one respondent which indicated that it would be

willing to help mobilize constituencies by responding to pressing legislative issues and would be a part of the phone tree when Equality Colorado needed immediate action (Montoya 1992).

MCC was established in 1968. According to its website:

MCC is a vanguard of civil and human rights movements by addressing issues of race, gender, sexual orientation...MCC was the first to perform same-gender marriages and has been on the forefront of the struggle towards marriage equality in the USA and other countries worldwide...[endeavoring] to build bridges that liberate and unite voices of sacred defiance. (“Metropolitan Community Churches – Official Website of Metropolitan Community Churches” 2019)

However, the specific MCC in Colorado did not want to engage in official lobbying in 1992. It was only willing to be called in case of immediate legislative action. The extent of the church’s interest in helping EC was assistance in mobilizing a constituency to vote a certain way but not necessarily to offer money or volunteers (Montoya 1992).

This one surveyed church does not embody all allied faith organizations though because other documentation signals that many clergy and other church members worked closely with MC. The earliest form (folder is dated for 1992 but the document is not dated) collecting contact information of volunteers or people willing to donate, describes the goals, people, and current projects of Equality Colorado. The organization claims to have a coalition of 25,000 individuals, 150 organizations (including churches), and 400 clergy (“Equality Colorado Contact Form” 1992).

This network expanded throughout the years. Once a year, Lafontaine published a directory of LGB inclusive faith communities ranging from synagogues to open and affirming Christian churches of various denominations. These communities were typically limited to the

Denver Metro area. The list of religious institutions was organized by location, parishioners, or denomination. Readers could either search the list for a religious institution in a Denver suburb, by denomination such as Presbyterian, or the matrix “predominantly GLBT” (*Equal Times* 1998). Two pages were filled every year of over fifty supportive congregations. It is beyond the scope of this paper to map how many institutions remained supportive for many years, if EC was able to make new allies, or to analyze the vetting by which EC decided to list a church or not. However, EC openly advertised that any LGB friendly religious institution could be listed.

These religious institution listings supported EC’s readership (primarily those in the LGB community). Secondly, it externally and publicly validated EC as a group engaging and overlapping with the religious community. Finally, recognizing preexisting supportive institutions was cheaper and more efficient than hosting all its own events. By listing many religious institutions ranging in location and denominations, it gave people the resources to find new places of worship that aligned with its political interests. Allies and members of the community could remain religious without facing the cognitive dissonance of a priest or minister preaching that homosexuality was a sin. What’s more, LGB people who had been turned away from churches earlier in life could return to their religious upbringings in an inclusive environment.

In order to compensate for the relatively few newsletters a year (as few as three a year), EC tried to build a consistent institutional network. Every week, these places of worship could be sites to spread LGB inclusive positions. For weekly church attenders, the pulpit could reinforce inclusive religiosity. Religious institutions could also spread information about Voices of Faith events, so that it would spread through the alliance network. EC appeared to have

learned from the networking benefits that religious spaces provided and used that knowledge against the religious right.

Lafontaine offers insight as to how EC harnessed religion to appeal and mobilize its own members and reach into the mainstream community. It is not within the scope of this paper to determine how effective this outreach was, but this evidence indicates just how extensively the religious right was shaping EC's actions. As opposed to ceding religion to the religious right, EC deflated the religious right's legitimacy in creative and nuanced ways.

Inclusive Religious Outreach Conclusion

Amidst EC's internal memos, external newsletters, and critical decisions depicted in meeting minutes, a nuanced attack against its countermovement emerged. Instead of the LGB movement remaining backed in a defensive corner with the religious right demoralizing them and causing a potential implosion, it adopted an offensive position by harnessing inclusive religion to connect its own religious network and to equip the community with counterarguments to the religious right. This is an interesting example of how a movement with relatively little political opportunity can mobilize and condemn its opponents in a nontraditional way. EC redefined the traits of the opposition in order to garner more support and undermine the countermovement's legitimacy.

LITIGATION TRANSLATION

Another important role that EC attempted to fill was educating the public about the Amendment 2 lawsuit. After Amendment 2 passed, the LGB movement started divvying up jobs in order to fight the ballot initiative from many different angles. CLIP asked EC to act as a legal educator (Miller 1992). EC was tasked with disseminating information regarding the effects of Amendment 2 to the mainstream and LGB community. What's more, this was the first Colorado

specific organization to act in this capacity. The Human Rights Campaign (HRC) may have been doing some of this work at a national level for decades but it lacked the local nuance necessary to mobilize the Colorado specific LGB community (Duffield 2019b).

Acting as an educator was twofold. On one hand, the LGB community needed to sway the Coloradans who had voted for Amendment 2 in order to prevent discriminatory legislation from potentially passing in the future. On the other hand, within ten days of Amendment 2 passing, CLIP brought forth a lawsuit to overturn it. As discussed, a lawsuit was the only option, but a lawsuit can cause detrimental effects on the movement as a whole because it can split the activists from the litigators (Albiston 2010). Activists may become disenchanted with litigation because it tends to shift the movement's goals and resources toward a small cohort of elite actors like attorneys. "Litigation strategies, regardless of outcome, have the potential to deradicalize and subtly reshape social movements in undesirable ways, all while supporting the status quo" (Albiston 2010, 62).

However, the LGB movement attempted to compensate for these potential side effects by informing the community members about the lawsuit and its proposed legal arguments. The more radical members of the community could still act as street activists during this time so long as they understood how the lawsuit contributed to overall LGB goals. The whole litigation process spanned over four years from the passage of Amendment 2 to the Supreme Court of the United States (SCOTUS) ruling it unconstitutional. The LGB community had to funnel money to the litigation efforts, which was costly, so other legislative or street activist efforts could not be prioritized (Albiston 2010). Potentially, resentment could build within the movement between the litigators and activists. Because of this, the broader LGB movement needed to be updated about the litigation process so as to not feel like other goals were forsaken.

For this reason, as part of the education efforts, EC acted as a sort of litigation “translator.” It would relay the technical legal arguments and the nature of Amendment 2 in lay terms so that the issue could continue to be salient for the whole LGB community. Amendment 2 was never put into force because of a court injunction, so the LGB community did not feel the repercussions of the measure (*ACLU of Colorado* 1993). In that sense, it was just an abstract attack. Furthermore, only three municipalities had the protections that Amendment 2 would have overturned, so most LGB Coloradans were not yet protected in public accommodations.

After *Romer v. Evans* finally reached SCOTUS in 1996, it was overturned on grounds of the equal protection clause. However, the Rehnquist court did not enfranchise sexual minorities a protected class. Instead, the supportive justices claimed that Amendment 2 was an undue burden and that a group (regardless of their legal class standing) should not be limited from future action by the state constitution. In the words of Justice Anthony Kennedy, “If the constitutional conception of ‘equal protection of the laws’ means anything, it must at the very least mean that a bare desire to harm a politically unpopular group cannot constitute a legitimate governmental interest” (“*Romer v. Evans*” n.d.). As will be discussed in the “Broader Movement Engagement” section, this was not necessarily the ideal ruling for the LGB community because it did not protect gay, lesbian, and bisexual individuals under strict scrutiny of the equal protection clause (“Levels of Scrutiny Under the Equal Protection Clause” n.d.). This limitation is not to say that the *Romer v. Evans* ruling was not impactful, though, because it prevented similar ballot initiatives from passing in other states.

In order to keep the broader movement engaged in the litigation process, EC emerged as a sort of liaison between the litigators and activists. This served to keep the other LGB activists realizing social movement goals even though other SMOs were litigating. It did this in three

main ways that I will focus on for the remainder of this section. First, it articulated what to expect from litigation. Second, it tried to teach the broader public the legal arguments and parameters. Lastly, it kept the broader movement engaged in the whole process of litigation by marketing CLIP's litigation events and publishing emotional stories about legal experiences such as hearings and trials. In these three ways, EC attempted to compensate for the downsides of litigation.

Explaining Legal Arguments and Debunking Counterarguments

EC was not only educating its own movement; members were also equipping its allies with the legal argument to make a broader rights appeal that should apply to all citizens in a democracy (Hunt 1990; McCarthy and Zald 2003). When the LGB plaintiffs argued that Amendment 2 contradicted the Equal Protections Clause of the Fourteenth Amendment, it needed to be sure that the mainstream community members understood how they, though potentially straight, also benefited from the Equal Protection Clause. In order to do this, it had to dispel the myth of "special rights," which the religious right had used to garner support for Amendment 2. If EC (or some other organization) did not do this, the public may not have accepted the court's decision and considered the court too "political."

A brochure produced in May 1993 titled "Q&A: Amendment 2," created in partnership with the ACLU of Colorado offered background information about Amendment 2 and basic legal terminology. This is written such that anyone in Colorado could understand Amendment 2 and what was at stake. "Amendment 2 makes it legal and constitutional to discriminate against men and women who are—or are thought to be—homosexual or bisexual" (*ACLU of Colorado* 1993, 1). The parenthetical text set within the dashes appeals to a broader audience because one need

not be a part of the LGB community in affiliation or practice but can still be adversely affected by this amendment.

The brochure posed the question “why did Judge Bayless grant the injunction?” early in the trifold pamphlet. Said injunction prevented Amendment 2 from enactment whereby the brochure responded as follows: “In his decision, Judge Bayless said that there was reasonable probability that the plaintiffs will be able to prove at the trial that Amendment 2 is unconstitutional beyond a reasonable doubt” (*ACLU of Colorado* 1993, 1). ACLU framed the injunction as a success and then laid out how it might prove unconstitutional according to the Equal Protection Clause of the Fourteenth Amendment.

Amendment 2 singles out gays, lesbians and bisexuals and interferes with their fundamental right to participate in the political system...while the state may not be able to control private prejudices, it also could not encourage them—which is what Amendment 2 does. (*ACLU of Colorado* 1993, 2)

This text explained a relatively complex legal argument. It was not necessarily that the LGB community had a right to be free from discrimination. Rather, it had the right to protect itself should citizens collectively act to pass discriminatory ordinances, and activists had a right to propose legislation on their own behalf. The state should not have the ability to prevent the LGB members from acting collectively to realize political goals. Another key word here was *fundamental* because the fundamental rights available to all citizens in a democracy broaden the appeal to the general population. The broader public’s rights may not be secured if a measure like Amendment 2 could override rights for a minority community.

Beyond informing the community on exactly how Amendment 2 was passed and its implications, this document parsed common terms from legal jargon. For example, the authors

“translated” legal terms like protected status, which had been granted to groups historically discriminated against and could make future discrimination illegal. It provided the legal definitions and implications of affirmative action and discrimination. The brochure clarified that if the court were to overrule Amendment 2, no new quotas would be implemented in regards to affirmative action. The brochure additionally tried to arm readers with the legal ramifications so that they would have educated retorts to opposition. Lastly, the brochure defined and clarified procedural terms like plaintiffs, defendants, and home rule.

What’s more, this document debunked popular terms like special rights and minority status, noting that these terms were not official legal terms. “‘Special rights’ is a made-up phrase. It does not appear in the amendment and has no specific legal meaning” (*ACLU of Colorado* 1993, 3). When the religious right or opponents used these terms, it diminished its credibility. This was effective in that this information offered readers a more nuanced understanding of the court case so that it could decipher future news articles and counterarguments based on legal terms.

EC continued to remind the community of the “special rights” problem and the legal arguments every time it covered the lawsuit (Anderson 1995; Kelley 1995; Steadman 1995; *Equal Times* 1996). This laid the groundwork for future litigation translation regarding marriage equality and adoption rights. It also serves to keep the community engaged and make them potential educators for the broader public. Furthermore, legal frameworks could incite new discussion and mobilization. For example, maybe activists would start carrying signs at demonstrations dispelling the idea of special rights once they knew it was an inflammatory term created by the religious right.

Establishing Expectations

EC incrementally updated the public on the litigation process so that each litigation success could be perceived as a step in the direction of victory. According to Hunt, each court decision, regardless of outcome, can be an opportunity to have critical dialogue regarding the nature of the lawsuit (Hunt 1990). Thus, the LGB community needed to be aware of each step of the process (especially since each decision was successful) so that dialogue could occur within social networks. However, litigation is a slow, incremental process (Barclay and Fisher 2006; Albiston 2010). EC tried to be transparent about the speed and costs of litigation in an attempt to prevent the broader movement from becoming frustrated and/or impatient (Albiston 2010).

From the onset, EC partnered to provide a schedule of what to expect. The same brochure referenced above posed a prominent question placed on the top of the second column on the first page as “What’s happened to Amendment 2 so far?” The brochure broadly answered this question by responding with information about the lawsuit filed on November 12 and an estimated trial to begin in mid-October. Next, it wrote about the court injunction handed down by Jeffrey Bayless on January 15, 1993 (*ACLU of Colorado* 1993). From very early on, EC attempted to inform the broader LGB community about what had happened logistically so far.

EC also covered legal updates in their newsletter. The headline for fall of 1994 was “Amendment 2 Ruled Unconstitutional: What Happens Next?” and served to provide expectations for the next steps of the litigation process. This article reported that the Colorado Supreme Court ruled in a 6-1 decision to make the injunction permanent whereby Amendment 2 would not be put into force. EC once again tried to relay this information in layman’s language, writing that at the state Supreme Court level Amendment 2 was found unconstitutional “because it would have ‘fenced out’ a particular group of people...and would have prevented them from

participating in the political process” (Anderson 1995, 1). Regarding expectations, EC mentioned that the defendants would appeal to SCOTUS and readers should expect a possible ruling by early summer 1995. This timeline was too ambitious and about a year off, but at least EC informed the community about what would happen next in the Amendment 2 fight. The broader movement needed to be aware and primed to mobilize regardless of court decisions. This prepared the LGB community at least a year in advance for other forms of grassroots activism like demonstrations or letters that could engage other LGB activists after any court decision whether in favor of the LGB movement or not.

After the Colorado Supreme Court overturned Amendment 2, EC concisely outlined every step of the litigation process so far in the article “Amendment 2 Goes to Washington.” It relayed the information that a SCOTUS trial was the final hurdle Amendment 2 needed to overcome, and that even though the SCOTUS hearing was occurring soon, the ultimate decision would not be released for another few months (*Equal Times* 1995a). EC laid out this timeline as if to show how far the litigation process had come. Simultaneously, at the end of the article, it asked people to donate to the cause. Whether this money went back to the litigation effort is irrelevant because if people were to donate after reading this newsletter, it would indicate that EC was serving an important function as an informant.

This was not the first occasion when EC was transparent about the cost. The brochure referenced earlier claimed that “if the lawsuit goes all the way to SCOTUS, the case could cost more than \$100,000 over the next two years” (*ACLU of Colorado* 1993, 5). In reality, it took nearly four years to fight Amendment 2, but this transparency may have been an attempt to inform the LGB community how to allocate funds. EC urged people to donate to CLIP and the ACLU in order to fund the legal battle. By donating to the litigating entities, donors were not

funding, for example, LGB service centers. More funds needed to be funneled to the litigation effort and it may have been at the cost of other LGB efforts. Thus, it was more important than ever to make the lawsuit feel salient and worth the monetary costs.

Broader Movement Engagement

Legal scholar Sandra Levitsky argues that queer activists in Chicago felt ignored and pushed aside during the marriage equality litigation in the late 1990s and early 2000s. Activists felt compelled to take direction from the litigators without having any control of whether they actually wanted to spend money and effort on a lawsuit. Levitsky's study exemplifies how a large separation between the grassroots activists and the litigating elites can fracture a movement (Levitsky 2006). The case study of EC offers an alternative to the LGB Chicago experience. Instead, EC consistently thanked CLIP, ACLU, and the Lambda Legal Defense for its "tireless work on the court case" (Anderson 1995, 1). Rather than resentment, this reflects that EC, the main organization in Colorado that politically mobilized and coordinated activists at the time, worked in partnership with the litigators. In order to keep the broader movement from resenting the lawsuit, EC attempted to make space for grassroots activists to meet the litigators and used emotional appeals to make litigation seem less dry and distant. It tried to make the litigation success more tangible to activists and the public.

At least twice, Equality Colorado cohosted events with CLIP. For example, on October 9, 1995, the evening before the hearings at the US Supreme Court, CLIP and EC hosted a Q&A session for people to ask questions about the lawsuit and proceedings (*Equal Times* 1995b). CLIP did not have a newsletter or network to easily share its events, so it collaborated with EC. This indicates that since the late 1991 role delegation within the LGB movement, EC acted not only as a litigation translator but as a litigator and activist liaison in an attempt to foster a

mutually beneficial relationship. This coordination can be essential if movements want to prevent the sort of fissures that may occur when litigation is shrouded in mystery.

The second event that EC cohosted was after SCOTUS overturned Amendment 2. The event provided information regarding the strict parameters for what overturning Amendment 2 did and did not do (“Amendment 2 Victory” 1996). This event also seemed to fill any information that was not covered in depth in the newsletter. In its newsletter, EC avoided discussing the intricacies of the Supreme Court legal justification and instead hosted lawyers to explain the complex decision to those who were curious at an event with CLIP.

Both of these events were opportunities to break down the barriers between litigators and activists. Unlike its Voices of Faith education campaign, these events were more limited in scope and frequency. EC provided the promotional materials and physical spaces for CLIP and activists to interact. EC required the law experts to be present, and many were busy fighting the actual lawsuit. For this reason, the events were less frequent than events where EC could host them independent of other organizations. Nonetheless, both of these events indicate an awareness of what was needed to compensate for the litigation-grassroots separation that some academics like Levitsky expect to occur.

As mentioned above, the litigators were busy, so EC wrote about the courtroom and legal arguments for public consumption. Lay people needed to *feel* the implications and successes of litigation in order to continue supporting the legal effort. For this reason, EC started covering marriage equality litigation and providing stories from the courtroom. Any success could be a vehicle to further educate the community with legal terminology and demystify the power of the courts. More importantly, the broader community needed to internalize that litigation was worth

the wait and money. Thus, EC made emotional appeals to procure support from the entire LGB movement.

During the waiting periods between Amendment 2 hearings, appeals, and decisions, EC started informing the community on marriage equality litigation. In the newsletter from the spring/summer of 1995, the article “Equal Rights and Equal Rites?” framed marriage equality as an ascending issue. Mobilization pertaining to marriage equality is not the focus of this paper; however, EC harnessed the Hawaii marriage equality lawsuit *Baehr v. Miike*¹² to disseminate information about litigation and special rights (Kelley 1995, 6). For example, EC actually used the term special rights against the opposition when it wrote:

To deny consenting and loving adults access to marriage rights is to give “special rights” to heterosexual couples by discriminating against same-sex couples. The term “special rights” has been wrongly thrown around by the radical right to fight laws that protect everyone from sexual orientation discrimination. Maybe it’s time for us to claim the term for our struggle, to show that when only certain people have the right to marry whom they love—that constitutes special treatment under the law. (Kelley 1995, 6)

Litigators could not make this argument because they may have lost credibility if they were to use terms like special rights and discrimination so freely. However, EC writers could appropriate the term as a political tactic because while they may have sometimes acted in support of the litigators in advertising and disseminating information, they were not litigators. Rather, EC sometimes imparted a sense of what the law could do for the LGB community rather than the literal, credible legal arguments.

¹² Originally *Baehr v. Lewin*

The way that EC covered the Supreme Court hearing in its newsletter was another compelling narrative that could appeal to the common reader. The fall 1995 newsletter has a long article written by Pat Steadman from Speakers Project to End Discrimination who contributed to the “Amendment 2 Q&A” Brochure produced by the ACLU aforementioned and later won the Harvey Milk Champion of Change award for his vital legal work in fighting Amendment 2 as a lawyer and community organizer (Press 2009; Luning 2009; “Announcing Harvey Milk Champions of Change” 2013). Once such way that he helped the legal effort was by writing about his experience at the SCOTUS hearing for the EC newsletter.

In this article, Steadman disclosed that even though he had a positive feeling about the SCOTUS oral arguments, anything he wrote was speculative because the court could go in a different direction upon further investigation. Steadman continued his account like a storyteller creating imagery and introducing characters. Steadman offered a brief background on all nine Supreme Court justices like what they were wearing and who was recovering from back surgery. He set the scene: “the U.S. Supreme Court is grand. On all four sides of the room deep red curtains are draped behind huge marble columns supporting beautifully carved pediments...” (Steadman 1995, 1). He reported the experience in a dramatic way potentially in an attempt to make readers imagine themselves at the Supreme Court. Steadman concluded his observations,

Standing outside the court, feeling the warm sunshine on my conservative, dark blue suit, I felt an incredible sense of relief. Looking up at the Court, and reading the word *Equal Justice Under the Law* which are inscribed on the pediment, I felt...as though those words really did apply to me too...it was very obvious that those four words were at the heart of this case. (Steadman 1995, 5)

This emotional commentary appealed to the sanctity of the courts like the cinematic end Amendment 2 deserved after years of litigation. The judicial branch was established to protect the minority from the masses, and in this case, Steadman felt that the courts had filled that role. To a certain extent, Steadman upheld the legitimacy of the courts as acting equally and fair even before the court released its decision. His account imparted a sense of fairness with the hope (bordering expectation) that the court would rule on the side of the LGB movement.

Steadman additionally warned that regardless of the outcome, “[the decision] will hit the state of Colorado like a bomb blast, dividing our state again and angering approximately one half of the population” (Steadman 1995, 5). Even if the countermovement dynamic was not the focus of this article, the religious right loomed over the LGB community at all times. According to Meyer and Staggenborg, when one group gains traction, it may trigger the countermovement to protest or reorganize (Meyer and Staggenborg 1996). Steadman seemed to be implicitly aware of this and attempted to compensate for the backlash.

Finally, when Amendment 2 was overturned in spring of 1996, the celebration was met with a call to action. The newsletter’s headline read, “Time to celebrate—and then move forward.” Articles in the newsletter offered little to no analysis pertaining to how SCOTUS overturned Amendment 2 (*Equal Times* 1996). However, other lawsuits pertaining to other LGB interests like marriage and parental rights crowded the whole front page and longer articles filled the remainder of the newsletter. EC used Amendment 2’s litigation triumph to make these other legal efforts salient and potential places for success.

The way SCOTUS overturned Amendment 2 was intricate, and it may not have served the LGB community to explain those intricacies. The ruling did not extend class status to sexual minorities. Though this was the second time SCOTUS ruled in favor of the LGB movement, in

many ways, the movement did not gain traction over the religious right; it merely returned to where it started in that it could continue to pass municipal or potentially state-level protections (“*Romer v. Evans*” n.d.). There was no “flashy” win. Though it was incredibly important that SCOTUS ruled in favor of the LGB community because it prevented similar legislation from passing in other states, the decision did not give anything substantial to the LGB community; it just prevented an additional prejudicial barrier. EC was correct in “moving forward” because in terms of rights nothing had really been gained. The success solely derived from thwarting the religious right and preventing ballot initiatives like this in other states. Thus, highlighting other legal efforts that pertain to more emotional topics like adoption and marriage rights could be perceived as more material than the intricacies of the US Supreme Court’s Amendment 2 ruling. Potentially, the *Romer v. Evans* success could translate into other litigation successes.

The countermovement context also explains why EC shied away from explaining the final SCOTUS decision. EC could harness this religious right defeat to inspire mobilization. During this critical moment when the LGB community had pushed past the effects of Amendment 2, EC potentially could mobilize more people to donate to other efforts or sign up for new organizations. It was more important to harness the perceived success and garner more long-term support rather than bog down the newsletter with details about the decision.

Litigation Translation Conclusion

EC attempted to fill a vital role in Amendment 2’s lawsuit process as an educator. EC clarified legal terms, set expectations, and made the courts more palpable to the public through relatable appeals and by connecting litigators to activists. These were attempts to compensate for the potential downsides of litigation whereby the grassroots activists may have felt disenfranchised by how much money and effort was invested in litigation. Like the

countermovement offensive tactic in the earlier section, this litigation work depicted a savvy movement aware of the downsides of litigation, attempting to overcome those institutional barriers.

These internal choices reflect a perceptive organization. It is impossible to know, based on this evidence, just how effective this educational campaign was. However, between the temporary injunction in January 1993 and the SCOTUS decision in May 1996, two more towns, Telluride and Crested Butte, added protection ordinances. If Amendment 2 had been not been overturned, it would have infringed on five municipalities' existing protections for the LGB community (Equal Times 1995a). Though it is beyond the scope of this paper to unpack why or how Telluride and Crested Butte passed these ordinances, it is apparent that the LGB activists continued to work to realize their goals during the injunction. Potentially Telluride and Crested Butte passed protections for economic gains because tourism-based economies lost money during the boycott when Colorado was labeled the "hate state" (Duffield 2019b). However, the lawsuit did not deradicalize or demobilize the grassroots organizations as the literature suggests it might have. In this way, the lawsuit and Amendment 2's passage may have triggered new political engagement. It is impossible to know if EC facilitated or sparked some of this new political engagement, but its actions indicate an acute awareness of what was necessary to keep activists involved regardless of the institutional barriers.

WHAT HAPPENED TO EQUALITY COLORADO?

So far, this thesis has exemplified ways that a SMO overcame obstacles—mainly a countermovement and litigation—that typically demobilize actors. Equality Colorado was established in order to fight Colorado for Family Values (CFV) and inform the broader LGB movement about the litigation process. This very specific niche was constructed to fight

Amendment 2 as an information disseminator. When the fight ended in 1996, EC was in a quandary. It had never existed beyond the scope of its countermovement, litigation, and Amendment 2. Of course, EC hosted other events since its founding like “coming out” parties and community barbecues and published articles about other topics than religion and litigation. Voices of Faith could continue to mobilize new support, but to fight what? It continued to act as a litigation translator regarding marriage equality and other lawsuits for a few years, but it lost the close connection it once had with litigators as more national legal organizations than CLIP litigated marriage equality and other LGB interests.

EC disbanded by the early 2000s. There were attempts to restructure the organization such as bringing in a new board of directors and redesigning the newspaper. Rebranding efforts aside, the last newsletter was published the fall of 2000. By winter 1999, it had four different phone lines for Denver, “out of metro area,” Colorado Springs, and Grand Junction. All of these places were strategic because Colorado Springs was the hub of EC’s religious opponents and Grand Junction was the largest town on the western slope (*Equal Times* 1999). Based on its final Board of Directors list, EC had support around the state with board members from Grand Junction, Lakewood, Denver, Arapahoe, and other areas (*Equal Times* 2000). Regardless of growth, compared to earlier newsletters with clear focus and topics, later newsletters ranged in issue areas from “why you should vote libertarian” to anti-abortion ballot initiatives (Hine and White 2000; Steadman 2000). It lacked the marked focus of the early newsletters.

APD literature offers some insight regarding a notion called path dependency whereby early decisions “order and limit the alternatives actors choose from...[which reinforces] past choices in ways that restrict future alternatives” (Sheingate 2003). Though this is not the focus of this study, further research could examine why EC could not recover once Amendment 2 was

overturned, and the answer may lie in early critical decisions that limited its ability to reinvent itself. However, David Duffield, a local historian who works at the LGBTQ+ Center on Colfax, confirms that deradicalization may have contributed to the organization's end. EC decentivized more radical members and adopted moderate tactics to counter the religious right during the Amendment 2 fight. This pragmatism and deradicalization may have contributed to its short organizational lifespan. On the other hand, it may have also just been a matter of tired activists ready to take a break or work for other, more focused organizations.

Early documentation sheds light on this pragmatism. A subgroup within Equality Colorado called "Human Rights Action Council"¹³ conducted an opinion survey of the members in the organization. The survey is undated, but based on folder context it was probably collected in 1993 early in EC's creation. It is unclear who took this survey, but it seems to have been a way to decide what to prioritize in the next legislative session. Someone had tallied the respondents to keep track of the amount of people who voted for each item. This is a limited survey but illustrates the critical decision EC faced. The most interesting section is cropped below:

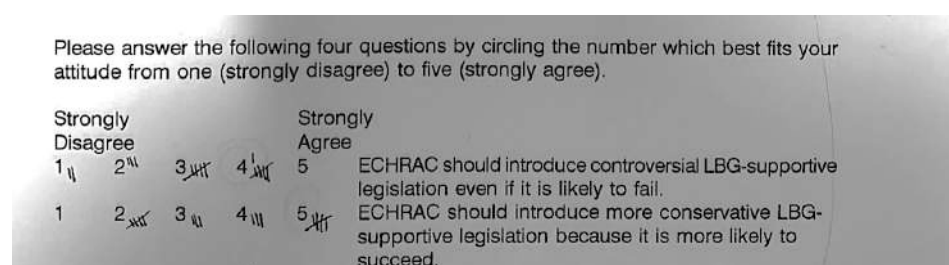


Figure 2: ("ECHRAC Opinion Survey" 1993)

What this shows is that EC's survey respondents preferred pragmatic legislation that was more conservative but may pass (option B) rather than controversial legislation more likely to fail (option A). However, there are just as many respondents who strongly agreed with option B

¹³ Equality Colorado used the acronym ECHRAC to refer to this group.

those who disagreed with that option. People tended to have stronger feelings about option B, either strongly agreeing or disagreeing as opposed to a moderate stance (“ECHRAC Opinion Survey” 1993). However, by choosing the more pragmatic approach, EC may have lost the adamant opponents of that decision. Each political choice had its costs; by mobilizing the activists who supported pragmatism, the organization could lose a radical core. This survey is a very small sample size, and I do not have enough evidence to claim these are indications of broader trends. However, these two options illustrate the dichotomy between a more radical and pragmatic approach to realizing LGB goals.

Though my study will only indicate potential deradicalization due to the countermovement and litigation efforts, the choice in logos offers interesting insight as to the ways Amendment 2, and subsequent organizations like EC may have deradicalized the movement. Initially, EC adopted a pink triangle common amongst the street activists of the time. During the late 1980s, activists reappropriated the triangle symbol that Nazi Germany required homosexual individuals to wear in concentration camps (Plant 1988). It was a widely recognized LGB symbol especially affiliated with radical groups like ACT UP and Queer Nation (Fetner 2008, 31:31). The book cover by Bransford from CFV also has the pink triangle to indicate the LGB activists (Bransford 1994). Potentially, Bransford did not understand the Nazi affiliation, yet the symbol had transcended to recognition by the opposition. An LGB activist wrote in a memo:

I have felt compelled since November 4, 1992 to wear the pink or black triangle every day until the anti-gay rights amendment to the Colorado Constitution is appealed...I believe that for our great experiment in democracy to finally succeed, we MUST ALL

EMBRACE DIFFERENCES¹⁴ and learn to appreciate [them]...not only is democracy ultimately doomed without such a spirit, but because we live in a world that is interdependent and full of difference, our planet and all life upon it is doomed as well. (Ronham 1992)

This impassioned quotation and the memo depicts just how radical wearing the triangle was. The symbol could shock the public, potentially affiliating Amendment 2 and its supporters with Nazi discrimination. The barrier to such a radical action was relatively low. Anyone could wear a pink triangle in any space—workplace, religious gatherings, or protests—while taking a publicly supportive stance for LGB rights. The potential for this symbol to be ubiquitous but still innocuous was quite powerful. By using the symbol of street activists, EC harnessed a similar type of radicalism while connecting to the radical national movements.

However, as early as 1994, EC began using a different symbol as seen in figure 3 especially in correspondence and on its newsletter. Sometimes event fliers continued to use the triangle. Unlike the pink triangle, there was nothing to relate Equality Colorado to LGB activism

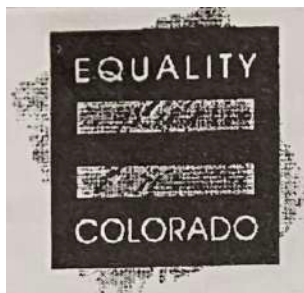


Figure 3: (Ogden 1993)

with this boxy design. The change in design may have been a marketing tactic to better control its image because an equal sign more clearly indicates equality. Another hypothesis may be that this symbol was a way to attract the mainstream community to read the newsletter or attend events because the mainstream community would not affiliate the LGB symbol with LGB rights. A black and white square was much more practical and potentially professional. However, this logo deflated the sort of radical pride that the street activists mobilizing around AIDS once used.

¹⁴ Capitalized by author

Further research is necessary, but the survey and logo change are just two indications that EC may have siphoned off some radicals in order to fight Amendment 2. The means by which it fought were politically savvy in EC's treatment of religion to undermine the countermovement's legitimacy and litigation education in order to engage other LGB activists than litigators. This exemplified creative political action in a moment when political opportunities were bleak. EC and the LGB movement emerged from this battle in a position to realize their original goals rather than just counter the religious right. Though EC did not survive to see marriage equality or the first openly gay governor in the country, it may have created the model of a litigation and political educator for future Colorado LGB SMOs (Duffield 2019b). Within ten years of EC's closure, One Colorado emerged on the local activist scene doing similar work to EC like promoting legislation and litigation efforts. What's more, "One Colorado [is now] working to change the hearts and minds of everyday Coloradans on LGBTQ issues. Through [its] public education efforts where [members] tell the stories of the barriers LGBTQ Coloradans face every day" ("About Us" n.d.). This emphasis on education and outreach is strikingly similar to EC and indicates that EC modeled an effective local SMO in its short existence.

CONCLUSION

The Colorado LGB movement in the 1990s indicates great politically savvy and resilience through its social movement organizations in a few major ways. First, it demonstrated McCarthy and Zald's resource mobilization framework by capitalizing on its preexisting social networks to delegate jobs within the movement and fight Amendment 2 from different angles (McCarthy and Zald 2003). For example, the Colorado Legal Initiatives Plan (CLIP) handled a lawsuit while Equality Colorado (EC) focused on education and outreach. Next, those social

movement organizations, specifically EC, challenged the religious right countermovement in nontraditional ways through a religiously inclusive framework. Perceptively aware of the downsides of litigation, EC acted as a litigation translator and lawyer-activist liaison to compensate for the demobilizing effects of a lawsuit.

Countermovement scholars like Meyer, Staggenborg, and Mottl argue that when a countermovement attacks a movement, the original movement can become disoriented and lose sight of its own goals in the attempt to fight the countermovement. The movement must perceive some gained traction over the opposition, or it may dismantle itself. EC defied this expectation by fighting the religious right culturally through an inclusively religious framework (Meyer and Staggenborg 1996; Mottl 1980). EC also offensively positioned itself against the religious right by harnessing and maintaining its own LGB religious networks through the Voices of Faith campaign. This borrows from Hayes' notion of trait ownership in candidacy whereby the LGB movement encroached on its opposition's perceived traits (Hayes 2005). Given the historically imbedded moment, religion was a politically viable and opportune choice in the early 1990s given the perceived national weakening of the religious right. What's more, using McCarthy and Zald's language, religion was a means to capture potential beneficiaries in the mainstream community while turning LGB constituents to adherents. In other words, religion could mobilize new people and expand awareness of the LGB experiences pertaining to Amendment 2.

Equality Colorado acted as an educating SMO while other legal organizations like CLIP handled the lawsuit. Often street activists can become frustrated by the resource drain caused by litigation and the relatively limited goals that can be realized through litigation (Albiston 2010; Levitsky 2006). In regards to Amendment 2, the Colorado LGB movement did not have a choice

but to litigate, so it was vital to prevent resentment within the LGB activists. By equipping the LGB members with rights language, Amendment 2 grievances could be understood through legal terms that secured the rights of the mainstream public (Hunt 1990). This was a way to export the LGB experience to the mainstream through the legal argument that if Amendment 2 could disenfranchise LGB people, it could adversely infringe on *universal* rights. Within the LGB movement, EC acted as a liaison to construct the Amendment 2 lawsuit as a salient issue for all activists not just those directly involved in the lawsuit through emotional stories of the courtroom. The legal education and liaison work through events and the newsletter were vital to compensate for the typical separation between activists and litigators that can emerge when social movements adopt a litigation strategy. Through these efforts, EC assisted the Colorado LGB movement emerge from the Amendment 2 fight cohesively.

The LGB social movement and its SMOs like Equality Colorado and CLIP defied what legal, political, and social movement scholars would expect to observe after the passage of Colorado's Amendment 2. EC set an SMO precedent within the state that future organizations like One Colorado attempted to fill. On one hand, this case study is important for the LGB community who was comprehensibly attacked by the religious right in 1992 and would be attacked numerous times again in years to come. Equally as important, its organizational and political savvy expands research of social movements. What this case study contributes to the literature is an example of a group that acted with political astuteness when faced with institutional and countermovement obstacles.

BIBLIOGRAPHY

- “About.” n.d. National Legal Foundation. *Our Work* (blog). Accessed May 1, 2019. <https://nationallegalfoundation.org/about/>.
- “About Us.” n.d. One Colorado. Accessed May 24, 2019. <https://one-colorado.org/about/>.
- ACLU of Colorado. 1993. “Q&A: Amendment 2,” May 1993. Box 2, Folder 1. Western History Collection, The Denver Public Library.
- Albiston, Catherine. 2010. “The Dark Side of Litigation as a Social Movement Strategy Comment.” *Iowa Law Review Bulletin* 96: 61–77.
- “Amendment 2 Victory.” 1996. Box 1, Folder 20. Western History Collection, The Denver Public Library.
- Andersen, Ellen Ann. 2006. *Out of the Closets and Into the Courts: Legal Opportunity Structure and Gay Rights Litigation*. University of Michigan.
- Anderson, Sue. 1995. “Amendment 2 Ruled Unconstitutional What Happens Next?” *Equal Times*, Fall/Winter 1995, Vol. 2, No. 4 edition. Box 2, Folder 1. Western History Collection, The Denver Public Library.
- “Announcing Harvey Milk Champions of Change.” 2013. Whitehouse.Gov. April 8, 2013. <https://obamawhitehouse.archives.gov/blog/2013/04/08/announcing-harvey-milk-champions-change>.
- Barclay, Scott, and Shauna Fisher. 2006. “Cause Lawyers in the First Wave of Same Sex Marriage Litigation.” In *Cause Lawyers and Social Movements*, 84–100. Stanford University Press.
- Barnett. n.d. “Laurene Lafontaine.” *Covenant Network* (blog). Accessed April 28, 2019. <https://covnetpres.org/laurene-lafontaine/>.
- “Bowers v. Hardwick.” n.d. Oyez. Accessed April 22, 2019. <https://www.oyez.org/cases/1985/85-140>.
- Brandon R. Burnette. n.d. “Comstock Act of 1873.” Accessed April 22, 2019. <http://www.mtsu.edu/first-amendment/article/1038/comstock-act-of-1873>.
- Bransford, Stephen. 1994. *Gay Politics v. Colorado and America: The Inside Story of Amendment 2*. Cascade, CO: Sardis Press.
- Campbell, David E., and J. Quin Monson. 2007. “Dry Kindling: A Political Profile of American Mormons.” In *From Pews to Polling Places: Faith and Politics in the American Religious Mosaic*, edited by J. Matthew Wilson. Georgetown University Press.
- Casey, Susan Berry. 2016. “Nine Justices and One Colorado Lawyer.” *Colorado Heritage*, Magazine of History Colorado, , December, 18–27.
- “Colorado Voices of Faith Presents...” 1993. Box 1, Folder 20. Western History Collection, The Denver Public Library.
- Coppel, Paula. 2013. “Inclusive Christianity.” *Unity*. May 15, 2013. <http://www.unity.org/publications/unity-magazine/inclusive-christianity>.
- Duffield, David. 2019a. “LGBTQ Research Inquiry,” February 11, 2019.
- . 2019b. LGBTQ+ Denver History Phone Call.
- “ECHRAC Opinion Survey.” 1993. Box 1, Folder 3. Western History Collection, The Denver Public Library.
- Equal Times*. 1995a. “Amendment 2 Goes to Washington,” Fall 1995, Vol. 3, No. 3 edition. Box 2, Folder 1. Western History Collection, The Denver Public Library.

- Equal Times*. ———. 1995b. "Vigil for Justice and Town Meeting," Fall 1995, Vol. 3, No. 3 edition. Box 2, Folder 1. Western History Collection, The Denver Public Library.
- Equal Times*. ———. 1996. "Amendment 2: Time to Celebrate--and Then Move Forward," Spring 1996, Vol. 4, No. 2 edition. Box 2, Folder 1. Western History Collection, The Denver Public Library.
- Equal Times*. ———. 1998. "Voices of Faith Listings of Supportive Congregations," Spring 1998, Vol. 6, Num. 2 edition. Box 2, Folder 1. Western History Collection, The Denver Public Library.
- Equal Times*. ———. 1999. "Board of Directors and Staff," Winter 1999, Vol. 6, No. 5 edition. Box 2, Folder 2. Western History Collection, The Denver Public Library.
- Equal Times*. ———. 2000. "Board of Directors and Staff," Fall 2000, Vol.7, No. 3 edition. Box 2, Folder 2. Western History Collection, The Denver Public Library.
- "Equality Colorado Contact Form." 1992. Box 1, Folder 22. Western History Collection, The Denver Public Library.
- "EQUALITY COLORADO RECORDS." n.d. Accessed April 22, 2019.
http://eadsrv.denverlibrary.org/sdx/pl/toc.jsp?id=WH1787&qid=sdx_q5&fmt=tab&idtoc=WH1787-pleadetoc&base=fa&n=14&ss=true&as=true&ai=Advanced.
- Fetner, Tina. 2008. *How the Religious Right Shaped Lesbian and Gay Activism*. Vol. 31. University of Minnesota Press.
- "Freedom of and from Religion." 1992. Box 1, Folder 8. Western History Collection, The Denver Public Library.
- Gallup Inc. 2019. "Gay and Lesbian Rights." Gallup.Com. 2019.
<https://news.gallup.com/poll/1651/Gay-Lesbian-Rights.aspx>.
- Galvin, Daniel J. 2016. "Qualitative Methods and American Political Development." *Oxford Handbook of American Political Development*, August, 1–27.
- "GLAAD Media Reference Guide - Terms To Avoid." 2011. GLAAD. September 9, 2011.
<https://www.glaad.org/reference/offensive>.
- Glenn, Brian J., and Steven M. Teles. 2009. *Conservatism and American Political Development*. Oxford University Press, USA.
- Hayes, Danny. 2005. "Candidate Qualities through a Partisan Lens: A Theory of Trait Ownership." *American Journal of Political Science* 49 (4): 908–23.
<https://doi.org/10.2307/3647705>.
- Hine, Matthew, and Wayne White. 2000. "Why We Should Vote Libertarian." *Equal Times*, Fall 2000, Vo. 7 No. 3 edition. Box 2, Folder 2. Western History Collection, The Denver Public Library.
- Hunt, Alan. 1990. "Rights and Social Movements: Counter-Hegemonic Strategies." *Journal of Law and Society* 17: 309–28.
- Hylton, Keith N. 1993. "Litigation Cost Allocation Rules and Compliance with the Negligence Standard." *The Journal of Legal Studies* 22 (2): 457–76.
<https://doi.org/10.1086/468172>.
- Kelley, Jonathan. 1995. "Equal Rights and Equal Rites?" *Equal Times*, Spring/Summer 1995, Vol. 3, No. 2 edition. Box 2, Folder 1. Western History Collection, The Denver Public Library.
- King Jr., Martin Luther. 2016. "Loving Your Enemies." In *The American Intellectual Tradition*, edited by David A. Hollinger and Charles Capper, 7th ed., 2:381–89. New York: Oxford University Press.

- Kuta, Sarah. 2016. "20 Years after Colorado's Amendment 2 Struck down, Parallels Seen in Transgender Fight." *Boulder Daily Camera* (blog). May 19, 2016. http://www.dailycamera.com/ci_29915204/20-years-after-colorados-amendment-2-struck-down.
- Lafontaine, Loraine. 1995. "Biblical Self Defense." *Equal Times*, Fall/Winter 1995, Vol. 2, No. 4 edition. Box 2, Folder 1. Western History Collection, The Denver Public Library.
- "Laurene Lafontaine · LGBTQ Religious Archives Network." n.d. LGBTQ Religious Archives Network. Accessed April 30, 2019. <https://exhibits.lgbtran.org/items/show/491>.
- "Levels of Scrutiny Under the Equal Protection Clause." n.d. Accessed May 25, 2019. <http://law2.umkc.edu/faculty/projects/ftrials/conlaw/epscrutiny.htm>.
- Levitsky, Sandra. 2006. "To Lead with Law: Reassessing the Influence of Legal Advocacy Organizations in Social Movements." *Cause Lawyers and Social Movements* 145 (146): 157–58.
- Lopez, German. 2015. "The Reagan Administration's Unbelievable Response to the HIV/AIDS Epidemic." *Vox*. December 1, 2015. <https://www.vox.com/2015/12/1/9828348/ronald-reagan-hiv-aids>.
- Luning, Ernest. 2009. "Steadman Wins Appointment to SD 31." *The Colorado Independent*. May 21, 2009. <https://www.coloradoindependent.com/2009/05/20/steadman-wins-appointment-to-sd-31/>.
- Marcus, Aaron. 2017. "PrideFest: A History of Denver's Gay Pride Celebration | History Colorado." June 15, 2017. <https://www.historycolorado.org/story/hc/2017/06/15/pridefest-a-history-of-denvers-gay-pride-celebration>.
- McCarthy, John D., and Mayer N. Zald. 1977. "Resource Mobilization and Social Movements: A Partial Theory." *American Journal of Sociology* 82 (6): 1212–41. <https://doi.org/10.1086/226464>.
- . 2003. "Social Movement Organizations." In *The Social Movements Reader: Cases and Concepts*, edited by Jeff Goodwin and James M. Jasper, 169–86. Blackwell Readers in Sociology. Malden, MA: Blackwell Publishing.
- "Metropolitan Community Churches – Official Website of Metropolitan Community Churches." 2019. May 2019. <https://www.mccchurch.org/>.
- Mettler, Suzanne, and Richard Valelly. 2016. "Introduction: The Distinctiveness and Necessity of American Political Development." *The Oxford Handbook of American Political Development*, 2–23.
- Meyer, David S., and Suzanne Staggenborg. 1996. "Movements, Countermovements, and the Structure of Political Opportunity." *American Journal of Sociology* 101 (6): 1628–60. <https://doi.org/10.1086/230869>.
- Meyer, David S., and Nancy Whittier. 1994. "Social Movement Spillover Social Movement Organizations." *Social Problems* 41: 277–98.
- Mezey, Susan Gluck. 2007. *Queers in the Court: Gay Rights and Public Policy*. Lanham: Rowman & Littlefield Publishers, Inc.
- . n.d. "One, Inc. v. Olesen (9th Cir.)." Accessed April 22, 2019. <http://www.mtsu.edu/first-amendment/article/406/one-inc-v-olesen-9th-cir>.
- Miller, LeRoy L. 1992. "Anti-Discrimination Campaign," November 30, 1992. Box 1, Folder 16. Western History Collection, The Denver Public Library.

- Montoya, Rose. 1992. "Questionnaire for ECHRAC." Metropolitan Community Church of the Rockies. Box 1, Folder 3. Western History Collection, The Denver Public Library.
- Moore, Chris. 1994. "Group Memory from the Retreat." Box 1, Folder 33. Western History Collection, The Denver Public Library.
- Mottl, Tahi L. 1980. "The Analysis of Countermovements." *Social Problems* 27 (5): 620–35. <https://doi.org/10.2307/800200>.
- "Notes from Stakeholder Meeting." 1993. Box 1, Folder 21. Western History Collection, The Denver Public Library.
- Ockenga, Harold John. 2016. "Resurgent Evangelical Leadership." In *The American Intellectual Tradition*, edited by David A. Hollinger and Charles Capper, 7th ed., 2:471–77. New York: Oxford University Press.
- Olson, Stanley E., John S. Spong, David Teusch, John B. Cobb Jr., C. Robert Nugent, and William R. Stayton. 1993. "God, Religion, and Homosexuality." *Neighborhood Voice*, September 1993, Vol. 1, No. 1 edition. Box 2, Folder 1. Western History Collection, The Denver Public Library.
- Petrocik, John R. 1996. "Issue Ownership in Presidential Elections, with a 1980 Case Study." *American Journal of Political Science; Oxford* 40 (3): 825.
- Plant, Richard. 1988. *The Pink Triangle: The Nazi War Against Homosexuals*. 2nd ed. Holt Paperbacks.
- Press, The Associated. 2009. "2 New Colorado State Senators Take Oath of Office." *The Denver Post* (blog). May 29, 2009. <https://www.denverpost.com/2009/05/29/2-new-colorado-state-senators-take-oath-of-office/>.
- Rogers, James. 2014. "Gay, Lesbian, Bisexual and Transgender." Denver Public Library History. June 14, 2014. <https://history.denverlibrary.org/research/gay-lesbian-bisexual-and-transgender>.
- "Romer v. Evans." n.d. Oyez. Accessed May 5, 2019. <https://www.oyez.org/cases/1995/94-1039>.
- Ronham, Kathy. 1992. "The Pink or Black Triangle and Why I Wear One." Box 1, Folder 16. Western History Collection, The Denver Public Library.
- Schultz, William. 2018. "Perspective | How Colorado Did a 180 on Gay Rights." *Washington Post*, December 17, 2018, sec. Made by History Perspective Perspective Discussion of news topics with a point of view, including narratives by individuals regarding their own experiences. <https://www.washingtonpost.com/outlook/2018/12/17/how-colorado-did-gay-rights/>.
- Sheingate, Adam D. 2003. "Political Entrepreneurship, Institutional Change, and American Political Development." *Studies in American Political Development* 17 (2): 185–203. <https://doi.org/10.1017/S0898588X03000129>.
- Shepard, Benjamin. 2013. "From Community Organization to Direct Services: The Street Trans Action Revolutionaries to Sylvia Rivera Law Project." *Journal of Social Service Research* 39 (1): 95–114. <https://doi.org/10.1080/01488376.2012.727669>.
- Smith, Wilfred Cantwell. 2016. "Christianity's Third Great Challenge." In *The American Intellectual Tradition*, edited by David A. Hollinger and Charles Capper, 7th ed., 2:465–70. New York: Oxford University Press.

- Steadman, Pat. 1995. "Amendment 2 Goes to Washington." *Equal Times*, Fall 1995, Vol. 3, No. 3 edition. Box 2, Folder 1. Western History Collection, The Denver Public Library.
- . 2000. "Protect Privacy, Protect Choice by Voting NO on Amendment 25." *Equal Times*, Fall 2000, Vo. 7 No. 3 edition. Box 2, Folder 2. Western History Collection, The Denver Public Library.
- Stone, Amy L. 2012. *Gay Rights at the Ballot Box*. U of Minnesota Press.
- Sylvestre, Berlin. 2014. "A Brief LGBT History of Colorado." *OUT FRONT*. August 20, 2014. s. "Tea Schook Papers, 1964-1995." n.d. Accessed April 22, 2019.
<https://catalog.denverlibrary.org/search/title.aspx?ctx=1.1033.0.0.6&pos=1>.
- Wadsworth, Nancy D. 1997. "Reconciliation Politics: Conservative Evangelicals and the New Race Discourse." *Politics & Society* 25 (3): 377-407.
- Ward, Mike. 1990. "Focus on the Family Group Plans to Move : Ministry: The Christian Organization in Pomona That Has Grown into a \$63-Million-a-Year Media Empire Intends to Relocate to Colorado Springs." *LA Times*, June 15, 1990.
<https://www.latimes.com/archives/la-xpm-1990-06-15-me-336-story.html>.
- "What Does LGBTQ+ Mean?" n.d. OK2BME. Accessed March 7, 2019.
<https://ok2bme.ca/resources/kids-teens/what-does-lgbtq-mean/>.
- "What Is Parachurch?" n.d. *Online Christian Colleges* (blog). Accessed May 23, 2019.
<https://www.onlinechristiancolleges.com/faq/what-is-parachurch/>.
- Whinnen, Denise. 2019. Gill Foundation InquiryPhone Call.
- Williams, Daniel K. 2010. "Chapter 10: Crashing the Party." In *God's Own Party: The Making of the Christian Right*. Oxford University Press.
- Wilson, Joshua C. 2013. *The Street Politics of Abortion: Speech, Violence, and America's Culture Wars*. Stanford University Press.
- . 2016. *The New States of Abortion Politics*. Stanford University Press.
- Zald, Mayer N., and Bert Useem. 1987. "Movement and Countermovement Interaction: Mobilization, Tactics, and State Involvement." In *Social Movements in an Organizational Society*, edited by Mayer N. Zald and John D. McCarthy, 247-72. New Brunswick, NJ: Transaction Books.