

UNIVERSITY OF CALIFORNIA

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“As Goes California, So Goes the Nation(?)” The Marriage Equality Movement: A Study of  
Reactive Mobilization

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requirements for the degree Doctor of Philosophy  
in Sociology

by

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## ABSTRACT

### “As Goes California, So Goes the Nation(?)” The Marriage Equality Movement: A Study of Reactive Mobilization

by

Anna M. Sorensen

In November of 2008, as progressives celebrated the historic election of President Barack Obama, LGBT people and their allies watched in shock and disappointment as California voters passed Proposition 8, a Constitutional Amendment that revoked the rights of same-sex couples to marry. In the following days, people demonstrated their anger, shock, disappointment, and sadness at the Initiative’s passage by joining marches, candlelight vigils and rallies. Many activists engaged in a period of sustained mobilization, gathering to debate the reasons for the loss and future goals and strategy. As a result, activists developed new movement infrastructures, constructed new collective action frames about same-sex marriage, and innovated new strategies and tactics for disseminating those messages. In this dissertation, I examine this period of mass mobilization as a case of reactive mobilization, or mobilization precipitated by the loss of power and status (Tilly 1978). The study draws on qualitative data, including semi-structured, in-depth interviews with 47 key informants, participant observations, and an archive of documents about the movement to construct a history of the California marriage equality movement. I argue that the passage of Proposition

8 posed a serious threat to the legal and socio-cultural status of LGBT Californians and was a moral shock that compelled people to mobilize. The data suggests that a key feature of the post-8 reactive mobilization was that activists' emotional responses sustained their activism beyond the immediate protests and influenced how they organized. As they expressed their shock, anger, and indignation at the California "yes" voters, activists also expressed their anger with a No on 8 campaign from which they felt excluded. Activists framed the loss as the result of the campaign's structural composition and hierarchical leadership structure that excluded the perspectives of grassroots activists and, in particular, activists within rural communities and communities of color. As a result, many activists emphasized building organizations that utilized new tactics, and that organized in communities of color, rural communities, and communities with little existing marriage equality infrastructure. Moreover, activists were critical of the No on 8 campaign's messaging which excluded images of and messages about same-sex couples and their families. Therefore, activists responded by emphasizing a *right to love* frame that drew on the shared cultural understandings of marriage as a universal legal *and* cultural rite and innovated tactics that required the conscious deployment of identity to communicate that frame to the public. These tactics included using digital technology to project images and stories about their families' everyday lives, adapting existing tactics to teach one another to construct persuasive personal stories, and by utilizing traditional campaign tactics, such as canvassing neighborhoods, to educate voters through conversations that emphasized the voters' experiences and perceptions of marriage and same-sex couples and families. This dissertation expands the literature on the marriage equality movement and contributes to the social movement literature more generally by examining the roles of threat and emotions for mobilization.

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## CHAPTER ONE INTRODUCTION:

The United States has experienced one of the most radical and rapid shifts in public opinion around the issue of same-sex marriage. According to a Pew Research Center Report (2013), in 2001, 57% reported that they did not support same-sex marriage. In contrast, in 2014, 52% of Americans indicated that they support same-sex marriage. In 2004, same-sex couples in Massachusetts became the first to achieve the right to marry. By 2015, a series of favorable judicial decisions and wins for the marriage equality movement at the ballot box has resulted in the legalization of same-sex marriage by 37 states, the District of Columbia and 22 Native American tribes. Yet in November of 2008, even as Americans elected the first Black President, Barack Obama, this major shift in public opinion and legal policy seemed unlikely.

In March 2008, California briefly became the second state to allow same-sex couples to marry when the State Supreme Court ruled in *In Re Marriage Cases* that the state's Statute that limited legal marriage to heterosexual couples was a violation of the state's Constitution. However, in November of 2008, despite running a well-financed and extensive field campaign, the No on Prop.8 campaign was unable to stop the passage of Proposition 8, an initiative that amended the State Constitution to limit marriage to "one man and one woman." This loss at the ballot box represented a tremendous political and socio-cultural threat to California's marriage equality movement and the state's LGBT communities.

The LGBT community and their allies responded to this loss by mobilizing. They protested and engaged in public and contentious debate about what went wrong and strategies for moving forward. Many debated the timing and efficacy of responding with a ballot initiative campaign that would repeal the new Amendment. Despite signature-

gathering efforts in 2010 and 2012, internal movement resources and the political context were not conducive to mounting such a challenge. Some activists decided to mobilize around new goals and strategies such as achieving marriage equality in other states, pursuing full federal equality, and repealing “Don’t Ask, Don’t Tell.” In 2009, some activists in California formed a new organization, the American Foundation for Equal Rights (AFER), to challenge Proposition 8 in the federal court system. In other words, the passage of Proposition 8, which appeared to foreclose the possibility of the marriage equality movement’s goals, was in fact the start of a period of mobilization.

This dissertation uses the case of the California marriage equality movement to examine the role of threat in reactive mobilization, that is, mobilization in response to a loss of rights and power (Van Dyke and Soule 2002a; Tilly 1978). I argue that the passage of Proposition 8 was a moral shock that activated participants’ sense of injustice and feelings of anger (Jasper 1999), thereby motivating them to act. Proposition 8’s passage signaled more than revocation of the right to marry; it was a public signification of the marginalization of lesbian and gay identities and families. I contend that for many urban-coastal gay men and lesbians, their experience of a social world to which they had experienced a significant amount of assimilation was disrupted by voters’ repudiation of the idea that gays and lesbians should have access to the institution of marriage.<sup>1</sup> For others, particularly those who lived in more conservative areas, the passage of Proposition 8 was perhaps less surprising, but their experience of invisibility within the No on 8 campaign coupled with extensive anti-LGBT

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<sup>1</sup> Some have argued that many LGBT people have experienced a “post-gay” social world where gay identity is not collectively defined in opposition to the dominant society, but rather as a part of society (Ghaziani 2011). The data pertaining to this research does not address this question adequately to make such an argument in this case; nonetheless, it is clear that many people experienced shock and surprise at the fact that LGBT identities and same-sex couples and families were viewed negatively by a majority of Californians.

messages from the Yes on 8 campaign was marginalizing nonetheless. The shock, anger, indignation, and shame felt by lesbians, gay men, and their allies, motivated them to mobilize and influenced how they did so. Specifically, they developed organizations and coalitions, constructed collective action frames that provided targets for action, connected same-sex marriage to the *right to love*, and engaged strategies and tactics that emphasized identity deployment.

This dissertation contributes to the literature on the LGBT movement for same-sex marriage, and in particular, California's marriage equality movement. Scholars have examined the emergence of the national movement for same-sex marriage (Fetner 2008; Stone 2012), the state-level campaigns for same-sex marriage in Massachusetts, Vermont, Connecticut, and New Hampshire (Bernstein and Taylor 2013), and the legal and cultural arguments for and against same-sex marriage (Chauncey 2004; Pinello 2006). Others have studied the outcomes of the legalization of same-sex marriage where it has occurred (Green 2013), including the how same-sex marriages reinforce and contest heteronormativity (Kimport 2013b). Stone (2012) analyzes how contests over lesbian and gay rights at the ballot box are consequential in the development of movement infrastructure and frames.

Some scholars have written about the marriage equality movement specific to California. Scholars have examined the use of same-sex weddings as a cultural tactic that sparked the mobilization of the California marriage equality movement in 2004 (Taylor et al. 2009). Others have conducted empirical research examining the construction of the Yes on 8 campaign's framing of same-sex marriage (Oliviero 2013). Finally, activist accounts (Solomon 2014) and journalistic accounts (Becker 2014) provide an insider's view into the formation of AFER and its challenge to Proposition 8 in the Courts.



However, relatively little research to date has examined the mobilization of the grassroots marriage equality movement in California. I aim to address this gap in the literature through qualitative analysis of forty-seven interviews conducted with marriage equality activists and documentary data. Thus, this study will be the first to broadly examine the dynamics of the same-sex marriage movement in California, with specific emphasis on the reactive mobilization sparked by the failure to defeat Prop 8 in 2008 and how it shaped movement success over the long run. Further, I contribute to the literature on social movements by focusing on the role of threat in mobilization through an examination of how participants' emotional responses to the political and socio-cultural threat posed by the passage of Proposition 8 influenced the dynamics of mobilization. After a note about terminology, I begin by reviewing the literature on reactive mobilization, threat, identities and emotions in social movements.

Terms used to describe identity categories such as lesbian, gay, bisexual, and transgender (LGBT), are historically contingent and reflect diverse experiences. Moreover, the history of the LGBT movement is a history of ongoing "border skirmishes" (Gamson 1995) among diverse communities of activists regarding who is represented by the movement and whose agenda is pursued. Bisexual and transgender activists and their concerns have been marginalized within the larger lesbian and gay movement (Stone 2012; Ward 2008). In addition, the achievement of marriage equality, a goal that would benefit those who are in same-sex relationships, has been primarily a goal of many lesbians and gay men. Others have critiqued the movement for its singular focus on and privileging of resources for the concerns of partnered lesbians and or gay men, a population that is already more likely to have resources and therefore, the group marriage rights would most benefit (Duggan 2004;

Ettelbrick 1992; Walters 2001). However, to simply speak of lesbians and gay men erases the committed activism of people who identify as bisexual and transgender and who have been the force between the inclusion of the “B” and “T” in LGBT. Therefore, for simplicity’s sake, when I refer to the umbrella movement of which the marriage equality movement is a part, I use the acronym, LGBT. Otherwise I seek to distinguish that I am speaking of the marriage equality or the same-sex marriage movement.

Also, the terms used to describe those who oppose same-sex marriage are imperfect. Scholars have documented how religious conservatives built a grassroots movement in the 1970s and challenged the early local anti-discrimination statues that gay men and lesbians were successful in achieving (Fetner 2008). By the 1980s, as the anti-gay Christian activists were able to effectively mobilize a conservative base, the movement developed a professionalized infrastructure and extensive media resources, becoming a powerful political force within the Republican Party. This infrastructure, which comprised the new Religious Right, became the countermovement to the LGBT movement. As I conducted this research, I rarely heard the label, Religious Right, used by activists, nor was there another term that seemed to gain popular usage. Yet, the movement against marriage equality in California was constituted and funded by religious conservative organizations, particularly Evangelical, Catholic, and Mormon churches. Therefore, in the absence of a more currently used term, the Religious Right seems an appropriate label to apply to the movement that pursued anti-gay marriage initiatives in California.

### *Reactive Mobilization and Threat*

The earliest theories of social movements argued that individuals engaged in collective action when they experienced significant socio-economic or political crises (see

Garner and Tenuto 1996 for a discussion of collective behavior theories). These theories, while pointing to structural changes as a precursor to motivation for action at the macro level, viewed individual participation as the actions of irrational individuals who were either swept up by the whims of the crowd or as the result of the psychological distress of social isolation. These theories dominated thinking about collective action until the 1970s when scholars rejected social psychological theories of motivation in favor of models that emphasized the structural conditions under which individuals make rational calculations about the costs and benefits of movement participation. Resource mobilization, the first of these theories, proposed that collective action was the result of the actions of organized groups who had access to the resources necessary to convince individuals to participate in spite of the potential costs of doing so (Edwards and McCarthy 2004a; Garner and Tenuto 1996; McCarthy and Zald 1977a). The emphases here were on the mobilization of resources, and in particular, the presence of the infrastructure necessary to aggregate and disseminate those resources.

Also operating from the premise that mobilization consists of organized collectivities of rational actors, other scholars looked to the political environment to explain how and when activists will decide to incur the costs of mobilizing. Political process theory states that activists mobilize when facilitative political conditions such as increasing institutional access, the emergence of “friendly” elites, and macro-level political and economic shifts suggest that “other groups, including governments, are vulnerable to new claims” (Eisinger 1973; McAdam 1982; McAdam, McCarthy, and Zald 1996; Tarrow 1998; Tilly 1978:133). Similarly, “political, economic, and demographic shifts” (Van Dyke and Soule 2002a:500) may be perceived as threats, or “claims which would, if successful, reduce the contender’s

realization of its interests” and motivate activists to mobilize (Tilly 1978:133). In his original typology of claims and collective actions, Tilly (1978) argued that reactive collective action is the action taken (or the process of taking action) when groups engage in defensive mobilization, or, the aggregation and increased use of movement resources in response to a threat. Defensive mobilization often comes from below, from groups with less power in society, and that, “assuming equal probabilities of occurrence,” Tilly thought that threat might inspire more mobilization than “the same amount of opportunity<sup>2</sup>” (134).

Despite a significant body of literature that explores the utility of the political process model, some scholars have argued that the role of threat in inspiring mobilization is under theorized. Goldstone and Tilly (2001) claimed that threat has been “treated merely as the flip side of opportunity” (181). That is, threat has often been conceptualized in relationship to a closure of the political opportunity structure due to state repression or other factors that raise the costs of collective action such that activists fail to mobilize or they demobilize. Citing several incidences of increased mobilization when there were few opportunities and incidences when facilitative political conditions did not result in successful mobilization, Goldstone and Tilly (2001) argued that opportunity and threat are in constant interaction with one another, an argument supported by Almeida’s (2008, 2003) analysis of protest events in El Salvador between 1962-1981 in which he finds that periods of political opportunity provide time and resources for the development of infrastructure that will sustain mobilization during periods of fewer opportunities.

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<sup>2</sup> He attributes this to three factors: responding to threat requires less internal organizational change, because “groups generally inflate the value of those things they already possess when someone is seeking to take them away,” and because “threats generalize more readily than opportunities” (134-135, see also Tarrow 1998 and Berejikian 1992).

Van Dyke and Soule (2002) found that that right-wing mobilization and racial violence are related to economic shifts and an increase in minority populations (see for example Beck 2000; McVeigh 1999a). Van Dyke and Soule contended that “structural social change and the threat it engenders” are important conditions for mobilization, especially for reactive mobilization, or mobilization that occurs in response to the actual or threatened loss of power or resources (513; reactive mobilization is another way of describing Tilly’s [1978] “defensive mobilization”). Other empirical work supports the concept that macro-level threats lead to mobilization; some studies demonstrate that right-wing activists interpreted economic and political changes as threats and mobilized in response (Andrews 2002; McVeigh 1999b; Wright 2007). Others shows how peace activists in the United States mobilized in response to the nuclear policies of the Reagan administration (Meyer 1990).

Mobilization may occur both in the absence of a facilitative political environment and when nonstate actors threaten movement goals. For example, McCammon and Campbell (2002) found that the Woman’s Christian Temperance Union and suffragists were more likely to form coalitions when their goals were threatened by political defeats, economic phenomena (e.g., the growth of the alcohol industry), and the efforts of countermovements. Van Dyke’s (2003) study of college student organized coalitions found that political threats at the local level via college administrators and counter-protestors motivated within-movement coalition work while broader political threats from the Reagan administration motivated activists to organize across-movement coalitions. These findings appear to support Tilly’s (1978) contention that threats inspire mobilization in part because a threat to one group’s interests can be framed as a threat to another group’s more easily than opportunities can be extended to other groups.

Steven Boutcher (2011) extended theorizing about the role of threat and the dynamics of reactive mobilization in his case study of the mobilization of the lesbian and gay rights movement in response to the Supreme Court's 1986 ruling in *Bowers v Hardwick* that upheld Georgia's statute that criminalized sodomy. While some might anticipate that the ruling would have signaled a closing of political opportunities and led to demobilization, "the defeat provided fuel for activists to mobilize" (198). He found that because movement leaders framed the ruling as an urgent threat to lesbian and gay men (*attribution of threat*) as well as a threat to democracy and American freedoms (*framing*), activists not only were willing to mobilize but their choice of strategies and tactics were directly influenced by participants' perceptions of threat. Also, Boutcher (2011) highlighted the emotional component of the *Bowers* ruling, demonstrating that leaders used the moral shock and anger gay men and lesbians felt at the ruling to drive mobilization, a point that will be returned to below.

McVeigh and Diaz (2009) used county-level data to demonstrate that individuals are more likely to vote for same-sex marriage bans when they live in communities that are characterized by traditional family forms and gender roles and where there is weak community cohesion because they are more likely to see same-sex marriage as a threat to their interests, values, and community cohesion. Further, Crockett and Kane (2012) present the case of the ex-gay movement as an example of a reactive movement and emphasize the mobilizing power of socio-cultural threats. They found that the increasing successes and visibility of the LGBT movement, as seen in LGBT—positive legislation and an increasingly visible LGBT community, posed a "moral threat" to those who value traditional views of marriage and gender and signal a breakdown of "moral taboos in regards to sexuality," leading to the mobilization of the ex-gay movement (232-233).

This dissertation builds on this scholarship by focusing on marriage equality movement participants' perceptions and framing of the threat posed by the passage of Proposition 8 and how their perceptions and interpretations of the threat influenced mobilization. Because participants' understanding and interpretation of threat is shaped by particular constructions of collective identity within LGBT communities and movement groups, I consider the link between identity and the experience of threat by reviewing the literature on the role of identity and emotion in social movements.

### *Identity*

Even as resource mobilization and political process theories provide structural tools for understanding movements' emergence, operation, and outcomes, they are inadequate for understanding the micromobilization processes by which people are motivated to act collectively and the ways in which they *go about* engaging in collective action. In the 1980s, studies of social movements began to take a "cultural turn," incorporating the insights of Western European "New Social Movement" theorists as well as the work of American scholars who drew on symbolic interactionist theories. New Social Movement Theory (NSM) was first developed by European scholars to explain the collective action of the 1960s, 1970s and 1980s (Garner and Tenuto 1996; Pichardo 1997), collective action that organized around cultural concerns rather than "material interests and economic distribution" (Williams 2007). Further, American scholars, drew on symbolic interactionist theories to emphasize "meaning" in movements, focusing "on the ways that movements have used symbols, language, discourse, identity, and other dimensions of culture to recruit, retain, and mobilize, and motivate members" (Williams 2007:93). The scholarship that resulted from this cultural

turn led scholars to focus on movements that seek change in multiple institutional arenas and “the realms of culture, identity, and everyday life” (Van Dyke, Soule, and Taylor 2004:29).

The LGBT movement, writ large, has been a useful case for scholars to use to examine the dynamics of identity movements because “the cultural barriers to acceptance of homosexuality and the challenge of self-acceptance for lesbians and gay men” mean that the movement’s goals have been both cultural transformation and the achievement of political rights (Bernstein 1997:2, 2002). Scholars have documented the historical and socio-political contexts within which movement participants have engaged in “movements for recognition,” challenging cultural understandings about homosexuality in order to gain cultural acceptance and political rights. At other times, activists have engaged in “deconstructive” movements that challenge the fixedness of categories of sexuality in an effort to transform social norms of gender and sexuality (Adam 1995; Armstrong 2002; Bernstein 2002, 2008; Bernstein and Taylor 2013; Epstein 1998). These various identity “goals,” and the strategies used in their pursuit (discussed below) have been theorized to be in opposition to one another. Movements for recognition have been conceived as “assimilationist,” that is seeking access to the existing social structures by emphasizing gay men and lesbians’ sameness to heterosexual society and therefore reifying the social categories and systems that structure inequality. Deconstructive movements that challenge the categories that structure inequality are seen as “transformative” but are less likely to achieve political rights and run the risk of “self-destructing” (Bernstein 2008; Gamson 1995). As marriage equality has become a primary goal of the LGBT movement, these debates continue. Recent scholarship has highlighted the ways that both goals can be achieved (Bernstein and Taylor 2013; Green 2013; Kimport 2013a). In other words, the marriage equality movement simultaneously seeks cultural



acceptance and political rights for gay men and lesbians and challenges the sexual and gender norms of society.

Further, the LGBT movement has “deployed” identity strategies “with an eye toward achieving social change in individuals, culture, and institutions” (Whittier 2011:149). Bernstein (1997) has illustrated how lesbian and gay movement activists sometimes choose identity strategies that emphasize lesbian and gay men’s similarities to dominant society such as educating the American Psychological Association about gay and lesbian identity and experience in order to challenge the medicalization of homosexuality (*identity for education*), while other times activists choose identity strategies that emphasize lesbian and gay men’s differences by employing tactics such as queer kiss-ins and mass protests (*identity for critique*). Dugan (2008) highlighted the ways that the Christian Right and gay, lesbian, and bisexual movements used identity strategies of sameness and difference when they portrayed their own collective identities and the identities of the opposition. Other scholarship showed how identity performances, such as drag shows, use culture to challenge dominant norms of gender and sexuality and have become part of the tactical repertoire of the LGBT movement (Rupp and Taylor 2003, Kaminski & Taylor 2008).

The same-sex marriage movement has innovated new tactical repertoires; for example, marriage counter protests, where same-sex couples dressed in wedding attire request a marriage license from a clerk in order to highlight the discrimination resulting from lack of access to civil marriage (Taylor et al 2009). Such identity disclosures connect individuals’ experiences and self-conceptions with the movement’s group identity, which then, in turn, influence the identities of external audiences and their perceptions of the movement.

“Identity for empowerment,” or collective identity construction, is necessary for connecting individuals’ multiple, and often contested personal identities to the group’s interests and to build solidarity and commitment to collective action (Bernstein 1997; Taylor and Whittier 1992). Defined by Taylor (1989) as the “shared definition of a group that derives from members’ common interests and solidarity” (105), collective identities are constructed through the creation of structural and symbolic *boundaries* between the group and its opposition, the development of an *oppositional consciousness* whereby members of the group attribute their grievances to structural causes, and the private and public *negotiation* of new identities (Taylor and Whittier 1992). The work of collective identity construction and maintenance, or “identity work,” takes place in the various interactional settings within which activists organize (Reger, Myers, and Einwohner 2008).

Both the process and product of identity work involves activists’ perception and interpretation of signals from external political, discursive, and movement counter-movement contexts which they then use to “make *attributions* regarding who or what is to blame” and *articulate* the desired solution and a strategy for doing so. Scholars have applied Goffman’s (1974) concept of frames to describe the cognitive processes that activists use to connect individual beliefs, values, and experiences to movement ideology and goals (Snow et al. 1986). Snow and Benford (1988) described the three “core framing tasks:” diagnostic framing wherein activists describe the problem and assign blame, prognostic framing by which strategies for solving the problem are outlined, and motivational framing, the rationale for why individuals should engage in collective action. Framing links “individuals and groups ideologically,” and constructs a shared understanding about the identities of

protagonists, antagonists and audiences, which serves to align personal and collective identities (Hunt, Benford, and Snow 1994).

The products of framing, *collective action frames*, are the “action-oriented sets of beliefs and meanings” that motivate activists, gain the support of bystanders, and target the opposition (Benford and Snow 2000; Snow 2004). Activists use cultural “material” such as “meanings, beliefs, ideologies, practices, values, myths, and narratives” to construct collective action frames that, when communicated by leaders who are perceived to be credible, resonate with the audience and drive mobilization (Benford and Snow 2000). Some collective action frames are highly resonant across social movements, such as the *equal rights and opportunities* frame that was developed in the Civil Rights movement and has been taken up by many other movements, including the LGBT movement, and are conceptualized as “master frames” (Benford 2013).

I draw on this scholarship on identity and collective action frames to examine the marriage equality movement’s use of identity deployment strategies and collective action frames to pursue marriage rights. I show how grassroots activists emphasized tactics that made their identities as gay men and lesbians visible and framed same-sex marriage in terms of *equal rights* and *love and commitment*. Moreover, I contend that the strategies and frames utilized by activists after the Election indicate a shift to a collective identity that emphasizes sameness, a shift that was in large part motivated by their emotional responses to the stigma and shame that they experienced at the passage of Proposition 8. As activists collectively framed the loss, they not only blamed voters who said “yes,” they blamed the No on 8 campaign for utilizing mainstream campaign tactics that made same-sex couples and their families invisible.

## *Emotions*

Resource mobilization and political process theorists primarily focused on structural factors to explain individuals' motivation to participate in movements in order to highlight the rationality of collective action. More recently, drawing on social constructionist theories, scholars have increasingly focused on the role of emotions in movements. Research has showed that emotions, expressions of individual feelings that are "shaped by cultural understandings and norms" (Goodwin, Jasper, and Polletta 2007:414), "give ideas, ideologies, identities, and even interests their power to motivate" (Jasper 1998, 1999:127)<sup>3</sup>. Activists must "appeal to and build upon pre-existing affects and emotional responses" in order to recruit participants, construct collective identities, and innovate strategies and tactics that will influence their targets and the wider audience (Jasper 2011).

Jasper (1999) argued that "moral shocks" often precede and drive collective action by "raising such a sense of outrage in a person that she becomes inclined toward political action" (Jasper 1999: Chapter 5). According to Jasper, movements respond to and foster "feelings of threat" that result when "an event or information shows that the world is not what one had expected" (2011:189). Moral shocks threaten an individual's ontological security, challenging their beliefs and moral values and, as Garfinkel (1967) described, arousing emotions such as "astonishment, bewilderment, shock, anxiety, embarrassment, and anger." According to Kemper (2001), individuals experience a range of positive and negative emotions as the result of "real, anticipated, recollected, and imagined outcomes of power and status relations" (62). When individuals experience an increase in power they will feel safe

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<sup>3</sup> Much research has focused on describing "types" of emotions (Jasper 1997). On the "temporary" end of the continuum are "reflex emotions" such as anger, fear, joy, surprise, shock, and disgust, while the "more stable affective dispositions" include positive and negative feelings toward others such as love and respect for fellow participants in collective action (Jasper 2011). Further, moral emotions such as shame, guilt, pride, indignation, outrage, and compassion are based on moral values (Jasper 2011, 1997).

and secure but will feel fear and anxiety when they lose power; when ones' perceived or actual status rises, they will feel satisfaction, happiness, pleasure, and liking for the other, but when their status falls, they will feel disappointment, anger, depression, shame, and dislike for the other (64).

Especially when anger is the salient emotion, or can be made to be the salient emotion, social movements that successfully frame the threat (Gamson 1995; Gould 2002, 2009; Jasper 1999; Kemper 2001; Reger 2004) can transform non-productive emotions into “feelings of hope, joy, righteous indignation, efficacy, and group pride,” emotions that contribute to the formation of a politicized collective identity (Taylor 1996, 2013:46; Taylor and Leitz 2010; Taylor and Whittier 1992). Movements, especially those that form around a stigmatized identity, must engage in emotion-work, deploying emotion-laden rituals and protest tactics, to connect individuals' personal identities to the group's collective identity. This process targets the emotions, identities, and ideas of participants, bystanders, and targets for change (Taylor 2013, Kemper 2001, Yang 2004).

The LGBT movement has provided a compelling empirical case for exploring the role of emotion in movement emergence, sustainability, and dynamics. The experience of stigmatization within dominant society leads to a complex set of emotions about self and society, what Gould (2001, 2008, 2009) calls ambivalence. Because gay men and lesbians are socialized within a heteronormative society that positions same-sex attractions, behavior, and relationships as deviant, they are “hard-pressed to avoid conscious and unconscious feelings of shame, guilt, self-doubt, and even self-hatred regarding their sexual desires, sexual practices, and/or gender expression, even while simultaneously deriving pleasure, joy, and fulfillment from them” (Gould 2001:137).

Further, gays and lesbians desire both acceptance into dominant society and experience “disillusionment, anger, and antipathy toward a state that institutionalizes inequality and a dominant society that sanctions hatred toward ‘queers’” (Gould 2001:138). Gould argues that this ambivalence has structured lesbian and gay response to the HIV/AIDS crisis. Early activism during the HIV/AIDS crisis focused on transforming shame and fear of rejection into pride by taking care of one another as a gay and lesbian community. They also channeled their emotions into confrontational tactics, transforming shame, fear, and grief into indignation and anger at dominant society’s discriminatory actions.

I draw on these insights to examine the significant role of emotions in the mass mobilization of the California marriage equality movement that occurred after the passage of Proposition 8 in 2008. I show how activists’ emotional responses to the passage of Proposition 8 and their cognitive framing of the loss shaped the dynamics of reactive mobilization. In the next section, I introduce the California marriage equality movement. I begin with key events in the movement’s emergence and highlight the events of the Winter of Love 2004, which brought the issue of marriage equality to the forefront of California politics.

### *The California Marriage Equality Movement and Proposition 8*

Scholars who have completed empirical analyses of the LGBT movement have highlighted the ways that its organizations, goals, strategies, tactics, frames, and collective identities have influenced and been influenced by the organizations, goals, strategies, tactics, frames, and collective identities of its countermovement, the Religious Right. This project builds on these analyses by situating the California marriage equality movement within the larger socio-political and historical context of the LGBT movement in the United States.

The marriage equality movement in California began with the work of grassroots activists in 2000 after the Religious Right effectively passed the Knight Initiative (Proposition 22) in 2000, a statutory initiative that encoded the words “only marriage between a man and a woman is valid or recognized in California” in the California Family Code. For the next several years activists, who had formed the grassroots organization, Marriage Equality California (MECA), educated the public and built networks of supporters. Other activists focused on building professional municipal and statewide organizations, such as Equality California (EQCA), that were capable of engagement in mainstream politics. Given the national socio-political context and the positions of national LGBT organizations during those years, same-sex marriage was not the issue of primary focus for these new organizations<sup>4</sup>. However, marriage equality was brought directly to the front of California politics and the LGBT movement in California in February of 2004 by the actions of Gavin Newsom, the newly elected Mayor of San Francisco.

Gavin Newsom had attended the President George W. Bush’s State of the Union address on January 20, 2004. Bush used the occasion to voice his opposition to marriage equality and his intention to pursue a federal Constitutional amendment that would ban same-sex marriage. Once he made this decision, Newsom consulted on legal strategy with his city attorney (Steve Kawa) and Tamara Lange from the ACLU, Kate Kendall from NCLR, and Geoff Kors from EQCA (Examiner 2/10/14, SFGate 2/15/04). Deciding to challenge the constitutionality of the California Family Code’s prohibition of same-sex marriage on the grounds that it denied equal protection to gays and lesbians, Newsom quickly asked the

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<sup>4</sup> In 2003, representatives of the large national LGBT organizations in California, the American Civil Liberties Union (ACLU), Lambda Legal, and the National Center for Lesbian Rights (NCLR), had agreed “not to pursue marriage litigation in California” (Hirshman 2013).

County Clerk's office to figure out how to issue licenses to same-sex couples. Kate Kendall asked lesbian-rights pioneers and the founders of the Daughters of Bilitis, Phyllis Lyon and Del Martin, to be the first to be married in San Francisco.

The word spread quickly. Molly McKay, who had put on her wedding dress and gone with her partner and fellow grassroots activist, Davina Kotulski, to a county clerk's office each Valentine's Day since 1998 to request a marriage license (and be denied, thus having the opportunity to access the media), had asked Newsom to allow same-sex marriages. She told me that she prepared for 2004's marriage counter action "never thinking in our wildest imagination he'd say yes" (Interview). When they arrived at the clerk's office, they were stunned to see Lyon and Martin walking out of the City Hall with marriage license in hand. As MECA activists began showing up for the annual wedding protests (many in wedding attire), they learned that they would be allowed to marry and soon local and national media was broadcasting images of gays and lesbians marrying at San Francisco City Hall. As McKay and others left for a pre-planned weekend bus caravan to rural communities where they rallied in Walmart parking lots, couples from all over the State flooded to the City. There were queues around the block for several days and by March 11, 2004 when the California State Supreme Court ordered the City to cease issuing marriage licenses (*Lockyer v. City and County of San Francisco* and *Lewis v. Alfaro*) 4,037 couples had been married with 3,095 of those marriages officially recorded with the City.

On August 12, 2004, the State Supreme Court ruled in *Lockyer* that the City of San Francisco did not have the lawful authority to issue marriage licenses to same-sex couples and annulled the 4,037 marriages that had been performed. However, the Court did not rule on the question of the constitutionality of same-sex marriage itself and several cases that had



been filed by both proponents and opponents of same-sex marriage were consolidated in *In Re Marriage Cases* and allowed to proceed<sup>5</sup>. Two of these cases, *Woo v. Lockyer* and *Tyler v. County of Los Angeles* were suits filed by same-sex couples. Marriage litigation in California had begun.

As *In Re Marriage Cases* slowly worked its way through the appellate court system, grassroots activists and statewide LGBT organizations turned their attention to obtaining marriage equality through the State legislature by building grassroots support, a solid donor base, relationships with political elites, and by using traditional lobbying tactics. In 2005, Assembly-member Mark Leno (D-San Francisco) introduced Assembly Bill 849 (originally AB19), the Religious Freedom and Civil Marriage Protection Act. The Bill passed the Assembly and the Senate on September 6, 2005, making California the first state legislature to pass marriage equality without a judicial order. Then-Governor Schwarzenegger vetoed the bill on September 29, 2005, citing the fact that the voters had passed Proposition 22 five years earlier. In the next legislative session, Mark Leno, and a growing group of co-authors, again introduced a marriage equality bill, Assembly Bill 43, “Religious Freedom and Civil Marriage Protection Act.” In 2007, the bill again passed the Assembly and the Senate, and again Governor Schwarzenegger vetoed the bill, arguing that the California Courts should resolve the question, not the legislature.

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<sup>5</sup> On Feb. 13, 2004, the Proposition 22 Defense and Education Fund (*Proposition Legal Defense Fund*) and the Campaign for California Families (*Campaign*) filed actions in the California Superior Court asking for a stay in the marriages. The Court refused and both groups appealed to the California Supreme Court. In the meantime, the California Attorney General and a group of taxpayers also sued to stop the marriages (*Lockyer vs. City and County of San Francisco, Lewis and Alfaro*). On March 11, 2004, when the Supreme Court issued a stay in the marriages, the City of San Francisco sued in Superior Court to challenge the Constitutionality of the Family Code’s ban on same-sex marriage (*City and County of San Francisco v. State of California*). Two additional lawsuits were filed on similar grounds by groups of same-sex couples and statewide organizations (*Woo v. Lockyer* and *Tyler v. County of Los Angeles*). These lawsuits were all eventually consolidated by the Superior Court in *In Re Marriage Cases* and a later case, *Clinton V. State of California*, also filed by a group of same-sex couples, was add to the case.

On May 15, 2008, the California Supreme Court did in fact resolve the question, striking down Proposition 22, finding that sexual orientation is subject to strict scrutiny under the Equal Protection Clause of the California State Constitution and that marriage is a “basic civil right” that cannot be denied to same-sex couples (Holton 2008). The Court refused to issue a stay to their ruling and legal same-sex weddings began on June 16, 2008. By November 5, 2008, when marriages ended due to Proposition 8, over 18,000 couples had married.

Even before the California Supreme Court ruled on *In Re Marriage Cases*, the collection of conservative political and religious organizations that had formed to pass and defend Proposition 22 had reformed as ProtectMarriage.com. Despite “Decline to Sign” efforts put forward by Equality California and allied statewide and national organizations,<sup>6</sup> by April 2008, ProtectMarriage.com had gathered enough signatures to place Proposition 8 on the November 2008 ballot. Proposition 8 consisted of exactly the same wording that was added to the California Family code by Proposition 22, “only marriage between a man and a woman is valid or recognized in California.” However, rather than changing only the Family Code, Proposition 8 would add this language to the California State Constitution, thereby circumventing the California Supreme Court’s ruling.

What would follow would be the most expensive and extensive field campaigns for and against a ballot initiative in the United States.<sup>7</sup> No doubt in large part due to the Presidential Election for which Barack Obama was a candidate, by the closing of the voter registration period on October 20, 2008, a record 17.3 million Californian’s had registered to

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<sup>6</sup> These organizations eventually formed the Equality for All coalition to run the No on Proposition 8 campaign. See Chapter 3.

<sup>7</sup> “The Prop 8 Report,” David Fleischer, <http://prop8report.lgbtmentoring.org/>, 2010

vote. According to the *LA Times* (<http://projects.latimes.com/prop8/>) analysis of data from the California Secretary of State, Proposition 8's proponents and opponents raised more money than any other campaign regarding a social issue with donations to ProtectMarriage.com totaling \$39,046,062 (with approximately 29% of monies raised from outside California) and the No on Proposition 8 campaign raising \$44,123,811 (with approximately 7% of the money coming from outside the state). Both campaigns used their funding to purchase media buys. The field campaigns were similarly extensive with the No on Prop. 8 campaign mobilizing 51,000 volunteers (Fleischer 2010) and the Yes on 8 campaign mobilizing equally high numbers of volunteers through its networks of churches and conservative religious organizations. Hard data on the numbers of volunteers mobilized by the Yes on 8 campaign is not available. However, in a *Rolling Stone* article, Frank Schubert, the consultant who ran the Yes on 8 campaign, claims to have mobilized 100,000 volunteers who visited 70% of Californians at home and "contacted another 15 percent by phone" (Dickinson 2008). However, despite the fact that the No on 8 campaign "tried more ideas, spent more money, and involved more people than any other ballot measure campaign on an LGBT issue in U.S. history" (Fleischer 2010), voters in California passed it, 52.24% to 47.76% (California Secretary of State).

On November 4, 2008, progressives celebrated the historic election of Barack Obama as President, even as LGBT people and their allies watched in shock and disappointment as voters passed Proposition 8. In some sense, the fact that people were shocked and surprised at the outcome is surprising in and of itself. Before 2008, LGBT activists had a dismal record of winning at the ballot box when same-sex marriage was placed on the ballot (Stone 2012). Some of this shock and surprise may be attributed to a sense of complacency within the gay

and lesbian community due to the perception that “this would not pass,” and the No on 8 campaign’s inability to communicate the urgency of the issue. Later chapters will explore activists’ criticisms of the No on 8 campaign in more depth. In what follows, I discuss the social and political context within which the No on 8 campaign emerged in California.

Scholars of gay and lesbian history have documented the formation of lesbian and gay communities in urban areas post-World War II as well as the “migration” of gay men and lesbians to coastal cities in the 1970s and ‘80s (D’Emilio and Freedman 1998; Weston 1995). In 1970, gays and lesbians gained “an unprecedented power and visibility” as gays and lesbians in San Francisco, and particularly the Castro neighborhood, built networks through the thriving bar culture that gave rise to commercial and nonprofit organizations (Armstrong 2002:113) which helped the gay and lesbian community to achieve enough political power to elect the first openly gay person to public office Harvey Milk to the San Francisco Board of Supervisors. Lesbians and gay men in Los Angeles also built communities that gave rise to many “firsts:” among them, the founding of the Mattachine Society, the first gay rights group in 1950; the founding of the Metropolitan Community Church by Reverend Troy Perry, a LGBT-affirming Christian denomination that began performing same-sex marriages in the 1970s; the first LGBT Pride Parade in 1970; and the founding of West Hollywood, the largest LGBT community in Southern California in the 1980s.

In 2008, the Williams Institute released a report that stated that lesbians, bisexuals, and gay men make up 3.2% of California’s adult population and approximately 200,000 are partnered in a same-sex relationship. Further, the report states that same-sex couples and lesbians, gay men, and bisexual people are significantly more likely to live in an urban area than heterosexual couples. San Francisco continues to house the largest percentage of LGB-

identified individuals. While the urban and northern coastal areas of California house the majority of lesbian, gay and bisexual individuals and couples, more rural areas house 11% of LGB individuals and four percent of same-sex couples. In short, gay men and lesbians in California have built strong communities throughout the state, especially in urban areas.

These communities have fostered significant organizational growth and political power in local and State politics. In addition to the fact that California votes Democratic in national elections, the local political environment may increase the perception of California as a gay-friendly state. Before and after the November 2008 election, Democrats held a majority in both the Assembly and the Senate (California Secretary of State). In 2002, California became the first state in which legislators formed an LGBT Caucus that recognizes openly-LGBT legislators ([lgbtcaucus.legislature.ca.us](http://lgbtcaucus.legislature.ca.us)). EQCA's 2008 Legislative Scorecard stated that 67 out of 120 legislators voted in favor of every piece of EQCA-sponsored legislation, indicating substantial support for pro-LGBT rights at the State Capitol. Laws against sodomy were repealed in 1975, the Domestic Partnership Act was signed into law in 1999 (the first in the nation), and as of the January 1, 2005 enactment of the 2003 California Domestic Partner Rights and Responsibilities Act, gay men and lesbians were granted access to all rights and responsibilities of marriage under state law. Thus, LGBT Californians have increasingly achieved strong legal protections and political representation.

These factors contribute to the perception that California is a solidly "blue" and liberal state. Indeed, California has become a solidly Democratic state in terms of presidential elections since 1992, so much so that during the 2012 election Barack Obama visited California less to campaign for votes than to raise money from wealthy donors

(Cohen 2012). However, prior to the early 1990s, California was a “red” state, with its political geography divided between Democrats in Northern California and Republicans in Southern California. Macro-economic changes reduced the impact of the defense industry and increased the presence of “highly educated young professionals” in Hollywood and Silicon Valley. Demographic changes caused by the increased immigration of Latinos and Asians to the State has led to an west-east, or coastal-inland split with a majority of Democratic voters concentrated in the heavily populated urban coastal regions and conservative Republican voters populated the less densely populated rural inland areas. However, when ideology is examined rather than partisanship, according to McGhee and Krimm’s (2012:4) analysis of Californians’ positions on social and fiscal issues, 25% of voters are “conservative liberal,” which means “they are conservative on social issues and moderately liberal on fiscal issues.” Only 18% of the state’s population is classified as “very liberal on both social and fiscal issues” and not coincidentally, they populate the San Francisco Bay Area and the Northern Coast.

In other words, California is much more ideologically diverse than is represented by the “blue/red” distinction yet a majority of the State’s LGBT community lives in the urban, perhaps “bluer” areas in communities that have well-developed gay and lesbian networks that connect people to one another through commercial, service and political organizations. They have achieved cultural visibility and political power that enables LGBT people to experience a significant amount of assimilation into dominant society, a phenomena that has led some scholars to suggest that gay men and lesbians have been able to “move beyond the closet” (Seidman 2002) and live in a “post-gay” society that is characterized by a politics that emphasizes LGBT people’s sameness to mainstream society (Ghaziani 2011). According to

Ghaziani (2011), post-gay collective identity is no longer constructed with boundaries between “us versus them;” rather collective identity emphasizes “us and them.”

Indeed, California was seen as something of a “belleweather” state by many who were closely watching the results of the campaigns for and against Proposition 8 (Stone 2012). Because of California’s size and scope of influence in national politics and its perceived reputation as a liberal state with strong legal protections and a gay-friendly cultural atmosphere, the outcome of the election was of interest at the national level – a fact that was not lost on Californians. When the State Supreme Court legalized same-sex marriage in May 2008, Gavin Newsom is quoted as saying, “As goes California, so goes the rest of the nation,” and supporters and opponents of Proposition 8 identified “California as the key to the fight” over same-sex marriage (Swift 2008a).

Thus, the passage of Proposition 8 posed a devastating and serious threat to the LGBT community in California. Voters’ affirmation of an initiative that removed the right to marry from lesbians and gay men represented a political threat, the erosion of rights that had been deemed “fundamental.” It also posed a socio-cultural threat, a threat to the status of gay men and lesbians as recognized and (at least in some locations) more or less assimilated into mainstream society. In other words, gay men and lesbians experienced a loss of power and status that disrupted their post-gay sensibilities; despite an LGBT politics of “us and them,” California voters responded with “us, not you.” For many members of the LGBT community who, by virtue of their geographic location and the outcomes of several decades of organization-building and political activism, had not experienced significant discrimination and marginalization, the Initiative’s passage was a significant experience of marginalization.

Certainly not all gays and lesbians in California can be characterized as having a post-gay sensibility; particularly for LGBT folks in inland communities, there was no illusion of assimilation into mainstream society and Proposition 8's passage came as less of a surprise, although it was no less of a threat. Especially for the LGBT communities in inland and conservative communities, the campaign for and against the initiative and its passage caused emotional pain and suffering. Campaign ads against Proposition 8 were less often broadcast in rural, conservative areas, and when they were, the ads contained few representations or even mention of lesbians and gays while the well-dispersed campaign ads for Proposition 8 represented gay men and lesbians as threats to children and family.<sup>8</sup> The Initiative's passage compounded the harm to the LGBT community.

Thus, the passage of Proposition 8 was a moral shock that compelled people to respond, to mobilize. However, more than simply a response to a moral injustice, the LGBT community responded to being stigmatized and marginalized by a mainstream society to which they had experienced a significant amount of assimilation. LGBT activists' emotional response to exclusion and non-recognition directly influenced the dynamics of mobilization in terms of activists' construction of organizations and coalitions, the construction of new collective action frames, and choice of strategies and tactics. More specifically, newly mobilized and remobilized participants built organizations and coalitions that reflected their desire for inclusiveness and representativeness, created new collective action frames that highlighted their commitment to inclusivity within the LGBT movement and emphasized the LGBT community's sameness to dominant society, and utilized tactics and strategies that

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<sup>8</sup> Psychologists have found that anti-gay campaigns have negative effects on the psychological health of LGBT individuals (see for example Levitt et al. 2009).



emphasized identity deployment, highly visible gay men and lesbians and their demands for inclusion into mainstream society.

### *Chapter Preview*

In this section I preview the chapters that follow. In Chapter 2, I discuss my feminist methodological approach to this research and the qualitative methods of data collection and analysis that were employed. In Chapter 3, I situate the California marriage equality movement's emergence and organizational development within the movement-counter-movement dynamics of the larger gay and lesbian rights movement and its counter-movement, the Religious Right. I draw on Fetner (2008) and Stone (2012) and show that marriage equality became a grassroots movement goal in California after conservatives successfully limited legal marriage to heterosexuals with the passage of Proposition 22. Conservatives' tactics also influenced the development of professionalized statewide infrastructure that was capable of participating in mainstream politics. The organizational and tactical identities of the professionalized infrastructure and the grassroots prevented a symbiotic relationship between the professionalized organizations and the grassroots. It also led to a lack of representation of grassroots activists in the No on 8 campaign. I draw on Amy Stone's (2012) analysis of model campaign structures and tactics to highlight how the professionalized organizations, and the campaign that was managed by leaders from those organizations, adopted infrastructure and strategic and tactical approaches that had been developed in contention with the Religious Right for the previous two decades. Grassroots activists experienced exclusion and marginalization by the campaign structure, which in turn, influenced many to try to develop infrastructures that would represent California's diverse communities.

In Chapter 4, I examine the tactics and the collective action frames about same-sex marriage that activists initiated in the period of reactive mobilization post-8. I begin by documenting the collective action frames commonly employed by the grassroots marriage equality. In particular, I emphasize the *equal rights* and *love and commitment* frames that were constructed in reaction to the *special rights* and *harm to children* frames perpetuated by the Religious Right. I show that many participants were angry with the No on Prop 8 campaign because the collective action frame, *unfair and unequal*, constructed by the campaign did not include adequate and accurate depictions of same-sex couples, nor did it address the key issue, same-sex marriage. I continue to explore the connections between the emotions provoked by the threat posed by the failure of the No on 8 campaign and cognitive framing processes to show that feelings of marginalization, invisibility, and rejection led activists to turn away from an *equal rights* frame that evoked ambivalence about LGBT people, their families, and same-sex marriage. Instead, activists chose a *right to love* collective action frame that justified marriage on the basis of the argument that to love and be loved by someone is an emotion that all people, gay and straight, pro-marriage and anti-marriage experience and desire. These data suggest that activists employed strategies and tactics for disseminating the *right to love* frame that involved an emphasis on identity disclosure and having personal conversations with the goal of “changing hearts and minds.” In other words, these newly mobilized and remobilized participants used “coming out” as a means of connecting voters’ understanding of marriage as an institution that legitimizes love to lesbians’ and gay men’s desire to access that institution.

Finally, I conclude in Chapter 5 by summarizing the dynamics of the reactive mobilization that emerged post-Proposition 8. I emphasize how activists’ emotional

responses of anger, shock, surprise, and disappointment to the passage of Proposition 8 not only precipitated a mass mobilization, but it influenced their infrastructure –building projects, strategies and tactics, and collective action frames. Not only did activists experience marginalization and exclusion from mainstream society on the basis of their LGBT identities, but they also experienced marginalization and exclusion from the campaign that was supposed to represent them, their families, and their desire to marry. This emotional experience precipitated an emphasis on the sameness between LGBT people and heterosexual society in the construction of collective action frames and employment of tactics. Simultaneously, there seems to be an emphasis on the recognition and representation of difference within the LGBT community and a focus on empowering the grassroots to organize across those differences.

Finally, I describe the implications of this research for social movement literature, emphasizing in particular, the importance of threat for shaping reactive mobilization. I highlight the role of emotions in mobilization, arguing that a loss of power or status(Kemper 2001), may be a powerful inducement for sustaining mobilization beyond the immediate moral shock. I suggest that the case of the California marriage equality movement provides evidence that schisms between professionalized and grassroots organizations lead to movement failure. One consequence of such failure may be the opening of opportunities for those who hold less power within the movement to revise infrastructural arrangements, construct new collective action frames, and engage in innovative strategies and tactics. I conclude by illustrating how activists perceive the passage of Proposition 8 and the failure of the No on 8 campaign as a painful, but ultimately positive, movement outcome.

CHAPTER TWO  
INSIDE & OUTSIDE THE CALIFORNIA MARRIAGE EQUALITY MOVEMENT:  
ACTIVIST-RESEARCHER METHODS

Using feminist methodology, this study examines the dynamics of the California marriage equality movement. I emphasize how participants' emotional and cognitive responses to the political and socio-cultural threat posed by the passage of Proposition 8 influenced the ways in which they constructed infrastructures and collective action frames and engaged strategically and tactically. The main data sources are interviews with key informants who participated in the movement, participant observations, and documentary data gathered from participation, interviewees, the public domain, and public archives. The data collection and analysis is conducted using qualitative methods.

*Developing the Study*

This dissertation is the result of the intersection of my personal, political, and academic goals between 2008 and 2012 while I was a committed activist for marriage equality and a graduate student in sociology at the University of California, Santa Barbara. I was introduced to the California marriage equality movement in 2004. I was recruited by Equality California's (EQCA) field leader for Northern California to help organize and participate in a couple of events in Glenn County, a rural county an hour and a half north of Sacramento, California. Having come out as a lesbian, I had recently finalized what had been an acrimonious divorce to the father of my children. The divorce exposed me to the homophobia experienced by lesbians who must contend with having their sexuality made part of a divorce and custody case. From my perspective, "marriage" was not important but I was concerned with obtaining equal rights. Despite arguing with organizers that "what we called it" was not important, I figured that if lesbians and gay men wanted to get married and

that was an effective path to equal rights, I was on board. My first involvement with the movement was short-lived due to organizational changes at EQCA (see Chapter 3) and my return to college as a full-time undergraduate student.

I went to graduate school at UC Santa Barbara in fall of 2007. By spring, I was involved in campaigns designed to educate the public about same-sex marriage (“Let California Ring”) and to deter voters from placing Proposition 8 on the ballot (“Decline to Sign”; both discussed in Chapters that follow). When Proposition 8 qualified, I was part of a network of activists that Pacific Pride Foundation (PPF), the organization that provided HIV/AIDS services and LGBT outreach programs to the residents of Santa Barbara County, recruited to participate in No on 8 campaign efforts. I participated in phone-banks and trained others to phone-bank, spoke at rallies and community meetings, wrote letters to editors of newspapers and other publications, raised funds, and talked with friends, neighbors and co-workers in an attempt to fail the initiative. When Proposition 8 passed, I was recruited by local activists to help organize vigils and rallies and eventually to form an organization, the Strategic Alliance for Marriage Equality, that would coordinate local efforts to regain marriage equality. I became very active in the statewide grassroots movement, taking on the role of Santa Barbara chapter leader for Marriage Equality USA (MEUSA) in order to connect SAME’s local efforts with larger statewide efforts. In 2012, as *Hollingsworth v. Perry* progressed through the federal courts, I stepped away from organizing efforts, effectively leaving the field, in order to focus on my dissertation research.

While I have always been interested in the ways in which people act collectively to create social change, my experiences with the California marriage equality movement have influenced my scholarly interests in two specific ways. First, having had the opportunity to

participate in the marriage equality movement before 2008, during the No on 8 campaign, and in the groundswell of activism that occurred after the initiative passed, led me to ask questions about the ways in which activists' strategies changed over time and, in particular, how failure influenced activists' organizing efforts. My graduate studies in social movements allowed me to frame my activities as an organizer and what I was observing in the movement in sociological terms and to develop research questions that emphasized key dimensions of social movements about which scholars are interested. Thus my personal experiences intersected with my research interests in the formation of my primary research question: How did the No on 8 campaign's failure to halt the passage of Proposition 8 influence activists' development of movement infrastructures, collective action frames, and strategies and tactics?

Second, my identities and experiences as a lesbian, a feminist, an activist and a researcher/teacher influenced my use of feminist methodology. From the beginning, I have desired to connect the experiential knowledge produced by activists and the scholarly knowledge produced by researchers (Taylor 2010; Valocchi 2009). Feminist methodology allows me to "address questions in my research that are simultaneously personally, politically, and academically significant" (Naples 2003:13) and provides an approach grounded in the feminist perspective that "understanding how things work is not enough—we need to take action to make the social world more equitable" (Sprague 2005:3). I use qualitative methods that "actively involve" participants in the "construction of data about their lives" (Blee and Taylor 2002:4) in order to understand the meanings and motivations behind activists actions. The chosen methods emphasize the validity and usefulness of the subjective experience of both the participants and the researcher (Fonow and Cook 2005;

Taylor 1998). This research relies on multiple data sources to allow for triangulation: semi-structured interviews, documentary data, and participant observations (Bailey 2007). With my research questions and methods for data collection defined, I obtained the UC Santa Barbara Institutional Review Board's approval in March 2013 and began to recruit interview participants<sup>1</sup>.

### *Data Sources*

*Interviews.* I interviewed forty-seven key informants using semi-structured interview methods. Semi-structured interviews are useful for social movement research because, in part, they allow researchers to examine how “social movement participants make sense of and justify their actions” (Blee and Taylor 2002:95). Further, such interview methods allow researchers to explore change in activists' meaning constructions and actions over time, a key research focus in this study. A purposive sampling strategy was employed to recruit participants. I utilized activist networks of which I was a part to identify and recruit interviewees. I contacted activists via email, Facebook, and the telephone. Several key informants introduced me to activists within their networks.

My experience as an activist within the movement allowed me to build rapport with my interview participants. Conversations were easy to maintain whether we had previously met, as was the case with several participants, or had participated in the same events without having known each other, as was the case with many other participants. My interview guide reflected familiarity with and participation in grassroots organizing and major movement events. Consistent with the guiding precepts of feminist research, I shared personal

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<sup>1</sup> I had previously obtained IRB approval in March 2010 to conduct participant observation and interviews for related research questions and have maintained that IRB protocol as well as the new protocol sought specifically for the interview and documentary study.

information about myself and my participation in the movement through the course of the interviews (Blee and Taylor 2002; Taylor 1998; Taylor and Rupp 2005). I was careful to ask questions to check my presuppositions and avoid assuming that I knew of and/or shared the interviewees' perspectives of movement events, debates, and people (Duneier 2001). For example, given my experience, I had anticipated that activists I interviewed would have joined the marches and rallies that occurred post-8. When I asked interview participants to tell me about what they did after Election Day, I learned that many of them sought solace alone or with other organizers but chose not to participate in the protests that immediately followed Proposition 8's passage. In the data analysis process, this distinction helped me to understand the role that emotions played. Participants would also frequently interject comments to be sure that I knew of an event or person important to the story.

Interviews lasted between forty-five minutes and four and half hours with most interviews averaging nearly two hours. I conducted forty-two interviews with forty-seven total participants. Five interviews were conducted with two participants at the same time. In each of these five cases, the participants were partnered at the time of the interview and had been during the time that they were active movement participants<sup>2</sup>. Thirty-three interviews were conducted face-to-face in participant's living rooms, dining rooms, backyards, offices, and at local cafes. Interviews were recorded using a digital recorder or an iPad app. Nine interviews were conducted using Skype and recorded using software which allowed me to download an mp4 of the interview for transcription and coding.

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<sup>2</sup> As Kimport (2014) found, interviewing partners extended the interview length significantly (three of the five interviews were my longest interviews, surpassing three and a half hours each), but was useful because interview partners would converse with each other as well as with me, filling in the gaps in one another's account.

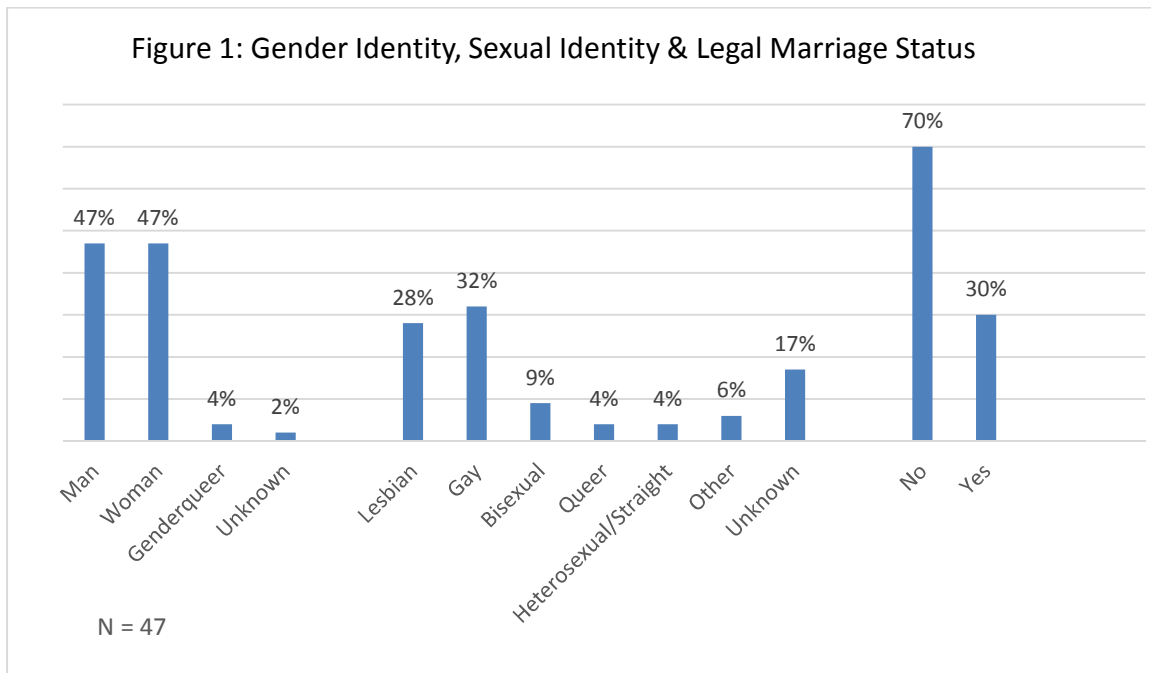


Interviews were conversational but followed an interview guide that highlighted the key themes of the research questions (see Appendix A). I began interviews by asking each participant how they came to be involved in the marriage equality movement. This allowed me to tailor the line of questioning such that questions would be appropriate to the interviewee's social location and length of participation in the movement. I asked probing questions as necessary to draw out the participant's story as it related to the study's key themes. The in-depth interviews explored activists' organizational affiliation(s), their roles and/or primary activities as a movement participant, their experience with and preference for movement tactics, their knowledge and perceptions of message frames, and their perceptions of the political, cultural, counter-movement and intra- movement contexts.

Following the interview, I often jotted down notes or dictated my reflections into the digital recorder. I noted on moments in the conversation that I had found emotionally and intellectually provocative, evaluating the interview, assessing validity of the data obtained from the interviewee, and reflecting on my role as interviewer. These responses guided the research as I pursued the data collection and the analytical memos incorporated into the research analysis. I transcribed the majority of the interviews and paid a professional transcription service to transcribe thirteen of the interviews. An undergraduate student assistant transcribed two interviews.

Thirty-eight of the interviewees completed some portion of a demographic questionnaire. I inferred gender, sexuality, and legal marital status for some individuals based on interview content (e.g. a person referred to themselves as "gay male"). The interview sample contained forty-seven percent (47%) men, forty-seven percent (47%) women, four percent (4%) who identified as genderqueer, and two percent (2%) who did not respond (see

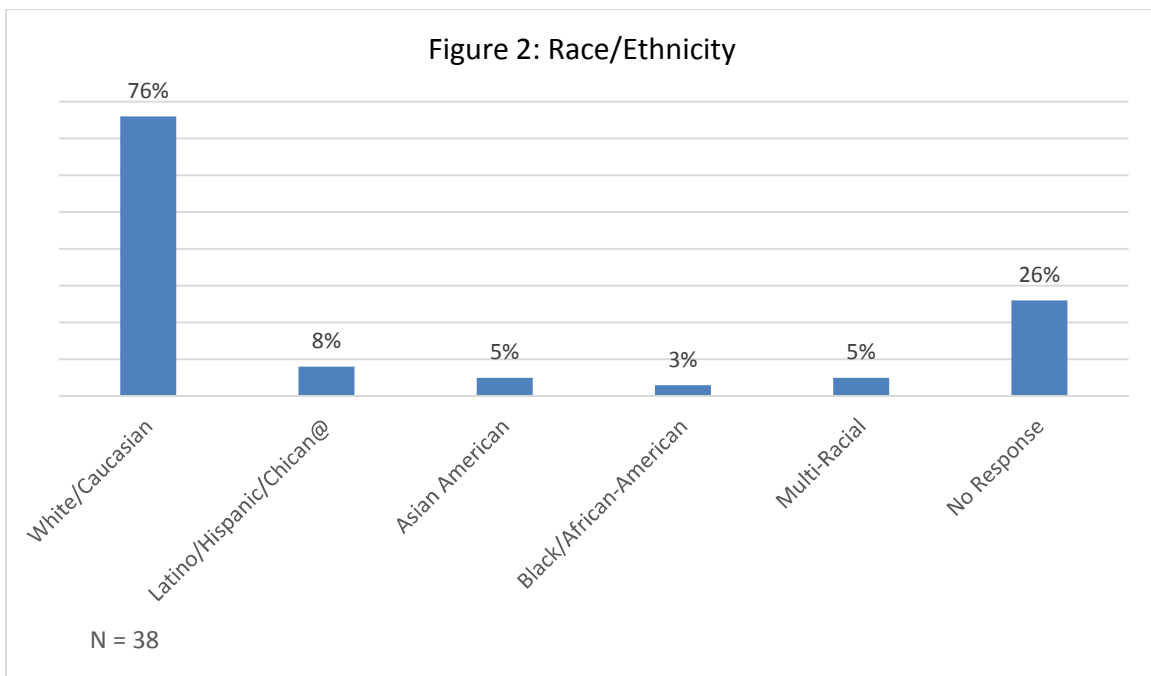
Figure 1). Twenty-eight percent (28%) reported that they identify as lesbian, thirty-two (32%) as gay, nine percent (9%) as bisexual, four (4%) as queer, four (4%) as heterosexual/straight, six percent (6%) as “other” (queer and lesbian or queer and gay), and seventeen percent (17%) are unknown. Seventy percent (70%) reported that they were not legally married to a same-sex partner, and thirty percent (30%) reported that they were legally married to a same-sex partner.<sup>3</sup>



Seventy-six percent (76%) of the sample identified as White/Caucasian, eight percent (8%) as Latino/Hispanic/Chican@, five percent (5%) as Asian American, three percent (3%) as Black/African-American, five percent (5%) as multi-racial, and twenty-six percent (26%) did not respond. Some might infer that the over representation of White/Caucasian participants in this sample is reflective of the marriage equality movement. My observations suggest that there is truth to the conception that the key decision-makers and those

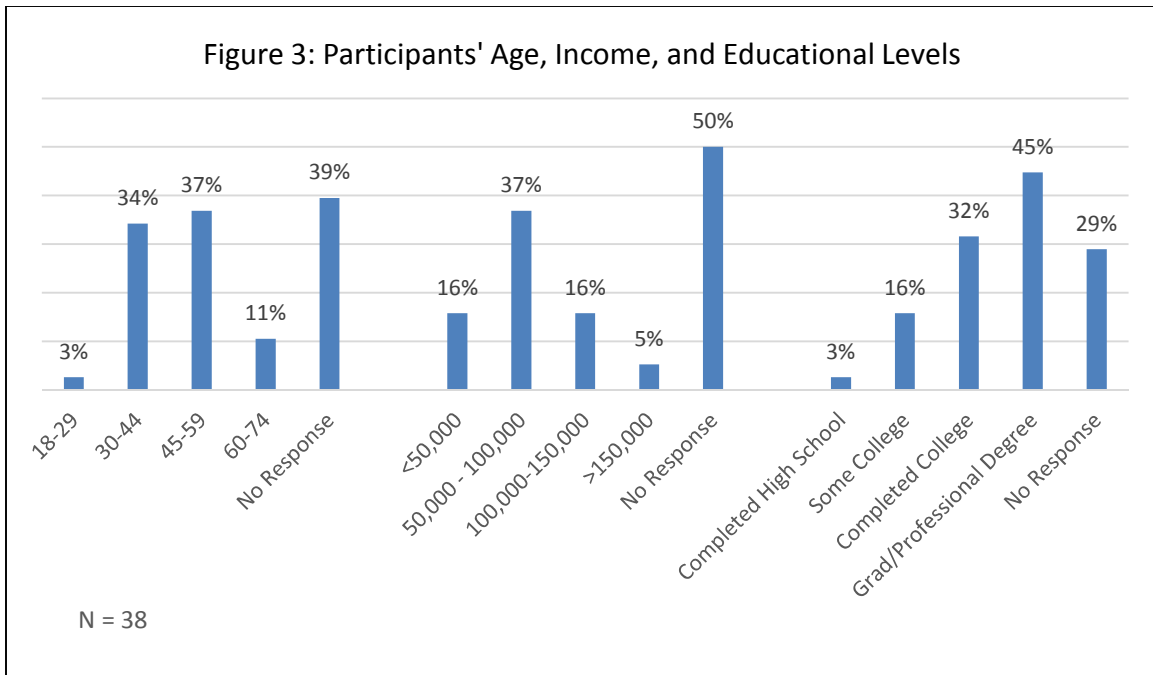
<sup>3</sup> In the case of “legal marriage status,” gender, and sexual orientation, I coded individuals who clearly disclosed such information during the course of the interview, even if that information was not presented on the demographic form.

considered to be “elites” within the movement tend to be white, wealthy, and typically often male. However, my observations of the grassroots marriage equality movement prior to and post-8 suggest that people of color were very much involved, and as Chapter 3 suggests, their experience of racism and marginalization due to their exclusion from the campaign was an impetus for attempts to develop new grassroots leadership structures. Thus, I believe that the racial homogeneity of this sample is an artifact of the study and reflects my social location as an activist-researcher. The bulk of my organizing efforts occurred within a progressive and wealthy community and activist networks that were largely constituted by white people. Accessing networks constituted and led by activists of color in other communities was difficult due to location and time constraints as well as the fact that I had fewer points of contact. The underrepresentation of the experiences of people of color is a limitation of this study and provides an avenue for further research.



As shown in Figure 3, three percent (34%) of interviewees were between 18 and 29, thirty-four percent (34%) were between 30 and 44, thirty-seven percent (37%) were between

45 and 59, and eleven percent (11%) between 60 and 74. Thirty-nine percent (39%) did not respond. The high lack of response rate for the age variable is in part due to difficulty in collecting the demographic forms from individuals with whom I conducted Skype interviews. This is particularly relevant here because individuals who are familiar with Skype technology are more likely to be younger; indeed, my personal suspicion is that should these individuals return their demographic forms, the 18-29 and 30-44 categories would increase. However, in other ways, the age distribution makes sense given the subject matter. People are more likely to care about marriage as they advance in the life course, and given that thirty-four percent (34%) of participants were involved with the marriage equality movement prior to the 2008 election season, it is likely that many activists would no longer be in their twenties post-8.



The high “no response” rate with regard to income, fifty percent (50%) makes interpretation of the income characteristics of the participants difficult (see Figure 3). Sixteen percent (16%) of participants reported an annual income less than \$50,000, thirty-seven percent (37%) reported an income between \$50,000 and \$100,000, sixteen percent (16%)

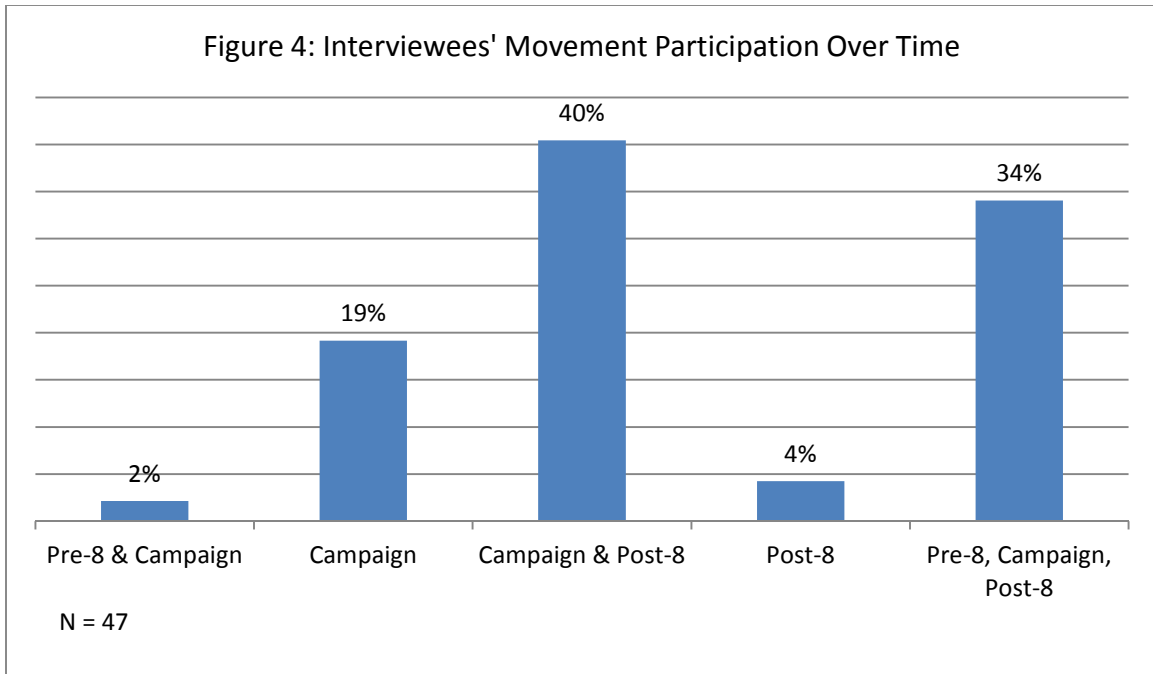
reported earning between \$100,000 and \$150,000, and five percent (5%) reported making in excess of \$150,000 per year. With well over fifty percent (50%) of participants making over \$50,000, it is unlikely that this is representative of the movement. However, an older population is more likely to have higher income, which may translate into greater biographical availability for movement participation (McAdam 1986). And, those with more resources would have more time to participate in research efforts for which there are no compensation.

The descriptive results also indicate that the interview sample was highly educated. Only three percent (3%) of participants indicated that their highest level of education was high school, while sixteen percent (16%) completed some college, thirty-two percent (32%) completed college, forty-five percent (45%) completed a graduate or professional degree, and twenty-nine percent (29%) did not respond. Participants' educational levels are not only related to age and income, but may have some explanatory power in terms of who participated in the study and the ease of building rapport. More highly educated individuals are not only familiar with the processes and value of research, but are less likely to be intimidated by a researcher from an elite institution.

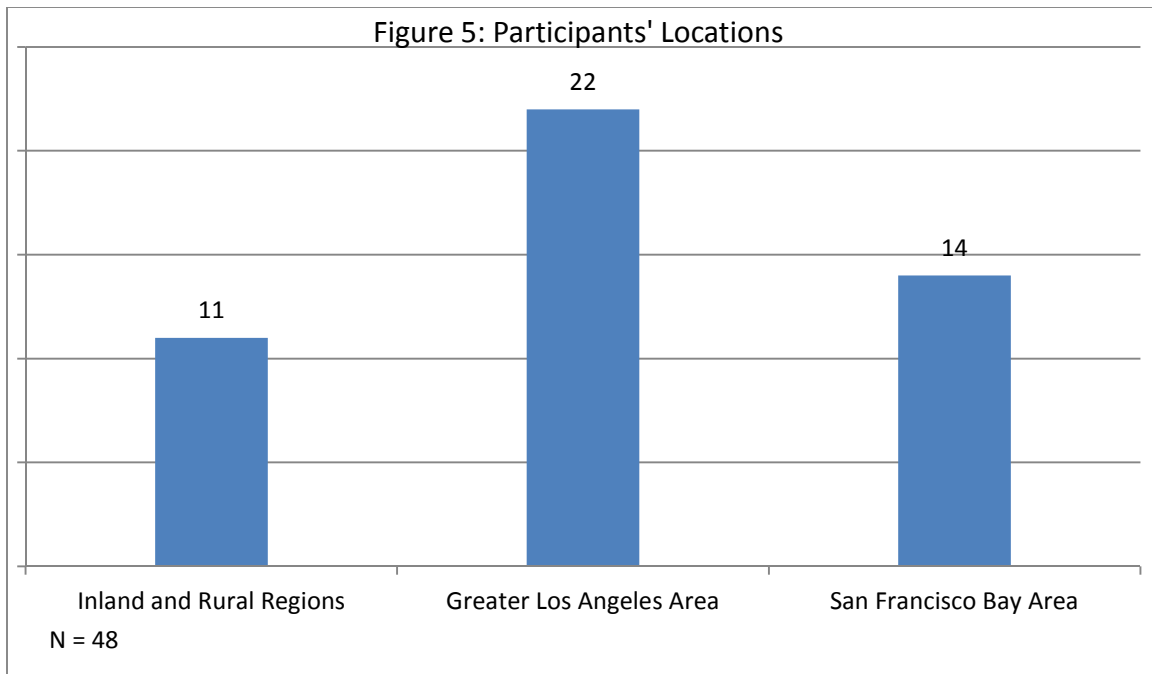
On the whole, the descriptive statistics demonstrate that people of color, people from the poor and working class, the less educated, and younger movement participants are underrepresented in this sample. Those who are less educated and who have fewer resources are less likely to have the time and motivation to engage in volunteer research activities. In addition, my social location as a highly educated, white woman organizing within a wealthy, progressive, white activist community influenced sample recruitment.

The descriptive statistics indicate my emphasis on the recruitment of participants who were actively involved with the California marriage equality movement between its emergence in the late 1990's and the post-2008 period. The research questions focus on how activists collectively created and recreated movement structures, collective action frames, and strategies and tactics. Therefore, key informants who were appropriate for this study engaged in sustained periods of activism and were most likely to be affiliated with statewide and local organizations in an active role. This study does not reflect the stories of the many people who participated in marriage equality events but do not identify as marriage equality activists or those who participated infrequently or only during a limited time period, who do not join groups, who never assumed active roles in those groups, or for whom marriage equality activism not the primary focus of their activism.

As Figure 4 shows, nineteen percent (19%) of interviewees participated in No on 8 campaign activism only, and four percent (4%) engaged in post-8 mobilization only. Two percent (2%) were active in the movement prior to and during the campaign, forty percent (40%) became involved in the movement during the campaign and remained active after Prop. 8's passage, and thirty-four percent (34%) engaged in activism prior to Prop. 8, during the campaign, and remained active after the election. It is not likely that these numbers are representative of the population of marriage equality activists in California; indeed, it likely misses a significant population of activists who only became active post-8. However, this does indicate that the interview sample contains many people who came to marriage equality activism via participation in the No on 8 campaign, as well as significant numbers of people who had been active throughout the history of marriage equality activism in the state.



In addition, because the research questions included an emphasis on the differing experiences of activists in various geographic locations within California, I purposively sought to recruit activists from the urban areas surrounding San Francisco and Los Angeles and from the Central Valley and Northern California's less urban areas. These sites were chosen to account for differences in political affiliation and voting patterns across geographic locations and distinctions in access to LGBT resources between urban and rural areas (Binder 2008; California Secretary of State 2008; Fetner 2008; McGhee and Krimm 2012; Ottenhoff 2010). As Figure 5 shows, I interviewed twenty-two activists from the greater Los Angeles area (47%), fourteen from the greater San Francisco Bay area (30%), and eleven from inland urban and rural areas such as Fresno, Bakersfield, Sacramento, and Davis (23%).

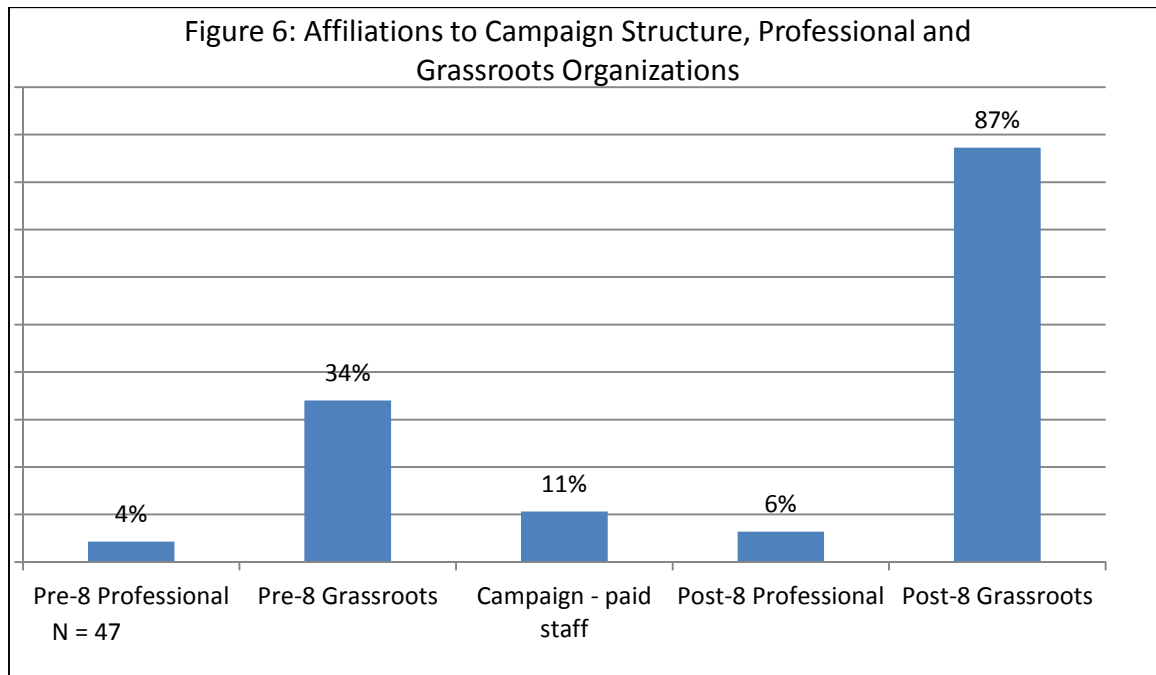


The larger number of participants from Southern California reflects my relative proximity to Los Angeles where I had greater access to activist networks. While these numbers are not numerically representative of the activist population in any of California’s geographic regions, the lower numbers of interviewees in the inland urban and rural areas reflect less developed activist networks and fewer resources in these non-coastal and urban areas.

As the research process progressed, I increasingly focused on the stories of grassroots activists, campaign volunteers, and campaign staff with little access to the campaign’s decision-making leadership. I did not interview individuals who were in paid decision-making positions in the No on 8 campaign (see Figure 6). Several activists (11%) interviewed worked as paid staff in the No on 8 campaign but in lower-level, non-decision-making positions. Four percent (4%) of interviewees worked for professionalized movement organizations prior to 2008, and six percent (6%) worked in professionalized organizations



post-Election. In contrast, I found grassroots activists and leaders eager to talk with me and willing to introduce me to others in their networks.



Thirty-four percent (34%) of interviewees had been active within the marriage equality movement prior to 2008, and eighty-seven percent (87%) were active in the grassroots movement post-Election. Activists were coded in multiple categories as some people who were paid staff during the campaign were grassroots activists post-8 and some long-time activists had experience with both professionalized organizations as well as grassroots groups.

While I had originally intended to include in the interview sample greater numbers of decision-makers within the No on 8 campaign and the leaders of the professionalized organizations that were involved in post-8 organizing, gaining access to these leaders was more difficult. This can be explained at least in part by the fact that my primary participation as an activist had been concentrated within grassroots organizations and groups. It may also be the case that, given the criticism of the campaign and its related organizations as well as

the tensions between the grassroots and professionalized organizations that were amplified post-8, campaign decision-makers and the leaders of professionalized organizations were less willing to talk on the record.

Grassroots activists, on the other hand, may have had a personal and political interest in having their stories included in my research. As the chapters that follow show, many interviewees felt marginalized by professionalized organizations and campaign leadership. The period of reactive mobilization that followed Proposition 8's passage was shaped at least in part by the grassroots' response to this experience of marginalization. Additionally, much of the strategic and tactical innovation that occurred post-8 reflected a turn toward the use of personal stories as a means of persuasion (see Chapter 4). My project offered another avenue for them to tell their stories.

*Observing Participant.* A second source of data utilized in this study is the written notes and collected materials that I gathered as an observing participant in the marriage equality movement between 2008 and 2012. I use the term “observing participant” to reflect my active engagement in the movement for years before I began systematically collecting data as an activist researcher (Grasmuck and Goldwater 2005; Lidz 1991)<sup>4</sup>. As mentioned above, I participated in two campaigns that preceded the 2008 election, the educational campaign, “Let California Ring”, and “Decline to Sign” campaign in which voters were asked to pledge to not participate in the signature-gathering efforts that eventually qualified Proposition 8 for the ballot. As I was engaging in these campaigns as well as the No on 8 campaign that followed, I made connections with local activists. At the same time, because

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<sup>4</sup> Lidz (1991) distinguishes between a participant observer and an observing participant by suggesting that a participant observer is not a social scientist who joins a group to research through participation but is rather a “member who asks the group for permission” to conduct research. As my studies at UC Santa Barbara progressed along with my activism in the local community, I made conscious efforts to make others, particularly when not in public settings, aware of my research goals as well as my role as activist.

of my previous, peripheral involvement in the marriage equality movement I was somewhat familiar with some of the key organizations and organizers. This allowed me to begin establishing rapport with activists at the local and the statewide levels. These efforts were personally and academically rewarding because I believed that same-sex couples should have the right to marry and felt a sense of responsibility to participate in the pursuit of that goal, I enjoyed engaging in collective action, and participation gave me access to and allowed me to build rapport with local leaders and activists.

When Proposition 8 passed, I was watching returns with my children and several neighbors. To this day, I remember the feeling of elation when the election was called in favor of Barack Obama and the punch in the stomach that occurred a few minutes later when it became clear that Proposition 8 was going to pass. Despite being in a group of progressive friends who were obviously upset by Prop. 8's passage, I felt utterly alone at that moment. To my knowledge at the time, as a lesbian-identified woman, I was the only person in the room for whom the election results had such deeply personal and negative potential. I felt the loss deeply, in part because I, like many of my participants later told me, believed that we would succeed in blocking the initiative. The No on 8 campaign in Santa Barbara was run out of the offices of the Pacific Pride Foundation. PPF's leaders and leaders and activists from the philanthropic and faith communities in Santa Barbara effectively turned out the "No" vote in Santa Barbara County. Thus, my surprise at the election results can be accounted for by the fact that I was immersed in a well-run local campaign within a relatively progressive community. Further, my personal experiences as an "entry-level" activist with the campaign provided me with a personal perspective on the campaign, especially as I was not privy to the decision-making processes of the local or statewide campaign. My continuing efforts as an

organizer within the local community provided me with a grassroots' perspective on the events that occurred post-8.

Soon after Election Day, I was approached by a local activist to participate in the development of an infrastructure, the Strategic Alliance for Marriage Equality (SAME), that would serve and represent the local community in marriage equality efforts. From 2009 through 2012 I organized and participated in organizational meetings, coalition meetings, rallies, canvassing, phone-banks, marches, community forums, conference calls, and activist trainings. I used my connections from my activism in 2004 to reconnect with Marriage Equality USA (MEUSA), for whom I then became a local chapter leader. I attended numerous events across the state, including some Day of Decision events in San Francisco and Meet in the Middle campaigns in Fresno. In my various activist roles I frequently worked with other local and statewide organizations.<sup>5</sup> I endeavored to use these connections to share knowledge about local efforts and activities with activists across the state and, reciprocally, to share the knowledge and resources (networks, insurance coverage, etc.) available from statewide and other local organizations with my local community.

Additionally, as I was also a full-time graduate student studying social movements, I tried to bring scholarly research and perspectives to my organizing efforts, connecting activists' experiences and knowledge with empirical research and theoretical concepts. I also used my activist experiences and identities to focus my reading, research questions, and eventually, the research design of this dissertation project. Further, between 2009 and 2012, I filled notebooks, binders, and folders with written notes and campaign, event, and organizational documents. My journals contained names, dates, events, meeting notes,

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<sup>5</sup> At the statewide level, these included EQCA, Courage Campaign, and Meet In the Middle, as well as regional and local organizations in Los Angeles such as the LA Gay and Lesbian Center and Vote for Equality/LA Leadership Lab.

quotations and paraphrasing of dialogue, descriptions of settings and people's behavior, notes on my participation and my reflections on my observations, emotions, and participation.

Journals were not included in the analysis for open coding, but these data shaped the direction and design of the research project, including the overarching research questions and interview questions. Further, these data proved useful for identifying key events and key informants and they allowed me to check my memories of events, as well as those of my interview participants against existing records, serving as a means of triangulation.

*Archive of Documents and Websites.* A third source of data is the archive of paper and electronic documents and websites that I collected. The archived data complements the interview data and participant observations by providing a timeline and record of movement events, evidence of movement actors' actions, and material for analysis of movement frames. As an observing participant in the marriage equality movement, I collected hundreds of pages of paper and electronic meeting notes, emails between activists, organizational documents such as manuals and training guidelines, event flyers, meeting and event agendas, signs, bumper stickers, notes memorialized on flip chart paper, and other similar materials. I also requested and received similar documents from key informants: meeting agendas and minutes, organizing documents such as mission statements and organizational goals, timelines, inter-organizational correspondence, No on Prop. 8 campaign materials, event materials, press releases and coverage, activist-produced public service announcements, films, YouTube channels, playlists and videos, as well as activists' personal and organizational websites. I downloaded the audio and video recordings that activists made of meetings, town halls, and forums as well as the campaign ads used by both the No on 8 and Yes on 8 campaigns.

I accessed the twenty-two scrapbooks donated to the ONE National Gay & Lesbian Archives at the University of Southern California's USC Libraries by San Francisco activists Molly McKay and Davina Kotulski. The digitized scrapbooks<sup>6</sup> document the activists' organizing activities between 1998 and 2012 and contain personal and organizational emails between McKay and Kotulski, activists within Marriage Equality California (later Marriage Equality USA) and Equality California (EQCA) and other state and national LGBT organizations. The scrapbooks contain personal notes and media reports on movement events such as pride marches, rallies, Valentine's Day actions, and so forth. They also contain organizational documents such as meeting minutes and notes, retreat agendas, press releases, and lists of participants in events and organizations. McKay and Kotulski's handwritten and printed speeches, chants, and songs are included, as are movement signs, brochures, event programs, and so forth. Finally, the scrapbooks contain an archive within themselves of clippings from popular media sources that mention the couple and /or marriage equality. I spent many days at the ONE Archives, taking descriptive notes of the contents of each page. When a page contained an item that corresponded with one of the key themes being interrogated in the research study, I either transcribed these directly into my notes or I marked the page for printing. In addition to my written notes, I printed several hundred pages to include in the analysis.

Other data included in this study are the information contained on the websites of movement and campaign organizations. In addition to the analysis of relevant organizational content on current webpages as well as documents housed on those sites, I downloaded the content present on previous iterations of existing organizations as well as the content that was

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<sup>6</sup> The scrapbooks "housed" at the ONE National Gay and Lesbian archives are digital copies. The physical scrapbooks were donated to the Gay and Lesbian Center at the San Francisco Public Library.

housed on websites that are no longer maintained. I used the Internet Archive's web tool, the "Wayback machine," to access the content that is no longer accessible via a "real-time" search. The Internet Archive is a nonprofit housed in San Francisco whose purpose is to provide "permanent access for researchers, historians, scholars, people with disabilities, and the general public to historical collections that exist in digital format" (About page). The "Wayback machine" allows users to search nearly 150 billion web captures of Internet content. In this way I accessed content from the "No on Knight" campaign website, Marriage Equality California's website as well as previous iterations of the Marriage Equality USA website, the Equality for All website (the No on 8 campaign website), earlier versions of the "Let California Ring" campaign, and others. I converted downloaded pages to pdf for inclusion in the data analyses.

I also archived articles about the marriage equality movement in California located in mainstream newspapers as well as the web content of mainstream media sources including the *New York Times*, *The Washington Post*, *Los Angeles Times*, *San Francisco Chronicle*, *San Francisco Examiner*, *the Mercury News* (San Jose), *the Sacramento Bee*, and *The Fresno Bee*. I downloaded popular gay media sources such as *Bar Area Reporter* (BAR) and *the Advocate* for stories on activists' activities and perspectives. Finally, I accessed and saved blogs and reader comments from popular blogs that tracked the events of Proposition 8 and beyond, including *The Bilerco Project*, *Frontiers Media*, *the Huffington Post*, *Joe My God*, *Pam's House Blend*, and *the Petrelis Files*.

I included in this archive some existing reports on the No on 8 campaign. The *No on Prop. 8 Report* was authored by Dave Fleischer, a long-time organizer and founder of the LGBT Mentoring Project, an organization that partners with groups engaged in local LGBT

politics. Fleischer was not affiliated with the No on 8 campaign or any of the organizations that were represented among the decision-making leadership of the campaign, nor did he accept financial compensation for the project<sup>7</sup>. The 511-page report includes extensive appendices that contain primary data and is publicly available to read and download at [lgbtmentoring.org/prop8report](http://lgbtmentoring.org/prop8report). The *Report*'s analysis is based primarily on interviews with key players, on campaign documents, and on statistical analyses of polling data (much of which is publicly available as well) and explores all areas of the No on 8 campaign including media, fundraising, the field campaign, and decision-making structures. Fleischer's analysis also presents some information about the Yes on 8 campaign. The *Prop 8 Report* is an empirically driven analysis of the No on 8 campaign's successes and failures. As such it provides a source of data with which to analyze the No on Prop. 8 campaign and complements the experiences, emotions, and perspectives expressed by my participants and the activists whose voices are represented in the analysis.

Finally, I also included two reports compiled by Marriage Equality USA after Proposition 8 passed. The first report, *Prop. 8 Hurt My Family, Ask Me How*, was released in January 2009 and provides the findings from MEUSA sponsored town halls across the state as well as a national online survey to which they received over 3,100 responses. The report highlights the harm experienced by LGBT individuals and families during and after anti-gay ballot initiatives, such as Proposition 8. The second report, *Get Engaged Tour, Grassroots Input on California's Next Marriage Equality Campaign*, released in June and July of 2009, was a compilation of the findings from the town halls and online survey as they related to participants' support for marriage equality, messaging, and future strategy. The report

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<sup>7</sup> Interview with Dave Fleischer, July 14, 2013, Los Angeles, California. See also the "about the author" section of the *Executive Summary* at <http://prop8report.lgbtmentoring.org/read-the-report/about-the-author>.



provides arguments for and against returning to the ballot in 2010 and/or 2012 and was designed to provide suggestions to local communities as they organized in response to the ballot measure's passage.

### *Data Analysis*

The analysis draws on the qualitative data just described: in-depth, semi-structured interviews with key informants, observations collected while participating for a period of five years, and an archive of documentary data gathered from interviewees and existing archives and data sources. Data analysis occurred simultaneously with data collection, as I continuously reflected on what I had observed, heard, and felt and incorporated those reflections into research directions and questions. I transcribed, reread, and listened to interviews, voice memos, and written memos. I reread journals and electronic notes that I had accumulated. I collected, organized and read the documentary data.

I began by open coding interview transcripts and documentary data using Atlas.ti, examining the data for key themes (Emerson, Fretz, and Shaw 1995). As I identified patterns and themes, I developed larger categories and subcategories that I used to code the data, but I did not use Atlas.ti for this coding. Instead, I used the archival data and media reports, supplemented by activists' stories, to construct a timeline of movement events, which helped me understand movement-counter-movement dynamics as they unfolded in the marriage equality movement. I also used the documentary data to construct a timeline of collective action frames so that I could understand the trajectory of messages about marriage that activists constructed. I then coded the interviews for activists' understandings and perspectives of those frames, as well as how they may have participated in their creation.

As I looked for the themes that emerged from the data, I linked the data to the conceptual concerns represented by the research questions, using social movement concepts and theories about organizations, strategies and tactics, identity, and collective action frames to guide my understanding of the evidence (Taylor and Rupp 1991, 2005). Another key dimension of interest was activists' strategies and tactics post-8, so I coded interviews and documentary data for examples of tactics. As I did so, I began to notice how activists' tactical responses differed, sometimes dramatically from one another, and yet they were all grounded in the idea that same-sex couples and families had to be made visible within the public sphere. Analysis of the archival data provided examples of the ways that grassroots organizing had been done prior to the No on 8 campaign, allowing me to make more connections in the data and to existing scholarship on the LGBT movement. Thus, while I remained open to new themes that were present in the data, the analysis was theory driven, guided by general theories and concepts of social movements as they related to organizations, strategies and tactics, identities, success and failure, etc. As I analyzed the data, I wrote analytical memos that integrated the data and formed the basis of the data chapters of this study.

### *Reflexivity*

My approach to the study of the marriage equality movement has been based on feminist methodology and presumes that "subjective experience, including actions and feelings that derive from the researcher's own social location, influences the production and interpretation of research" (Taylor 1998:368). My goal, to produce knowledge that "treats the needs of social movement actors as central [while] simultaneously addressing questions that have larger theoretical relevance" to social movement scholars (Taylor and Rupp 2005:242),

is rooted in my desire to collaborate with activists to produce knowledge useful to activists and scholars (Flacks 2005; Taylor 2010; Valocchi 2009). All aspects of the research - the motivations for the research, the formulation of the questions, and the methods of data collection and analysis - are informed by my experiences in and perspectives on the marriage equality movement, as well as by my reading and understanding of the scholarly research about social movements.

My role as an activist positioned me as an insider, which brought with it increased access to and rapport with key informants (Blee and Taylor 2002; Taylor 1998). My insider knowledge of movement events, people, and processes allowed me to pursue research directions that may not have been as visible to an outsider. At the same time, as a researcher, I was an outsider as I was engaged in critical reflection of what I was seeing, hearing, and feeling. When I left the field, that is, I no longer participated in movement activities and I transitioned into full-time data collection efforts, my position as an outsider allowed me to reflect more critically on the data.

The combination of the insider-outsider perspective allowed me to connect my subjective experiences as a movement participant and my recorded observations with the stories told to me by activists and located in the documentary data. For example, my emotional experience of the loss in 2008 led me to actively participate in the post-8 period of reactive mobilization. Later, I was able to connect with my interview participants as they reflected on the loss. Although I had not prepared a question regarding their emotional states, when I asked interviewees about their experience of Election Night, their emotional responses inevitably tumbled out. Yet, even so, I did not realize the importance of activists' emotional responses until the theme became clear through the coding process. This led me to

code the data for emotional responses, to understand the ways that emotional response was targeted toward the Yes voters and the No on 8 campaign, and ultimately, how the activists' framing of the loss influenced their actions.

Another important way in which my position as a movement insider has influenced the trajectory of this research is reflected in the focus on grassroots activism. This study, as discussed earlier, does not contain the perspectives of campaign decision-makers and the leaders of professionalized organizations. The focus in this study is on the ways in which activists experienced marginalization and invisibility from the campaign power structure and the effects of those experiences on the ways in which they developed infrastructure, constructed collective action frames, and engaged in innovative strategies and tactics. My immersion in the grassroots marriage equality movement and the knowledge provided by my participants oriented me toward a critical analysis of the power structures within the marriage equality movement itself and to explore the intra-movement dynamics that characterized the post-8 moment.

Feminist methodology emphasizes the analysis of the power relationship between researcher and research participant (Sprague 2005; Taylor 1998; Taylor and Rupp 2005). Throughout this research process I have been concerned with conducting and analyzing research in a way that accurately represents the voices of my participants. This concern comes not only because I hold feminist principles, which privilege “partial knowledges situated in local contexts” (Haraway 1988), but because many of the accounts that emerge from the movement are constructed from the stories of those with power and privilege in the movement<sup>8</sup>. The stories of the activists who worked “on the ground” and who are more likely

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<sup>8</sup> See for example, Jo Becker's (2015) *Forcing the Spring*, and Marc Solomon's (2015) *Winning Marriage: The Inside Story of How Same-Sex Couples Took on the Politicians and Pundits and Won*.

to have fewer resources may remain invisible. Given the importance of visibility for same-sex couples, and the strategy of telling stories used by grassroots activists, I have endeavored to elicit their stories using semi-structured interview methods, by careful analysis of the documentary analysis, and by foregrounding their stories in the final write-up. By involving the grassroots activist community in the research process, as well as by sharing my own experiences, perspectives and activist labor, I hope to bridge the activist-researcher divide and contribute to social change.

CHAPTER THREE  
MOVEMENT-COUNTERMOVEMENT & INTRA-MOVEMENT CONTEXTS: THE  
ORGANIZATIONAL DYNAMICS OF CALIFORNIA'S MARRIAGE EQUALITY  
MOVEMENT

Existing social movements often inspire opposition movements, or countermovements, that “make contrary claims simultaneously to those of the original movement” (Meyer and Staggenborg 1996:1631; Zald and Useem 1987). When movements and countermovements maintain conflict over time, it is analytically useful to consider the dynamics of contention because each movement influences the other’s opportunities for collective action, choice of strategies, tactics, claims, and collective action frames (Meyer and Staggenborg 1996, 1998). In the case of lesbian and gay rights movements, Fetner (2008) has documented the ways that the movement-countermovement dynamics between lesbian and gay rights activists and their opposing movement, the Religious Right, influenced each movement’s agendas (claims) and mobilization of resources and organizational forms, as well as their framing processes, strategies and tactics, activists’ emotions, and the public’s attention to the issues in contention. In what follows, I draw from Fetner (2008) and Stone’s (2012) analyses as I situate the California marriage equality movement’s emergence within the context of the movement-countermovement dynamics of the Religious Right and larger lesbian and gay movement. By doing so, I show that conservative efforts to restrict marriage in the early 2000s influenced the growth of statewide gay and lesbian movement infrastructures, as well as the organizational forms and goals of those infrastructures.

The marriage equality movement in California began and grew as a grassroots movement while other lesbian and gay organizations developed professional structures capable of participating in legislative and electoral campaigns (Stone 2012). This specific configuration of movement infrastructures influenced the reactive mobilization that occurred

after Proposition 8 passed. I show that the reactive mobilization to Proposition 8 was not only a response to being stigmatized and marginalized by a mainstream society to which gay men and lesbians had experienced a significant amount of assimilation, but it was a response to activists' perceived exclusion and marginalization from the No on 8 campaign structure. As activists engaged in "critical self-review" (McCammon 2012), they framed the loss as, in part, the result of the fact that the campaign structure was composed of national and statewide professional organizations with hierarchical leadership structures that excluded the perspectives of grassroots activists, and in particular, activists within rural communities and communities of color. As activists mobilized post-8, they attempted to conceptualize a new leadership structure that would provide cohesiveness and leadership to a grassroots marriage equality movement without replicating the hierarchical and perceived exclusionary structure of the statewide and national organizations that ran the campaign.

### *Marriage Equality Becomes a Primary Movement Goal*

Marriage equality did not become a primary movement goal of the lesbian and gay rights movement until the 2000s. In the 1970s and 1980s, the socio-political climate was so oppressive that activists' agendas emphasized achieving legal protections from housing and workplace discrimination (Chauncey 2004). Pursuing marriage equality seemed so improbable that it was laughable. Further, many gay men and lesbians, influenced by the politics of gay liberation, which celebrated sexual liberation, and the politics of feminist movements, which denigrated marriage as a patriarchal institution, were not interested in marriage. Nonetheless, many gay men and lesbians constructed and participated in "cultural practices of commitment" in order to access the symbolic resources of "recognition, identity, inclusion, and social support" that accompany marriage (Hull 2006:3). And, there have

always been some gay men and lesbians who desired access to the legal institution of marriage. The first public challenge to marriage laws discriminating against same-sex couples were brought by Richard Baker and James McConnell in 1971 in Minnesota. The Minnesota Supreme Court ruled against the two men in *Baker v. Nelson*, and when they appealed to the U.S. Supreme Court, the case was dismissed “for want of a substantial federal question” (Chauncey 2004).

Fetner (2008) and others (Staggenborg 2012; Stone 2012) have identified several factors that led to the emergence of the same-sex marriage movement. First, gay men and lesbians were becoming increasingly aware of the necessity of achieving legal protections for their relationship and families. Lesbians who were seeking access to legal protections for their families through second-parent adoption, as well as those who sought to use reproductive technologies to construct their families, were stymied by homophobic courts and medical institutions (Richman 2008; Stein 1997). Second, the explosion of the HIV/AIDS crisis in the 1980s brought attention to the economic and legal inequalities faced by gay men, their partners, and their caregivers due to the lack of legal relationship recognition (Chauncey 2004). Thus, despite ongoing ambivalence regarding the institution of marriage, by the late 1990s, many gay men and lesbians desired some legal recognition of their relationships.

Third, the 1970s and 1980s saw the emergence of a well-structured and well-financed alliance between conservative religious and political organizations that found that targeting gay men and lesbians effectively mobilized their conservative base (Fetner 2008; Staggenborg 2012; Stone 2012). By the late 1970s, neo-evangelicals had built strong networks of churches, organizations, and media outlets that buttressed a strong Evangelical



Christian identity based on socially conservative values such as the importance of “traditional” gender roles and family forms (Fetner 2008). While early Evangelical Christian and conservative political alliances were small, underfunded grassroots efforts, in the 1980s three conservative movements “combined to form the vanguard of the Religious Right: the anti-feminist movement, the pro-life movement, and the anti-gay movement” (Fetner 2008:9). The Religious Right’s dense networks of members across the United States coalesced, connected through increasingly centralized and well-funded national organizations, such as the Moral Majority and later, the Christian Coalition. These organizations and their allies made deep connections within the Republican Party and became part of mainstream politics in the United States.

Between 1974 and 1992, the Religious Right increasingly targeted gay men and lesbians with anti-gay ballot measures (Stone 2012). They used referendums to try to repeal existing legal protections, such as nondiscrimination ordinances, and they used ballot initiatives to attempt to legally prohibit “gay adoption, teachers or foster parents; media depictions of homosexuality, homosexuality in the school curriculum, affirmative action for LGBT individuals” (Stone 2012:9), “restrictions on the rights of people with AIDS” (18), and legal recognition of same-sex relationships. The Religious Right successfully placed their referendums and initiatives on the ballot box 73% of the time between 1974 and 1987 (22 of 29 attempts) and 57% of the time between 1988 and 1992 (24 of 41 attempts).

Fetner (2008) identifies the Religious Right’s use of these tactics as the third factor that led to the emergence of the gay and lesbian rights movement and the eventual focus on same-sex marriage. The use of the ballot box to target gay and lesbian rights put the movement on the defensive and necessitated that it develop infrastructure and strategic and

tactical innovation in order to defend what small gains they had achieved (see also Stone 2012). Prior to the 1980s, the gay and lesbian movement “consisted of stand-alone grassroots organizations in bigger cities and on college campuses and a few under-funded and understaffed national organizations” (Fetner 2008:44). These organizations, and the networks formed in emerging gay and lesbian communities, provided the starting infrastructure for centralized national umbrella organizations and political lobbying groups which, by the end of the decade, “set national agendas, developed tactical plans, and managed the bulk of lesbian and gay movement resources.”

Thus the movement-counter movement dynamics of the lesbian and gay movement and the Religious Right led to the emergence of same-sex marriage as a mobilizing issue and contributed to the development of national, centralized, professional movement organizations. Three national professional LGBT groups warrant particular mention. The National Gay and Lesbian Task Force (NGLTF) was one of the earliest national lesbian and gay organizations. Since its inception in 1973, it has “worked with mainstream legislative issues and supported grassroots direct action” (Stone 2012:59). Lambda Legal Defense and Education Fund (Lambda Legal), also founded in 1973, emphasizes representing the interests of gays and lesbians in the judicial arena. The Human Rights Campaign (HRC), founded in 1980, has become the foremost national lobbying and educational organization of the gay and lesbian movement. These organizations (along with others) formed the basic national infrastructure of the lesbian and gay movement, even before there were well-established lesbian and gay organizations within individual states. They used their social networks across the United States to coordinate fundraising and resource distribution efforts, influence media

representations of gays and lesbians and their campaigns, and they served as “clearinghouses for information” about campaign strategies and tactics (Stone 2012:61).

There were two events in particular that brought the issue of same-sex marriage to the forefront and provided the foundation for the marriage equality activism of the 2000s. In 1991 three same-sex couples, without the support of any national lesbian and gay organizations, sued the State of Hawaii for the right to marry. As *Baehr v. Lewin* made its way through Hawaii courts and it began to appear that the plaintiffs had a chance of success, Lambda attorney Evan Wolfson joined the case. The Hawaii Supreme Court surprised everyone by ruling that gays and lesbians had a right to legal relationship recognition under the State Constitution. In 1998, the Religious Right sponsored and Hawaiian voters passed an amendment to the State Constitution that allowed the legislature to define legal marriage as occurring “between one man and one woman.” When *Baehr v. Lewin* arrived at the State Supreme Court a second time in 1999, the Court ruled that the prohibition of gays and lesbians from marrying no longer violated the State Constitution. Despite the ruling, the idea that same-sex marriage could be a legal possibility ignited the imaginations of both conservatives and many in the LGBT community.

In 1997, three same-sex couples, represented by Mary Bonauto from the Gay and Lesbian Advocates and Defenders (GLAD), sued the State of Vermont for the right to marry (*Baker v. Vermont*). In 1999, the Vermont Supreme Court ruled that the exclusion of gays and lesbians from marriage was unconstitutional, but, rather than legalizing same-sex marriage, the Court ruled that the Vermont Legislature must find a way to provide same-sex couples with the same marriage benefits accorded to mixed-gender couples. The Vermont Legislature responded in 2000 by creating civil unions, a “parallel system that offers same-

sex couples every legal benefit and responsibility of marriage without the name” (Mello 2004:12).

These events in Hawaii and Vermont, coupled with the passage of the federal Defense of Marriage Act in 1996 and a voter-approved referendum that constitutionally banned same-sex marriage in Alaska in 1998 (both victories for the Religious Right) signaled the beginning of the sparring over same-sex marriage that was yet to come. The Religious Right’s use of ballot initiatives to challenge LGBT rights was proving to be an effective tactic for conservatives and this recognition forced the growth of a national LGBT infrastructure capable of responding to the threat posed by these initiatives. The Religious Right’s third marriage ban was placed on the ballot in California in 2000, jumpstarting the emergence of California’s marriage equality movement. In what follows, I use primary data to detail the organizational dynamics of the marriage equality movement in California from its emergence in 2000 to the electoral campaign of 2008.

*California’s Lesbian and Gay Movement Responds to the Religious Right: The Development of Grassroots and Professional Organizations*

Prior to 2000, marriage was defined by Section 300 of the California Family Code as "a personal relation arising out of a civil contract between a man and a woman." However, anti-gay advocates were concerned that Section 308, which stated that a "marriage contracted outside this state that would be valid by the laws of the jurisdiction in which the marriage was contracted is valid in this state," would provide the basis for California to legally recognize same-sex marriages legally performed elsewhere, such as in, Vermont. In 1999, Senator William “Pete” Knight authored Proposition 22, a voter initiative commonly known as the Knight Initiative and formally cited as “The California Defense of Marriage Act”, that

would add language to the Family code stating “only marriage between a man and a woman is valid or recognized in California”.

There were not yet any statewide lesbian and gay advocacy groups in California and little pre-existing infrastructure for organizing a campaign. Mike Marshall, the manager for the “No on Knight” campaign, said in an *Advocate* (2000:37) interview “I didn’t inherit anything. There were no volunteer lists, databases, or voter files statewide. We have had to create absolutely everything from scratch.” Proposition 22’s slogan, “Protect Marriage” proved problematic for the “No on Knight” campaign as they had to convince voters to vote “no” on a phrase that suggested support for marriage. According to Toni Broaddus (2000:5), assistant to Marshall, the campaign’s focus groups indicated that voters were “uncomfortable with ‘gay marriage’” and the message that tested best was ‘It’s divisive. It’s intrusive. It’s unfair’.” “No on Knight” campaign ads suggested that it was okay for voters to hold anti-gay and anti-same-sex marriage views, but that they should vote against the Proposition anyway.

Despite the fact that every major state newspaper, many popular elected officials, and many religious organizations endorsed the “No on Knight” campaign, Proposition 22 was passed by 61% of voters in a special election in March 2000. Yet, even before the election, brothers John and Tom Henning had formed a new organization, Californians for Same-Sex Marriage (CaSSM), and launched a grassroots signature-gathering drive for a ballot initiative that would amend the California Constitution to read, “Two people of the same sex may lawfully marry in California.”<sup>1</sup>

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<sup>1</sup> “Brothers seek to put gay marriage on ballot,” Lodi News Sentinel, December 3, 1999.

According to John Henning,<sup>2</sup> the brothers felt that the “No on Knight” campaign’s messaging was a missed opportunity to talk to voters about gay and lesbian relationships and the desire for same-sex marriage and that in fact, to represent to voters that gays and lesbians had no desire to marry was counterproductive in the long term. Polls showed that Proposition 22 was likely to pass and the Henning brothers felt that “if you have no chance of winning, at least take a stand and make an impression on the voters so that in the future you don’t have to reverse position.” CaSSM held meetings, recruited volunteers, and started [samesexmarriage.org](http://samesexmarriage.org), a website from which volunteers could download and print the signature-gathering petition and canvas their neighborhoods. Tension arose between the “No on Knight” campaign and CaSSM over concerns that potential donors to the “No on Knight” campaign would instead fund CaSSM’s signature-gathering efforts.<sup>3</sup> CaSSM’s publicly criticized “No on Knight’s television ads as spending gay and lesbian dollars to “promote anti-gay attitudes.”<sup>4</sup> In a press release issued after the passage of Proposition 22, Tom Henning argued that the initiative had passed in part because “the campaign against Prop. 22 refused to talk about same-sex marriage. They didn’t explain to the voters why equal marriage rights are essential to the dignity and humanity of every gay and lesbian Californian.”<sup>5</sup>

Ultimately, the volunteer signature-gathering drive failed to gather enough signatures to place an initiative on the November 2000 ballot. Nonetheless, the Henning brothers and their supporters viewed their work as a success due to the “hundreds of thousands of

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<sup>2</sup> Interview with John Henning, September 22, 2013, Los Angeles, California.

<sup>3</sup> Salladay, Robert. “New ballot bid to legalize gay marriages,” SFGate, November 29, 1999.

<sup>4</sup> Tom Henning, Press Release, 3-28-2000

<sup>5</sup> Ibid.

conversations about same-sex relationships and marriage.”<sup>6</sup> Similarly, according to Broaddus (2000), despite losing the Knight Initiative, the “No on Knight” campaign successfully increased the organizational infrastructure of the lesbian and gay community in California.

Historical evidence suggests that the Henning brothers and Broaddus were correct in their assessment of the impact of the Knight Initiative on the movement. A new organization, California Alliance for Pride and Equality (CAPE), formed in 1998 with a stated mission of “ensuring the dignity, safety, equality and civil rights of all lesbian, gay, bisexual, transgendered and queer Californians.”<sup>7</sup> CAPE’s stated strategies included lobbying for legislative actions, public education, and forming alliances with other organizations. Their early efforts included working in coalition with other groups to try to defeat the Knight Initiative, and they began working in Sacramento to advocate for LGBT-friendly legislation such as bills to create domestic partnership registries. Based on my review of CAPE’s archived webpages, it seems clear that the organization was not explicitly focused on marriage equality. Nonetheless, CAPE’s lobbying efforts in Sacramento coupled with their voter outreach programs (Raise A Million Voices) made the organization “the country’s fastest growing and largest statewide gay rights advocacy organization. It had donors and supporters numbered around 200,000, a budget of at least half a million dollars, and a database listing nearly one million registered voters as supporters (Gierach 2002). In 2003, CAPE became Equality California (EQCA), which continued the legislative lobby work, the EQCA Institute, which focused on public education efforts, and the EQCA Political Action Committee (EQCA PAC) which endorsed LGBT-friendly candidates. Thus, just as the Religious Right’s tactics led to the formation of national lesbian and gay social movement

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<sup>6</sup> “Open Letter to Californians,” [samesexmarriage.org](http://samesexmarriage.org). Accessed via Wayback machine.

<sup>7</sup> [calcape.org](http://calcape.org), accessed via Wayback machine

organizations that were capable of counter-mobilization, the passage of the Knight Initiative compelled lesbian and gay activists in California to build professionalized statewide infrastructures capable of participating in legislative and electoral politics.

The Knight Initiative also facilitated the growth of a statewide grassroots movement focused on achieving marriage equality. Although CaSSM became defunct after Proposition 22 passed and CaSSM's signature-gathering campaign failed, a core group of activists remained committed to mobilizing for same-sex marriage. Davina Kotulski and Molly McKay had gathered signatures for CaSSM's ballot initiative and had been researching the federal rights and benefits denied to gays and lesbians by virtue of their exclusion from legal marriage.<sup>8</sup> In 1998, McKay dressed in the first of several of her now famous wedding dresses and rode with Kotulski in the Dykes on Bikes contingent of the San Francisco Pride March. They made the front page of the paper<sup>9</sup>. McKay said,

People were so surprised and so enthusiastic and so supportive [saying] 'Congratulations, Congratulations,' we were like, wait a minute, this means something to our community. Our staff driven organizations may not think it's politically palatable and aren't going to get anywhere near us but the people themselves, this is something we understand, we want. Look how excited people are to see us and be like break the paradigm that couldn't happen.<sup>10</sup>

McKay and Kotulski decided to continue the work begun by CaSSM and, with others including L.J. Carusone and Mark Levine, formed the California chapter of Marriage Equality New York, called Marriage Equality California<sup>11</sup> (MENY).

MECA was founded in by a core group of activists in Los Angeles and San Francisco as a "nonpartisan, grassroots organization with the sole purpose of bringing about an end to

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<sup>8</sup> Interview with Molly McKay, September 26, 2013, Oakland, California

Interview with Davina Kotulski, September 23, 2013, South Pasadena, California

<sup>9</sup> "BRIDE AND VROOM," Jane Kay, SFGate, June 29, 1998

<sup>10</sup> Interview with Molly McKay, September 26, 2013, Oakland, California

<sup>11</sup> "Our History," marriageequalityca.org, January 21, 2015



marriage discrimination towards gay and lesbian couples” by “opening people’s minds and changing public opinion” through public education.<sup>12</sup> Completely volunteer-based, an Executive Board recruited local activists to begin organizational chapters in cities and counties across California and supplied them with resources such as media training, talking points, experts for major events, and monthly conference calls. Chapter leaders were responsible for deciding and implementing the strategies and tactics to employ within their own communities. As their mission statement implied, MECA’s primary strategy for achieving marriage equality was education of the public, and their tactics included rallies and demonstrations, media campaigns, speeches, forums, and other public functions, and coalition building with other civil and religious organizations. Kotulski dubbed MECA’s activists “Love Warriors,” McKay quickly became well known for wearing a wedding dress at marriage equality events, and MECA became California’s primary grassroots marriage equality organization.

Along with other national, statewide, and local organizations, CAPE/EQCA and MECA became coalition partners in the California Freedom to Marry Working Group.<sup>13</sup> Founded in 2002, the California Freedom to Marry Working Group, which later became the California Freedom to Marry Coalition (CFMC), was a “statewide collaborative of social justice organizations and allies working to obtain and maintain the right to civil marriage.” CFMC’s mission statement indicates that its goal was specifically to mobilize the resources of member organizations, with an emphasis on developing messaging through public opinion research and implementing effective media campaigns in order to influence public opinion about marriage equality.

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<sup>12</sup> “About Marriage Equality California,” [marriageequalityca.org](http://marriageequalityca.org), Wayback machine, December 9, 2004

<sup>13</sup> [civilmarriage.org](http://civilmarriage.org), June 10, 2002, accessed via Wayback machine

This infrastructure building was made possible in part by the fact that by the mid - 2000s, gay men, lesbians, and their allies had built local organizations in many cities and some rural areas in California to serve the LGBT communities' needs. Compiling a list of all such organizations is not only beyond the scope of this project, but would be a daunting task given that existing organizational guides and lists are constructed through self-selection. Elizabeth Armstrong's (2002) unique database of San Francisco's gay and lesbian organizations indicates that the numbers of "nonprofit homosexual organizations" had increased from 6 in 1964 to 276 in 1994 (1). Her research indicates that while many of these organizations were focused on lesbian and gay rights, many others reflected specific goals or functions such as cultural, hobby, political, professional, relational, sexual, social, and service (Armstrong 2002:22-23). While San Francisco is not representative of all cities in California, Armstrong's work suggests that between the 1950s and 2000s, gay men and lesbians built an organizational infrastructure that fulfilled the communities' needs that was, and would be in the future, useful for political mobilization. Many of my interview participants reported involvement with such organizations and participant records from forums and meetings list individuals' affiliations with a plethora of existing organizations in the state. A few examples include "Our Family Coalition," a Bay Area-based organization emphasizing "equity for lgbtq families with children through support, advocacy, and education,"<sup>14</sup> the "Wall-Las Memorias Project," which focuses on advocacy and education regarding HIV/AIDS within the LGBT and Latino populations in Los Angeles,<sup>15</sup> and "PFLAG" chapters (Parents, Families, and Friends of Lesbians and Gays). Further, as of this writing, there are twenty community centers throughout California listed by Centerlink, a

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<sup>14</sup> "Meet Our Family," <http://www.ourfamily.org/meet-our-family/our-mission>

<sup>15</sup> "Agency Profile," [http://www.thewalllasmemorias.org/agency\\_profile](http://www.thewalllasmemorias.org/agency_profile)

national organization that supports lesbian and gay community centers. Thirteen of the twenty centers list founding dates prior to 2005.<sup>16</sup> While very far from an exhaustive picture of the lesbian and gay organizational infrastructure within the State, these examples situate the fledgling California marriage equality movement within the movement-counter-movement dynamics of the Religious Right and the broader gay and lesbian rights movement, and within an increasingly diverse field of organizations that served gay and lesbian communities and that would serve as conduits for campaign and post-campaign resources, including human resources.

As mentioned in Chapter 1, San Francisco's 2004 Winter of Love sparked increased mobilization for marriage equality in California. According to MECA's archived website, by June 2004, MECA had established 33 chapters throughout the state.<sup>17</sup> With no paid staff, chapter leaders had amassed a large volunteer base and an extensive list of supporters. As the Winter of Love unfolded in February 2004, MECA entered the media spotlight and Molly McKay "emerged as a national spokeswoman for legal same-sex marriage" (Jernewall 2005). EQCA had by this time become respected for their ability to get LGBT-friendly legislation passed and had a small paid staff led by Executive Director Geoff Kors. Kors approached McKay about joining the two organizations.<sup>18</sup> The merger was seen as a positive move for both organizations. EQCA's financial resources and paid staff would strengthen MECA's network of grassroots activists, and EQCA would benefit from MECA's statewide activist base. McKay, able to quit her "day job," joined EQCA as Associate Executive Director, and

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<sup>16</sup> "History," <http://www.lgbtcenters.org/centerlink-history.aspx>

<sup>17</sup> "Chapters," [marriageequalityca.org](http://marriageequalityca.org), accessed via <https://web.archive.org/web/20040614110930/http://www.marriageequalityca.org/chapters.php>, June 14, 2004.

<sup>18</sup> EQCA also absorbed the California Freedom to Marry Coalition in 2004 (Jenewall 2005). While Internet archives indicate that CFMC's website continued to operate through 2006, EQCA changed the name to the Equality Alliance (Anon n.d.).

MECA's cofounder and Southern California director, L.J. Carusone<sup>19</sup> also joined EQCA's staff. Many of MECA's chapter leaders shifted to become EQCA chapter leaders in their local communities and EQCA absorbed MECA's extensive email list of supporters.<sup>20</sup>

In many ways this merger between EQCA and MECA was successful. An archived presentation made by McKay and her accompanying notes suggest that EQCA and MECA built an impressive field network with 44 chapters in 42 counties led by local volunteers who reflected the diversity of their communities, were working on constructing chapters in the remaining 16 counties, and had identified close to 50,000 voters supportive of same-sex marriage.<sup>21</sup> EQCA/MECA activists, both paid and volunteer, were engaged in lobbying efforts in Sacramento and local electoral districts and were actively building coalitions with ethnic groups, youth, religious leaders, labor, and straight allies. From McKay's presentation notes:

The Field Department's successful efforts in recruiting, training and empowering local volunteer chapter leaders have secured a strong presence throughout the state with minimal paid staff. Investing in volunteer chapter leaders has yielded unprecedented statewide coordination, visibility and earned local media as well as cultivated increased interest in EQCA from statewide elected officials.<sup>22</sup>

Notable actions include the October 2004 National Equality Express organized by grassroots activists affiliated with MECA/EQCA. McKay, Kotulski, and 44 activists caravanned from San Francisco to Washington D.C. to protest the proposed Constitutional amendment that would have banned same-sex marriage at the federal level. They held rallies

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<sup>19</sup> Carusone was also a cofounder of the California Freedom to Marry Coalition.

<sup>20</sup> Interview Molly McKay, September 26, 2013

Interview Davina Kotulski, September 23, 2013

"Mission Drift at Gay, Inc.," Patrick McDonald, L.A. Weekly, January 6, 2011

<sup>21</sup>"Equality California Field Work," Scrapbook 5, McKay and Kotulski Marriage Scrapbooks, ONE Archives, Los Angeles

<sup>22</sup> Ibid.

in a dozen cities across the country, and the Caravan culminated in the first National Rally for Marriage Equality at the Capitol on National Coming Out Day, October 11, 2004.

Further, according to Patrick McDonald, writing for the LA Weekly in 2011, EQCA's records indicated that the organization grew significantly between 2004 and 2006. "In 2003, Equality California had seven staff members and a budget of \$760,296. By the end of 2006, Equality California had 16 employees and \$2.9 million budget."<sup>23</sup>

Despite these successes, the merger was not to last. Carusone left the organization at the end of 2005, and in April of 2006, McKay also left the organization<sup>24</sup>. In an email to chapter leaders and activists, McKay noted the successes of the "marriage between EQCA and MECA" but argued:

We need the freedom to allow local community activists to set the tone and determine the events and coalitions we form in support of marriage equality. I believe a strong, grassroots structure is critical to our ongoing success in getting a majority of California voters in support of marriage equality and that we can't allow the message to be diffused with a general LGBT equality plan. Finally, I believe we need to focus back on marriage equality in order to successfully transition from our state fight to the larger national struggle that we will play a key role in winning too.<sup>25</sup>

There were several reasons for the conflict between the organizations but as the excerpt from McKay's email indicates, the primary reason involves differences in strategy, particularly, conflict between the goals and infrastructure of the grassroots and the large national professional organizations. Originally, MECA's primary focus was achieving same-sex marriage through grassroots public education efforts, and activists wanted to maintain the grassroots infrastructure it had previously established to recruit and provide resources that

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<sup>23</sup> "Mission Drift at Gay, Inc.," Patrick McDonald, L.A. Weekly, January 6, 2011

<sup>24</sup> Ibid.

Interview Davina Kotulski, September 23, 2013

<sup>25</sup> "One Door Closes Another One Opens," Scrapbook 10, McKay and Kotulski Marriage Scrapbooks, ONE Archives, Los Angeles

relied on community leaders and grassroots support to mobilize public education efforts within communities around the state. This strategy is described by McKay: “we need to find people who can talk the message, who can be a representative of the local community because there’s no one who can tell people better than their own – it’s a neighbor to neighbor issue. Leaders need to be tasked with the freedom to complete the mission as they know best for their local communities.”<sup>26</sup> However, EQCA’s emphasis on lobbying legislators and passing legislation, particularly AB205, which extended marriage rights and responsibilities to domestic partners, meant that EQCA/MECA’s grassroots activists’ work was directed toward those lobbying efforts rather than public education about marriage equality.

Despite the promises of resources for grassroots efforts, few were forthcoming from EQCA’s leadership, and chapter leaders’ ability to tailor messaging to their own communities was curtailed. MECA branding was no longer to be used, staff were supposed to review the content of chapters’ webpages before allowing them to go live, chapter leaders were denied access to their membership databases, and EQCA approval was required before leaders could conduct media interviews.<sup>27</sup> McKay recalled being increasingly frustrated with her inability to secure resources for her grassroots leaders’ projects even as those same grassroots leaders were successfully fundraising for EQCA.<sup>28</sup>

Emails from leaders responding to the McKay’s announcement of her resignation (as well as some which were directed to EQCA and cc’d McKay) indicate the frustration of the grassroots leaders. “Our local efforts have suffered a bit after we merged with EQCA.” “We

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<sup>26</sup> Interview Molly McKay, September 26, 2013, Oakland, California

<sup>27</sup> Interview Shelly Bailes and Ellen Pontac, October 2, 2013, Davis, California

Interview Christine Allen, March 20, 2013, Sacramento, California

Interview John Lewis and Stuart Gaffney, September 29, 2013, San Francisco, California

Scrapbook 10, McKay and Kotulski Marriage Scrapbooks, ONE Archives, Los Angeles

<sup>28</sup> Interview Molly McKay, September 26, 2013, Oakland, California

have noticed that the leash around our necks regarding how we run our chapters and it is getting tighter and tighter.” “EQCA has tightened the reigns and removed the freedoms that we once had as grassroots activists fighting for marriage equality. We need to get back on track to secure marriage equality outside the confines of a rigidly structured political organization.”<sup>29</sup> Chapter leaders that I interviewed reported feeling that “the merger with EQCA took away the power from the people on the street and gave it to paid staff. It became much more centralized.”<sup>30</sup>

When McKay resigned, she did so under the expectation that EQCA would return the MECA name, logo, website and the original list of supporters.<sup>31</sup> Her intentions, outlined in the email referenced above, were to reincorporate MECA as a nonprofit and go back to a “volunteer county-based” infrastructure using the list of name from April 2004 (pre-merger). However, EQCA refused to release either, and archived documents indicate that that EQCA’s lawyers threatened legal action should the name or logo be used in the future.<sup>32</sup> To some, this move reflected the fact that EQCA was more interested in the list of supporters for fundraising purposes rather than for movement-building efforts.<sup>33</sup> Perhaps not surprising given the lack of alignment between the goals and strategies of EQCA and MECA, many of EQCA/MECA’s chapter leaders resigned shortly after McKay’s resignation. McKay decided not to sue for the name, logo, website, and list of supporters because “we were so afraid of showing any weakness because we were in such a long intractable battle with the anti-equality forces that we were afraid to air the dirty laundry... I was passionate about

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<sup>29</sup> Scrapbook 10, McKay and Kotulski Marriage Scrapbooks, ONE Archives, Los Angeles

<sup>30</sup> Interview Jean and Toby Adams, October 1, 2013, Davis, California

<sup>31</sup> Interview Molly McKay, September 26, 2013

<sup>32</sup> Scrapbook 10, McKay and Kotulski Marriage Scrapbooks, ONE Archives, Los Angeles

<sup>33</sup> Interview Jean and Toby Adams, October 1, 2013, Davis, California

presenting a united front and just getting back to doing the work that we know that we could do.”<sup>34</sup>

McKay, the activists who left with her, and new activists were able to continue the work despite the rift with EQCA. When MECA merged with EQCA, Kotulski, who had been on the board of MECA, was unable to join EQCA’s board and found that there was little room for her to participate in EQCA due to concerns about conflicts of interest. In November 2004 she revived the California chapter of Marriage Equality U.S.A (MEUSA), put together a board, and became the deputy executive director (and later executive director in June 2005). Marriage Equality U.S.A had been formed the same time and by the same activists as Marriage Equality NY and Marriage Equality California. The vision was that MEUSA would be an umbrella group for state chapters but the NY and CA chapters were the only chapters that had formed (with the exception of a Marriage Equality Georgia for a brief time). Because McKay and Kotulski could show that MEUSA had been in existence before MECA, MEUSA was exempt from EQCA’s embargo on MECA’s branding.<sup>35</sup> In May of 2006, Kotulski, McKay and 15 chapter leaders began again as MEUSA.

MEUSA formed with the same emphasis on grassroots organizing and the primary strategy of public education and visibility. Archived organizational documents include the pictures and bios of “Our New Team – Chapter Leaders + New Outreach Directors” (which were then posted on MEUSA’s website).<sup>36</sup> The all - volunteer staff’s biographies, titles and job descriptions indicate an emphasis on outreach to diverse communities by members and advocates of those communities – including seniors, the Asian Pacific Islander communities,

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<sup>34</sup> Interview Molly McKay, September 26, 2013

<sup>35</sup> Interview Molly McKay, September 26, 2013, Oakland, California

<sup>36</sup> “Our New Team – Chapter Leaders + New Outreach Directors,” Scrapbook 10, McKay and Kotulski Marriage Scrapbooks, ONE Archives, Los Angeles



Native American communities, bi-national couples, transgender communities, the military, differently-abled persons, youth, African-American communities, faith communities, children of LGBTI parents, and LGBTI parents. Participants documented “how we want to do this work,” emphasizing, among other things, their commitment to “inclusiveness,” embracing diversity, “promoting leadership,” coalition building, “Do-it-ourselves, rather than hiring professional consultants,” their “hope/value of growth of the broader community,” and the importance of self-reflection and addressing internalized “isms,” including class issues. Their goals, “what kind of work do we want to do” indicates an emphasis on “educating people, positive image, conversations, networking, bridge-building, development and sharing educational materials” and “fundraising – making sure that some of the money raised locally stay local.” Documents also indicate that, while early organizing emphasized California politics, activists were committed to achieving marriage equality nationwide by collaborating across state-lines. By May 2008, MEUSA’s website listed 16 chapters in California as well as chapters in four other states.<sup>37</sup>

This data suggests that the Knight Initiative’s passage preceded the establishment of a lesbian and gay movement infrastructure in California. Two specific organizational forms primarily characterized this infrastructure: a professional, centralized organization capable of participating in legislative and electoral politics and an extensive grassroots network focused on achieving marriage equality. When Gavin Newsom launched the Winter of Love in 2004, EQCA and MECA were primed to mobilize their supporters and pursue marriage equality. However, despite best efforts and several positive outcomes, the EQCA/MECA merger was

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<sup>37</sup> “Chapters,” [marriageequality.org](https://web.archive.org/web/20080430114158/http://www.marriageequality.org/meusa/chapters.shtml), accessed via Wayback machine, <https://web.archive.org/web/20080430114158/http://www.marriageequality.org/meusa/chapters.shtml>

unsustainable. One possible explanation for this lies in the incongruity of their organizational structures and tactical identities.

EQCA organized itself at the statewide level along the same lines as the large-scale, hierarchical and professionalized national lesbian and gay organizations. That is, it was a “formalized” or “professionalized” organization with top-down decision-making structure that was managed by professional leaders, tasks were divided among (mostly) paid staff, and operating procedures were largely bureaucratized (McCarthy and Zald 1977b; Staggenborg 1988). Formalized organizations led by professional staff have the knowledge and ability to mobilize the resources of cultural and political elites, to maintain that mobilization over time, and to engage in mainstream political tactics such as legislative lobbying (Meyer and Staggenborg 1996; Staggenborg 1988). Armstrong (2002), Fetner (2008), and Stone (2012) show that such organizations emerged within the LGBT movement as a result of external political pressures and the Religious Right’s countermovement dynamics. These professional organizations often are based on an “interest group political logic” which is the perspective that marginalized groups can achieve rights by developing large-scale organizations that represent their interests via mainstream political strategies and tactics (Armstrong 2002).

In contrast, MECA/MEUSA’s organizational form can best be described as mostly nonhierarchical, consensus-based, democratic, and grassroots. There was some division of labor and decision-making authority held at the Executive Board level and a set of agreed-upon operating procedures, but individual chapter leaders had input on organizational decisions and were free to operate within their own chapters as they saw fit, including choosing tactics, messaging, and targets . Such organizations are less likely to have access to mainstream funding sources and political elites and they have less success with mainstream

political tactics. They are more likely to engage in direct action, in large part because their loose structure allows individual activists to “express themselves [and] to become empowered” (Armstrong 2002:59).

Scholars have noted that these two organizational models are often in tension, particularly within the LGBT movement (Armstrong 2002; Fetner 2008; Ghaziani, Taylor, and Stone 2016; Stone 2012). This is largely due to the fact that each organizational model reflects a particular perspective about the underlying goals, strategies, and tactics necessary for achieving social change. Professional organizations’ emphasis on building large-scale organizations and using mainstream tactics often arouses critique for “focusing on middle-class lesbian and gay concerns and neglecting the political demands of bisexual people, transgender people, poor lesbians and gay men, and a host of others who work in the movement” (Fetner 2008:45; Weber 2015). At the same time, scholars note that organizations must often adapt to face the challenges of the countermovement (Meyer and Staggenborg 1996), and the Religious Rights’ tactical offense necessitated the development of infrastructure capable of engaging within the mainstream political arena (Fetner 2008; Stone 2012).

Given that these intra-movement tensions were present within the national lesbian and gay movement, it is not surprising to see their appearance in the California marriage equality movement. The formation of the organizational field in this way had consequences for how activists experienced the passage of Proposition 8 and how they responded to the loss of the campaign. In particular, the moral outrage (Jasper 1999) by participants compelled them to protest in the streets and to gather in town halls and statewide summits in order to try to understand the loss and debate future steps. Activists’ attribution of blame included the No

on 8's campaign structure from which they felt excluded. This diagnostic frame influenced their development of organizations.

*Emotions Prompt Reactive Mobilization: "A Movement Was Being Born There"*<sup>38</sup>

Immediately after Election Day, people responded by joining marches, candlelight vigils and rallies. Grassroots activists used social media, LGBTQ blogs, and organizational websites to organize and advertise these protests. Reports from mainstream media and the gay blogosphere indicate that there were daily protests from November 5 through November 9 in many cities across the state including Laguna Beach, Long Beach, Mission Viejo, Modesto, Palm Springs, Sacramento, San Diego, San Francisco, San Luis Obispo, San Jose, Santa Barbara, and West Hollywood and other locations in Los Angeles. Some activists, angry at Yes on 8's successful coalition of religious organizations, organized protests at Mormon, Evangelical, and Catholic churches.<sup>39</sup> Protests were largely peaceful but some activists were arrested for crossing police boundaries.<sup>40</sup> Conservative media reported vandalism of church properties,<sup>41</sup> although I could not verify these in the mainstream press.

Two activists, Amy Balliett (from Seattle) and Willow Witte (Ohio) decided to launch Jointheimpact.com, a website aimed at rallying people across the country to coordinate a National Day of Protest, scheduled for November 15, 2008 (Krishna 2010).<sup>42</sup> According to Jessica Bennet, writing for *Newsweek* (2008),

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<sup>38</sup> From an interview with Lester Aponte, June 2, 2013, Los Angeles, California; see page 82

<sup>39</sup> "Anti-Prop 8 demonstrators protest near Mormon temple," Sean Maher, *InsideBayArea.com*, November 9, 2008

"In California, Protests Over Gay Marriage Vote," *The New York Times*, November 10, 2008

<sup>40</sup> "Prop. 8 opponents rally across California to protest gay-marriage ban," *the Los Angeles Times*, Jessica Garrison and Corina Knoll, November 16, 2008

<sup>41</sup> "Prop. 8 passage spawns protests, violence and vandalism," *christianexaminer.com*, December 9, 2008

<sup>42</sup> "Gay-Rights Advocates Use Web to Organize Global Rally," Claire Miller, *The New York Times Bits Blog*, November 14, 2008

Balliett and Witte sent out mass e-mails, text messages and blog posts to direct people to the site. Twenty-four hours later, close to 1,000 people had signed on to their group via Twitter. The following day, the site's Web server crashed because of the flood of traffic. Within a week, they had received 10 million hits.<sup>43</sup>

The weekend of November 15-16, there were protests in over 300 cities in the United States, with an estimated one million participants.<sup>44</sup> The extent of these rallies and protests, and the fact that the majority of the protests were the products of grassroots organizing (though certainly supported and advertised by established organizations) led gay blogger Rex Wockner to refer to the post-Prop 8 activism as Stonewall 2.0.<sup>45</sup>

Protest participants were members of the LGBTQ community and their allies included campaign leaders, staff, and volunteers as well as many who had participated in grassroots marriage equality activism for many years. As mentioned in Chapter 1, people were shocked and angry at the Proposition's passage. One long-time activist I spoke with said that people were "just sort of stunned. We got suckered into that idea that this will never pass. [...] And it passed." This sentiment was repeated time and again by activists that I interviewed and was frequently reported by the mainstream media and gay blogosphere as well. Karen Ocamb put it aptly when she wrote, "lesbians and gays in California felt "sucker-punched" (Ocamb 2010).

For many, going to the streets was the way to express their sadness, indignation, and anger while remaining defiant in the face of a state (and local communities) that had voted against them and their families. Koltulski told me that "Prop 8 passing was like everyone getting kicked in the gut and they were ready to get involved."<sup>46</sup> From another: the passage

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<sup>43</sup> "Prop. 8 Rouses a New Generation of Gay Activists," *Newsweek*, Jessica Bennett, December 12, 2008

<sup>44</sup> "Gay advocates protest marriage ban across nation," *USAToday*, Jay Lindsay, November 16, 2008

<sup>45</sup> "Stonewall 2.0? Gay Activism 4.0?" [www.wockner.blogspot.com](http://www.wockner.blogspot.com), Rex Wockner, November 11, 2008

<sup>46</sup> Interview Davina Koltulski, September 23, 2013

of the Proposition was “very shocking obviously, I don’t think anybody quite knew what to do. I think on some of the listservs that I had been on, there had been a call for a rally in West Hollywood at the time and so [I] decided to go after work.”<sup>47</sup> Lester said, “we felt very defeated that night and I actually remember that as one of the worst days of my life,” and on November 5th he found himself at a “rally in West Hollywood. I think we all went out of anger, most people I think were local.”<sup>48</sup> Vincent said that someone spoke up in church [check this] saying “we’re going to march tomorrow. [...] I give her credit really for planting the seed in the fertile ground of people’s anger to march and to express their anger and to speak out. [...] people started to march that night.”<sup>49</sup> Indeed, one of my participants described one of the protests he attended as follows:

When I walked up on the street, Santa Monica Blvd, there were rows and rows of people holding up signs and cheering, which I thought was interesting. They were cheering, they were clapping, cars were driving through Santa Monica Blvd. and they were honking their horns, and it was just magical in so many ways. I remember [being] very moved by that, by that image. People believed [...] we’re going to go back and we’re going to win this thing. What was very different about this rally versus any other campaign rally that I think I’ve ever seen is the mood was [...] it was just defiance.<sup>50</sup>

We were on San Vicente and Santa Monica, and all of a sudden there’s hundreds of people surging into one of the most famous streets in the world, and we’re blocking traffic, walking down the street without signs and yelling, and people are stopping their cars and honking and taking pictures. And all of a sudden we felt like there’s something we can do, we just don’t have to take it, and we walked out, we walked all the way to the CNN building hoping I think to be on T.V. That was a long way, but we were that inspired and that motivated. We felt like, this has happened to us and we feel so powerless, and that gave us a sense of power. And I felt like a movement was being born there, and the people who didn’t get involved before the campaign all of a

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<sup>47</sup> Interview Eric Nakano, June 1, 2013, Skype

<sup>48</sup> Interview Lester Aponte, June 2, 2013, Los Angeles, California

<sup>49</sup> Interview Vincent Jones, September 23, 2013, Los Angeles, California

<sup>50</sup> Interview Eric Nakano, June 1, 2013, Skype

sudden started coming out of the woodwork and everybody wanted to do something.<sup>51</sup>

However, some people did not take to the streets immediately. Several of the activists I interviewed who were lower-level paid staff for the campaign or who had devoted their energies full-time to the campaign in a volunteer capacity spoke about being completely exhausted and needing to withdraw for a bit. Some reported that they “couldn’t get out of bed the next day and go to work. I just didn’t want to see people. I was done.”<sup>52</sup> Others expressed their need to hold each other up in their exhaustion and sadness.

We had just spent [...] six months of intense, you’re talking about at least 12-hour days and sometimes 17 to 18 [...] of being with people who were, you know, we convinced people to quit their jobs, day jobs on the campaign. People just stopped going to work just to volunteer on the campaign.” The night of the election there was a campaign party for staff but “we wanted to be with our people that we have lived the last six months with. And so we ended up going to one of our organizer’s homes and just kind of waiting out the night there. It was mainly you know, drinking and crying in disbelief and then for the next week there was a group of about twenty of us that just like had to be by each other’s side. It was so devastating on so many levels. [...] we took two weeks off, just to kind of get away from it and then we came back by December 1<sup>st</sup>, ready to figure out what we were going to do next.<sup>53</sup>

Another campaign staff member said that after the election she “was shattered and was just like a shell of a human being. [...] You’ve just like worked your ass off for six months and you are just so exhausted in every level of the word. I took off a couple of weeks.”<sup>54</sup>

Several activists were frustrated: while it was bad enough to have lost the campaign, they were further upset by the knowledge that so many people were gathering to rally and protest when many of them, as campaign staff, had had a difficult time getting these same

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<sup>51</sup> Interview Lester Aponte, June 2, 2013, Los Angeles, California

<sup>52</sup> Interview Davina Kotulski, September 23, 2013, South Pasadena, California

<sup>53</sup> Interview Regina Clemente, July 6, 2013, Los Angeles, California

<sup>54</sup> Interview Laura Gardiner, May 17, 2013, Los Angeles, California

gay men, lesbians, and their allies to volunteer for shifts during the campaign and to donate even small amounts of money.

I think for those of us who were volunteers on the campaign, who were giving a lot of our free time and resources to the campaign, and we had people who didn't even seem to care. You know they were more interested in spending money on over-priced booze than they couldn't even give \$5 to the campaign. So I largely, you know I came in with a pretty strong bias against them because I felt the campaign was winnable if people, you know if all these people who were marching the streets had actually done something when they supposed to, maybe it might have changed things. So you know I was actually fairly bitter at these people who thought all of sudden they could do a better job.<sup>55</sup>

Laura echoed this sentiment when she said, “we saw everyone coming out of the woodwork after prop 8 and honestly we were a little bitter about it and we were like, where were you during the campaign?”<sup>56</sup> Others identified the LGBTQ community itself at fault for not having done enough to halt the initiative. Again, the idea that people thought that the No on 8 campaign and Californian voters would surely fail the initiative was frequently expressed.

I think people look at California and they think of it being this like super progressive liberal place and not only is that a stereotype of like the specific cities, that represent the state often and so, people forget about folks outside of the cities. But, I think people also just assume that because it's a super Democratic state, that it automatically appear like a Democrat or if you're progressive in some way, that you're automatically pro-LGBT which is obviously not the case.<sup>57</sup>

There was just this sort of, comfort from the community, like, we got this.<sup>58</sup>

So many people that I talked to in Kern County and other places said that [the Proposition] will never pass. I don't need to get involved. I don't need to donate money because it will never pass. That sense of complacency that we had that somehow we were further along than we were so when it passed there were people that were shaken out of their sense of comfort. All of a sudden it

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<sup>55</sup> Interview Eric Nakano, June 1, 2013, Skype

<sup>56</sup> Interview Laura Gardiner, May 17, 2013, Los Angeles, California

<sup>57</sup> Ibid

<sup>58</sup> Interview Josh Einsohn, August 24, 2013, Los Angeles, California



was like oh, hey, we need to do something. So, people started calling saying what do we need to do?<sup>59</sup>

This final comment points to the silver lining of Proposition 8's passage. The moral shock that drove people to the streets provided people with opportunities to meet others who were similarly angry and determined to do something. Certainly not everyone who protested in the next two months participated in sustained activism. As one participant remarked, "I don't get the impression that the public in general wanted to do much more than go to a couple rallies and then move on. If there was a big rally they'd go to the rally."<sup>60</sup> However, the protests brought others together. Vincent explained their effect on mobilization: "all the marches started happening and even though the marches were not necessarily well organized in terms of what the eventual message was, I believe, at least here in LA, it helped to bring a lot of people in closer contact to have conversations [and form] the relationship to strategize and to get ideas and think about what could happen or what should happen."<sup>61</sup>

For many, these relationships led to the formation of new grassroots organizations and their participation in a wider dialogue about the reasons that the Proposition passed and what the next steps should be. Given that there is no master list of the organizations that formed immediately after the passage of Proposition 8, it is impossible to provide an accurate count or to be sure that any characterization of these organizations is representative of all the post-8 organizations. Interviewees' reports of the number of groups forming post-8 ranged from dozens to hundreds. A report made public on April 14, 2009 by Woodward and McDowell (2009:7), commissioned by EQCA to report on EQCA's role in the campaign,

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<sup>59</sup> Interview Whitney Waddell, July 8, 2012, Bakersfield, California

<sup>60</sup> Interview Matt Baume, December 19, 2014, Skype

<sup>61</sup> Interview Vincent Jones, September 23, 2013, Los Angeles, California

noted that one of their informants “had counted 96 new LGBT organizations that had formed in California just since the November election.”

Analysis of interview data and the lists of organizations co-sponsoring and attending protest events, town halls, and leadership meetings, and organizational Facebook pages and webpages allow me to categorize these organizations according to some broad themes. Specifically, the data suggests that many groups formed for the purpose of implementing a particular tactic while others were focused on activism within specific locations that had been previously underrepresented or in predominately Yes on 8 areas or among particular groups (such as communities of color). These groups then participated in coalition work, attending and co-sponsoring events, meetings, activist trainings, etc. Certainly, many of these new organizations were likely “in name only,” the product of a small group of individuals with a Facebook page. Some of these organizations were “two members who were married to each other”<sup>62</sup> and therefore were not seen as “real groups” but as “individuals who wanted to have their own thing.”<sup>63</sup>

In other cases, individuals who saw a need and had access to a particular set of skills and resources that they believed would be useful created an organization specifically for the purpose of pursuing that tactic. This was the case with Josh Einsholm who formed the group All or Not At All the day after Prop 8 passed.

I’m going to form a grass roots group and I work in the entertainment industry and I decided there were no good PSAs. There were hardly any at all. And I could make them for no money almost [by] calling friends of mine. I am going to start some sort of a social campaign and that’s going to be my thing. So, I just contacted a few people that I knew in the industry that are friends of

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<sup>62</sup>Interview Lester Aponte, June 2, 2013, Los Angeles, California

<sup>63</sup>Interview Vincent Jones, September 23, 2013, Los Angeles, California

mine, [and some] not even in the industry and said, hey, let's do this. And they said, okay.<sup>64</sup>

Similarly, celebrity and fashion photographer Adam Bouska and his partner Jeff Parshley formed the NoH8 campaign as “a photographic silent protest in direct response to the passage of Proposition 8”.<sup>65</sup> Bouska and Parshley set out host photo shoots of people with duct tape covering their mouths and ‘NOH8’ stenciled on a cheek as a form of visual protest. One Struggle One Fight was formed by a small group as a direct action organization committed to using civil disobedience as a means of responding to Prop. 8. Members of the Fresno community and other Central Valley communities organized as Meet in the Middle for the purpose of hosting the large protest event of the same name.

Some organizations were formed with an emphasis on advocating for marriage equality within communities of color. Examples of these groups include F.A.I.R (Freedom – Action – Inclusion – Rights), which mobilized to connect communities of color and LGBT communities in Los Angeles<sup>66</sup> and the Latino Equality Alliance which formed to “coordinate efforts to increase support of LGBT people and issues by the LGBT community” in Los Angeles County.<sup>67</sup>

Others formed organizations because there was no existing organization with an emphasis on marriage equality activism within the community or there was a need for a coalition organization to coordinate the marriage equality activism of several local groups. In Santa Barbara, the Strategic Alliance for Marriage Equality (SAME) was organized by a group of volunteers (including myself) at the behest of the local LGBT organization, Pacific Pride Foundation (PPF). PPF was a well-established organization that focused primarily on

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<sup>64</sup> Interview Josh Einsohn, August 24, 2013, Los Angeles, California

<sup>65</sup> “About,” <http://www.noh8campaign.com/article/about>

<sup>66</sup> [blog.libertyhill.org](http://blog.libertyhill.org)

<sup>67</sup> “About,” <http://www.latinoequalityalliance.com/About>

service provision for people living with HIV/AIDS as well as the LGBT community at large (i.e. they organize annual Pride events and host support groups for LGBT youth and seniors). According to Gary Clark, a co-founder of SAME, the Executive Director of PPF asked him to form a volunteer advocacy program focused on marriage equality because, while PPF served as the headquarters for local No on 8 campaign organizing, they did not have the human resources nor the funding capacity to respond to the increased level of mobilization.<sup>68</sup> Several other communities formed similar organizations including San Diego's Alliance for Marriage Equality, the Coachella Valley Marriage Equality Coalition, OUTWEST Coalition, Equality Inland Empire, and the Peninsula Marriage Equality Coalition.

How do we explain the explosion of new organizations post-8? After all, and as several of my interviewees pointed out, there were many existing organizations that had been mobilizing for almost a decade by this point. The loss at the ballot box was clearly profoundly felt and people were compelled to “do something.” Their emotional response to the loss – their shock, guilt, and anger—compelled them to the streets and into other spaces where they cared for one another. However, translating emotion into sustained action requires cognitive framing; that is, newly mobilized and remobilized activists engaged in a moment of “critical self-review” (McCammon 2012) where they decided what went wrong, attributed blame, and formulated next steps. The excerpts above indicate that activists blamed voters, Mormon, Catholic and Evangelical churches, and themselves as members of the LGBTQ community at large.

However, my analysis suggests that they quickly began to blame the No on 8 campaign. These attributions became clear at the numerous town halls and statewide summits

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<sup>68</sup> Interview Gary Clark, March 9, 2013

that activists held across the state between November 2008 and February 2009<sup>69</sup>. Some of these meetings were hosted by EQCA and the other organizations that comprised the No on 8 campaign and were geared toward discussing what had gone wrong with the campaign. One media report indicated that the No on 8 campaign was “in a state of exhaustive self-examination, bluntly asking which political strategies failed and why” (Swift 2008b). Others were more cynical about these early meetings, calling them “an attempt at damage control” (Stemke et al. 2009). According to media accounts and many of my interviewees, these meetings often provided the space for members of the LGBT community, activists, and community leaders to criticize the campaign (Hemmelgarn 2009). One activist who attended one of the first town halls held in Los Angeles in late January indicated that, “early on the goal was really to just express anger. Honestly people were coming out of the woodwork just going what the \*\*\*\* and some wanted to assign blame. It was really just a firing squad.”<sup>70</sup> Another attendee said, “The EQCA meeting happened at the end of January, right when people were so angry. The villagers were ready to burn the building down. People left there angry.” Other summits and town halls, especially those held in mid-2009, were hosted by coalitions of statewide, regional, and local groups and were focused on debating strategy for regaining marriage equality. These meetings were also sometimes extremely contentious, but the tension usually revolved around how the movement should organize itself going forward as well as the efficacy of strategies for regaining the right to marry.

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<sup>69</sup> I do not attempt to provide an exact number of these meetings because some of these town halls were locally organized and therefore not widely publicized. Others were part of the “Get Engaged Tour” co-hosted by MEUSA and numerous other local and statewide organizations. Therefore it is impossible to provide exact numbers of town halls and statewide forums. What is clear is that many different organizations hosted meetings to discuss the campaign and next steps.

<sup>70</sup> Interview Geoff Scowcroft and Peter Wolf, June 26, 2013, Los Angeles, California

### *Blaming the No on 8 Campaign*

The data suggests that activists' attributions of blame targeting the No on 8 campaign generally took three forms: first, the campaign was not transparent in terms of its leadership structure and the ways in which it went about making decisions; second, the campaign did not adequately reach out to rural communities and communities of color; and third, the campaign did not make gay men and lesbians, their families, and same-sex marriage central to the media campaign. The first two critiques are taken up below; the third critique will be discussed in Chapter 4.

A Steering Committee composed of leaders of key Statewide and National LGBT and civil rights organizations managed the Campaign against Proposition 8, which was officially organized under the name, Equality for All. Only one of the organizational reports on Proposition 8 contained a list of the members on the Steering Committee.<sup>71</sup> No on Prop 8's website contained only a list of the organizations that were part of the supporting coalition and those organizations and individuals who had endorsed the campaign. According to Petrelis (2009), the Committee contained 17 members from Equality California, the LA Gay and Lesbian Center, the David Bohnett Foundation, the Human Rights Campaign, the Northern and Southern branches of the American Civil Liberties Union, Beinestar Human Services of Los Angeles, the National Gay and Lesbian Task Force, the San Diego LGBT Community Center, Asian and Pacific Islander Equality in San Francisco, GLAAD, individuals not listed as representing specific organizations, and a few financial and communications consultants.<sup>72</sup>

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<sup>71</sup> "The Prop 8 Report," David Fleischer, <http://prop8report.lgbtmentoring.org/>, 2010

<sup>72</sup> "Names of All 16 Members of No on 8's Executive Committee Made Public," <http://mpetrelis.blogspot.com>, Michael Petrelis, January 21, 2009

According to Fleischer's (2010) *Prop 8 Report*, in June of 2007, as they prepared for the possibility of a ballot initiative, the Committee hired Steve Smith, an experienced campaign consultant, to run the campaign. By May 2008, Smith identified and hired upper-level campaign staff and consultants. At the end of September, the No on 8 campaign hired Patrick Guerriero (who took a leave from the Gill Action Fund) to take over as president of the Board of Equality for All and as campaign director for the final month of the campaign. Guerriero replaced many of the staff and consultants.<sup>73</sup>

The Executive Committee was supported by a coalition of organizations (53 listed on NoOnProp8.com August 9, 2008, and 60 listed on November 2, 2008) and an extensive grassroots network. As with information about the Executive Committee, exact numbers of "coalition" members are hard to pin down. EQCA's sponsored report on the campaign notes that there were "more than 100 member organizations"<sup>74</sup>The Executive Committee was comprised of national and statewide LGBT organizations, foundations, formal civil rights organizations, and LGBT service organizations. There were no grassroots organizations represented on the Steering Committee.

As mentioned in Chapter One, the campaign mobilized an extensive field campaign, constituted by paid staff and many more volunteers. Most of EQCA's own staff was assigned full-time to the campaign and reported to campaign leadership and other campaign staff who were compensated through "in-kind donations" by participating organizations.<sup>75</sup> For example, staff hired to work at the LA Gay and Lesbian Center's Vote for Equality program

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EQCA's internal report notes that the Executive Committee had 18 members but they are not listed. Fleischer's report indicates 15 members of the Committee, including all members listed in Petrelis' findings with the exception of participants from the Bohnett Foundation, the Northern branch of the ACLU, and Beinestar.

<sup>73</sup> "The Prop 8 Report," David Fleischer, <http://prop8report.lgbtmentoring.org/>, 2010

<sup>74</sup> "Summary of EQCA's Efforts to Help Defeat Prop. 8: Lessons Learned & Recommendations Moving Ahead to the Next Battle," Woodward & McDowell, Report commissioned by and for EQCA, 2010

<sup>75</sup> "The Prop 8 Report," David Fleischer, <http://prop8report.lgbtmentoring.org/>, 2010

were “lent” to the campaign.<sup>76</sup> Further, the No on 8 campaign recruited thousands of volunteers both through its coalition organizations (such as MEUSA) and through direct recruitment efforts via phone banking and street recruitment in neighborhoods such as the Castro in San Francisco. These volunteer recruitment efforts began early, in part due to the efforts of “the core group of LGBT and allied activists who later had responsibility for day-to-day running of the No on 8 field campaign” to persuade voters to “Decline to Sign” Yes on 8’s petition to qualify Prop 8 for the November ballot.<sup>77</sup> All told, the No on 8 campaign mobilized over 51,000 volunteers, making the field campaign the most extensive of any non-Presidential campaign in the United States.<sup>78</sup>

*A Lack of Transparency within No on 8 Campaign Structure.* As stated above, one of the loudest critiques of the No on 8 campaign was that its organizing structure was not transparent and that the voices of grassroots leaders across the state were excluded. The fact that information about who was seated on the Steering Committee was not readily available, led to strong criticism of the campaign after Election Day. After several unsuccessful requests for this information, blogger/activist, Michael Petrelis, filed an information request with the CA Secretary of State in order to locate and publish the names of the “principal officers” of the No on 8 Executive Committee. According to Molly McKay, the No on 8 campaign “did not invite MEUSA to have a seat” at the decision-making table. “It was completely non-transparent how one would even get onto the committee and we were never

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<sup>76</sup> Interview Laura Gardiner, May 17, 2013, Los Angeles, California

<sup>77</sup> “The Prop 8 Report,” David Fleischer, <http://prop8report.lgbtmentoring.org/>, 2010, page 174

<sup>78</sup> Ibid.



invited.”<sup>79</sup> People felt as if it was “a small clique of California LGBT leaders who directed the campaign.”<sup>80</sup>

In addition to the lack of grassroots input in decision-making and the lack of transparency about how the campaign was being managed, many also objected to the campaign’s reliance on paid consultants who conducted polling and produced the campaign messaging. Data gathered and presented by MEUSA suggests that grassroots activists felt stifled by the messaging that was proscribed by the focus groups hired by campaign staff. For example, the report quotes one person as saying “We didn’t need some focus group to tell us how to talk the language of faith.”<sup>81</sup> Another activist told me that several times they asked a leader who was part of the campaign what was going on and what local people should be doing, but the response frequently was “we are talking to consultants, don’t worry about it.”<sup>82</sup> Activists also reported that campaign staff was rigid and proscriptive in terms of who could speak at events and what they could say. An activist I spoke to said that they had scheduled a priest who had recently come out to speak at a rally and the campaign called them “and forbid it.”<sup>83</sup>

*Exclusion of Inland and Rural Communities and Communities of Color from the Campaign.* The second major critique of the No on 8 campaign was that they did not adequately reach out to inland and rural communities and communities of color. Activists from the inland and more rural communities often had very little contact with the campaign and had a difficult time accessing resources (such as information about messaging, training,

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<sup>79</sup> Interview Molly McKay, September 26, 2013, Oakland, California

<sup>80</sup> “Anatomy of a failed campaign,” Ben Ehrenreich, *The Advocate*, November 19, 2008

<sup>81</sup> “Grassroots Input on California’s Next Marriage Equality Campaign; A Compilation of Findings from Over 40 Community Town Halls,” Marriage Equality USA, July 2009

<sup>82</sup> Interview Ari Gutierrez, June 3, 2013, Los Angeles, California

<sup>83</sup> Interview Jason Scott, July 7, 2013, Fresno, California

Interview Robin McGeehee, July 7, 2013, Fresno, California

yard signs, speakers, etc.). I asked one activist from Bakersfield to describe her relationship to the statewide campaign, and she responded: “We didn’t have one. We were calling the folks at the Task Force that we know. I was calling people at EQCA. And they kept saying, we’re coming for you, just not yet.”<sup>84</sup> An activist from Fresno said “there was no campaign here. It was people from the community and people who had relationships to MEUSA. The campaign didn’t send anyone. There was never a dedicated office.” Activists from Fresno and Bakersfield described driving to Sacramento and Los Angeles to get yard signs because they were not able to get them shipped from the campaign. Other activists from Sacramento and Los Angeles confirmed these “sign drops.” According the MEUSA report referenced earlier, some Central Valley residents were told by “No on 8 organizers that the Central Valley didn’t matter.”<sup>85</sup> Regardless of whether it was verbally stated, the data clearly shows that activists in inland and rural communities felt ignored and marginalized by the campaign.

Activists from communities of color had similar criticisms. Spanish-speaking campaign materials were distributed late, if at all. According to several activists I interviewed, the campaign did not want to put an office in East Los Angeles (a predominately Latino community), in spite of activists’ requests, leading a local organization to do so themselves.<sup>86</sup> A report in the *LA Weekly* is emblematic of the accounts told to me by activists.

Three weeks before Election Day, a No on 8 office was finally opened in East L.A. but not by the No on 8 campaign. It was operated by a Latino group call Honor PAC which raises money for gay and gay-friendly Latinos. Says Luis Lopez, of Honor PAC, “We were not a part of the campaign. We were not a part of the planning. So we asked ourselves what could we do....Lopez describes the office as an ‘in kind contribution’ to the No on 8 campaign. No

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<sup>84</sup> Interview Whitney Waddell, June 8, 2013, Bakersfield, California

<sup>85</sup> Grassroots Input on California’s Next Marriage Equality Campaign; A Compilation of Findings from Over 40 Community Town Halls,” Marriage Equality USA, July 2009

<sup>86</sup> Interview Ari Gutierrez, June 3, 2013, Los Angeles, California

on 8 did pay for some phones and materials, Lopez says, but Honor PAC ran it, not No on 8.<sup>87</sup>

The MEUSA grassroots report quotes an activist within the Latino community as saying, “I made all kinds of suggestions about opportunities for No on 8 outreach, but no one from the campaign seemed capable or truly committed to following up and making contact. It was very frustrating.”<sup>88</sup> African-American activists in Los Angeles<sup>89</sup> I spoke with leveled similar critiques against the campaign. There was little to no outreach targeted to Black communities until just before the election. One activist said, “there had been no outreach to them [African-American voters] because the campaign had assumed that they were going to not be on our side.”<sup>90</sup> Others noted that the outreach to African–American communities was ineffectively framed. Again from the MEUSA report, “much of No on 8 messaging and advertising did not resonate with or reflect communities of color.”<sup>91</sup> The *LA Weekly* mentioned earlier reports that activists felt that “the campaign ignored advice from black gay and lesbian activists about counteracting cultural opposition to gay marriage.”<sup>92</sup> In sum, grassroots activists and community leaders from communities of color felt excluded by the No on 8 campaign and were subject to messaging that did not reflect the issues relevant for their communities.

These critiques are not new to LGBT movements or to LGBT campaigns. Scholars and activists have documented the on-going existence of racial, gendered, and classed

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<sup>87</sup> “Mission Drift at Gay Inc.,” Patrick McDonald, *LA Weekly*, January 6, 2011

<sup>88</sup> Grassroots Input on California’s Next Marriage Equality Campaign; A Compilation of Findings from Over 40 Community Town Halls,” Marriage Equality USA, July 2009

<sup>89</sup> One of the limitations of my data is that I do not have a representative sample of interviewees by region and ethnicity. Most of my conversations with People of Color were based in Los Angeles or the Central Valley. However, MEUSA’s reports indicate that the concerns were similar in other areas including the Bay Area. Also, it is not irrelevant to discuss these issues in regards to Los Angeles and the Central Valley as these were the counties that predominately voted Yes on Proposition 8.

<sup>90</sup> Interview Vincent Jones, September 23, 2013, Los Angeles, California

<sup>91</sup> Grassroots Input on California’s Next Marriage Equality Campaign; A Compilation of Findings from Over 40 Community Town Halls,” Marriage Equality USA, July 2009

<sup>92</sup> “Mission Drift at Gay Inc.,” Patrick McDonald, *LA Weekly*, January 6, 2011

inequalities within the gay and lesbian movement in all of its various forms since its beginning as the homophile movement of the 1950s (Ghaziani 2008; Ghaziani et al. 2016).. As professional LGBT organizations have developed in order to participate in mainstream politics, they tend to mirror the power structures to which they seek access in terms of organizational structure and tactics. According to Ward (2008:16), “Privileged groups may still attempt to control, lead, or otherwise take ownership of a given political struggle, particularly when they have greater access to traditional political power.” These organizations often exclude women, people of color, and bisexual and transgender people from leadership positions. Their organizational agendas reflect what Duggan has called the “new homonormativity” or an equality that means “narrow, formal access to a few conservatizing institutions,” such as same-sex marriage (Duggan 2004:65). This agenda forecloses the possibilities of multi-issue, multi-identity organizing that is necessary for social transformation at the multiple intersections of race, class, gender, sexuality, etc.

The tactical innovation required for responding to the Religious Right’s use of the ballot box to target LGBT rights meant that organizations developed what Stone (2012) has defined as a model campaign. According to Stone, model campaigns usually began under the leadership of the paid staff of local organizations who then hired a professional campaign manager and other staff, and worked with national organizations to create a structure with clearly defined roles for managing messaging, the field campaign, and fundraising. These campaigns engaged model campaign tactics that included targeted voter identification, so as to not waste resources on non-persuadable voters. Professional pollsters and media staff targeted these voters with a focused message that had been developed. Stone’s analysis shows that model campaigns tend to distance themselves from direct action and the

organizations that utilize such tactics because direct action is not part of the “professional” and “respectable” tactical repertoire. Model campaign tactics may be in conflict with the organizational and tactical identities of grassroots organizations that focus on public education (but see Stone’s analysis of the Ferndale, MI campaign for a campaign that rejected model campaign tactics). Also, Stone notes that model campaigns were often difficult to implement in rural communities because such communities often have a weak infrastructure, and also because messaging that works in urban areas is often less effective in small communities.

Stone’s (2012) analysis seems helpful for understanding the No on 8 campaign and the tension between grassroots activists and the campaign during and after the election. The growth of EQCA as a statewide professional, mainstream organization positioned it as the primary campaign organization, and it followed the template by working with national and local organizations. The difficulties of effective decision-making processes that are inherent with grassroots organizations would have made the idea of a grassroots driven ballot initiative campaign unpalatable and nonsensical. Given the effectiveness of model campaigns and campaign tactics leading up to 2008, it made sense that such tactics would be utilized in the case of California. Steering Committee leaders relied on professional pollsters and campaign staff who focused on the identification of supportive voters and developing messaging that would correspond to voters identified as “persuadable.”<sup>93</sup> However, as my data shows, the use of this model campaign structure and tactics alienated grassroots activists and activists and community leaders from inland and rural communities and communities of color.

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<sup>93</sup> Indeed Stone notes that the loss of Proposition 8 led to the reconsideration of the emphasis on professional pollsters as part of model campaigns and the increased consideration of an emphasis on movement building via mobilization of the grassroots and public education tactics.

When Proposition 8 passed, many members of the LGBTQ community and their allies were surprised and shocked. This may be attributed, at least in part, to the growth of social movement infrastructure that had had significant success within mainstream politics. Prior to the passage of Proposition 8, , gay men and lesbians in California had achieved significant political visibility, access, and rights. This can be attributed among other factors, to the growth of a professionalized organizational infrastructure, which included EQCA. The campaign for marriage success was also facilitated by the strength of the grassroots marriage equality movement that mobilized diverse groups across the state. For many gay and lesbian residents of the state, this access to political power, combined with significant cultural visibility and the economic success of the gay commercial sector (Armstrong 2002; Ward 2008) may have contributed to the overall sense of assimilation into mainstream society, and the development of a post-gay sensibility (Ghaziani 2011), which led to the belief that Proposition 8 would fail.

Professional and grassroots activists alike recognized the political strengths and potential of each organizational form and worked successfully with one another in formal and informal ways. But their organizational and tactical identities prevented formal crossover and impeded coalition work. When it came time to defend against the tactics of the Religious Right in 2008, model campaigns and tactics took priority. The failure of the campaign significantly threatened people's sense of assimilation to mainstream society and their surprise, shock, and anger sent them to the streets and down a path of critical self-review. It is important to note that the post-gay sensibility referred to above is raced, classed, and gendered, and bounded by geography. People of color, working-class and poor lesbians and gay men, and people in inland and rural communities continue to be marginalized by

mainstream society. Proposition 8's passage and the moment of critical self-review that followed provided an opportunity for these groups to challenge the professionalized mainstream lesbian and gay organizational structures that privilege identity politics over multi-identity, multi-issue agendas, thereby contributing themselves to ongoing inequality.

As activists continued to debate next steps in town halls and statewide summits, many argued that harnessing the increased momentum of the grassroots and going back to the ballot was the best way to regain the right to marry. To go back to the ballot, a signature-gathering effort had to be implemented. Activists spent considerable time and energy attempting to conceptualize a new leadership structure that would provide cohesiveness and leadership to a grassroots marriage equality movement without replicating the hierarchical and perceived exclusionary structure of the statewide and national organizations that had run the No on 8 campaign. This plan, called the "Davis Plan," was designed to "foster unity of purpose, effective communication, and coalition building throughout all of California during the Signature Gathering effort."<sup>94</sup> The structure was to consist of a Statewide Advisory Panel comprised of 30 Regional Representatives, who would be elected by local activists from communities across the state, taking into account geography and population, 15 Affinity Council Representatives, recruited from "regional networks organized around faith, ethnicity, labor, and straight allies," and 8 representatives from Equality Organizations, with a track record of fundraising, leadership, organizing and/or statewide membership. This Statewide Advisory Panel would work with an Executive Council that would be responsible for fundraising efforts, all of which would be geared toward supporting signature gathering at the

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<sup>94</sup> "Davis Plan" handout.

local level. This panel would also be responsible for hiring campaign staff should signature-gathering efforts be successful.

Activists envisioned that this decentralized structure would provide leadership accountability, ensure representation of diverse groups, and provide resources directly to the local level. Decisions for how to best organize at the local level in order to recruit volunteer signature-gatherers and do the work of getting signatures would be left to the local leaders. This plan never came to fruition because the statewide organizations that had access to needed donors never fully supported a return to the ballot box, in part because there was considerable acrimony within the movement regarding timing and strategy. And, when the American Foundation for *Equal Rights* (AFER) sued to over-turn Proposition 8 in the federal judiciary, undertaking a statewide electoral campaign no longer made any sense. Nonetheless, these efforts indicate that the failure of the No on 8 campaign to halt the passage of Proposition 8 provided an opportunity for activists to envision alternative ways of organizing themselves that departed significantly from the hierarchically structured mainstream LGBT organizations

By examining the movement-counter-movement dynamics of the marriage equality and the Religious Right, I show that conservative efforts to restrict marriage in the early 2000s influenced the development of a grassroots movement focused on achieving marriage equality. The Religious Right's challenge also forced lesbian and gay activists to develop professionalized organizations capable of participating in the mainstream political sphere. Because of the tensions between the grassroots and the professional organizations, the No on 8 campaign did not utilize the grassroots infrastructure. Instead it maintained the use of professional, model campaign tactics. When Proposition 8 passed, activists were compelled



to respond to the exclusion and marginalization they experienced from both mainstream society and the No on 8 campaign itself. As they gathered together to frame the loss and debate next steps, they attributed blame to the campaign's structure and looked for ways to develop alternative organizational structures. In the next chapter, I discuss activists' emotional response to Proposition 8's passage, the ways in which they framed that loss, and discuss how this compelled them to reconsider strategies, tactics, and how they framed the right to same-sex marriage.

## CHAPTER FOUR

### THE “RIGHT TO LOVE:” CONNECTING “GAY” AND “MARRIAGE” THROUGH IDENTITY DEPLOYMENT TACTICS

In the previous chapter, I showed how the movement-counter movement dynamics of the Religious Right and the lesbian and gay movement led to the emergence of same-sex marriage as a movement goal and the formation of a grassroots marriage equality infrastructure. Moreover, the Religious Right’s preferred tactic of targeting marriage rights at the ballot box led to the development of a professionalized movement infrastructure that was capable of running a model campaign. When the model campaign failed in November 2008, newly and re-mobilized activists’ emotional response influenced their framing of the loss as, in part, the fault of a No on 8 campaign structure that was nonresponsive to the grassroots. Activists then worked to develop new ways of organizing that would avoid the perceived pitfalls of the No on 8 campaign.

In this chapter, I describe how activists reframed marriage with an emphasis on the *right to love* in light of the No on 8 campaign’s discouragement of identity deployment in the original campaign. In addition to the tactics characteristic of reactive mobilization such as marches, protests, etc., activists used digital technology to create media that highlighted same-sex couples and their families, created trainings that taught participants to tell personal stories as a means of persuasion, and adapted the traditional campaign tactic of canvassing in order as a means of changing hearts and minds while refining messages about LGBT people and same-sex marriage.

I draw on existing scholarship that situates activists’ debates over the framing of marriage within the context of the Religious Right’s use of frames that defined same-sex marriage as either a *special right* or as repulsive and *harmful to children*. I show how early grassroots activists employed both an *equal rights* frame and a *love and commitment* frame

that clearly demonstrated that indeed they were gay or lesbian and that they desired to marry, as well as the harms to their relationships and families as a result of the denial of marriage. Then, I follow Stone's (2012) analysis to show that the No on 8 campaign, using model campaign tactics and messaging, framed marriage in terms of *equal rights* and preferred tactics that excluded gay men, lesbians and their families from images and discussion. Gay men and lesbians' reaction to this exclusion and marginalization influenced their efforts to frame marriage in terms of the *right to love* and to disseminate that frame using tactics that required identity deployment. Given that, as described in the previous chapter, the campaigns for and against Proposition 22 launched the grassroots marriage equality movement and the professionalized movement infrastructure, I begin with a discussion of the framing of marriage in 2000.

#### *Equal Rights Versus Love and Commitment.*

"No on Knight's" messaging strategy was similar to that of other campaigns defending against the Religious Right's onslaught of anti-gay initiatives in the '90s and early 2000's. According to Stone (2012), lesbian and gay campaigns began to construct and utilize model campaign tactics, which included voter identification and the development of messaging based on polling data and focus groups. Professional pollsters tasked with developing messaging that would effectively reach persuadable voters reported that voters did not hold positive attitudes about *gay marriage*. The Knight campaign's slogan, *Protect marriage*, effectively represented the idea that voting against Proposition 22 was a vote against marriage, that a *no* vote threatened a deeply valued institution. Broaddus (2000:6), reflecting on her experience as assistant campaign manager for the "No on Knight" campaign, said that, "our best response was to argue that allowing us to marry was not a

threat to any heterosexual marriage, and that not allowing us to marry did nothing to decrease real threats to marriage like an increasing divorce rate or domestic abuse.” According to one of my interviewees, the “No on Knight” campaign’s message that “we don’t want to pass laws that exclude people from rights” failed to highlight the fact that the “people” were gay men and lesbians who wanted to marry.<sup>12</sup> The “No on Knight” campaign “did not present the voters with a clear argument in favor of same-sex marriage; it didn’t explain to the voters why equal marriage rights are essential to the dignity and humanity of every gay and lesbian.” This critique foreshadowed those that would be leveled against the No on 8 campaign - that gay men and lesbians were doubly marginalized by the initiative. Not only did the voters pass the Proposition, but also the campaign charged with representing the gay and lesbian community failed to make gay and lesbians visible in the campaign.

The data suggest that the fledgling grassroots marriage equality movement that formed post-Proposition 22 deployed a frame that emphasized the negative financial and legal repercussions experienced by lesbian and gay couples due to their exclusion from the institution of marriage. Moreover, the data also shows that grassroots activists used language that recognized the social and cultural meanings of marriage and presented images of same-sex couples. An example comes from Davina Kotulski’s “Valentine’s Day 2003 Oakland City Hall Speech,” one of MECA’s annual *Freedom to Marry* Valentine’s Day events.<sup>3</sup> Kotulski began her speech by talking about meeting and falling in love with wife and

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<sup>1</sup> Interview with John Henning, September 22, 2013, Los Angeles, California

<sup>2</sup> The fact that many gay men and lesbians were not particularly excited about the idea of marrying was not lost on my interviewee, nor on any of my interviewees. Nonetheless, these activists felt strongly that, especially if they were going to lose the campaign, gay men and lesbians should have been made visible as a way of challenging the homophobic attitudes held by a majority of voters.

<sup>3</sup> “Valentine’s Day 2003 Oakland City Hall Speech,” Scrapbook 1, McKay and Kotulski Marriage Scrapbooks, ONE Archives, Los Angeles

MECA/MEUSA co-founder Molly McKay and deciding that she “wanted to be able to legally marry her. I wanted to be able to stand in front of my friends and family and express my deep love for this woman and my commitment to sharing the rest of my life with her.”<sup>4</sup> She goes on to talk about her happiness at receiving the recognition and celebration of their commitment when she and McKay, wearing tux and wedding gown, rode in the Dykes on Bikes contingent of the San Francisco Pride Parade in 1998. Then she turns to the legal and financial rights and responsibilities that same-sex couples were denied due to their lack of access to marriage, incorporating personal stories about difficulties navigating hospital access, inheritance issues, and so on. Kotulski finished her speech by asking everyone to support AB205, legislation that would give domestic partners all of the same state benefits accessed by married couples.<sup>5</sup>

Thus we see here that activists early in the 21<sup>st</sup> century were deploying an *equal rights* frame, which, as defined by Moscovitz (2013), highlighted the economic and financial benefits of marriage from which same-sex couples were excluded. Activists emphasized the 1,138 rights that are granted to married couples under federal law that they had been denied by virtue of their sexual identities. However, in addition to employing the *equal rights* frame, these grassroots activists did not shy away from talking about love, commitment and the cultural symbolism of marriage. They also framed marriage using what Moscovitz (2013:48) refers to as the *love and commitment* frame, which defines marriage as “the ultimate expression of love.” An example can be drawn from a document that was hosted on MECA’s

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<sup>4</sup> Ibid.

<sup>5</sup> This bill was passed in 2003. It is important to note that domestic partnerships were not considered to be an equal substitute for marriage but bills such as AB 205 were seen as stepping stones to marriage and, the legal protections that were granted through such legislation was needed in order to protect same-sex couples and their families in the absence of marriage rights.

website in 2002 titled, “Why Marriage: because ‘Anything Less is Less Than Equal’”<sup>6</sup> emphasized same-sex couples’ exclusion from the 300 state rights and 1,049 federal rights afforded by marriage.

The marriage of two adults of the same sex who seek to make a lifetime commitment to one another takes nothing away from the marriages of anyone else. In societal terms, the movement for the freedom to marry for same-sex couples is actually a recognition of the importance and power of marriage. In personal terms, marriage may be a celebration of commitment. It lets a spouse make decisions about the medical care of a partner who is disabled. It enables the couple to organize their financial affairs as a single unit for economic, tax and insurance purposes. It means others can recognize their family and the commitment the couple has made to one another. Those who are fighting for the legal recognition of our families are not asking for anything special or different. Simply, the desire for equality, not second-class citizenship, is what this struggle is about.

Further, this webpage and many others on the site, presented pictures of same-sex couples, including photo of Molly McKay and Davina Kotulski. The picture is clearly recognizable as a wedding photo. Kotulski, wearing a tux, stands with her arm encircling McKay, who is wearing a white wedding dress and veil. Behind the smiling couple are four people dressed in wedding attire, who one assumes are family members of the brides. Thus we see that activists were directly rebutting the Religious Right’s *special rights* frame and arguing that gay and lesbian couples recognized the cultural significance of marriage and wanted access to the institution precisely because of its importance in society, even as they relied heavily on the *equal rights* frame.

Organizational documents indicate that California’s marriage equality activists were being advised by other lesbian and gay movement organizations to address both the cultural and legal significance of marriage. In an email forwarded to McKay dated April 9, 2001, Mary Bonauto from Gay & Lesbian Advocates & Defenders (GLAD) announces that GLAD

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<sup>6</sup> “Why Marriage: because ‘Anything Less is Less Than Equal’” accessed via Wayback machine, <https://web.archive.org/web/20020805032753/http://www.marriageequalityca.org/why.php>

is filing suit in Massachusetts for the right to marry<sup>78</sup>. She offers talking points to other activists, suggesting that the media attention that will come with news of the lawsuit will have reverberations across the country.

The most important thing to remember is that this is a human issue about real people with real lives and real families. Of course, this is also a defining civil rights issue. Talking about the love and commitment our families share, and why we need the protections and supports of civil marriage as much as anyone else, are helpful points to emphasize. It is helpful to remember that this is a happy topic and that should come through in your remarks.

Bonauto goes on to talk about the legal and financial rights that come with marriage and the fact that domestic partnerships are not an adequate substitute. Then, she returns to the importance of referencing the cultural meanings of marriage.

We see marriage as tying into a shared cultural vocabulary of love and commitment. People know what it means when you say you're married. Absent access to that language to define our families, we – and our loves – will remain permanently other.

It is not helpful to say, 'All we want is the *equal rights* and we don't care what you call it.' One of the benefits of marriage is the word marriage. .... Marriage triggers a shared set of assumptions about a couple and their family and their rights vis-à-vis each other, third parties, and the government. It is also not helpful to say that gay and lesbian don't care about marriage and have created alternatives to marriage. We all know that having the freedom to choose marriage does not mean marriage is mandatory.<sup>9</sup>

Thus, while activists saw the *equal rights* frame as very important for arguing the case for marriage, these data suggest that some were also aware of the importance of making clear claims for gay men and lesbians' access to marriage based on the cultural importance of marriage.

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<sup>7</sup> *Goodridge v. Dept. of Public Health*; ruling legalized same-sex marriage in Massachusetts in 2004

<sup>8</sup> Email, "FW: Important message from GLAD" from Molly McKay to Davina Kotulski, April 11, 2001, Scrapbook 1, McKay and Kotulski Marriage Scrapbooks, ONE Archives, Los Angeles.

<sup>9</sup> Ibid.

Indeed, evidence suggests that marriage equality activists in California took Bonauto's advice to heart. For example, in an April 2004 email to Geoff Kors (Executive Director of EQCA), McKay shared a guest opinion piece she had written for the *Bay Area Reporter*.<sup>10</sup> McKay had recently testified before a committee of the California Assembly in favor of AB 1967, the Marriage License Non-Discrimination Act sponsored by EQCA that later died in-session. In her op-ed, McKay begins by reflecting on her experience testifying the previous year (2003) in support of AB 205, the Domestic Partner Rights and Responsibilities Act. She notes that during that testimony she had voiced her feelings that "it was not a proud moment for me to be asking the committee to support a law" that would not provide full access to marriage for same-sex couples but that "AB 205 was needed to protect our families until California's discriminatory marriage law was overturned." McKay went on to say that her current testimony in support of AB 1967 was different because "while the focus last year was solely on rights and benefits, the testimony this year focused on so much more. In addition to the more than 1100 rights and benefits domestic partners are denied that are available to married couples, was testimony about equality, love, commitment and respect."

These data suggest that there were intentional efforts by grassroots activists to frame marriage in terms of both *equal rights* and *love and commitment*. Moreover, from its emergence in the late 1990s and early 2000s, the grassroots marriage equality movement's tactics for disseminating that message involved the deployment of gay and lesbian identity. Documentary data indicate that activists emphasized visibility actions that clearly communicated that the participants in those actions were lesbians, gay men, and allies and

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<sup>10</sup> Email to Geoff Kors from Molly McKay "Guest Opinion Bar". Scrapbook 6, Marriage Scrapbooks, ONE Archives, Los Angeles.



that they desired to access the institution of marriage. These grassroots activists frequently protested the exclusion of gay men and lesbians from civil marriage while “borrowing” the cultural symbols normative to dominant society in order to highlight their exclusion from a social institution. Scholars have noted lesbian and gay men’s use of mass marriage ceremonies as a form of protest, complete with all the attendant cultural symbols such as wedding dresses, flowers, cake, and so forth (Ghaziani 2008; Kimport 2013b; Taylor et al. 2009). These cultural symbols reflect a shared meaning about marriage that is fundamentally about the value of love and commitment. Donning a wedding dress or a tuxedo and marching or participating in a mass wedding ceremony was a public announcement of both sexual preference and the desire to participate in society’s most sacred cultural rituals. It visibly connected “gay” and “marriage.”

Thus we see that early grassroots activists in California responded to the perceived inadequacies of the “No on Knight” campaign’s framing of marriage and tactical deployment by emphasizing both an *equal rights* frame and a *love and commitment* frame. Further, they did so by deploying tactics that emphasized the visibility of gay men and lesbians and their families as a means of making claims. This approach is indicative of larger patterns of framing of same-sex marriage. Moscovitz’s research (2013) describes how as the media increasingly took up the issue of marriage, gay men and lesbians and their families were increasingly portrayed in the media as similar to heterosexuals and heterosexual families. These constructions were often clearly constructed in opposition to the images of sexually liberated, non-normatively presenting gay men and lesbians seen marching in pride parades and embraced by the LGBT movement itself. Moreover, the media positioned gay men and lesbians as deserving of marriage by presenting gay men and lesbians who were white,

upper-middle class, and monogamous, thereby excluding gay men and lesbians who were poor, people of color, and non-monogamous.

Even as media representations of individuals and issues cannot be wholly determined by movement activists, historically there has been significant debate about these portrayals and about the prevalence and need for gay and lesbian visibility in movement and campaign efforts. As media framing of same-sex marriage predominately reflected and reproduced the *equal rights* frame in the 2000s, Moscovitz (2013) demonstrates that the frame was packaged in the stories of gay men and lesbians as a way of evoking an emotional reaction from a mainstream audience. Many of these stories revolved around the children of same-sex couples, highlighting the lack of legal and financial protections available to those children. Other stories emphasized the hardships of elderly gay and lesbian couples that had been committed to one another for decades but, because of a lack of access to marriage, faced economic and legal challenges in their senior days. For example, in 2010, Edith Windsor sued the federal government to recoup the hundreds of thousands of dollars of federal taxes she had been forced to pay when her partner of forty-one years, Thea Spyer, passed away. Windsor's case was eventually heard before the Supreme Court in *United States v. Windsor* in 2013. The Court's ruling that Section 3 of the federal Defense of Marriage Act (DOMA), which limited the definition of marriage to heterosexual couples for federal purposes, was unconstitutional was a milestone victory for the marriage equality movement.

Activists perceived these stories to be effective for increasing public support of same-sex marriage, in part because they were assimilationist in nature, "desexualized and nonthreatening" (Moscovitz 2013:48). However, as the same-sex marriage movement gained momentum and same-sex marriage became a subject of public discourse, a different framing

strategy emerged which defined marriage “as universal and humanizing ‘romantic love’” (48). Activists employing this frame pointed to the ways that talking about marriage in terms of economic and financial rights sidestepped the cultural meaning of marriage – that marriage is the ultimate signifier of love and commitment and the institutional means by which society recognizes that love and commitment. Further, rights language opened the door for the Religious Rights’ *special rights* frame and the suggestion that domestic partnerships and civil unions were an acceptable replacement for marriage (more on the special rights frame below).

Activists who preferred the *equal rights* frame argued that *love and commitment* discourse was dangerous precisely because it sexualized gay men and lesbians and asked “heterosexuals to recognize and accept them as equals” (Moscowitz 2013:49). Some activists saw the *love and commitment* frame as a dangerous frame because achieving *equal rights* was more important and more likely than achieving the recognition and acceptance of straight society. Further, highlighting the romantic love shared by same-sex couples opened the door for the Religious Right’s frame that posed gay and lesbian relationships as repulsive and as *harmful to children*.

These two activist frame constructions were developed in reaction to several decades of the Religious Right’s framing of gay men and lesbians and of same-sex marriage. When, in the 1980 and ‘90s, anti-gay activists began assailing gay and lesbian communities with anti-LGBT initiatives, their messaging revolved around two themes. First, the Religious Right constructed homophobic messaging that stereotyped lesbians and gay men as living immoral lives and as pedophiles who were harmful to children (e.g. Save Our Children courtesy of Anita Bryant, see Fetner 2008). This frame was perpetuated via the media and the

Religious Right's campaign ads through the use of pictures from LGBT parades and similar events that depicted scenes such as "kissing gay men, polyamorous bisexuals, queer leathermen, and parading transsexuals and drag queens" (Stone 2012:28). The second frame painted gay and lesbian rights as *special rights*. According to Stone (2012), the *special rights* frame suggests that gay men and lesbians are not a marginalized population facing discrimination and therefore are not a minority group deserving of protected class status. Stone points out that this frame is racialized; the Religious Right's argument is premised on the idea that, unlike racial status, being gay or lesbian is a choice. Therefore, unlike racial minorities, gay men and lesbians are not deserving of "special rights" and, if such rights are granted, gay men and lesbians will be taking rights away from others (Dugan 2005; Stone 2012).

These two frames have proven difficult for the LGBT movement to counter, and efforts to do so have inevitably resulted in intense debate within the larger movement. The debate over these frames reflects larger debates about identity and movement strategy – should gay and lesbians seek assimilation into mainstream society or acceptance and celebration of difference (Bernstein and Taylor 2013)? As scholars have pointed out, the achievement of political rights has been more effective with the use of frames and tactics that highlight the sameness of gay men, lesbians, and heterosexuals (Gamson 1995). Yet, as I discuss below, the No on 8 campaign's adoption of a rights frame and campaign tactics that largely excluded gay men and lesbians and their families from campaign ads and discussions with voters, failed. Not only did it fail, but also it did not prevent the Religious Right from utilizing the *special rights* frame and the *harmful to children* frame.

*The No on 8 Campaign: From “Love and Commitment” to “Unequal and Unfair”*

Prior to the No on 8 campaign, the marriage equality movement engaged in public education strategies through the “Let California Ring” campaign, that included some framing of marriage in terms of *love and commitment* as well as the use of LGBT visibility in disseminating that message. However, when in 2008 the Equality for All campaign began talking directly to voters during the “Decline to Sign” campaign that preceded the electoral campaign to pass Prop. 8, they framed the denial of marriage rights as *unequal and unfair*, a variation on the *equal rights* frame.

In September and October 2007, EQCA and the NGLTF began a public education campaign called “Let California Ring.” The campaign targeted supporters and potential supporters by presenting an eight-minute ad that featured individuals, couples, and families discussing their desire for the freedom to marry. People were asked to host a house party, show the video, and then discuss ways to reach out to their friends and family in conversation about same-sex marriage. Guests would watch the video, called “Let California Ring” Campaign – Change Hearts and Minds,” which included people of color, lesbian and gay male couples and families including children, transgender individuals, members of the faith community, celebrities and political figures.

The ad presents the motivation to marry in terms of both the practical, legal and financial concerns, and the social importance of marriage.<sup>11</sup> For example, the ad opens with Alice Huffman, the President of the California chapter of the NAACP and an African-American woman saying “the word marriage carries a certain level of benefit.” This is followed by others saying “in this country marriage is recognized as some kind of higher

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<sup>11</sup> “Let California Ring” – Change Hearts and Minds,” Youtube, <https://www.youtube.com/watch?v=YGXfj4DJ-Hw>.

form of relationship,” and “people are beginning to realize that for lesbian and gay couples, it is no different.” The ad goes on to make claims about the legal benefits of marriage and the importance of long-term relationships and stable families in society. Other participants argue that domestic partnerships are not equal to marriage, and that marriage is a choice, and even those gay men and lesbian couples that choose not to marry support the freedom to marry. Children were featured in the ad with their parents talking about the normality of their daily lives, making the argument that having married parents was important to their children and for their children’s well-being. The “Let California Ring” campaign was also using these house parties to raise money to fund the media buys for a commercial targeted to the general public. The 30-second commercial, called “Garden Wedding,” was designed to educate the viewer about same-sex marriage.<sup>12</sup> An article in the Gay and Lesbian Times (Braatz 2007) describes the ad.

The commercial features a bride preparing for her big day with presumably mom and sister putting the finishing touches on her gown. Her father then escorts her to the wedding. There are a few obstacles, however. It takes a few minutes to open a stubborn door; the bride breaks a heel while squeezing between two cars, and her veil is pulled off by walking under a rose arbor. She finally arrives a bit disheveled but undefeated. Then a little girl grabs onto her gown and has to be pulled off. Halfway down the aisle, a woman pulls out a cane and trips her. With the bride now on the ground, upset and near tears, a message emerges on the screen: “What if you couldn’t marry the person you love?” The scene turns to black with the following words: “Every day, gay and lesbian couples are prevented from marrying.” The viewer is then asked to: “Support the freedom to marry.”

Seth Kilbourne, who was the policy director for EQCA at the time, was quoted in the article explaining the purpose of the commercial.

What we want to communicate in the commercial is that the freedom to marry is more than about rights and benefits and the legal right to marry. It’s also about love and commitment, and that’s really what the ad depicts.

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<sup>12</sup> “Equality California – ““Let California Ring”” Garden Wedding” on youtube at <https://www.youtube.com/watch?v=SY7IHZ3ZtWs>

The Bay Area Reporter also covered the campaign and cites Geoff Kors as saying the purpose of the ad is to go beyond discussing the legal aspects of marriage.<sup>13</sup> “Instead, the campaign is discussing the more intimate reasons of why people get married and how being denied access to marriage hurts LGBT individuals and families.” While evaluating the effectiveness of the ad in communicating the desired message is difficult and beyond the scope of this project, one critique might be that there are no gay and lesbian couples visually featured in the film<sup>14</sup>. But the conscious efforts of California’s professional movement actors to frame the message in terms of love and commitment is noteworthy because they rejected this frame when they began talking directly to voters during the “Decline to Sign” campaign.

Equality for All ran the “Decline to Sign” campaign, from February through early April 2008.<sup>15</sup> The goal of the “Decline to Sign” campaign was to dissuade voters from signing the opposition’s petition to qualify Proposition 8 for the November ballot. Canvassers talked with voters at busy shopping malls, college campuses, etc., asking them to not participate in the opposition’s signature-gathering efforts. Archived campaign materials include the front and back of a “Decline to Sign” post card<sup>16</sup>. Written in simple black font on red paper, the front of the card asks readers to “Decline to Sign” Limits on Marriage Petition.” It continues, “Stop Government interference in marriage.” In smaller print at the

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<sup>13</sup> “EQCA raising money for ad buy,” Heather Cassell, *Bay Area Reporter*, September 6, 2007

<sup>14</sup> In the Prop. 8 Report, Fleischer notes that the Garden Wedding ad seems to have had some effect but it was not an No on 8 campaign ad and therefore, measurement of its impact is difficult to ascertain. Further, as he notes, some activists attribute Santa Barbara County’s ability to fail Prop. 8 to the fact that it was a test site for the ad. However, there is not enough data to accurately evaluate this claim, especially when one accounts for the fact that the campaign’s presence in the county contributed to the building of a local infrastructure that then formed the basis of the volunteer response (and its leadership) during the No on 8 campaign.

<sup>15</sup> Fleischer notes that the “Decline to Sign” campaign was run by the core groups of activists that would eventually form the No on 8 campaign. Messaging was constructed before the hiring of polling firms (but not political consultants). The “Decline to Sign” document I reference here notes that the campaign was funded by the EQCA Issues PAC and the NGLTF.

<sup>16</sup> “Decline to Sign” Postcard, Scrapbook 13, McKay and Kotulski Marriage Scrapbooks, ONE Archives, Los Angeles

bottom it reads, “And educate your friends and family about their right NOT to sign the petition.” The back of the postcard reads, “Stop the Initiative. Support Fairness.” It then continues to ask the reader to not sign the “*protect marriage*” petition because

We all work hard to treat others fairly because each of us deserves the same. Be careful if asked to sign an initiative petition to “*protect marriage*” – it is really an effort to give government more say in our private lives. This petition is actually about amending the state constitution to exclude gay and lesbian couples from ever marrying in California.<sup>17</sup>

It then repeats the ask to support fairness for everyone and the idea that the government should “not be in the business of telling people who they can or cannot marry.” At the bottom, in smaller italic print is the sentence, “Two people in a committed, loving, trusted relationship deserve the honor and support that comes with marriage.”<sup>18</sup> The postcard then contains contact information. Thus we see that the frame being constructed here reflects neither the *equal rights* nor the *love and commitment* frames utilized by grassroots activists. Rather, this claim appeals to people’s sense of fairness and common concerns about the government’s role in regulating private lives. While it mentions gay and lesbian couples and it directly challenges the Religious Right’s *protect marriage* frame, it does so only once and in the smaller print on the back of the postcard. Thus we see that despite the “Let California Ring” campaign’s efforts, when the professionalized campaign began reaching out directly to voters, they were not prepared to frame marriage in terms of *love and commitment*.

“*Unequal and Unfair.*” When Proposition 8 qualified for the ballot, the No on 8 campaign responded by framing marriage using a variation of the *equal rights* frame, as *unequal and unfair*. The campaign’s goal was to persuade voters to reject the initiative, to vote “no,” which required framing the Proposition as harmful. Like the “Decline to Sign”

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<sup>17</sup> Ibid.

<sup>18</sup> Ibid.



campaign, the No on 8 campaign decided to frame the harm that would result from same-sex marriage as harm to voters' rights, rather than as harm to same-sex couples and their families. In what follows, I discuss both campaigns' framing of the issue through their campaign ads and materials.

Dave Fleischer's *Prop. 8 Report*<sup>19</sup> includes an extensive analysis of both campaign's ads and their effectiveness. His analysis indicates that the Yes on 8 campaign "out-messaged" the No on 8 campaign, a critique that was universally shared by my participants. My analysis will begin with Yes on 8's framing of same-sex marriage in their two most effective ads. "Yes on 8" framed all of their ads with the homophobic message that same-sex marriage posed *harm to children*. Gay men and lesbians were framed as dishonest and immoral and the voters were told that they were powerless against the gay agenda unless they were to vote "yes" and amend the Constitution. Yes on 8's two most effective commercials illustrate this frame.

Yes on 8 campaign released their first commercial, "Newsom," on September 29, 2008.<sup>20</sup> According to Fleischer, this ad was the second most frequently aired ad by either campaign and was disseminated in ten media markets, including rural communities. "Newsom" begins with video of a press conference held by Gavin Newsom on May 15, 2008, after the California Supreme Court legalized same-sex marriage. Newsom, standing at a podium and surrounded by a diverse crowd of smiling and cheering people, is seen saying, "This door's wide open now! It's gonna happen. Whether you like it or not." An announcer cuts in as we see footage of State judges in a courtroom that is labeled, "California Supreme Court." The announcer says, "Four judges ignored four million voters and imposed same-sex

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<sup>19</sup> "The Prop 8 Report," David Fleischer, <http://prop8report.lgbtmentoring.org/>, 2010

<sup>20</sup> "Newsom," Youtube, <https://www.youtube.com/watch?v=4kKn5LNhNto>

marriage on California. It's no longer about tolerance, acceptance of gay marriage is now mandatory." Then, Professor Richard Peterson from Pepperdine University School of Law<sup>21</sup> is superimposed on the picture of the courtroom and says, "That changes a lot of things. People sued over personal beliefs. Churches could lose their tax exemption. Gay marriage taught in public schools." The ad then moves to Yes on 8's logo, website, and slogan as the announcer says, "We don't have to accept this." The corner of the screen pans back to Newsom saying, "Whether you like it or not," and then announcer says, "Yes on 8" as the statement "Protect Traditional Marriage" is underlined in red highlighter. Here we see that Yes on 8 is framing same-sex marriage as a threat to individual rights that voters can do nothing unless they vote "yes." It explicitly mentions children and suggests that parents would be powerless to protect their children from being taught about same-sex marriage, thereby suggesting the *harm to children* frame.

While the "Newsom" ad led with the idea that voters were powerless to stop this infringement on individual rights, the "Princes" ad explicitly took up the *harm to children* frame.<sup>22</sup> "Princes" began airing in Spanish on October 6 and in English on October 8 and was the most frequently aired ad by both campaigns. The ad opens with a little girl rushing in to the kitchen to show her mother, a young woman standing at an island counter, a book. The little girl says, "Look what I learned in school today." Mom says, "What, sweetie?" as the girl hands her the children's book, *King and King*.<sup>23</sup> The little girl continues, "I learned how a prince married a prince, and I can marry a princess!" As Mom looks horrified and

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<sup>21</sup> The ads contain subtitle that says "for identification purposes only" as Pepperdine University objected to its being associated with the campaign in any way and demanded that such references be removed (Garcia 2008).

<sup>22</sup> "Princes," Youtube, <https://www.youtube.com/watch?v=0PgjcgqFYP4>

<sup>23</sup> *King and King*, written by Linda de Haan and Stern Nijland (2003), had been the subject of attack by social conservatives who did not believe that children should be exposed to images of gay and lesbian individuals (Flaherty 2004).

concerned, Professor Richard Peterson is superimposed on the screen and says, “Think it can happen? It’s already happened. When Massachusetts legalized gay marriage, schools began teaching second graders that boys can marry boys. The courts ruled parents had no right to object.” The screen moves to a graphic of someone reading a law book and the announcer says, “Under California law, public schools instruct kids about marriage. Teaching children about gay marriage will happen here unless we pass Proposition 8. Yes on 8.” The “Princes” commercial had an immediate and long-term effect on voters’ opinions; according to Fleischer, this ad caused No on 8 supporters to change their minds and vote “yes.” The ad’s framing of same-sex marriage as *harmful to children* and the message that parents were powerless to stop this harm was the latest iteration in the Religious Right’s repertoire of homophobic attacks on gay men and lesbians as immoral and dangerous to children.

The No on 8 campaign did not directly respond to the *harm to children* frame that was consistently presented by the opposition. According to Fleischer, the No on 8 campaign used multiple frames to present their case for failing the initiative. Several of the ads used well-known spokespeople to argue that there were multiple problems with the initiative and so people should vote no simply because there were too many negatives. Fleischer calls this the “kitchen sink” message. Other ads argued that it is wrong to treat people unfairly under the law, that discrimination is wrong, that we should not take rights away from people. Only one ad, “Thorons,” spoke directly to the issue of same-sex marriage, and only one other, “O’Connell,” directly countered Yes on 8’s *harm to children* frame.

The ad, “Thorons,” was released on September 22, 2008 in primarily urban (coastal) media markets and features Julia and Sam Thoron.<sup>24</sup> The scene opens with a grey-haired but

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<sup>24</sup> “The Thorons – Don’t Eliminate Marriage for Anyone,” Youtube, <https://www.youtube.com/watch?v=l6dBUCi32c8>

youthful appearing couple, Julia and Sam Thoron, sitting closely together on a loveseat.

Their names emerge on the screen as they speak earnestly into the camera. The transcript follows:

Sam: “Julia and I have been married for 46 years.”

Julia: “Together, we’ve raised three children who are now adults.”

Sam: “My wife and I never treated our children differently. We never loved them any differently, and the law shouldn’t treat them any differently either.”

Julia: “If Prop. 8 passes, our gay daughter and thousands of our fellow Californians will lose the right to marry. Please don’t eliminate that right for anyone’s family.”

Sam: “Don’t eliminate marriage for anyone. Vote no on Prop. 8.”

According to Fleischer’s analysis, the “Thoron” ad was one of only two ads that effectively impacted voters and it was the only commercial that “directly talked about LGBT people and marriage.”<sup>25</sup>

On October 6, the No on 8 campaign released their second ad, “Conversation.”<sup>26</sup> The ad shows two middle-aged women sitting at a kitchen table, looking at pictures. The first woman says, “Here’s Bob at the BBQ,” and the second woman laughs as she responds, “Oh look at his sunburn.” The first woman continues, “And here is our niece Maria and her partner, Juliet, at their wedding.” The second woman, looks up concerned and says tentatively, “Listen, honestly, I just don’t know how I feel about this same-sex marriage thing.” The first woman reaches over, touches the second woman’s arm and says reassuringly, “No, it’s okay, I really think that it’s fine if you don’t know how you feel, but are you willing to eliminate rights and have our laws treat people differently?” The second woman says, “No” and the screen moves to No on 8’s blue screen as the announcer says “Don’t eliminate marriage for anyone, vote No on Prop. 8.” In contrast to the “Thorons” ad, “Conversations” does not visually depict any gay or lesbian individual or couple, nor does it

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<sup>25</sup> “The Prop 8 Report,” David Fleischer, <http://prop8report.lgbtmentoring.org/>, 2010

<sup>26</sup> “Conversation – No on Prop 8,” Youtube, <https://www.youtube.com/watch?v=vB0lZ8XbmJM>

even use the word, “gay.” There is no clue given that same-sex couples want to get married and their reasons for doing so. Further, it recycles the terminology used in Proposition 22 campaigns, “no matter how you feel,” which implicitly suggests that it is okay for a person to hold homophobic attitudes. Instead, the voter is asked to vote “no” because they do not believe in eliminating rights.

According to Fleischer, poll analysis suggests that No on 8 was able to challenge the “Princes” ad with their commercial, “O’Connell,” which aired beginning October 22.<sup>27</sup> This ad features footage of the “Princes” ad with the words “absolutely not true” emerging on the screen as the announcer says, “See the TV ads for Prop 8? They’re ‘absolutely not true,’ says California Superintendent of Public Schools.” The image moves to Jack O’Connell looking straight into the camera and saying, “Prop 8 has nothing to do with schools or kids. Our schools aren’t required to teach anything about marriage. And using kids to lie about that is shameful.” Then, as the graphics highlight key phrases, the announcer says, “That’s why California teachers and every major newspaper say no on Prop. 8. Because regardless of how you feel about marriage, it’s wrong to eliminate fundamental rights. No on 8, unfair and wrong.” Fleischer’s analysis finds that “O’Connell” was effective in moving voters back to the “no” side, but the ad was released too late in the campaign and it could not compete with the aggregate effects of the Religious Right’s consistent messaging about the *harm to children* that same-sex marriage would surely bring. Furthermore, even as the ad was directly combatting the Religious Right’s frame, it does not use the word “gay,” or represent same-sex couples and their families in any way. There is not connection made between lesbians

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<sup>27</sup> “Prop 8 has nothing to do with schools,” Youtube, <https://www.youtube.com/watch?v=CIL7PUI24hE>

and gay men who want to access same-sex marriage, why they want to marry, or the harm brought to them (and their children) by the denial of marriage rights.

Similar to the frames employed in the media campaign, I found no use of the *love and commitment* frame in the No on 8 campaign materials that I reviewed. The fact that Proposition 8 would *eliminate rights* and would be *unfair* was the primary frame used by the campaign. This is exemplified in the campaign's slogan, "Vote No on Prop 8, Equality for All."<sup>28</sup> A variation was, "Vote No on Prop. 8, Unfair and Wrong."<sup>29</sup> This was a twist on the *equal rights* frame used by grassroots activists and the "Let California Ring" public education campaign. It was displayed on campaign ads, voter handouts, volunteer materials, yard signs, etc.

Phone banking was the No on 8 campaign's primary strategy for talking with voters. A phone-banking script from September 2008<sup>30</sup> clearly shows the emphasis on equality and the idea of elimination of rights. Phone bankers are supposed to begin by asking voters if they had "heard about Proposition 8 – if passed will eliminate the right to marry for same-sex couples." No matter how the voter answered this question, the phone banker's response was to highlight that the initiative would eliminate rights and treat gay and lesbian couples unfairly. Even if a voter was "uneasy/unsure" or "unsupportive," the phone banker was to highlight that "regardless of how you feel about same-sex marriage, it's wrong to vote on people's fundamental rights." A phone bank from home script opens similarly but adds the idea that "everyone should be treated fairly-including have the right to marry the person you

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<sup>28</sup> Campaign materials collected by the researcher during the campaign.

<sup>29</sup> Campaign materials collected by the researcher during the campaign.

<sup>30</sup> "Phone bank script" September 6, 2008, materials collected by researcher during the campaign

love.” It goes on to repeat the idea that “we need all fair-minded Californians to vote NO on this unfair Proposition.”

The scripts contain no talking points designed to engage a voter in discussion about same-sex couples or same-sex marriage. The first script discussed above does have a couple of “answers to common questions” that provide a phone banker with suggested talking points in case the voter asks questions or responds to the effect that gay and lesbian couples have access to domestic partnerships. These talking points highlight the legal aspects of marriage and suggest that it would be “just wrong” to “deny same-sex couples the dignity and respect that marriage conveys to everyone else” because “our laws should treat everyone equally.” In other words, in the event that a phone banker engaged a voter on the issue, the focus was still to be the unfairness of the ballot initiative rather than a discussion about same-sex couples and same-sex marriage.

There is evidence that some phone-banks took it upon themselves to add additional talking points to their scripts. For example, in Santa Barbara, phone bankers had access to a “Facts v. Fiction” document that directly rebutted the lies being told in the Yes on 8 campaign ads.<sup>31</sup> The first “fiction” addressed was the idea that children would be taught about same-sex marriage in schools if the Initiative failed. However, at the end of the sheet is the reminder to let unsupportive or unsure voters know that “regardless of how you feel about the issue, we should not eliminate fundamental rights.” Similarly, a script being distributed at a phone bank in San Joaquin County invited phone bankers to ask unsure voters about their concerns.<sup>32</sup> Still, they were supposed to “emphasize this is a civil rights/human

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<sup>31</sup> “Facts v. Fiction” campaign materials collected by researcher

<sup>32</sup> “Phone Bank Script,” Scrapbook 16, McKay and Koltulski Marriage Scrapbooks, ONE Archives, Los Angeles

rights issue. It isn't fair or equal. How would they [the voter] feel if rights that they already have were taken away?"

Other documents that include examples of No on 8 print ads show that gay and lesbian couples and same-sex marriage were made part of the discussion.<sup>33</sup> For example, several ads highlight the fact that "gay and lesbian people are our neighbors, our friends, our co-workers, and our family members." Some ads reference the fact that "loving and committed same-sex couples want to get married, care for each other, protect and take responsibility for each other – just like any other couple in California." Several ads directly counter the idea that domestic partnerships and marriage are equal. However, as with other campaign media, the emphasis is on "unfairness," the "elimination of fundamental rights," "unequal treatment under the law," and the fact that the "government has no business telling people who can and cannot get married."

Furthermore, other documents indicate that campaign volunteers were being instructed to emphasize *equal rights*, and to appeal to people's sense of fairness and concern about the government's role in private life. In a document titled, "Talking Points,"<sup>34</sup> that activists believed to represent the No on 8 campaign's instructions, volunteers are instructed to highlight the following points:

Same-sex couples are part of our community  
Proposition 8 eliminates marriage for them.  
Regardless of how you feel about this issue, you shouldn't eliminate  
fundamental rights for ANY Californian.

The rest of the document elaborates these points, emphasizing the fact what language should and should not be used. Similarly, from another document suggesting talking points,

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<sup>33</sup> Print ads, Scrapbooks 15 and 16, McKay and Koltulski Marriage Scrapbooks, ONE Archives, Los Angeles

<sup>34</sup> "Talking Points," document provided to researcher from participants; activists understood these documents to be coming from campaign leadership.



instructions for speaking about the state Supreme Court’s 2008 decision in *Re Marriage Cases*, which legalized same-sex marriage in California, instructed people to talk about the “freedom to marry,” equal treatment, and “*equal rights* and equal protections.” When talking about the upcoming initiative, the seven talking points emphasized that “laws should not be used to treat people unfairly,” and suggested that “Californians will vote no on this amendment because they want government to stay out of their personal lives.” Only two of the talking points reference gay men and lesbians but one of those points suggests that a person need not “approve” of same-sex marriage to vote “no.” “Regardless of how you feel about marriage for gay and lesbian couples, it’s wrong to vote on people’s fundamental rights and freedoms.”<sup>35</sup>

On the same document, under “Words to Lose” were listed the following: discrimination, children and families, *overturning* the Court Decision, voting yes will ‘take away’ rights, do not say ‘thousands are getting married,’ don’t say ‘other people’s’’, and ‘don’t say ‘wrong to vote on who can marry’.’ “Do Say:” “All of our fundamental freedoms, people should not be treated differently/unfairly, equal legal protections, regardless of how you feel, the constitution should not be used to treat people differently.” Even the talking points distributed to supportive faith leaders emphasized fairness and equal treatment over discussion of same-sex couples, families, and the importance of marriage, although there is some language about love and commitment sprinkled throughout.<sup>36</sup>

These data show that the No on 8 campaign emphasized a version of the *equal rights* frame, and they did so in a way that excluded same-sex couples and their families from the discourse. The campaign’s claims emphasized the values of democracy, asking voters to “not

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<sup>35</sup> Documents collected by the researcher

<sup>36</sup> Ibid.

eliminate rights,” hoping that voters would feel that their values of fairness and equality were being violated by the possible passage of Proposition 8. However, the fact that gay men and lesbians wanted to be able to marry and their reasons for doing so were absent from the No on 8 campaign’s framing of the issue. Yes on 8’s ads, which placed gay men and lesbians front and center and argued that allowing same-sex marriage would damage voters’ individual rights, were far more persuasive. They were all the more persuasive because the No on 8 campaign did not adequately respond to the *harm to children* frame that has been the Religious Right’s favorite tool; voters were convinced by the claim that their parental rights would be abridged. Furthermore, because the No on 8 campaign gave voters permission to maintain negative attitudes about same-sex couples and marriage in their ads and through voter outreach, there was little effective push-back against the thinly veiled homophobia of the Yes on 8 campaign.

Stone (2012:141) suggests that the defeat in California in 2008 caused organizers to rethink the “model campaign approach to messaging.” Indeed, the data suggests that the No on 8 campaign utilized model campaign tactics, hiring professional pollsters and relying on focus groups to develop the messaging. And, as was the case in many other state campaigns, pollster research that focused on the “moveable middle,” those voters that could be persuaded, often resulted in campaign messaging that “focused on unintended consequences” such as changes to the Constitution or other policies, unwanted government interference in private lives, and negative depictions of the Religious Right (Stone 2012:71). Given the de-gayed content of these messages, gay and lesbian visibility within these campaigns was minimal. Not only was this counter-productive to larger movement goals – the eradication of homophobia – but also, it failed to achieve equality and fairness under the law. In what

follows, I show how activists directly challenged the invisibility of same-sex couples and families as they mobilized in response to the passage of Proposition 8.

*Post-8: “the Right to love” and a Return to Identity Deployment Tactics*

Activists were devastated by Yes on 8’s depictions of LGBT people and their families. MEUSA’s data gathering post-8 provides examples.<sup>37</sup>

My eight year old daughter heard many of those radio and TV ads, I can tell she is still reeling inside. We talk about it as she brings it up, but she just ran smack into discrimination, aimed at her on TV. That is a lot for me, it is way more than she needed to see.

While standing on a corner with my No on 8 sign, and within the community where I live and work, I was approached several times and told to go home. I replied that I am home. I feel the pain of knowing that my neighbors, from perhaps across the street or down the block, thought that I was so...what...different, bad, not worthy...that they couldn’t bear the fact that I lived among them.

In addition to the harm caused by the Yes on 8 campaign and the passage of the initiative, interviews indicate that activists were also highly critical of No on 8’s framing of same-sex marriage, particularly the fact that gay men and lesbians were invisible within the campaign ads and materials. One activist said,

“Unfair and Wrong” was the slogan. What does that even mean? There were no gay people in these ads. Not a single one. So there was never any suggestion that hey, these people live among you and you’re doing something to them if you voter for this, never. It was basically straight people saying, ‘well you know I don’t know how I feel about that whole thing but it kind of feels wrong.’ [...] Especially when the campaign is so striking and emotional. Like, oh my god, they’re coming for your children, it’s a disaster, its Armageddon. And we’re like, eh, you know, I don’t could be, could not be. [...] It never occurred to them to have an ad like Harvey Milk would have done. I’m gay, I’m your brother, I’m your sister, we’re right here, we live among you, why would you do this to us?<sup>38</sup>

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<sup>37</sup> “Prop 8 Hurt My Family – Ask Me How,” Report published by Marriage Equality USA, January 2009

<sup>38</sup> Interview, Lester Aponte, June 2, 2013, Los Angeles, California

MEUSA's report "Grassroots Input on California's No on 8 Proposition 8 Campaign" indicates that those who participated in their study were concerned that "the messaging 'lacked heart,' was reactive and weak, and critically and inexcusably failed to show same-sex couples and our families."<sup>39</sup> They went on to provide examples from their participants' responses. One person said:

The decision not to use any gay people (other than celebrities) in the ads was a gross mistake; the decision to hide gay people was unacceptable. If the people running the campaign think gay people are a liability, why should anyone vote in their favor? This issue was about gay people, damn it, and the ads should have least reflected that.

Thus, the data show that people were frustrated, angered, and saddened by the No on 8 campaign and that these emotional reactions influenced their response. Activists wanted to showcase their families, show how Proposition 8 directly affected their families, and make an argument that the desire to marry was not because it would make same-sex couples equal, or because that was more fair, but because marriage was about love, commitment, and responsibility to one another and their families. As activists mobilized post- 8 they shifted the discourse on marriage to one of the *right to love*, repackaging the *love and commitment* discourse used by early grassroots marriage activists. Further, they did so by innovating tactics that emphasized identity deployment through using digital media, organizing trainings that focused on crafting a personal story, and adapting traditional campaign tactics to combat prejudice at voters' doors. Such shifts in collective action frames and tactical innovations are consistent with scholarship that suggests that activists are likely to alter their tactical approach in the face of movement defeats (McCammon 2003, 2012)

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<sup>39</sup> "We Will Never Go Back. Grassroots Input on California's No on 8 Proposition 8 Campaign," Published by Marriage Equality USA, January 2009

*Making Same-sex Couples and Families Visible Through Digital Media.* Bryan and Jay married in October 2008, just before Proposition 8 passed.<sup>40</sup> They had been together for 13 years, had adopted two children, and fostered others. Jay told me that the impetus for their action was seeing No on 8's campaign ads, particularly, the "Thoron" ad.

[We were] really frustrated about Prop 8 and about how it was affecting our family and... the images. We had just seen a commercial on TV [with] an older couple talking about their kids and how marriage is important for them. But we were really kind of mad that they weren't showing gay couples and gay families and, you know, letting [the public] see from our perspective, that marriage affects us, it affects our families. I was venting to my husband, back then my partner, about how crappy it was that they were scared to use our images.

Further, the injury of invisibility was all the greater because the Yes on 8 campaign had no problem showing gay people in their campaign ads. Bryan and Jay questioned why the No on 8 campaign was "too afraid to show gay people, because the other side has no problems showing gay people. [They show them] in messed up ways, but nonetheless, there they were."<sup>41</sup>

Bryan and Jay responded by creating a *Youtube* channel that focused directly on their family. The first "Gay Family Values" video provides their purpose for doing so.<sup>42</sup> It begins with Jay looking at the camera and saying

I've been hearing a lot about how the passage of Prop 8 is supposed to protect families and family values. I'm a gay male who has been with my partner for 13 years and we have two wonderful kids. We spend every night at the dinner table. ... I was just hoping that people could see that straight families aren't the only ones with family values, that the people in California, the gay people who get married, value their marriages, relationships, and our families.

He then briefly introduces his daughter Selena, his fiancé Bryan, and his son Daniel, all of whom are sitting at the dinner table. Jay concludes,

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<sup>40</sup> Interview Brian Leffew and Jay Foxworthy, September 27, 2013, Santa Rosa, California

<sup>41</sup> Ibid.

<sup>42</sup> "Gay Family Values," Youtube, <https://www.youtube.com/watch?v=u67v7wParas>

I hope that straight people who are listening to the whole family values stuff realize that families come in all shapes and sizes, straight gay, and they're all loving. And that's what marriage is about, loving and family. I hope people understand that our family is just as important as anybody else's family.

Bryan and Jay made few videos prior to Prop. 8's passage but, as Jay said, "after Prop 8 passed, it really changed. It cemented what we were doing and what we wanted to do." It became important to them to "show us," "to open people's hearts and minds to the idea that all families are equal."<sup>43</sup>

After Proposition 8 passed, Bryan and Jay made hundreds of videos. The videos show them engaged in everyday activities from Easter egg hunts,<sup>44</sup> trick or treating at Halloween,<sup>45</sup> to bedtime rituals<sup>46</sup> and family walks in the woods.<sup>47</sup> In another video, the family discusses "a very bad week" with children's sicknesses and broken bones that occurred while Jay worked three sixteen-hour double shifts in order to pay their property taxes<sup>48</sup>. Other videos show Bryan or Jay sharing personal stories such as how they met, their coming out stories, and struggles with unsupportive family. Many videos show them participating in protests, such as on the Day of Decision when the State Supreme Court ruled that Proposition 8 would stand but that existing marriages between same-sex couples would not be invalidated.<sup>49</sup> In a video series called, "Ask a Gay Family," Bryan, Jay and the children answer subscribers' questions. For example, in the first episode, the family answers questions about Daniel's special medical needs and then Bryan and Jay directly discuss some viewers' criticism that

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<sup>43</sup> Interview Brian Leffew and Jay Foxworthy, September 27, 2013, Santa Rosa, California

<sup>44</sup> "Easter Morning at the Leffews, Part 1," Youtube, <https://www.youtube.com/watch?v=3qUKax4chBo>

<sup>45</sup> "Gay Family Values Trick or Treat," Youtube, [https://www.youtube.com/watch?v=SGS0qF\\_bUtQ](https://www.youtube.com/watch?v=SGS0qF_bUtQ)

<sup>46</sup> "Bed-time singing," Youtube, <https://www.youtube.com/watch?v=s8sPYT8mSLo>

<sup>47</sup> "Gay Family Values (Our Walks in the Woods)," Youtube, <https://www.youtube.com/watch?v=dmBtufFhvU0>

<sup>48</sup> "Bad Week at the Leffew House," Youtube, <https://www.youtube.com/watch?v=5hya3dfh9L4>

<sup>49</sup> "Day of Decision Prop 8 Upheld Shame on You California," Youtube, <https://www.youtube.com/watch?v=ZE4aZxdPwDc>

children belong with heterosexual couples. Bryan and Jay attribute the success of their channel, which has thousands of subscribers, to the fact that they are placing their family front and center and that this allows people to relate to them.<sup>50</sup>

The rapid development of new media technologies has provided activists new tools for organizing (Earl and Kimport 2011). In the case of the California marriage equality movement, the availability of a digital technology with the potential to reach a mass audience provided Bryan and Jay with the opportunity to frame same-sex couples and marriage to a potentially large audience and without the constraints of packaging claims for traditional media (Best 2010; Moscovitz 2013). Unlike California's media markets to which only the well-resourced campaigns have access, *Youtube* is a highly accessible form of media. Anyone can make a video, upload it, and then share that video through other forms of digital media, such as *Twitter* and *Facebook*. In other words, Bryan and Jay were easily able to make their family visible in a widely viewable format. Doing so allowed them to directly challenge the arguments of the Religious Right that same-sex couples and families are immoral and *harmful to children*. They explicitly communicated to viewers why they wanted access to marriage, emphasizing love and commitment to each other and to their children. They were able to provide visual evidence for their claim that they had the *right to love*.

*Persuasion Through Telling Personal Stories.* The second example of activists' tactical innovation post-8 comes from the grassroots activist response that was organized through Courage Campaign, an online, multi-issue organization that operates largely in California.<sup>51</sup> According to their website, Courage Campaign "combines digital tools with grassroots community organizing to educate public opinion, mobilize action, and hold our

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<sup>50</sup> "Ask a Gay Family Ep1 Is Daniel Disabled," Youtube, <https://www.youtube.com/watch?v=ZE4aZxdPwDc>

<sup>51</sup> "Who we are," [couragecampaign.org](https://couragecampaign.org/who-we-are), <https://couragecampaign.org/who-we-are>

leaders accountable.” According to a document that was distributed at a Courage Campaign event in 2009, the organization was actively involved in “bringing together progressive organizations and allies in the equality community to build consensus and forge a clear path toward restoring marriage equality in California.”<sup>52</sup> In addition to sponsoring some large activist events post-8, such as “Meet in the Middle” in Fresno, and participating in the movement meetings and debates regarding the marriage equality movement’s next steps, some activists organized under Courage Campaign’s umbrella to develop a program of grassroots trainings, called “Camp Courage.”

Camp Courage was modeled after the Camp Obama program and was designed to train “a new generation of effective grassroots leaders to build a grassroots army for equality and for a broad range of progressive issues.”<sup>53</sup> The Camp Obama program consisted of about one dozen two-day camps held across the United States that trained organizers to build a grassroots movement. The grassroots model was based on the work of organizer and scholar Marshall Ganz who emphasizes training volunteers to “share their own life stories with voters, in the belief that by speaking from the heart, they turn the tedious – phone-banking, door-knocking – into a communal mission.”<sup>54</sup> In addition to the importance of personal narrative, Ganz also focused on the importance of empowering individuals at all levels of a campaign or movement (Ganz 2009). Ganz’ model of public storytelling as effective activism contains three parts: a story of self that highlights “why you were called to what you have been called to,” a story of us which tells “what your constituency, community, organization has been called to, its shared purposes, goals, vision,” and a story of now, which

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<sup>52</sup> Documents collected by researcher.

<sup>53</sup> Ibid

<sup>54</sup> “Famed organizer sees history in the making,” Scott Martelle, *Los Angeles Times*, June 15, 2008



presents “the challenge this community [us] now faces, the choices it must make, and the hope to which ‘we’ can aspire” (Ganz 2007). Camp Courage organizers adapted the model of public story telling as well as Camp Obama’s two-day structure and emphasis on building activists’ practical skills.

I interviewed long-time activist and past executive director of the Los Angeles Gay and Lesbian center, Tori Osborn.<sup>55</sup> Osborn had volunteered for the Obama campaign and was familiar with Ganz’s organizing model. Osborn felt that the marriage equality movement “needed a way to convey the message [for same-sex marriage] that was the exact opposite of the way that the campaign had done it.” The movement needed “value shift, putting love at the center rather than rights.” She also believed that the movement needed to emphasize multi-racial coalition building, which would require a multi-issue perspective that connected “immigration reform in East Los Angeles with marriage equality in West Hollywood.” Thus, in part due to their multi-issue focus, Osborn approached Courage Campaign’s Executive Director, Rick Jacobs, with the idea for Camp Courage. With Courage Campaign on board, and Marshall Ganz’ permission, Osborn recruited fellow long-time activists who had also worked on Obama’s campaign, Lisa Powell and Mike Bonin. The three of them created the curriculum for Camp Courage.

According to Osborn, the curriculum not only emphasized the “tactics and strategy of movement building and coalition-building, but on (sic) the power of story and of values and the power of love.”<sup>56</sup> Camp materials and field notes<sup>57</sup> document a two-day training that divided participants into small groups where they developed and practiced their *Stories of*

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<sup>55</sup> Interview with Tori Osborn, September 22, 2013, Los Angeles, California

<sup>56</sup> Ibid.

<sup>57</sup> Documents collected by researcher. I attended Camp Courage Sacramento with fellow activists from Santa Barbara on November 7 and 8, 2009. I was also a co-organizer of Camp Courage Santa Barbara, which was held on January 30 and 31, 2010.

*Self* by identifying the personal values that motivated them to “be there” and characterized the “calling” to engage in marriage equality activism. The group then used those individual stories to construct a group *Story of Us* that emphasized the “shared values” that connected “us” to one another. Most of the stories contained themes common to people who have suffered harm as a result of the denial of marriage rights: issues with child custody, financial difficulties, inability to care for partners in the hospital, and the lack of familial and community recognition of one’s partner. But rather than being a recitation of rights, the stories emphasized the cultural value of marriage and the personal and community pain felt at their loss. Participants were then instructed on methods of persuasion, practicing a variety of scenarios where they could adapt their *story of self* to engage voters in discussions of marriage equality. Again the emphasis was not on listing the legal-financial reasons for marriage, but on identifying the voter’s personal values as they related to marriage and then, from a personal perspective, demonstrating that those values were indeed shared.

The two-day training also included multiple opportunities to attend various breakout workshops on campaign strategies such as hosting house parties, canvassing, online organizing, faith outreach, and campaign management.<sup>58</sup> Because each Camp Courage was hosted by local community organizations, Camp participants were connected with local activists. Further, Courage Campaign encouraged participants to form Equality Teams within their local communities that would focus on continued activism. By mid-2010, Courage Campaign quit organizing Camps, but many activists felt that grassroots training in several communities across California had effectively provided movement-building opportunities

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<sup>58</sup> “Camp Courage Sacramento Agenda,” document collected by researcher.  
“Camp Courage Santa Barbara Agenda,” document collected by researcher.

and practical skills education to hundreds of newly and re-mobilized activists.<sup>59</sup> Thus, this campaign contributed to a shift in the framing of marriage equality from one of *rights and fairness* to the *right to love*. Further, the emphasis on personal stories necessitated identity deployment as a strategy for persuasion.

The example of Camp Courage highlights the ways that movement frames, tactics, and leaders spillover from one campaign or movement to another (Isaac and Christiansen 2002; McAdam 1988; Meyer and Whittier 1994; Soule 1997; Taylor et al. 2009; Whittier 1995). In this case, the model of Camp Obama was adapted to teach new activists how to tell their personal stories and use those stories to persuade others. Activists were taught to “come out” persuasively, an adaptation of traditional visibility tactics used by LGBT activists since the advent of gay liberation. Further, because the personal stories reflect values that are shaped by the larger culture, activists were highlighting normative values about marriage and family, values that emphasize “the *right to love*.”

*Turning Traditional Campaign Tactics on Their Head.* The third example of tactical innovation post-8 comes from the work of Vote for Equality (VFE), a program of the LA Gay and Lesbian Center and a part of a larger program named the LA Leadership Lab.<sup>60</sup> Shortly after Proposition 8 passed, Center leadership asked long-time activist Dave Fleischer to come to California and help develop a response beyond “marching on Mormon temples.”<sup>61</sup> Fleischer’s idea was to canvas the neighborhoods where voters had predominately voted for Proposition 8, asking them why they voted “yes.” The first canvas was held in January 2009 and Fleischer, his staff and volunteers were surprised to learn that not only would voters talk

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<sup>59</sup> For example, Interview, Leslie Lytle, May 20, 2013, Los Angeles, California  
Interview, Gary Clark, March 9, 2013, Los Angeles, California

<sup>60</sup> “Leadership LAB,” <http://www.leadership-lab.org/vote-for-equality/>

<sup>61</sup> Interview, Dave Fleischer, September 13, 2013, Los Angeles, California

to the canvassers, they wanted to have sustained conversations. As a result, VFE held monthly canvasses for the next several years, mobilizing hundreds of volunteers.<sup>62</sup> Often they formed coalitions with other local organizations including EQCA, Honor Pac and the Jordan Rustin Coalition, canvassing in diverse neighborhoods across Los Angeles and communities across the state.<sup>63</sup> After each canvass, the staff and volunteers would analyze the data, refining messaging for the next canvass. This model was incorporated by other state marriage campaigns as well as campaigns focusing on issues in addition to marriage.

I asked Fleischer to describe the most important thing that he learned from canvassing with regard to how supporters of same-sex marriage should talk about marriage. He responded that the most important factor for changing a voter's mind was to "elicit their story to really find out what their real lived experience has been with marriage and with LGBT people."<sup>64</sup> This meant that rather than asking the voter's opinion and then responding with a counter-argument, the canvasser spent time clarifying the voter's position and understanding their deeply held values. Fleischer and his volunteers found that when voters felt that they were fully listened to, they were more willing to listen to the canvasser. According to Laura Gardiner, who participated in canvasses as a staff member, changing voters' minds was a process that required "real conversations rather than talking points."<sup>65</sup>

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<sup>62</sup> "Leadership LAB," <http://www.leadership-lab.org/vote-for-equality/>  
Interview, Dave Fleischer, September 13, 2013, Los Angeles, California  
Interview, Laura Gardiner, May 17, 2013, Los Angeles, California

<sup>63</sup> Ibid.

Interview, Regina Clemente, July 6, 2013, Los Angeles, California  
Interview, Matt Palazzolo, November 20, 2013, Skype

<sup>64</sup> Interview Fleischer, September 13, 2013, Los Angeles, California

<sup>65</sup> Interview Laura Gardiner, May 17, 2013, Los Angeles, California

An early script from 2009 (VFE had many script iterations) lists common themes that voters might mention: religion, tradition, and children.<sup>66</sup> Suggested responses were not simply declarative counter arguments, but were probing questions that asked the voter to deepen their self-analysis while also educating them about same-sex couples, their families, and the realities of same-sex marriage. For example, if a voter indicated that they were concerned about *harm to children*, the canvasser might respond by asking about their “concerns with children hearing about gay and lesbian marriage” or asking them what they might want children to learn about gay people. Canvassers were also encouraged to craft their own responses and to share those responses with VFE. Further, because the opposition to Proposition 8 was effective, and in particular, the Princes ad, Fleischer found that using technology to show voters the Princes ad at the door helped voters “remember what had bugged them [about marriage such that they chose to vote “yes”], but it also indicated something about us and our willingness to hear whatever they had to say because voters don’t have anything uglier to say than our opposition did in that princes ad.”<sup>67</sup> Playing the ad and being willing to listen to voters’ perspectives showed a level of vulnerability and humanity that helped make voters more receptive to the canvasser’s story.

The canvasser would then continue the conversation by telling his or her personal story and, most importantly according to Fleischer, a personal story that was “real,” demonstrating the “reality of our lives, our real-lived experience about marriage and about LGBT people.”<sup>68</sup> One might tell different parts of their story to the voter, depending on the

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<sup>66</sup> “VFE script,” Document collected by researcher

<sup>67</sup> Interview, Dave Fleischer, September 13, 2013, Los Angeles, California

<sup>68</sup> Ibid.

voters' concern and the values shared by the voter and the canvasser. This form of interaction was useful because, as Gardiner put it:

It's helpful for them to connect a face [of an LGBT individual or ally] to the issue to see how it's a personal thing, to address misconceptions that they have, [so they are] able to uncover their own experiences, for them to be able to see what marriage really means to them and then for them to be able to really talk about the people in their life who are LGBT. It makes a personal connection that not only is more effective, but it's going to be longer lasting and it's going to be more memorable.<sup>69</sup>

Even if the voter's mind was not changed immediately, the contact at the door and the relationship building that took place through canvassing were likely to elicit some small change on the part of the voter, change that could be built upon. For Fleischer and the staff and volunteers at VFE, this "persuasion work" was necessary precisely because they were operating outside of a campaign moment. Not only were they developing messaging and tactics that were potentially useful for a future campaign and for mobilizing and training volunteers, but also they were challenging prejudice directly at voters' doors.

Regina Clemente, who was brought on to head up VFE post-8, spoke to the fact that canvassers were explicitly connecting the Religious Right's *harm to children* frame, and they did so without employing an *equal rights* frame.<sup>70</sup> She describes the conversation at the door.

The conversation had to be at a personal level since they're [the voter] talking about how they felt about marriage, and then how you felt about marriage, whether you're gay or an ally. It had to be about marriage and what marriages means to people. And then it had to then talk about why gay people want to be married and it had to talk about gay people humanize them and connect marriage and gay people. Like the two things we weren't supposed to say together – gay and marriage. Those things had to be explicitly discussed, and they had to be jointly discussed.

She went on to say that the "fear-mongering" about kids had to be "directly addressed" and that rights were only discussed "through personal stories of how rights actually affect day-to-

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<sup>69</sup> Interview Laura Gardiner, May 17, 2013, Los Angeles, California

<sup>70</sup> Interview Regina Clemente, July 6, 2013, Los Angeles, California

day gay lives.” Thus, the discussions were about marriage, about why excluding same-sex couples was important to the voter and why that exclusion was important to LGBT people and allies.

VFE’s canvassing efforts turn traditional campaign tactics on their head in order to use them for public education, persuasion, and data collection. While traditional canvassing efforts tend to emphasize presenting information to voters, or getting out the vote, VFE used door knocking as a means of having in-depth conversations about LGBT people and same-sex marriage. By emphasizing listening to the voter and sharing a relevant, “real” personal story, volunteers strategically deployed identity, connecting “gay” and “marriage.” These efforts, combined with the use of Yes on 8’s campaign ads, made explicit the LGBT/ally identity of the canvasser,<sup>71</sup> expressed the desire for marriage and the reasons for that desire, and directly challenged the homophobic beliefs and attitudes perpetuated by the Yes on 8 campaign.

### *Conclusion*

In this chapter I have provided data that demonstrates that activists post-Prop 8 were angry at the homophobic framing of same-sex marriage as harmful to children by the Yes on 8 campaign. Further, they felt doubly marginalized by the fact that the No on 8 campaign did not make gay men and lesbians visible within their campaign ads and materials. Activists’ critiques are perhaps less surprising when we contextualize Prop. 8 within the movement-counter movement dynamics of the LGBT movement and the Religious Right.

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<sup>71</sup> I have not located data on the numbers of LGBT activists versus allies who participated in the VFE canvasses. Several interviewees indicated that allies participated in these efforts and they were similarly encouraged to engage in identity deployment, demonstrating how and why marriage rights for same-sex couples mattered to them. Scholars have highlighted how the process of ally identity development and deployment is different from the development and deployment of LGBT activist identities (Myers 2008).

As I have shown, activists responded similarly to the “No on Knight” campaign in 2000. Their critiques of the campaign included frustration with a campaign that, because of the well-founded fear that they would lose the campaign due to a lack of public support for same-sex marriage, evaded the question of same-sex marriage altogether. Instead, “No on Knight” framed the issue in terms of individual rights. When, as a result of the passage of Proposition 22, grassroots activists began to organize for marriage equality they employed frames that defined marriage both in terms of *equal rights* and *love and commitment*. Their tactics for communicating that message frequently involved identity deployment and representations that drew on the cultural symbols of marriage. As the grassroots and professionalized movement looked toward the possibility of an electoral campaign, frames that emphasized *equal rights* or its variation were more frequently deployed. When faced with the reality of an anti-same-sex marriage ballot initiative, the No on 8 campaign utilized model campaign tactics which included relying on professional polling for messaging. When messages that included gay men and lesbians did not test well, the campaign opted to use model messaging. They framed the Proposition in terms of *unequal and unfair* and same-sex couples and families were not made visible.

Thus, when Proposition 8 passed, one characteristic of the reactive mobilization that followed was a shift in the collective action frame to defining same-sex marriage as being about the *right to love*. The *right to love* draws on a shared cultural vocabulary about marriage that transcends other difference. Further, this frame was communicated through tactical innovations that required the conscious deployment of identity with intent to persuade. Activists utilized digital technology to visually share their everyday gay-married-with-family-lives with mass audiences. They also borrowed others campaign’s tactics,



organizing trainings that taught people to construct a personal story that would highlight their story of self as a LGBT/ally person and then connect that story to that of the listener in order to create a shared, “story of us.” Finally, other activists adapted traditional campaign tactics, using canvassing as a means of asking voters to consider what they knew about LGBT people and marriage and then educating the voter through personal stories. In these ways, by shifting the frame to the *right to marry* and by emphasizing identity deployment as a means of communicating that frame, each of these responses to the failure of Proposition 8 shifted the overall focus of marriage equality activism. Certainly the immediately political goal of LGBT activists was marriage rights, but for many, the goal was much broader—to challenge the very foundations of homophobia.

## CHAPTER FIVE THE CAMPAIGN'S FAILURE CATALYZES THE CALIFORNIA MARRIAGE EQUALITY MOVEMENT'S SUCCESS

In this study I used feminist methodology and qualitative methods of data collection and analysis to examine the dynamics of the reactive mobilization that occurred after Proposition 8 passed in California in 2008. I focus on key dimensions of social movements that are of interest to scholars and activists alike – organizations, collective action frames/messages, and strategies and tactics – in order to demonstrate how grassroots activists responded to the No on 8 campaign's failure to halt the Initiative's passage. By doing so, I add to understandings of the role of threat in precipitating collective action and the forms that resulting collective action may take. I also construct a partial history of the marriage equality movement, privileging the voices of grassroots activists whose experiences and efforts were outside of the more resourced, professionalized movement infrastructures that managed the No on 8 campaign. Because the California marriage equality movement's emergence and dynamics have occurred within the context of its interplay with its countermovement, the Religious Right, I situate the story within the movement-countermovement context.

Drawing on documentary data and interviews with activists who began the marriage equality movement in California, I show that it emerged in response to the threat posed by the Religious Right that launched the campaign for and eventually passed Proposition 22 in 2000. Activists who worked on the "No on Knight" campaign responded by organizing in two ways. Some activists chose to focus specifically on achieving same-sex marriage and formed a grassroots organization, Marriage Equality California (MECA). MECA emphasized growing the movement by recruiting and linking local leaders from communities across the state. With relatively few resources, these chapter leaders and the volunteer board of directors built a strong network of activists and supporters. At the same time, other activists

responded to Proposition 22's passage by building a professionalized infrastructure that focused more generally on electing LGBT-supportive politicians and achieving relationship recognition and other LGBT rights through the legislative process. The professionalized infrastructure's flagship organization, Equality California (EQCA) became a well-known and respected organization with paid staff and a substantial donor base. The grassroots network and the professionalized organization had much to offer one another and worked together to achieve legislative and public education efforts, but, as I documented, their differing goals and tactical orientations prevented a long lasting merger. This had consequences for the campaign against Proposition 8 and the aftermath of its passage.

Continuing my emphasis on the movement-counter movement dynamics between the marriage equality movement and the Religious Right, I also focus on how, in the 1990s and early 2000s, the marriage equality movement's framing of same-sex marriage in terms of *equal rights* and *love and commitment* was constructed in response to the Religious Right's *special rights* and *harm to children* frames. These early grassroots activists used identity deployment strategies, such as the annual Freedom to Marry Day rallies held on Valentine's Day. These strategies drew on the cultural symbols of marriage to communicate to mainstream society the message that lesbians and gay men wanted the right to marry and were harmed by the lack of legal rights and cultural recognition.

Due to the professionalized model that provided them with the necessary networks and resources for creating a model campaign (Stone 2012), EQCA and other state and national professionalized organizations were the logical choice for forming the No on 8 campaign infrastructure, Equality for All. And as I have shown, the No on 8 campaign ran a model campaign based on the knowledge that had been produced over two decades of

movement-counter movement activity at the ballot box. Equality for All developed a model structure and utilized model tactics for identifying voters and creating messaging. These included a structure that was composed of leaders of local professionalized organizations, and the hiring of pollsters to identify persuadable voters and construct campaign messaging targeted to those voters (Stone 2012). Given the history of anti-gay ballot initiatives in the United States, it is not surprising that the campaign chose messaging that did not highlight same-sex couples and their families.

Even as this study has emphasized the critiques of the No on 8 campaign, it is important to recognize its accomplishments in running a ballot initiative campaign in a state as large and diverse as California. By all accounts, the No on 8 campaign overcame tremendous odds, raising more money than any other non-presidential campaign and mobilizing an extensive field campaign with over 50,000 volunteers. And as nearly all of my interview participants pointed out, campaign leaders, staff, and volunteers were politically savvy and extremely dedicated individuals. People took leave from or quit other employment to work on the campaign, took out mortgages on their homes, and spent countless hours talking to voters in an effort to defeat the initiative. They faced harassment from anti-gay voters, apathy from some in the LGBT community, and eventually, the fierce hostility and critique of a disappointed and disillusioned grassroots activist community. Critique of the campaign structures, frames, and strategies and tactics does not overshadow respect for and appreciation of all of the leaders, staff, and volunteers who worked hard in the attempt to defeat Proposition 8.

Situating the emergence of the marriage equality movement within this historical context of movement-counter movement dynamics provides an entry point for understanding

the mobilization that followed Proposition 8's passage. In this study I have examined the California marriage equality movement as a case of reactive mobilization, or the mobilization by groups with less power in society in response to a real or perceived threat (Tilly 1978; Van Dyke and Soule 2002b). I show how the passage of Proposition 8 posed a devastating and serious threat to the LGBT community in California; the voters' affirmation of a ballot measure that eroded political rights was also a socio-cultural threat (Crockett and Kane 2012) to the status of gay men and lesbians as members of mainstream society. The passage of Proposition 8 was a public signification of the marginalization of lesbian and gay identities and a rejection of same-sex couples and their families. Thus, the initiative's passage was a moral shock (Jasper 1999) that compelled people to act. In the days and months following Proposition 8's passage, people marched, held candlelight vigils and rallied in towns and cities across the California and the United States. These protests were important as they provided an outlet for the expression of anger and sadness and demonstrated to the mainstream public that the passage of Proposition 8 had in fact harmed the LGBT community.

Furthermore, while these protest events are an important component of the reactive mobilization that followed Election Day, activists' sustained efforts over the months and years that followed are useful for understanding the link between activists' emotional response to threat and ongoing movement mobilization. Here I draw on the body of scholarship on emotions and social movements to examine how activists experienced the passage of Proposition 8 as a loss of power and status, which evoked emotions such as disappointment, shame, and anger (Kemper 2001), as well as how they used those emotions to catalyze mobilization (Taylor 1996). California has largely been seen as a liberal state that

is “friendly” to LGBT people, as evidenced by large populations of LGBT individuals and families in primarily urban communities and the development of strong LGBT organizations and access to political power in local and state politics. Indeed, many Californian LGBT people have experienced significant assimilation into mainstream society over the past two decades.

Thus, for some, especially those located in white, urban-centric communities with access to well-resourced LGBT organizations and political power, the passage of Proposition 8 was a significant experience of marginalization that caused shock and surprise. For others, especially communities of color and inland and rural communities, the experience of marginalization at the passage of Proposition 8 was less surprising, but no less harmful. While the experience of the Initiative’s passage can be distinguished along geographic and raced lines, the emotional responses of disappointment, anger, and indignation were ubiquitous. As I show in the empirical chapters of this study, activists’ organizing efforts post-8 were influenced by their emotional responses.

Indeed, the evidence presented in this study suggests that in addition to the marginalization and stigmatization of their identities that activists experienced from the California voters, activists felt marginalized and stigmatized by the No on 8 campaign. As scholars have shown is often the case in moments of movement failure, activists began to gather together during a time of “critical self-review” (McCammon 2012) to process the loss and decide on next steps, or, in conceptual terms, to engage in a diagnostic and prognostic framing task (Benford and Snow 2000; Snow et al. 1986). Even as they expressed their shock, anger, and indignation at the California “yes” voters, activists also expressed their anger with and toward a No on 8 campaign from which they felt excluded. Activists felt

excluded in terms of representation in the leadership and decision-making processes and from the messages about same-sex couples, families, and marriage that the campaign broadcast to the public.

Activists framed the loss as the result of the fact that the campaign structure was composed of national statewide professional organizations with hierarchical leadership structures that excluded the perspectives of grassroots activists and, in particular, activists within rural communities and communities of color. As a result, many activists focused their energies in part on building organizations that emphasized new tactics, organizing within communities of color, rural communities, or communities with little existing marriage equality infrastructure. In addition, as activists debated the timing and efficacy of mounting a ballot initiative that would repeal Proposition 8, they attempted to build a leadership structure that would provide cohesiveness and leadership to a grassroots marriage equality movement without replicating the hierarchical and exclusionary structure of the campaign.

As scholars have noted, professionalized mainstream lesbian and gay infrastructures often reflect dominant societal power structures, thereby reproducing the racial, gendered, and classed inequalities of larger society within movements for social justice (Duggan 2004; Ghaziani et al. 2016; Ward 2008). The professionalized structure of the LGBT movement led to a power imbalance where decision-making and resources are concentrated in the hands of a few executive directors and their boards, which created conflict between grassroots and professionalized organizations (Ghaziani 2008:294). Activists' experience of exclusion from the campaign structure and decision-making processes provided them with an opportunity to challenge these inequalities and to advance a more inclusive, representative vision of organizing and decision-making. Although the political opportunity to return to the ballot

box closed, the efforts of activists to envision alternative ways of organizing the grassroots coupled with the many efforts to organize within communities that were previously under-organized, as well as the explicit dialogue about the needs of communities of color, demonstrates one important outcome of the passage of Proposition 8.

Furthermore, as I have shown, activists were critical of the No on 8 campaign's use of pollsters to develop campaign messaging and the resulting de-gaying of campaign messaging about marriage. Same-sex couples and their families were not made visible in campaign ads and materials, nor was same-sex marriage explicitly talked about. Instead, the campaign framed Proposition 8 as *unfair and unequal*. The No on Prop 8 campaign's framing of the Proposition was ineffective in persuading a majority of voters in part because they did not rebut the Yes on 8 campaign's uniform framing of same-sex marriage as *harmful to children* and their assertion that parents would be unable to protect their children from that harm. As activists regrouped after the election, they expressed their anger and pain at the homophobic attacks of the Yes on 8 campaign. They also felt marginalized and made invisible by the No on 8 campaign's framing and tactics. Thus, activists responded by emphasizing a *right to love* frame that drew on the shared cultural understandings of marriage as a universal legal *and* cultural rite that legitimates the love and commitment shared by two consenting adults.

Moreover, activists innovated tactics that required the conscious deployment of identity in order to communicate the *right to love* frame to the public. They used digital technologies to project images and stories about their families' everyday lives. They adopted tactics from other campaigns, training hundreds of activists to persuade friends, family, and co-workers through the telling of a personal story that emphasized the activists' *story of self* as an LGBT/ally person and linked that story to listeners'. Finally, activists adapted



traditional campaign tactics, such as canvassing neighborhoods, educating voters at the door through conversations that emphasized the voters' experiences and perceptions of marriage and same-sex couples and families.

These critiques of the campaign's collective action frames and the tactics for disseminating them are reflective of the LGBT movement's historical tensions over "sameness and difference" as activists have at times emphasized their similarities to, and at other times, have celebrated their differences from mainstream society (Bernstein 1997; Gamson 1995; Ghaziani et al. 2016). Recent scholarship has conceptualized the LGBT movement as shifting between "protest cycles," or period of increased mobilization, during which the movement shifts its emphasis between mobilizing around sameness or difference, and shows how the marriage equality movement represents a shift to an emphasis on sameness (Ghaziani et al. 2016). Activists' rejection of the No on 8 campaign's collective action frame, *unfair and unequal*, and their shift to the collective action frame, *the right to love*, is illustrative of this shift, as are their tactical innovations. As activists share their everyday lives through digital media or personal stories with friends, colleagues, family, or at the doors of voters, they reference the cultural meanings of marriage – love, commitment, family – that are shared by same-sex couples and heterosexual couples alike. In doing so, they construct a collective identity that includes "us and them."<sup>1</sup>

Thus, activists' emotional responses influenced the resulting movement dynamics including their organizational-building projects, the construction of collective action frames, and the innovation of strategies and tactics. In the case of the California marriage equality

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<sup>1</sup> I am not suggesting that this is a "post-gay" identity (Ghaziani 2008). I think one of the results of the Prop. 8 mobilization is a widening awareness of the multiplicity of differences among us and an emphasis on organizing across differences rather than attempting to mute those differences. That is not to say, however, that strategies of political visibility employed by activists post-8 emphasized difference; that is clearly not the case.

movement, activists intentionally focused on building more inclusive organizations that recognized and represented the racial, gendered, classed, geographic, and religious diversity of the LGBT population within the state. They constructed collective action frames that emphasized the same-sex couples' and families' sameness to heterosexual couples and families. And they innovated and utilized identity deployment tactics in order to communicate their desire to marry to mainstream society. In the case of the reactive mobilization of the California marriage equality movement, we see a turn toward an emphasis on the sameness between LGBT people and heterosexual society in the construction of collective action frames and employment of tactics. Simultaneously, there seems to be an emphasis on the recognition and representation of difference within the LGBT community and a focus on empowering the grassroots to organize across those differences.

Thus, the findings of this study illustrate a specific case of threat, providing evidence for arguments that legal and socio-cultural threats play a significant role in triggering mobilization. I contribute to research that critiques the assumption of linearity between the presence of political opportunities and mobilization that is prolific in social movement literature (Boutcher 2010; Goldstone and Tilly 2001; Van Dyke 2003; Van Dyke and Soule 2002b). Further, I connect the concepts of reactive mobilization and emotions in social movements by showing that one important feature of reactive mobilization is the emotional responses provoked by threat. In particular, a loss of power or status (Kemper 2001), and the emotional response that such a loss evokes, may be a powerful inducement for sustaining mobilization beyond the immediate moral shock. The case of the marriage equality mobilization in California post-8 suggests that this may be particularly true in the presence of certain conditions: when the marginalization of a group in society is underestimated, when

the power and efficacy of movement and campaign infrastructure is overestimated, and when campaigns over-rely on model campaign structure and tactics. In other words, when a threat to power or status is actualized, as when voters signaled via their passage of Proposition 8 that gay and lesbian couples and families were in fact a stigmatized population within California, that threat may in turn evoke a new grievance and begin a new cycle of mobilization. Had the No on 8 campaign succeeded and the voters in California failed Proposition 8, it is unlikely that activists would have engaged in extensive self-critique and a sustained period of mobilization and strategic adaptation (McCammon 2012). Future research should question the particular features of threat and the conditions under which activists respond to threats as well as those under which they fail to mobilize.

The case of the California marriage equality movement provides evidence that the schisms between professionalized movement organizations and grassroots organizations may lead to movement failure, a finding that contributes to long-standing debates in social movement literature regarding the consequences of the professionalization of organizations on movement trajectories (Clemens and Minkoff 2007; Edwards and McCarthy 2004b; McCarthy and Zald 1977b; Rucht 1999). Further, this case suggests that one possible outcome of movement failure that is a consequence of schisms within the organizational field is the availability of opportunities for those who hold less power within the movement to revise infrastructural arrangements, construct new collective action frames, and engage in innovative strategies and tactics. Here I return to Tilly's (1978) original concept of defensive or reactive mobilization, that is, mobilization that occurs as a result of loss of power or resources and is generally the mobilization of groups with less power in society. In the case of the California marriage equality movement, the evidence suggests that one feature of the

reactive mobilization post-8 was activists' focus on creating change within the movement's power structure as well as within California's electorate. Future research should empirically examine the consequences of the professionalization of movement organizations for campaign outcomes as well as the short and long-term impacts of such internal power shifts on movements. This would be particularly interesting in terms of the national LGBT movement given the importance of Proposition 8 and its passage to the national marriage equality movement, but it should be explored in other movements as well.

This research also contributes to scholarly and popular knowledge about marriage equality movements in the United States by constructing a history of the California marriage equality movement using primary and secondary data sources. To date, little existing empirical research has been completed on the California movement and the description in this study of its emergence and trajectory provides rich context for the study of the marriage equality movement and marriage politics in other states and at the national level. Finally, the focus on grassroots activists in this project provides insight into the activities and perspectives of a group of engaged citizens who, due to their distance from the well-resourced and decision-making centers of the movement, are often not represented in published movement accounts.

To conclude, I return to the perspectives of the activists I interviewed. I asked many of my interviewee participants what they thought the impact of Proposition 8's passage had been. Also, given that I was interviewing many participants after the Supreme Court's ruling in *Hollingsworth v. Perry* in June 2013, I was interested in what participants saw as "next steps" for the marriage equality movement. A majority of participants responded that in fact, the Proposition's passage was "good." Key themes in their explanations include the

opportunity to learn how to better organize the movement and persuade voters about marriage. For example, multiple interviewees pointed out that hundreds of people in California now understood the ballot initiative process. Many people received activist training and used that in other movements and for some, it has become a career. Matt said that one of the lessons of Proposition 8 was that movement work is very “DIY” and that “if you feel like you have a place in the movement, then you do.” Matt, like several others, highlighted the fact that the passage of Proposition 8 was painful but the post-8 mobilization was exciting, energizing, and gave people hope.

It was such a colossal disaster for so many people, it was such a painful experience for so many people, many who I don't think were expecting it to be painful, that I think it was the push that the movement needed. It's kind of counterintuitive [but the loss] made people feel like the fight is winnable. Even though we lost there was so much conversation about what we do next that it was really inspiring and motivational. It made people think we could win this. And we can.<sup>2</sup>

Still others said that post-8 activities had united activists across the state, that even in the absence of a statewide leadership structure, people were communicating across geographical distance and diversity about their organizing efforts.<sup>3</sup> Some suggested that the mobilization had allowed people to understand the diversity of LGBT experiences and resources (or lack thereof) in communities across the state, as well as the social justice work that was ongoing within communities.<sup>4</sup>

The following quote is from Jasmine, an activist who organized in Fresno during the No on 8 campaign. It reflects many of the themes discussed in this study, from the surprise of some that such an initiative would pass in California and a corresponding apathy regarding activism, to the geographic diversity of California and the organizing challenges that brought,

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<sup>2</sup> Interview, Matt Baume, December 19, 2014, Skype

<sup>3</sup> Interview, Lester Aponte, June 2, 2013, Los Angeles, California

<sup>4</sup> Interview, Jasmine Leiva, March 12, 2013, Fresno, California

to the intersectional nature of social justice work and the inadequacy of single-issue organizing efforts for creating change across diverse communities.

The fact that it passed was better than if it hadn't passed. It was a wake-up call. I heard from people not [already] involved in the community, in the campaign, "how could that [Prop. 8's passage] happen in California. I think that it has challenged people and [shows] that California is not just two cities. And I think on a larger scale, it's a huge thing to say, but the U.S is not just a major-city country and until we really address issues like poverty and racism and all those things, you're not going to get progress. And I also think it was really helpful in motivating activists and organizers to say we can't do that kind of campaign again; for people to wake up say and "wait, this is my community and I failed because I thought other people would do it for me." Also, so many people who were part of the post-8 community went on to really organize around Don't Ask Don't Tell, so I think that it lit a fire under people.<sup>5</sup>

It was this sentiment about the ongoing efforts launched by the grassroots response to Proposition 8 that gave me much hope as I gathered and analyzed this data. Many people pointed out the necessity of addressing the marginalization faced by people of color, undocumented immigrants, and transgender people. Again, Jasmine exemplified this perspective as she highlighted that lessons learned from the campaign including the idea that "we can't use the same message for everyone across different races, classes, and religion [because] people experience oppression and privilege at different levels and people have different reasons for feeling and voting different ways." She continued on to say that effective organizing requires a multi-issue platform "and showing up for others' causes, not just expecting people to care about your cause." As this illustrates, the activists who shared their stories with me perceived the No on 8 campaign's failure as the catalyst for the successful mobilization of a grassroots movement and saw in that success, hope for other movements. Moments of failure provide opportunities for activists to learn how to better develop movement infrastructures, construct more effective collective action frames, and

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<sup>5</sup> Ibid.

innovate new strategies and tactics. As the activists who are mobilized in moments of loss spillover from one movement to another, their innovations expand the possibilities for effective collective action. Thus, it seems probable that the mass mobilization that followed the passage of Proposition 8 in 2008 will continue to have an impact on future mobilizations for social change.

APPENDIX A  
INTERVIEW GUIDE

1. <sup>1</sup>Are you/have you been involved in a group focused on marriage equality in California?
  - a. How long have you been involved in this group/group/organization?
  - b. How have you participated; what has your role been? What made you decide to be a part of this group/group/organization?
  - c. Will you tell me about the group/organization's goals and strategies? How have people decided on these goals and strategies?
    - i. Have these goals and strategies changed over time (pre-8, during 8, post-8)?
  - d. Who are the members of the group/organization?
    - i. Are there similarities in the backgrounds of the members or do you find that a variety of different people participate in the group/organization? (think about race, class, gender, age, geographic location, etc.)
    - ii. How has this changed over time (pre-8, during 8, post-8)?
  - e. What actions does your group/organization participate in/organize?
    - i. Are there any particular types of protest that your group/organization prefers? Why is important to your group/organization to use this/these action(s)?
    - ii. How has this changed over time (pre-8, during 8, post-8)?
  - f. What is the leadership structure and how are decisions made?
    - i. Are there conflicts over control of resources, agenda, etc.?
    - ii. Has the structure changed over time (pre-8, during 8, post-8)? How did that change the group/organization's goals and actions? Membership?
  - g. How is your group/organization supported financially?
    - i. How has funding affected the accomplishment of goals or the kinds of actions that the group/group/organization can undertake?
    - ii. How has this changed since Proposition 8 (pre-8, during 8, post-8)?
  - h. What would you say are the shared values of your group/organization? How do you think that other members of your group/organization talk about it?

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<sup>1</sup> This interview guide was adapted through the data collection process. Listed here are the major themes pursued in interviews.



- i. What makes you feel like a part of the group? What brings members together in this particular group/organization? Would you say that most people who identify as being a part of this group/organization feel close to each other? Why or why not?
  - ii. Can you tell me about some of the symbols, signs, and slogans of your group/organization that are meaningful to you? Does your group/organization do things to try to create a sense of solidarity among its members? What are those things?
  - iii. How have these things changed over time (pre-8, No on 8, post-8, etc.)?
  
- i. How would you characterize the relationship between activists, particularly between volunteers and paid staff and/or leadership and general membership?
  - i. Are there tensions or disagreements within your group/organization? When did these tensions arise? What are the nature of those tensions? How have they been resolved (or not)?
  - ii. How have these tensions or disagreements affected the goals, tactics, or membership of your group/organization? Are there things you don't like about this group/organization?
  
- j. How is your group/organization related to the larger movement for marriage equality?
  - i. How is it similar or different from other group/organizations in terms of goals, structure, strategies, actions, membership, etc.? How do leaders and members discuss this group/organization in relation to the larger movement? How has this changed over time (pre -, during, post)?
  
- k. How is your group/organization related to other social justice movements?
  - i. Who does your group work with? What causes?
  - ii. How do the group/organizations work together?
  - iii. How has this changed over time (pre -, during, post)?
  
- l. How does your group talk about marriage equality?
  - i. What are the arguments it uses? What words, stories, and images have been used to convey this message?
  - ii. Can you explain how the group/organization developed this message?
  - iii. Is this message different for different audiences – for example, do you talk about marriage equality differently among yourselves than you do with the general public? How about with anti-marriage people?
  - iv. Can you explain how this message has changed over time (pre-8, during 8, post-8)? Why do you think it changed?

- m. Can you explain to me what your participation has meant to you?
      - i. How does your participation in the group/organization make you feel like a part of the marriage equality movement?
2. How do you explain the fact that Proposition 8 passed in 2008?
  - a. Do others share this point of view? What are other opinions that you are familiar with?
  - b. How did your group/organization explain that failure to its members? How did it explain that failure to the public? How was it discussed within the larger marriage equality movement?
  - c. Probes include questions about reaching out to rural and conservative populations, outreach to minority groups, ineffective messaging/the invisibility of gays and lesbians
3. What was your/your group/organization's perspective on what should be done after Proposition 8's passage?
  - a. What activities did you participate in immediately following its passage? Did you participate in any movement-wide discussions about the No on 8 Campaign and/or what steps to take next? Please tell me about those activities.
    - i. Probes include: Were you the representative of any group/organization? What was your group/organization's position?
  - b. Did you work to get a Repeal initiative on the ballot in 2010 or 2012? If so, how?
    - i. What group/organization(s) did you work with and what was your role?
    - ii. How do you explain the reasons that a Repeal initiative proved to not be viable?
    - iii. After it became clear that there would be no ballot initiative in 2010 or 2012, what did you/your group/organization do? How did the group/organization's goals, strategies, actions, etc. change?
4. What other ways do you participate in the marriage equality movement? Are there activities that you do that are not affiliated with any of the group/organizations we've already discussed?
5. As you consider the current state of affairs what do you think about the future of the movement for marriage equality in California?
  - a. What should the agenda be and what tactics should be used?
  - b. What concerns do you have about the future?
6. Is there anything else you'd like to discuss that I have not mentioned here? Do you have any questions for me?

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