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# The Public Eye

**Turning Right, Coming Apart:  
A Special Issue on the State of the States**

**The Klan's Rise and Demise in North Carolina  
A Faustian Bargain: How Georgia's GOP Sold its Soul  
States' Rights: The New Nullifiers and the GOP's Civil War  
One by One: The Right's 50 Paths to Power**

## Out of Many ... What?

In her brilliant book *Cities on a Hill*, published in the early 1980s, journalist Frances FitzGerald explored four very different “visionary communities”: the Castro neighborhood in San Francisco; the ministry of the Christian Right leader Jerry Falwell in Lynchburg, VA; a retirement community in Florida; and a commune in Oregon.

The Castro was an obvious fit with FitzGerald’s theme of visionary communities, being the “first gay neighborhood in the country” and a “laboratory for experimentation with alternate ways to live.” But Falwell’s ministry was a seemingly odd inclusion. A fundamentalist Christian, Falwell (who died in 2007) sought to use political and legal institutions to restore and enforce “traditional” morality.

FitzGerald’s insight was that a LGBTQ neighborhood in San Francisco and a fundamentalist community in the South were both “creating an entire world for themselves.” As she wrote of Falwell’s ministry, “It provided its members with a way of living in American society . . . without being a part of it.”

The relationship between the one and the many has always been a fraught and fundamental question at the heart of the American experiment. Particular groups and movements have sometimes sought to expand the “one,” or the circle of “we the people” sometimes sought to redefine and narrow it; and sometimes sought to dissolve it entirely.

Much of the story of the modern U.S. Right can be told as a conflict between the latter two impulses: to reform the United States and restore the country to its predominately White, Christian roots; and, alternatively, to withdraw into separatist or secessionist enclaves. Falwell built a ministry that could accommodate both the Right’s aim to reform the United States—restoring the old order—and its secessionist fervor. It offered his followers a way to be loyal to the United States—their vision of it, at least—and also deeply hostile to it.

This issue of *The Public Eye* is devoted to the U.S. states, which is where the Right has focused much of its organizing energy for the past three decades. It’s also the level at which the tensions between reform and secession are most obvious. Rachel Tabachnick and Frank Cocozzelli chart the increasing energy of the nullification movement, driven in large part by the work of Ron Paul—a man who has close ties to neo-Confederate organizations, and whose politics are consistently misrepresented by the mainstream media. Frederick Clarkson describes the emergence of two networks of state-based think tanks—one serving business interests, the other focused on social and cultural issues—that have become the core infrastructure of the conservative movement’s reformist agenda. Walter Reeves connects the legacy of the Far Right’s organizing in Georgia in the 1980s to the increasing radicalism of today’s GOP. And David Cunningham explains how the most “progressive” Southern state, North Carolina, became fertile ground for the KKK at the height of the Civil Rights Movement.

U.S. history is full of visionaries—beginning, as FitzGerald notes, with John Winthrop’s notion that the Puritans would establish “a City upon a Hill, the eyes of all people . . . upon us.” The Right has never been comfortable with the idea of that city as an expansive circle of “we the people.” Its leaders and organizers are visionaries indeed—even if their vision is often a frightening and reactionary one. What is happening within the states now will, in large part, determine whether their vision prevails, and what kind of a “city upon a hill” will emerge.

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BY WALTER REEVES

## Into the Whirlwind

The emergence of the Tea Party and its de facto takeover of the GOP have been a shock to many mainstream pundits and politicians. The domination of Tea Party ideology is complete enough to have forced a partial government shutdown, raised the threat of a default on the nation's debt obligations, and precipitated a potential Constitutional crisis. For many, the great mystery is how this came to pass.

As someone who has spent years researching and organizing against the Far Right, for me the answer is simple and unsurprising. This outcome has been brewing for decades. The research conducted by the Georgia-based Neighbors Network in the late-1980s and the 1990s provides a localized snapshot of a larger national dynamic. It was apparent from our work that the Far Right was operating with two distinct but related trends. The first was a revolutionary impulse that encouraged resorting to violence; the second was a long-term political effort to insinuate itself into the larger conservative movement. The first has received a fair amount of media attention. The second has passed largely unnoticed.

The revolutionary trend has been ascendant since the rise and fall of Robert Jay Mathews's White-supremacist terrorist gang, The Order, in the mid-1980s. Mathews led the group through a campaign of violent crime—including armored car robbery, counterfeiting, and the murder of Denver, CO, talk show host Alan Berg—before dying in a shootout with federal agents on Whidbey Island, WA, in 1984. The first significant sign of the resurgence of this political trend came with the 1992 presidential campaign of Patrick Buchanan, whose base of support included not only the Religious Right but direct involvement by White supremacists.

At the same time, Georgia politics was being shaped by a cause dear to White supremacists: defending the use of the Confederate Battle Standard in the state's flag. Gov. Zell Miller called for the removal of the Battle Standard. In response, Klansmen and the state Populist Party formed the Committee to Save Our State Flag, which was an early expression of the so-called Southern Heritage Movement. This controversy persisted through Miller's tenure, from 1991 to 1999, as well as that of his successor, Gov. Roy Barnes. The issue provided a point of convergence between the Far Right and mainstream conservatives, playing a high-profile role in the 2003 election of Sonny Perdue, the first Republican governor in Georgia since the Reconstruction era.

Conservatives and the Far Right also found common ground in 1994, during the run-up to the 1996 Atlanta Olympics. The Republican-dominated Cobb County Board of Commissioners passed a resolution labeling the homosexual "lifestyle" as incompatible with community values. Cobb was slated to host an event for the Olympics, touching off a political firestorm. The episode's long-term significance lay in its bringing together White supremacists, conservatives, and Christian Reconstructionists in a common, homophobic front. It may well have inspired the subsequent bombing of the Olympics by the right-wing terrorist Eric Rudolph.

The burgeoning militia movement in the mid-1990s provided yet another point of convergence for Georgia's Far Right and mainstream conservatism. In Georgia, the movement held monthly mass gatherings at an upscale motel/conference center in Atlanta. Ostensibly for the purposes of information sharing and networking, these gatherings resembled a right-wing flea market, where various Far Right groups peddled their wares and White supremacists, anti-Semites, and theocrats rubbed shoulders with conservative Republicans.

What is remarkable about this period of ferment and convergence is the complete failure of Georgia's GOP to repudiate the Far Right. Rather than pushing back against elements that were entering the party from the fringe, they pandered to them. Some even defended them as being unfairly smeared and persecuted. Notably, Sean Hannity, then a rising star of right-wing talk radio in the Atlanta market, adopted this line.

The Republican Party's pandering created a welcoming environment for the Far Right. Given our ongoing federal crises, there is every reason to believe the dynamic we observed in Georgia has been replicated on the national level. The GOP establishment was confident it could control the Far Right elements that it tapped during the 1980s and 1990s. It believed it could practice the politics of resentment with impunity. The apocalyptic nihilism of the Tea Party has proven them catastrophically wrong. We may all pay the price.

Having sown the wind, they are reaping the whirlwind.

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# Nullification, Neo-Confederates, and the Revenge of the Old Right

Behind the recent surge of nullification bills in state legislatures there is an ongoing battle for the soul of the GOP—and the future of the union itself. The nullification movement's ideology is rooted in reverence for states' rights and a theocratic and neo-Confederate interpretation of U.S. history. Ron Paul, who is often portrayed as a libertarian, is the engine behind the movement.



Ron Paul addressing a crowd in Florida in 2012. Photo courtesy of Gage Skidmore.

*I have a dream that one day in Alabama, with its vicious racists, with its governor having his lips dripping with the words of interposition and nullification, one day right there in Alabama little black boys and black girls will be able to join hands with little white boys and white girls as sisters and brothers.*

—Martin Luther King Jr., August 28, 1963<sup>1</sup>

**N**ullification is once again a strategic weapon in the battle for states' rights. Since 2010, state legislators have introduced nearly 200 bills—on 11 issues alone—challenging federal laws that they deem unconstitutional.<sup>2</sup>

Advocates base their argument for nullification and its ideological twin, secession, on the “compact theory,” which holds that the U.S. government was

formed by a compact among sovereign states that have the right to nullify federal laws—or leave the union.<sup>3</sup> Their work has the potential to provoke the most dramatic showdown over states' rights since President John F. Kennedy federalized Alabama's National Guard in response to Gov. George Wallace's refusal to desegregate the University of Alabama.<sup>4</sup>

If there is a showdown, it may come in Kansas. In April 2013, Republican Gov. Sam Brownback signed into law the Second Amendment Protection Act, which prohibits the enforcement of federal laws regulating guns produced and used within the state of Kansas.<sup>5</sup> U.S. Attorney General Eric Holder has warned Brownback that the law is unconstitutional. Similar bills have been introduced in at least 37 other states.<sup>6</sup> In September, the Missouri legislature narrowly failed to override the governor's veto of a nullification bill that would have allowed for

the arrest of federal agents attempting to enforce gun laws.<sup>7</sup> At least nine states have announced that they will not issue military identification cards to same-sex spouses at 114 Army and Air National Guard facilities, refusing to comply with Department of Defense policy.<sup>8</sup>

In addition to gun-control laws, the Affordable Care Act (ACA), or “Obamacare,” has been a prime target of nullification activists. At least 20 bills have been introduced in state legislatures to nullify the ACA. In North Dakota, the bill became law. The original version of a bill introduced earlier this year in the South Carolina House would have made implementation of the ACA by state employees a crime punishable by a fine of up to a thousand dollars, two years imprisonment, or both.<sup>9</sup> And the wave of challenges to federal law extends beyond the 50 state legislatures, spreading to county and local governments,<sup>10</sup> includ-

ing about 500 county sheriffs who have affirmed their commitment to “saying ‘no’ to Obama gun control.”<sup>11</sup> [See related sidebar.]

But the movement’s significance cannot be measured by ordinances and proposed legislation alone. Though nullification bills have sometimes been dismissed as political theater,<sup>12</sup> activists are organizing across the nation, and their work has real implications. They are mainstreaming interpretations of American history and law that delegitimize the regulatory role of the federal government—interpretations that have been central to the emergence of the Tea Party and to the recent Congressional battles over the federal budget.

Whatever its implications for electoral politics in the United States, though, the nullification movement is not limited to helping a particular party gain control of Congress or the presidency. Its goal is much more ambitious: to discredit and dismantle the federal government. Thus the movement’s rising popularity poses a dilemma for the Republican Party—and the nation more broadly. At stake are the definition and future of the union itself.

## **WARRING VISIONS: OLD RIGHT VS. NEW RIGHT**

The resurgence of the nullification movement predates Barack Obama’s presidency and the emergence of the Tea Party. Indeed, the current tension is half a century in the making and has emerged from a struggle between the Old Right and the New Right, also known as “paleoconservatives” and “neoconservatives,” respectively.

In a collection of essays published in 1999, leading intellectuals of the Old Right described “paleoconservatism” as “a phrase that came into circulation during the 1980s, perhaps as a rejoinder to the rise of neoconservative influence on the American Right.”<sup>13</sup> Identifying themselves as the true heirs of the Old Right’s ideology, these paleoconservatives included Russell Kirk, Richard Weaver, Allan Carlson, M. E. Bradford, Sam Francis, Thomas Fleming, and Murray Rothbard.

The struggle between these two camps—abbreviated as paleos and neocons—has often been bitter. Paleos accuse neocons of supporting open borders

and being statist, globalists, and imperialists. Neocons, in turn, accuse paleos of being isolationist, racist, anti-Semitic, and inclined toward conspiratorial thinking.

Paleos embrace the charge of isolationism and identify as cultural conservatives, or traditionalists. As a paleo once described their principles, they “share the Founding Fathers’ distrust of standing armies, look to the original American foreign policy of isolationism as a guide to any post-Cold War era, and see the welfare state as a moral and Constitutional monstrosity.”<sup>14</sup>

Even paleos with libertarian leanings are usually antichoice, opposed to LG-BTQ rights, and hostile to what they call “multiculturalism”—used interchangeably with the terms “Cultural Marxism” and “political correctness”—which they believe is a stealth effort to level society. Paul Weyrich’s Free Congress Foundation produced a booklet in 2004 providing an account of the conspiracy that the organization claimed had infiltrated American society. This Marxist conspiracy was supposedly organized by a group of intellectuals—members of the Frankfurt School—who fled Nazi Germany and were exiles in the United States in the 1930s.<sup>15</sup>

In their media, paleos often recount with bitterness the pivotal events that resulted in decades of their marginalization by neoconservatives. One such event was William F. Buckley’s 1962 “excommunication” of the John Birch Society—a bastion of the Old Right—from the conservative movement.<sup>16</sup> Another flashpoint was the firing of neoconservative Richard John Neuhaus in 1989 by the paleoconservative Rockford Institute. The firing followed Neuhaus’s accusations against Thomas Fleming—editor of the institute’s magazine—of “nativism, racism, anti-Semitism, xenophobia” and “a penchant for authoritarian politics.”<sup>17</sup> The Rockford Institute subsequently lost about \$700,000 in funding from conservative foundations.

Despite such setbacks, paleos were far from idle during these decades. In 1992, a paleo alliance came together to support Patrick Buchanan’s GOP primary challenge to President George H.W. Bush’s bid for re-election. Buchanan’s supporters included Llewellyn “Lew” Rockwell

Jr., founder of the paleoconservative Ludwig von Mises Institute, and anarcho-capitalist Murray Rothbard, the organization’s most prominent economist.<sup>18</sup>

In their *Rothbard-Rockwell Report*, Rothbard and Rockwell described Buchanan’s candidacy as “an unprecedented opportunity to forge a powerful paleo coalition, to create a new libertarian-conservative, Old Right movement that can grow, can become extraordinarily influential, and that can even take over the presidency within a short period of time.” The article included a reassurance that Ron Paul, the Libertarian candidate for president in 1988, had declined to run and was supporting Buchanan.<sup>19</sup>

The late Rothbard, who described himself as a member of the Old Right faction since 1946, was a Jewish New Yorker who supported Strom Thurmond’s States’ Rights Party in 1948. Bemoaning the neoconservatives’ success in establishing themselves as the only right-wing alternative to the Left, Rothbard called for a resurgence of the Old Right to “repeal the twentieth century.” In the 1960s, Rothbard temporarily formed an alliance with the antiwar New Left, including Students for a Democratic Society.<sup>20</sup> He later molded a paleo alliance limited to what he considered “good” libertarians. As described in a 1990 issue of the John Birch Society’s *New American* magazine, this would mean purging undesirable elements from the Libertarian Party, including “hippies, druggies, antinomians, and militantly anti-Christian atheists.”<sup>21</sup>

As their hopes for capturing the White House faded with Buchanan’s failed presidential bids in 1992 and 1996, paleos focused on building a movement opposed to both liberal and neoconservative “statists.” In 1995, inspired by the dissolution of the Soviet Union several years earlier, the Ludwig von Mises Institute hosted a conference on the legality and viability of secession. It was held in Charleston, SC. Following the conference, the Mises Institute published *Secession, State, and Liberty*, a collection of the proceedings that featured several of the Institute’s scholars.<sup>22</sup>

A prominent paleoconservative had noted in 1987 that the waning of neoconservatism might in fact “bring forward a much harder and more radical right, with serious political prospects.” His

## Nullification and The Constitutional Sheriff and Peace Officers Association

The Constitutional Sheriff and Peace Officers Association (CSPOA) was founded in 2011 by Richard Mack. A former Arizona sheriff, Mack has also been a lobbyist for Larry Pratt's Gun Owners of America (GOA) and is a director of Oath Keepers, founded by former Ron Paul Congressional staffer Stewart Rhodes. CSPOA is organizing sheriffs and police officers in a mission shared with Oath Keepers: to refuse to enforce federal laws that their members believe are unconstitutional, particularly gun laws.

"The greatest threat we face today is not terrorists," according to Mack. "It is our own federal government."<sup>1</sup> Sheriffs across the country have received letters asking where they stand on "executive orders to unlawfully derail the Second Amendment." The letter is sent by the Liberty Group Coalition, comprised of the CSPOA, GOA, Oath Keepers, the John Birch Society (JBS), the Tenth Amendment Center, and other organizations.<sup>2</sup> CSPOA lists by name and location nearly 500 county sheriffs and 18 state sheriff associations that have, to date, "gone on record" with CSPOA to affirm "saying 'no' to Obama gun control."<sup>3</sup>

CSPOA's conferences include religion-infused rhetoric against "tyranny." Though focused on resisting gun control laws, speakers also call for challenging federal agencies, including the Bureau of Land Management and the Food and Drug Administration. The 2012 conference, co-sponsored by the JBS, was headlined by Thomas Woods.<sup>4</sup> Speakers at the May 2013 conference included the Constitution Party's Michael Peroutka, GOA's Larry Pratt, Joe Wolverton of the JBS, U.S. Rep. Steve Stockman (R-TX), and Mike Zullo, chief "birther" investigator for Sheriff Joe Arpaio.<sup>5</sup>

In January 2013, Pennsylvania's Gilberton Borough passed an ordinance "nullifying all federal, state or local acts in violation of the 2nd Amendment to the Constitution of the United States." The police chief behind the ordinance, Mark Kessler, spoke at the 2013 CSPOA conference, and CSPOA created a new register on its website for police chiefs, with Kessler as the first on the list. CSPOA later distanced itself from Kessler and removed him from the list when his behavior became increasingly erratic. In a video posted online, for example, Kessler cursed "libtards" and fired city-issued weapons at a target representing Nancy Pelosi.<sup>6</sup> Kessler was later dismissed by the borough.<sup>7</sup>

quote was reprinted in a 2012 article in the *American Conservative*, co-founded by Patrick Buchanan.<sup>23</sup> With the mainstreaming of nullification and secessionist rhetoric in recent years—and a well-organized movement to promote them—those words now seem prophetic.

### THE RON PAUL REVOLUTION AND "ONE NATION INDIVISIBLE"

Ron Paul's retirement from Congress in 2012 did not end his political activism. The former U.S. Representative from Texas is developing a paleoconservative movement around his allies and the non-profits that he has founded since 1976.<sup>24</sup> The Ron Paul Revolution, as his supporters call it, provides the vital connective tissue for a small but growing network of organizations devoted to the cause of nullification.

Paul's agenda has included the rejuvenation of paleoconservatism through his youth outreach and a strong emphasis on his "libertarian" credentials, despite his record as the most conservative legislator in the modern history of the U.S. Congress.<sup>25</sup> The libertarian elements of Paul's political agenda derive primarily from his

allegiance to states' rights, which is often mistaken as support for civil liberties.

Paul is far more transparent about his paleoconservative—rather than libertarian—agenda when he speaks to audiences made up of social conservatives, as when he assured *LifeSiteNews* that he opposed federal regulatory power and supported state-level banning of abortion, and that he would veto a same-sex marriage bill if he were a governor.<sup>26</sup>

He also told an enthusiastic audience at the fundamentalist Bob Jones University in 2008 that "you don't have to wait till the courts are changed" to outlaw abortion, pointing out that his plan for removing jurisdiction from the federal courts would allow South Carolina to enact laws against abortion. And he sponsored the "We the People Act," which proposed stripping the federal courts of jurisdiction in cases related to religion and privacy, freeing state legislatures to regulate sexual acts, birth control, and religious matters.

Paul, who has been called the "father of the Tea Party,"<sup>27</sup> has long been rooted in the paleoconservative Right, a world inhabited by a substantial number of

neo-Confederates and theocrats. Though largely ignored or downplayed by the mainstream media, these connections are freely talked about in certain circles. For example, during Paul's 2008 presidential campaign, the former editor of *Southern Partisan*, a neo-Confederate publication, endorsed Paul on his personal blog. He described Paul as being an honorary member of the Sons of Confederate Veterans for at least 12 years, writing that he "has given countless speeches in front of Confederate flags for Southern Heritage groups and has never faltered from his defense of Dixie."<sup>28</sup> When Paul was initially confronted with the racist, reactionary, and conspiracy-filled commentary of newsletters published by his own organization in the 1980s and 1990s, he staunchly defended them—before changing course during the 2008 election and claiming that he had no knowledge of their content.<sup>29</sup>

The 1995 Mises Institute conference on secession included a session led by Paul, in which he applauded the willingness of Mises's leadership to talk openly about secession, as opposed to those who were a "bit more shy" and talked in terms

of the Tenth Amendment.<sup>30</sup> In 2012, Paul confirmed his position on secession “as a deeply American principle” on his House of Representatives website.<sup>31</sup> In a YouTube video posted in 2009 by one of his nonprofits, Campaign for Liberty, he blamed the notion of an “indivisible” nation on “avowed socialist” Francis Bellamy, author of the Pledge of Allegiance.<sup>32</sup>

The nonprofits and projects that comprise the Ron Paul Revolution are a vehicle for advancing the paleoconservative agenda, rebranded as libertarian, with young people as a special focus of the movement. Paul’s emphasis on liberty, along with his antiwar stance and opposition to federal marijuana laws, have obscured his ties to theocrats and neo-Confederates and have endeared him to a generation of young libertarians (and even some people on the Left). As Paul’s collaborator Lew Rockwell has written, “The young are increasingly with us. The neocons are yesterday’s men.”<sup>33</sup>

#### **YOUTH APPEAL: LIBERTARIANS AND THE OLD RIGHT JOIN FORCES**

The Tenth Amendment Center (TAC) is a prime example of nullification’s cross-over appeal—that is, the energy the movement generates by casting itself as libertarian rather than paleoconservative in origins.

The TAC was founded in 2007 by Michael Boldin, a Californian whose libertarianism is rooted, he says, in objections to the Iraq War and to federal excesses in the “psychotic war on drugs.”<sup>34</sup> The TAC is a source for model legislation, and it tracks the progress of nullification bills across the country. Its concerns span the political spectrum and include NSA spying, the Second Amendment, marijuana and hemp laws, the military’s use of drones, Obamacare, and environmental regulations, among other things. Its website offers a “Nullification Organizer’s Toolkit” with resources for activists.<sup>35</sup> Since the TAC is not registered as a nonprofit, little information is available about its finances, but it appears to function primarily as an internet-based organization with affiliates in most states.<sup>36</sup>

The TAC has promoted state nullification through its ongoing Nullify Now! tour of cities across the United States, starting in Ft. Worth, TX, in September

2010. The John Birch Society advertised the launch and has provided speakers.<sup>37</sup> [See sidebar for more about the John Birch Society’s role in the tour.] The most recent event was held in Raleigh, NC, in October 2013, and was co-sponsored by the League of the South, an Alabama-based organization founded in 1994 and dedicated to promoting states’ rights and Southern secession. In 1995, the League of the South published a “New Dixie Manifesto” in the *Washington Post*, calling for Southern states to take control of their own governments and oppose “the government’s campaign against our Christian traditions.”<sup>38</sup>

A previous Atlanta TAC event was sponsored by Ray McBerry, a candidate for governor of Georgia in 2010. McBerry is a former head of the Georgia League of the South and provides public relations for the Georgia Sons of the Confederacy. He was the top funder—at \$250,000—of the Revolution political action committee that supported Ron Paul’s presidential campaign in 2012.<sup>39</sup>

An important Tenth Amendment Center ally in nullification advocacy—Young Americans for Liberty (YAL)—was formed from the estimated 26,000 students who participated in Paul’s 2008 presidential campaign.<sup>40</sup> YAL recently announced the creation of its 500<sup>th</sup> campus chapter (at Cornell University) and claims to have 125,000 student activists. Its mission is to “cast the leaders of tomorrow and reclaim the policies, candidates, and direction of our government.”<sup>41</sup>

Founded on the belief that “government is the negation of liberty,” YAL holds a national, invitation-only summit each year featuring Ron Paul and his son, Sen. Rand Paul (R-KY). The 2013 event included a Senate Roundtable with Rand Paul, Mike Lee (R-UT), and Ted Cruz (R-TX). Training partners for the YAL chapters include Ron Paul’s nonprofit Campaign for Liberty, along with Americans for Prosperity and FreedomWorks. The latter two organizations were formed from the split of Citizens for a Sound

Economy, founded in 1984 by Charles and David Koch. Ron Paul was its first chairman.<sup>42</sup>

YAL’s director of outreach is Jack Hunter, who was dismissed from Rand Paul’s staff in July 2013 after his neo-Confed-

**The lead speaker of the Nullify Now! tour, Thomas E. Woods, is a partner in another Ron Paul venture. Woods is a regular speaker at neo-Confederate events, and he was one of the contributors to the “American Secession Project,” which aims to “place the concept of secession in the mainstream of political thought.”**

erate beliefs—particularly his speaking persona as the Rebel flag-masked “Southern Avenger”—became a public controversy.<sup>43</sup> Hunter, who has worked as Ron Paul’s official blogger and co-authored a book with Rand Paul, is a regular speaker on the Nullify Now! tour.<sup>44</sup>

The lead speaker of the Nullify Now! tour, Thomas E. Woods, is a partner in another Ron Paul venture. Woods, who has degrees from Harvard University and Columbia University, is one of the producers of the Ron Paul Curriculum, a homeschooling program introduced in 2013. In a 1997 essay, Woods described the “War Between the States” as the South’s “struggle against an atheistic individualism and an unrelenting rationalism in politics and religion, in favor of a Christian understanding of authority, social order and theology itself.” His author biography noted that he was “a founding member of the League of the South.”<sup>45</sup>

Woods wrote *Nullification: How to Resist Federal Tyranny in the 21st Century*—described by the Southern Poverty Law Center as the “Bible of the movement”<sup>46</sup>—and he is the star of the film *Nullification: The Rightful Remedy*, which is being shown on the Nullify Now! tour. Since the 1990s, Woods has been a regular speaker at neo-Confederate events, and he was one of the contributors to the “American Secession Project,” which aims to “place the concept of secession in the mainstream of political thought.”<sup>47</sup> His work has reached a general audience through his

*New York Times* bestsellers—including *The Politically Incorrect Guide to American History* and *Meltdown*—and regular appearances in conservative media.

A convert to Catholicism, Woods is also recognized for his books attacking the post-Vatican II church and promoting laissez-faire economics to Catholics.<sup>48</sup> While headlining the Nullify Now! tour, he has shared the stage with state legislators across the country<sup>49</sup> and has been referenced by legislators introducing nullification bills.<sup>50</sup> In Idaho, GOP legislators distributed Woods's book on nullification to their Democratic colleagues and to the governor.<sup>51</sup>

### GOD, GUNS, AND A CIVIL WAR THEOLOGY

A consistent theme of the states' rights and nullification movement is the sacralization of the Old South's "lost cause." In this interpretation of what is called the "War of Northern Aggression," Abraham Lincoln is the great villain of American history—sometimes portrayed as a Marxist—whose intent was to establish an imperialistic federal government. Racism in America is described as a product of Reconstruction, rather than of slavery, which is defined as a benign and biblical institution.<sup>52</sup> This interpretation has broad appeal beyond the South and across the religious spectrum, and its adherents include a surprising number of traditionalist Catholics.<sup>53</sup>

In an article in the *Canadian Review of American Studies*, Euan Hague and Edward Sebasta describe the interpretation as a "Civil War theology" that casts the Civil War as battle over the "future of American religiosity fought between devout Confederate and heretical Union states."<sup>54</sup> The article tracks this narrative from the Southern Presbyterian church of the Confederate era to its post-World War II revival by "Southern Agrarian" writers and, later, the late Christian Reconstructionist Rousas J. Rushdoony. It made its way into neo-Confederate magazines like *Southern Partisan* and religious publications like Rushdoony's *Chalcedon Report*, and since then into popular books and media.

The sacralized "lost cause" of the South is often undergirded by Christian Reconstructionism—that is, the belief that the

United States and other nations must be reconstructed and governed according to biblical law.<sup>55</sup> Reconstructionism merges theocracy with laissez-faire capitalism, or "biblical economics," to arrive at a vision of government that promotes biblically aligned law at the local level and a radically limited federal government.<sup>56</sup>

This narrative has been a part of some Christian homeschooling and private-school curricula for decades. A Christian Reconstructionist text published in 1989 and still used today provides this summary of the events following the "War Between the States":

After the war an ungodly Republican element gained control of the Congress. They wanted to centralize power and shape the nation according to their philosophy. In order to do this, they had to remove the force of Calvinism in America, which was centered in the South at this time, and rid the South, which was opposed to centralization, of its political power. They used their post-war control of Congress to reconstruct the South, pass the Fourteenth Amendment, and in many ways accomplish their goals.<sup>57</sup>

Rushdoony—the father of Christian Reconstructionism and a pioneer of the modern homeschooling movement—advocated localism and a "Protestant feudal restoration" as a "libertarian" alternative to central government.<sup>58</sup> His work is in keeping with a long tradition of using religion to fight the New Deal specifically and the federal government's regulatory power more broadly.<sup>59</sup> As early as 1978, the newsletter of Rushdoony's disciple and son-in-law, Gary North, had introduced nullification as a biblical way to fight the centralized "totalitarian State."<sup>60</sup>

Christian Reconstructionism has also played a significant role in the ideology of the civilian militia movement. Larry Pratt, executive director of Gun Owners of America since 1976, was the "chief theoretician of the militia movement" of the 1990s.<sup>61</sup> More recently, he has helped expand this potential source of armed resistance to the federal government to include elected county sheriffs across the nation. [See related sidebar.]

In one of the early Christian Reconstructionist publications, Pratt contrib-

uted an essay titled "Tools of Biblical Resistance," in which he claims that the Supreme Court has "taken the authority to find rights that never existed and taken away rights bestowed by God and set forth in the Constitution drawn up two hundred years ago."<sup>62</sup> Militias are necessary, according to Pratt, because, "anti-Christian governments such as we have in the United States cannot be counted on to keep the peace."<sup>63</sup>

Pratt's book *Safeguarding Liberty* opens with the story of the Lincoln County, MT, militia being deputized by Sheriff Ray Nixon as a defense against the federal government.<sup>64</sup> His 1990 book *Armed People Victorious* extols the virtue of armed citizen militias and uses the examples of Guatemala and the Philippines as a model for the United States.<sup>65</sup> He has also traveled to Ireland to call for the Protestant population to arm itself and has promoted unregulated gun access in South Africa.

Pratt made news in 1996, when he was ousted as co-chair of Patrick Buchanan's presidential campaign after being exposed for his role at White supremacist gatherings.<sup>66</sup> More recently, Pratt spoke at the Southern Heritage Conference and was a sponsor (along with Ron Paul, the Chalcedon Foundation, and the Texas League of the South) of the Southern Historical Conference. Both are Christian Reconstructionist, neo-Confederate events.<sup>67</sup>

Pratt appeared in the political documentary *Molon Labe: How the Second Amendment Guarantees America's Freedom*, which premiered in October 2013. The film, which also features Ron Paul and Patrick Buchanan, is about the "duty" of citizens to keep and bear arms as part of their militia responsibilities. According to the producer, "We the people will never regain the power of the purse or the power of the sword until and unless we reestablish the 50 Militias in each and every one of our 50 states."<sup>68</sup> The film is part of a series starring Paul and Buchanan. Other films include one about the possibility of a third party winning the presidency. Another is titled *Cultural Marxism*.

### THE MOVEMENT'S THINK TANKS

The work of developing the intellectual underpinnings of the nullification move-



ment—and reviving neo-Confederate ideology—is taking place at two influential think tanks, the Abbeville Institute and the Ludwig von Mises Institute. The former’s work is largely behind the scenes; the latter is intensely popular among fans of Ron Paul.

The Mises Institute has a multi-million dollar budget and claims 350-plus faculty and donors in 80 countries.<sup>69</sup> Based in Auburn, AL, it touts its website as the “most trafficked institutional economics site in the world.”<sup>70</sup> Mises was founded in 1982 by Lew Rockwell Jr., former Congressional chief of staff for Ron Paul and creator of the popular LewRockwell.com blog. He credits several people with helping to found the think tank, including Ron Paul. Rockwell has served on the national board of advisors for the Southern Heritage Society and describes himself as the only “copperhead” on the board.<sup>71</sup>

The Abbeville Institute is named for the birthplace of John C. Calhoun, a U.S. Senator from South Carolina who was a passionate defender of slavery. Calhoun is best known for his role in the Nullification Crisis of 1832 and his outspoken advocacy of states’ rights. The Institute has a post office box in McClellan, SC, and an annual budget of less than \$200,000 dollars, but it hosts an influential annual scholars’ conference and summer program.

Abbeville was founded in 2003 by an Emory University philosophy professor, Donald Livingston, who also founded and led the League of the South’s educational arm.<sup>72</sup> Abbeville claims to have about a hundred affiliated scholars, though only about three dozen are listed publicly on its website. Most of the scholars are college and university faculty, and many have also been affiliated with the League of the South and the Sons of Confederate Veterans.<sup>73</sup> *Time* described Abbeville’s group of scholars as the “Lincoln loathers,” and a *Chronicle of Higher Education* article summed up their online lectures: “Abraham Lincoln is not the Great Emancipator; he is Dishonest Abe, a president hellbent on creating a big central government, even if that meant waging war.”<sup>74</sup>

In 2009, the Abbeville Institute Scholars’ Conference focused on the superior religiosity of the South. It was held at Liberty University in Lynchburg, VA,

## John Birch Society: the Old Right Reemerges

A key partner in the Nullify Now! tour and nullification advocacy is the John Birch Society (JBS). The organization was initiated in 1958 to fight the perceived infiltration of communism in American society. Fred Koch, father of the billionaire Koch brothers, was one of its founding members. Marginalized for decades from mainstream conservatism, it has recently made a comeback, largely via the Tea Party movement and the Ron Paul Revolution.<sup>1</sup>

The JBS was a major force in the battle against the Civil Rights Movement. In addition to the publication of books and pamphlets, the JBS placed advertisements in newspapers in 1965, asking, “What’s Wrong with Civil Rights?” The ads filled half a page with fine print outlining a communist conspiracy and United Nations plot that the JBS claimed to be behind the movement, including plans for a “Soviet Negro Republic” in the United States.<sup>2</sup>

An essay on the JBS website calls for states to “nullify every act of the central government that exceeds its constitutional authority, every time, without exception.”<sup>3</sup> Although defending secession as a legal option for states, the JBS promotes nullification as a better alternative to secession or revolution.

The organization’s nullification advocacy includes working directly with state legislators on enacting model bills.<sup>4</sup> For example, Oklahoma State Rep. Mike Ritke (R) credits the John Birch Society with “providing the leadership” for the state’s bill to “nullify Obamacare.” The effort was recounted in the “JBS Weekly Update” on the Florida Tenth Amendment Center website. In an accompanying video, Rep. Ritke calls for new members to help in adding more Birchers to the Oklahoma legislature.<sup>5</sup> JBS has also led efforts to nullify current and potential federal gun laws,<sup>6</sup> produce guides for activists,<sup>7</sup> and encourage and track activism on nullification legislation.



A billboard in Jasper County, SC. Photograph taken in 2013 by author.

founded by the late Jerry Falwell. According to the conference summary, “Northerners became progressively liberal and secular, the political doctrine of human rights replacing the Gospel in importance and in doing so lost influence; whereas Southerners and their section remained orthodox and flourished in Christian and humanitarian influence.”<sup>75</sup>

In 2010, the Abbeville Institute hosted “State Nullification, Secession, and the Human Scale of Political Order.” It featured speakers affiliated with Abbeville and Mises, including Lawrence Reed, president of the Foundation for Economic Education (FEE), and leaders from the Second Vermont Republic and the Middlebury Institute.<sup>76</sup> FEE is the “granddaddy

of all libertarian organizations,” with a founding board of directors that included the creator of the John Birch Society, Robert Welch.<sup>77</sup> Before going to FEE, Reed was president for 20 years of the Mackinac Center for Public Policy, one of the first and largest of the state free-market think tanks. Reed has been described as having “nurtured so many state policy groups that he has been called the movement’s Johnny Appleseed.”<sup>78</sup>

The 2010 Abbeville event was promoted by the John Birch Society and the Tenth Amendment Center.<sup>79</sup> Speakers focused on the “peaceful secession” of states from the Soviet Union as a model. “Nullification and secession were understood by the Founders as remedies to un-

constitutional acts of the central government,” according to an ad for the event. “Yet over a century of nationalist indoctrination and policy has largely hidden this inheritance from public scrutiny. The aim of the conference is to recover an understanding of that part of the American tradition and to explore its intima-

arrival as head of Heritage. DeMint, a Tea Party leader and former Republican U.S. Senator from South Carolina, is now deviating from previous positions held by the conservative foundation.<sup>85</sup> The new Heritage Action, formed in 2010, took a leading role in promoting the 2013 government shutdown and, as a senator,

DeMint called for governors to refuse to implement the ACA.)<sup>86</sup> In 2013, the libertarian Cato Institute also began warning

**Right-wing radicalism is hardly a new phenomenon in American society, but its modern manifestation is unprecedented since the era of resistance to school integration.**

tions for today.”<sup>80</sup>

Mises and Abbeville have several scholars in common, including Livingston, Woods, and Thomas DiLorenzo, all of whom have been affiliated with the League of the South and are regulars on the neo-Confederate speaking circuit. Livingston and DiLorenzo are both listed as faculty for the Sons of Confederate Veterans’ education arm.<sup>81</sup>

Their books and media have gone mainstream, and they make regular appearances in a variety of media venues, including Fox News, MSNBC, and CNN. DiLorenzo’s 2003 book *The Real Lincoln* became one of the top-selling selections of the Conservative Book Club.<sup>82</sup> These scholars are also called on to testify as “experts” before legislative bodies. Livingston, for example, was invited by South Carolina Rep. Bill Chumley to testify before the state legislature in February 2013 in support of nullifying the Affordable Care Act.<sup>83</sup>

### THE CONSERVATIVE SCHISM AND THE GOP’S DILEMMA

The nullification movement, cloaked in the language of liberty, poses a serious challenge to conservatives and the Republican Party. The New Right infrastructure developed over the last several decades has an ongoing agenda of shifting power from the federal government to the states, but it has generally avoided promoting nullification. In 2012, The Heritage Foundation published a forceful denunciation of nullification, titled “Nullification: Unlawful and Unconstitutional.”<sup>84</sup> (This was prior to Jim DeMint’s

about the limits of nullification.<sup>87</sup> It recently expressed concern about the rise of “Confederate-defenders” gaining traction in libertarianism,<sup>88</sup> and posted a video that warned viewers not to be seduced by neo-Confederate ideology.<sup>89</sup>

In particular, the GOP’s hopes to expand its coalition and attract minorities are threatened by the Ron Paul Revolution’s radicalism. For example, Paul has signed a proclamation calling for an end to public education,<sup>90</sup> and his book *The School Revolution*, published in 2013, calls for the abolition of public schools. He stresses homeschooling as an essential part of his vision—and has a Christian Reconstructionist, Gary North, serving as the director of the new Ron Paul Curriculum for homeschoolers. A Mises scholar and former Congressional staffer from Paul’s first term in the House, North has written that he is “trying to lay the biblical foundations of an alternative society to humanism’s present social order.”<sup>91</sup>

An example of Paul’s ability to use his libertarian brand to promote reactionary ideas and organizations—and cause headaches for the Republican Party—was the Rally for the Republic, his GOP counter-convention, held in Minneapolis in 2008. As the Republican National Convention took place across the river, an estimated 10,000 people gathered to cheer their hero and a roster of speakers, including one special, secret guest. The rally’s emcee, Tucker Carlson, was surprised by the special guest’s identity—John McManus, longtime president of the JBS—and declined to introduce him. Carlson was “apparently scandalized at the prospect of introducing someone

from the JBS,” according to a JBS account of the event. McManus nonetheless took the stage and closed his well-received speech by saying, “If you like Ron Paul, you’ll love the John Birch Society.”<sup>92</sup> A few weeks after his 2008 Rally for the Republic, Paul gave the keynote speech at JBS’s 50<sup>th</sup> anniversary.<sup>93</sup>

Paul and the nullification movement pose challenges for progressives, too, who face the temptation of using state nullification as a way to counter the federal government on multiple issues, including privacy violations, marijuana laws, and the military’s use of drones. Whatever the short-term gains it might yield, collaboration with paleoconservatives could strengthen the position of “tentherers” (a term used by many nullification advocates to describe themselves, referring to their reverence for the Tenth Amendment to the U.S. Constitution) who would use their interpretation of states’ rights to restrict civil liberties.

Partly because of its broad appeal, the nullification movement continues to escalate, and its base is expanding. Right-wing radicalism is hardly a new phenomenon in American society, but its modern manifestation is unprecedented since the era of resistance to school integration. Those threatening to resist federal law and regulation are no longer just patriot militias in camouflage, training in isolation in the woods. They are elected county sheriffs, politicians, and state legislators, declaring that their resistance to the federal government is grounded in their interpretation of the Constitution and U.S. history. Understanding the ideology behind their work is crucial to navigating the challenges that lie ahead. ☞

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# The 50 “Freedom Frontiers”

## How the Right’s State-Based Think Tanks are Transforming U.S. Politics

Two networks of conservative, state-level think tanks have matured rapidly over the past three decades. By crafting public policy, collaborating with Republican state legislators, and fostering new leadership for the Right, they have significantly shaped recent U.S. politics. And their work has only just begun.

**T**he Democratic Party’s wins in the 2008 and 2012 presidential elections, and its modest successes in recent Congressional elections, have obscured a series of setbacks for the party in the states. As *National Journal* put it, the GOP “wiped the floor with Democrats” in the 2010 midterm elections, setting a record in the modern era by picking up 680 seats in state legislatures. The next-largest harvest

of legislative seats was the Democrats’ 628-seat gain in the Watergate-dominated election of 1974.<sup>1</sup> The 2010 landslide gave the GOP the upper hand in the subsequent Congressional redistricting process, allowing Republicans to tilt the playing field in their favor and shape U.S. elections for years to come. In the meantime, conservatives have used friendly, GOP-dominated state legislatures to ram their agenda through legislatures—in “red” states and even some states that lean “blue”—on a range of issues: imposing harsh voter restrictions

in North Carolina, for example, and passing dramatic anti-labor legislation in Michigan.

The roots of this debacle go far deeper than one or two election cycles and cannot be explained by the normal ebb and flow in electoral fortunes of the two major parties. The seeds were actually sown in the late 1980s, when strategists in the conservative movement came to an important realization. If they were successful in their efforts to devolve much of federal policy-making authority to the states—a key goal of the “Reagan revo-

*From a promotional video for the State Policy Network’s 21<sup>st</sup> Annual Meeting. Image courtesy of Corey Burres.*



lution”—they would need relevant resources to elaborate their vision, and the organizational capacity to implement it. The two networks of state-based think tanks that emerged from that realization amount to one of the great under-reported stories in modern American politics. We are just now seeing the implications of the networks’ work, and of the conservative strategists’ vision.

Though several Washington, D.C.-based think tanks were profoundly important in President Ronald Reagan’s administration, few state-level groups existed at the time. Reagan encouraged the creation of think tanks in state capitals, and two related networks of policy shops and advocacy groups emerged from this idea.<sup>2</sup> Both have become part of the deep infrastructure of the conservative movement, and they play a critical role in taking the movement’s agenda to the states, where a fierce battle over the role, size, and scope of government is playing out.

The State Policy Network (SPN) comprises think tanks that are modeled after the Heritage Foundation, in that they conduct research and make policy recommendations to government agencies and legislative bodies. SPN currently comprises 63 member organizations—at least one in each state. SPN members vigorously promote a “free market,” anti-labor agenda, and they are joined in this mission by dozens of conservative and libertarian groups with which they liaise, including national institutions like the Heritage Foundation, Cato Institute, Manhattan Institute for Policy Research, Alliance for School Choice, Americans United for Life, and the Ayn Rand Center for Individual Rights.<sup>3</sup>

The second network comprises organizations that are modeled on the Family Research Council (FRC), one of the foundational organizations of the Christian Right that was, for several years, the public policy arm of Focus on the Family (FOF). These think tanks are called Family Policy Councils (FPCs), and they take policy research and political advocacy to state capitals the way the FRC does in Washington, D.C.<sup>4</sup> They focus primarily on reproductive rights, traditional “family values” (especially marriage), and, increasingly, religious liberty. This is in keeping with the agenda of the 2009

Christian Right manifesto, the *Manhattan Declaration*.<sup>5</sup>

Though the individual institutions tend to command our attention, the influence of the networks is much greater than the sum of their parts. Comprising part of the core infrastructure of the conservative movement, they create synergies by sharing information, resources, and best practices. These synergies allow even the smallest members to rely on the same research as the networks’ largest and best-endowed institutions. Crucially, they also equip the Right with a common set of talking points and understandings, even as the individual institutions maintain the flexibility to tailor their strategies to state-level circumstances.

“The states are our first and final frontiers of liberty,” an SPN video declares. “Just as the pioneers journeyed to the wild west to discover new frontiers and stake their claim for a new life, we must stake a claim for freedom for us and the generations yet to come. Moving the locus of power from DC to the 50 freedom frontiers requires fortitude, bold strategies and a network of equipped trailblazers.”<sup>6</sup>

#### DIVISION OF LABOR

In a speech at the Heritage Foundation in 1989, Republican political operative Don Eberly outlined how the networks would operate, explaining that there would be a business-oriented group (the Commonwealth Foundation) and a Christian Right group (the Pennsylvania Family Institute). “We have organized a leadership team,” he said, “that is implementing . . . the Pennsylvania Plan.” He explained that the Commonwealth Foundation, of which he was founding president, would function as the state-based equivalent of the Heritage Foundation, while the Pennsylvania Family Institute, where his wife Sheryl was on the board, would be the equivalent of the Family Research Council.

“We now have both economic and social issues coalitions on the state level that meet regularly and are developing agendas,” Eberly continued. “This September [1989], we had our first statewide conservative conference for local leaders and activists, patterned after [the Con-

servative Political Action Conference] in Washington. The conference, which will become an annual event, attracted 320 people from all across the state and sent shock waves throughout the political establishment.”<sup>7</sup> The conference is still staged annually, and it has served as a model for similar conferences held elsewhere—for example, in North Carolina.<sup>8</sup>

The Pennsylvania Plan was a template for two incipient national networks of think tanks—one focusing on economic issues, the other primarily on social and cultural concerns—that would share a common free-market ideology and sometimes a common agenda. Initially, both Pennsylvania groups were substantially underwritten by right-wing philanthropist Richard Mellon Scaife and other “strategic funders” of the Right, as journalists called them at the time.<sup>9</sup>

The State Policy Network was formed in 1992 to coordinate the activities of the business wing, and it was underwritten by South Carolina businessman Thomas Roe. A small predecessor—the Madison Group, which included Roe’s South Carolina Policy Council, Scaife’s Commonwealth Foundation, and the Independence Institute, underwritten by the Adolph Coors Foundation and other Coors interests—became the core of the SPN. Roe, Scaife, and Joseph Coors—the Colorado beer magnate who led his family into political prominence—were all major funders and board members of the Heritage Foundation at the time.<sup>9</sup>

In recent years, members and associates of the State Policy Network have been the recipients of massive infusions of cash that have come largely from secretive, donor-advised funds serving as financial funnels for individuals, corporations, and foundations. According to the Center for Public Integrity, Donors Trust and the related Donors Capital Fund have quietly funneled nearly \$400 million from about 200 private donors (including the ubiquitous Koch brothers) to free-market causes since 1999. In 2013, the Center also reported that Donors Trust had given \$10 million to the SPN over the course of the previous five years, and that in 2012 “SPN used the money to incubate think tanks in Arkansas, Rhode Island, and Florida, where it hosted its yearly gathering in Novem-

ber.”<sup>10</sup>

An investigation by the Center for Media and Democracy (CMD) in November 2013 unearthed an internal list of SPN’s major funders for 2010. It included Donors Capital Fund and Donors Trust, as well as such major corporations as BMO Harris Bank, Microsoft, Facebook, and the tobacco companies Altria (formerly Phillip Morris) and Reynolds American.<sup>11</sup>

SPN spends about \$5 million annually to support existing groups and help start-ups develop the management and leadership skills of their staff and board, recruit and mentor staff, teach strategic marketing and branding, and network with other think tanks to leverage knowledge and resources. Thomas Roe, SPN’s late founding chairman, wanted it that way. “We still do it today,” said Lawrence Reed, president emeritus of the Michigan-based Mackinac Center for Public Policy. “It keeps us knowledgeable about what everyone else is doing, it keeps us talking, and it stops us from reinventing the wheel over and over again.”<sup>12</sup>

SPN member organizations have used this strategic capacity in the fight for a range of major initiatives, notably anti-labor legislation.<sup>13</sup> According to a 2011 report in *Mother Jones*, SPN’s affiliates have led the charge at the state level in the Republican Party’s “war on organized labor. They’re pushing bills to curb, if not eliminate, collective bargaining for public workers; make it harder for unions to collect member dues; and, in some states, allow workers to opt out of joining unions entirely but still enjoy union-won benefits. All told, it’s one of the largest assaults on American unions in recent history.”<sup>14</sup>

In Michigan, for example, the Mackinac Center made four policy recommendations to give unelected “Emergency Managers” more power to terminate union contracts and fire municipal

elected officials “in the name of repairing broken budgets.” As *Mother Jones* reported, “All four ended up in Governor Rick Snyder’s ‘financial martial law,’ as one GOP lawmaker described it.”<sup>15</sup> A writer for *Forbes* called it “one of the most sweeping, anti-democratic pieces of legislation in the country,” investing Snyder with the power “not only to break up unions, but to *dissolve entire local governments* and place appointed ‘Emergency Managers’ in their stead [emphasis in original].”<sup>16</sup> The legislation became law in March 2011.

Some SPN institutions are small but exert disproportionate influence by keeping a high media profile. Other in-

**SPN member organizations in North Carolina published more than 50 articles, op-eds, and blog posts fomenting unfounded fears of voter fraud. These helped catalyze passage of a strict photo ID law, an end to same-day registration, and a shorter early voting period in 2013. The legislation will likely suppress turnout among African Americans and young people.**

stitutions, like the Texas Public Policy Foundation (TPPF) and the Mackinac Center, have multimillion dollar budgets and large staffs, and they play an outsized role in state politics by partnering with other institutions, such as the American Legislative Exchange Council (ALEC).

Since 1975, ALEC has developed model, business-oriented legislation in cooperation with a national network of state legislators. It began a more formal and coordinated relationship with SPN and member organizations beginning in the mid-2000s. A study by the Center for Media and Democracy found that two dozen SPN groups, including the SPN itself, are organizational members of ALEC and serve on one or more of its legislative task forces. CMD identified several areas of ALEC’s policy foci in which SPN members play a role: privatizing public education and public pension sys-

tems; rolling back environmental initiatives; disenfranchising people of color, the elderly, and students; and attacking workers’ rights.<sup>17</sup>

Several SPN members have shepherded bills through the process of becoming official ALEC “model” bills. For example, Arizona’s Goldwater Institute and the Mackinac Center were responsible for ALEC’s adoption of five model bills targeting public-sector unions.<sup>18</sup>

According to an investigation by the Institute for Southern Studies, the Civitas Institute and the John Locke Foundation—SPN member organizations in North Carolina—published more than 50 articles, op-eds, and blog posts fo-

mementing unfounded fears of voter fraud. These helped catalyze passage of a strict photo ID law, an end to same-day registration, and a shorter early voting period in 2013.<sup>19</sup> The legislation will likely suppress turnout among African Americans and young people. The U.S. Department of Justice has filed a lawsuit to block enforcement of key

provisions of the law.<sup>20</sup>

U.S. Sen. Ted Cruz (R-TX) in many ways personifies how SPN provides infrastructure, develops personnel, and hatches ideas for the conservative movement. Prior to his election to the Senate in 2012, he served as a senior fellow with TPPF’s new Center for 10th Amendment Studies. In 2010, he co-authored a report that became the basis of ALEC’s model legislation to block implementation of the Affordable Care Act (ACA).<sup>21</sup>

The SPN’s recent mixing of Tea Party activism (largely funded by the Koch brothers) with more buttoned-down business conservatism is not without its challenges. An SPN “ToolKit” featured on its web site in 2013, for example, urged members to avoid language that smacks of “extreme views,” advising, “Stay away from words like radical, nullify, or autonomy,” and especially “states’ rights.”<sup>22</sup>

**ORIGINS OF A FAUX NEWS NETWORK**

The State Policy Network has now been developing and deepening its capacity—not only to do research and policy work, but also to absorb and integrate new projects—for more than two decades. At the same time, it has faced new challenges and taken advantage of new opportunities in an era of digital activism and new media.

SPN’s adaptability in the new era is illustrated by its development of a news network. Three dozen SPN affiliates now field their own “investigative reporters” on behalf of a recently created member, the Franklin Center for Government and Public Integrity, which describes its mission as “exposing government waste, fraud and abuse.”<sup>23</sup> It seeks to fill a void created by the loss of a third of the nation’s journalism jobs since 1992. The Center was created by the now-defunct Sam Adams Alliance, which began as a Tea Party organization and was folded into SPN.

SPN’s state news websites collectively produce *Watchdog Wire*, which publishes work by “citizen journalists.” As the website describes the project, “by covering stories in your local community that are otherwise ignored by the establishment media, you can make a difference!”<sup>24</sup> The Franklin Center claims

that it “already provides 10 percent of all daily reporting from state capitals nationwide.”<sup>25</sup> The basis for the claim is unclear, but whatever its truth, it does speak to the Center’s ambitions.

The Sam Adams Alliance also separately created three websites modeled on Wikipedia: Judgepedia, Ballotpedia, and Sunshine Review. They offer right-wing analysis of (respectively) the judiciary, election issues, and governmental performance. These projects have since been folded into the Lucy Burns Institute, an SPN member based in Madison, WI. Like many SPN organizations, it has extensive ties to the Tea Party and funding from the Koch brothers.<sup>26</sup>

The Franklin Center and the Lucy Burns Institute are part of a surge of recent development in SPN’s infrastructure that has expanded its capacity to influence both media and public policy, as well as the range of ways by which it carries out its mission. Donors Trust has funneled cash to both the Franklin Center and to many SPN affiliates for their “news” operations. Its \$6.3 million donation to the Franklin Center constituted 95 percent of the Center’s revenue in 2011.<sup>27</sup>

This network has had some success. While some affiliates do little more than block off of Associated Press stories, oth-

ers feature established conservative journalists. In Oklahoma, the former editorial page editor of the *Oklahoman* newspaper, Patrick B. McGuigan, serves as the local bureau chief, and he has a weekly segment on *Capitol Report*, the CBS affiliate in Oklahoma City.<sup>28</sup> And stories in the *Pennsylvania Independent*, a Franklin Center online publication supported by the Commonwealth Foundation, have been picked up by mainstream outlets, including the *Philadelphia Inquirer*.

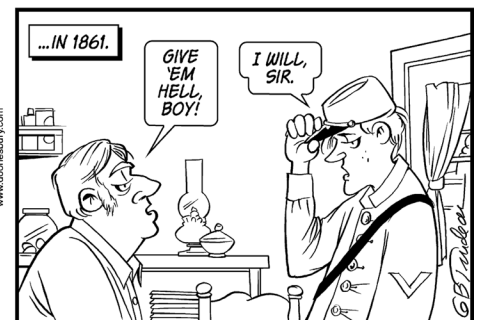
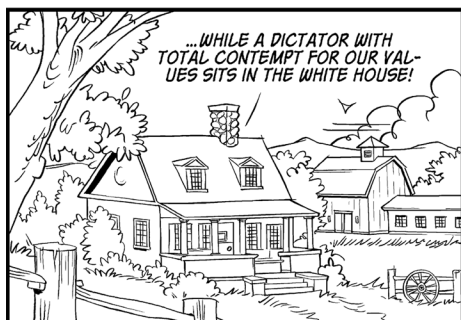
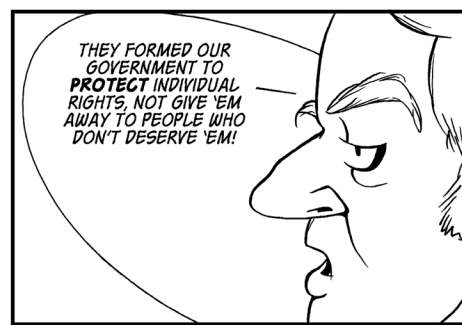
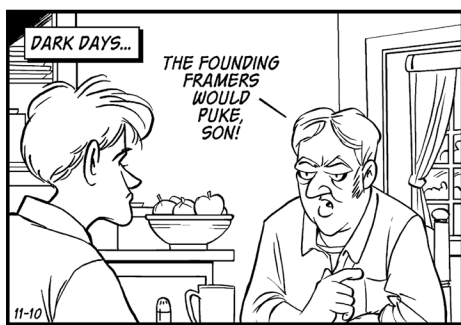
To date, though, the network has shown little capacity to stand on its own and depends almost entirely on funding through Donors Trust. As of August 2013, the *Pennsylvania Independent* had only one ad—for the Commonwealth Foundation’s own campaign to privatize state-owned liquor stores.<sup>29</sup>

**BUILDING FOR THE FUTURE**

While the State Policy Network has mostly limited itself to the role of influencing public policy through the traditional work of think tanks—research, media work, and lobbying—the Family Policy Councils are more explicitly involved in mobilizing the Right’s grassroots base to become active in electoral politics.

There are 36 state FPCs, which typically have the word “family” in their

**DOONESBURY**



DOONESBURY © 2013 G.B. Trudeau. Used by permission of Universal Uclick. All rights reserved.

names, such as the Massachusetts Family Institute, Louisiana Family Forum, and the Family Foundation of Virginia. Others are less obvious, bearing such names as the Center for Arizona Policy and the Christian Civic League of Maine, but they are all outgrowths of the original Reagan-era plan to take the Christian Right's agenda to the states.

A change in the federal tax law in 2004 required 503(c)(3) tax exempt organizations to be less political than they had been, necessitating separately incorporated political action arms. As a result, FOF formed Focus on the Family Action, which later changed its name to CitizenLink for the sake of clarity.<sup>30</sup>

While the Family Research Council and its feisty spokesmen, Tony Perkins and Jerry Boykin, disproportionately make headlines, CitizenLink quietly cultivates the grassroots. Spending about \$13 million annually (as of 2012), CitizenLink coordinates the work of the FPCs, ensuring accreditation and compliance and providing services to increase the capacity of the institutions to carry out their mission.<sup>31</sup> It also does candidate trainings and works primarily for Republicans in national elections. CitizenLink reportedly spent \$2.6 million on independent expenditures in 2012, mostly on behalf of GOP presidential candidate Mitt Romney.<sup>32</sup>

The network has played an important role in the political development and subsequent raw political power of the Christian Right. Many of the older FPCs have been active for more than two decades, crafting an activist religious-political culture, affecting electoral outcomes, and ultimately developing the clout to influence legislation and policy outcomes on such matters as abortion and LGBTQ rights.

Indeed, FPCs have often been leading actors in the state-level battles over marriage equality. The Christian Civic League of Maine played a central role in the seesaw battle over same-sex marriage, which was endorsed by the legislature and repealed by the voters in 2009, then restored by a second referendum in 2012. The League's executive director and one of its board members<sup>33</sup> launched a new political action committee, Protect Marriage Maine, to carry out the political organizing and advertising

drive against the ballot initiative, collaborating closely with the National Organization for Marriage.<sup>34</sup> Such collaborations have been a hallmark of the FPCs from the earliest days.

An important trend in recent years, indicating the significance of the role of the FPCs in the wider Christian Right, has been the gradual adoption of the integrated, three-part agenda of the *Manhattan Declaration*. This is evident in many ways, including the way that "guest posts" from FPC leaders are introduced on the national website. For example: "CitizenLink is proud to work with The Family Foundation of Virginia and other family policy organizations across the country to stand for marriage, life and religious freedom."<sup>35</sup>

"These councils are independent entities," according to CitizenLink, "with no corporate or financial relationship to each other or to Focus on the Family."<sup>36</sup> But if FOF and CitizenLink are legally separate entities with different tax statuses, they are best viewed as two parts of the same organization. They share the same offices, board of directors, top executives, and president, James Daly.<sup>37</sup>

There is a method to the disclaimers, though, because stretching the rules regarding federal tax-exempt status of the member agencies has been an issue over the years. Many of these groups engaged in lobbying and electoral activities—such as the dissemination of biased voter guides—beyond what the privilege of federal tax exemption allows. Quietly coming into compliance with the law, and becoming more sophisticated regarding how best to use the several relevant legal categories available for politics and public policy, has been a trend for both state networks, following the lead of the Heritage Foundation and the Family Research Council.

The creation of separate-but-related

groups that can legally carry out various political, lobbying, and electoral functions is an important development in the history of these groups at all levels. For example, the Family Institute of

**The network of Family Policy Councils has played an important role in the political development and subsequent raw political power of the Christian Right. Many of the older FPCs have been active for more than two decades, crafting an activist religious-political culture, affecting electoral outcomes, and ultimately developing the clout to influence legislation and policy outcomes on such matters as abortion and LGBTQ rights.**

Connecticut (FIC), which has focused on anti-marriage equality, antichoice, and pro-school privatization issues in recent years, has divided into three closely related but legally distinct entities: FIC itself; FIC Action, a 501(c)(4) lobbying group; and the Family Institute of Connecticut Action Committee, a political action committee (PAC) that focuses on candidates for state-government offices.<sup>38</sup>

Efforts to draw bright lines for legal purposes notwithstanding, the lines still sometimes blur. "Needless, to say," wrote Jim Daly in a joint Focus on the Family/CitizenLink annual report, "2012 was extremely busy for our CitizenLink staff as they were actively involved in multiple state legislative and election efforts. More than 2 million emails were sent to CitizenLink constituents regarding important issues. In addition, CitizenLink produced mailers for the November election that went to more than 8 million homes in 16 swing states. And that was just the beginning!"<sup>39</sup>

## TWO PATHS CONVERGE

Member organizations across both networks share some common issues, such as school privatization and the idea that

public education should be controlled locally, though there are often differences of emphasis. The Boston-based Pioneer Institute primarily promotes corporate-style charters and makes little mention of homeschooling, for example, while the Massachusetts Fam-

ily Institute (MFI) is primarily interested in homeschooling. “The public schools here have become a primary battleground in the culture war,” MFI declares, “with homosexual activists using them to indoctrinate students with their agenda.” Consequently, “MFI supports the restoration of decision-making authority over school policy and finance to parents, locally elected school committees and taxpayers.”<sup>40</sup> In Louisiana, both networks have mobilized to promote and defend Republican Gov. Bobby Jindal’s controversial voucher program, which extended vouchers even to marginal religious schools, some of which use crackpot textbooks to teach science. One claims that the Loch Ness Monster is both real and a proof against evolution.<sup>41</sup> The Pioneer Institute has promoted New Orleans—where 80 percent of the public schools after Hurricane Katrina became charters—as a model for Boston.<sup>42</sup>

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Cross-network collaborations are facilitated by having seasoned leaders who share a common vision and are able to mobilize the resources to carry it out. In creating the State Policy Network and the Family Policy Councils, the conservative movement’s strategists sought to create a deep infrastructure that would be build capacity over time, both in terms of policy development and electoral strength. They were also developing a talent bank

of research and policy experts and organizational executives who would create synergies for the movement and shape the priorities of the Republican Party. And in fact, SPN affiliates sometimes serve as governments-in-waiting for Republican administrations in the states, in much the way that Republican administrations in Washington, D.C., often draw staff from such national think tanks as the Heritage Foundation and the American Enterprise Institute. In Massachusetts, Gov. William Weld “hired almost everybody” out of the Pioneer Institute following


his election in 1994. Succeeding governors Paul Cellucci and Jane Swift also appointed Pioneer staff or board members to crucial positions that enabled them to implement their ideas, notably in shaping the state’s charter school policies. Cellucci, for example, appointed Pioneer executive director James Peyser as chairman of the state board of education.<sup>43</sup>

SPN think tanks have also provided leadership opportunities for policy professionals and politicians. Veterans of the board of directors of Pennsylvania’s Commonwealth Foundation include former Lt. Governor William W. Scranton III and current U.S. Senator Patrick J. Toomey (R-PA). Three members of Congress—Sen. Jeff Flake (R-AZ) and former U.S. Reps. Mike Pence (R-IN) and Tom Tancredo (R-CO)—ran SPN member groups before coming to Congress.

Likewise, the FPCs serve as talent-development agencies. Ron Crews, who led the Massachusetts Family Institute from 2000 to 2004, rode the notoriety he gained in the wake of the historic 2003 *Goodridge v. Department of Public Health* decision (in which the Massachusetts Supreme Judicial Court legalized same-sex marriage) to an unsuccessful run for Congress in 2004. Tony Perkins was the executive director of the Louisiana Family Forum before coming to the Family

Research Council. Brian Brown directed the Connecticut Family Institute before leading the National Organization for Marriage.

All of this is important because the cumulative experience of these two networks—in fostering leaders, working with government officials, creating collaborations, and becoming part of the furniture of public life in state capitals around the country—is transforming American politics from the state level up. The networks’ growing ability to craft and influence public policy, working in tandem with the American Legislative Exchange Council, corporate interests, and Republican state legislators, has justified the persistence and long-range ambitions of conservative strategists three decades ago, when the movement was just beginning its long march to state power.

*Frederick Clarkson, a senior fellow at Political Research Associates, is co-founder of the group blog Talk To Action (www.talk2action.org) and the author of Eternal Hostility: The Struggle Between Theocracy and Democracy (Common Courage Press, 1997).* 

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BY THEO ANDERSON

## North Carolina, the Fiery Cross, and the Unhealed Wounds: An Interview with David Cunningham

David Cunningham became interested in the Ku Klux Klan while conducting research for his dissertation at the University of North Carolina. He originally focused on how the FBI monitored the Civil Rights Movement, but his research led to a surprising discovery: North Carolina, which has a reputation as the most progressive Southern state, had the highest percentage of Klan members in the 1960s. “What came out in the FBI’s memos was all of this granular history of Klan activity during the period,” he said. “What surprised me most was that they were focusing mostly on North Carolina, because its membership just dwarfed the rest of the region.” That research led to his first book: *There’s Something Happening Here: The New Left, the Klan, and FBI Counterintelligence* (University of California, 2004).

Cunningham is professor and chair of sociology at Brandeis University. He also chairs the social justice and social policy program at Brandeis, and he has worked with the Mississippi Truth Project and Greensboro (NC) Truth and Reconciliation Commission.

The following interview focuses on Cunningham’s second book, *Klansville, U.S.A.: The Rise and Fall of the Civil Rights-Era Ku Klux Klan* (Oxford, 2012), which analyzes the Klan’s rapid expansion—and subsequent implosion—in North Carolina in the 1960s.



**You argue that in North Carolina, the Klan provided an outlet that was unavailable through the more mainstream institutions.**

North Carolina’s leaders, from the governor on down, were really clear. They said two things. One, they did not support the Civil Rights Act of 1964. But the second thing was that they would abide by it anyway, because they would follow the law. When you combine that with an environment where there is a significant amount of competition in the labor force, there was racial anxiety around what the Civil Rights Act would do. So, you have a fairly large white constituency that is concerned about this. And unlike that same constituency in a place like Mississippi or Alabama, they can’t count on their mainstream political leadership to take the lead in resisting civil rights. So the Klan has a bigger niche that they can fill. They really become the primary outlet for White folks who feel aggrieved by changes brought about by the Civil Rights Movement.

**The poem that concludes the prologue, “Incident,” describes a cross burning and ends with these lines: “Nothing really happened/By morning all the flames have dimmed/We tell the story every year.” You conclude the prologue with that poem, and come back to it in the epilogue. What did that mean to you?**

One thing I heard frequently in researching the book was people wanting to explain away the prevalence of the Klan in North Carolina. They would say, “Well, yeah, they were large, but they really didn’t do the sorts of things that they did in Missis-

issippi or Alabama, in terms of violence. So it wasn’t a big deal. There wasn’t really much going on.” Police officials would tell me this. But a lot of local people would tell me this, too.

Alongside that, I would be looking through records of people who filed police reports after their house got shot into, or a brick got thrown through their window. It would have a note on it saying they better stop doing whatever it was that the Klan thought was inappropriate, in terms of the racial status quo. So I was trying to wrestle with this idea of people continuing to tell me, “Well, it wasn’t really any big deal; not much was happening”—because nobody was murdered. But there was a huge infrastructure for the Klan going out several nights a week, in hundreds of small chapters, and intimidating people. And I would hear from people periodically who were the victims of this, and people would move away from the state because of this, or refuse to go back to particular places in their community.

There are all sorts of things that, 40 or 50 years later, people still felt powerfully affected them. I was in Mississippi with the Mississippi Truth Project, which was designed to have people tell their stories in a way that could ultimately lead to a truth and reconciliation process statewide. Natasha Trethewey was an invited guest at that statewide convening program, and there was an official declaration of this project. She is currently the U.S. poet laureate. And she read that poem as part of the meeting. And for me, it just connected everything. The cross that was lit in their lawn went out; the people were gone;

no one had been physically struck. But it has this resonance in people's memories, in family memories. It crosses generations.

**People who are not scholars of the Klan think of it as sort of emerging in waves. There is the original Klan of the Reconstruction era, then a strong resurgence in the 1920s, and then the Civil Rights-era Klan. So, it's seen as periodically exploding in popularity and then declining. But you say that, if you draw back, you can see it much more as a continuous movement with similar leaders across time and ideology.**

I always try to emphasize those continuities. The place where you did see a clean break is from the original Klan, which emerges immediately following the Civil War and is largely ex-

see a very rapid decline in Klan membership. It may well be that the Civil Rights Act would have eroded the Klan's support base over time. But the actual trajectory really maps onto what the police were doing.

**You argue that the North Carolina Klan of this era pioneered the Republican Party's so-called Southern strategy of appealing to "family values." It navigated—these are my words—between explicit racism and middle-class values, and tried to broaden its appeal by playing to both. Is that accurate?**

One thing we know is that communities where the Klan was active in the '60s were more likely to have a more pronounced shift from Democratic to Republican voting. That's true today. If you want to predict rates of Republican voting, accounting

for all the things that political scientists would focus on, the presence of the Klan in the '60s still matters. The way that happened was that the Klan was one of the first groups to say, in a very forceful way, that party allegiance should be subordinated to candidates' willingness to take principled stands for issues.

And that became really important,

because the South for decades had been solidly Democratic. And culturally, it was difficult for people to break away from the Democrats. The Klan's move to saying, "You need to look at these candidates and find the people who will take principled stands for what you believe in"—that loosened people's affiliation with the Democratic Party. It made it easier for people to shift their allegiance. The Klan really helped to loosen those allegiances and make it possible for Republican messages to really resonate. They would always talk about the importance of getting "real" White men into office, regardless of party politics. They were the first group that I ever found that would say that, regardless of party, this is the kind of person you want to have in office.

**Another legacy described in the book is the high levels of violence that continue into the present day in communities that were Klan strongholds—once you tear the social fabric the way the Klan did, that damage isn't easily repaired.**

When you have organized vigilantism, organized lawlessness, where people are organizing around the idea that their elected leadership is not legitimate, it creates a political and social culture that delegitimizes authority, that breaks the bonds that criminologists see as providing social controls against crime. That's really difficult to repair, and in a lot of communities it goes hand in hand with a resistance to seriously dealing with a lot of the struggles during the Civil Rights era. And the ways that affected communities haven't been repaired. So, at least up through 2000, if you look at homicide rates, the presence of the Klan 30 or 40 years prior is a significant and serious predictor of how prevalent deadly crime is in that particular community. 🗨️

Read the extended, uncut version of this interview with David Cunningham on PRA's website, [www.politicalresearch.org](http://www.politicalresearch.org).

**The Klan was one of the first groups to say, in a very forceful way, that party allegiance should be subordinated to candidates' willingness to take principled stands for issues.**

tinguished legislatively, through federal action, by the early 1870s. From then until about 1915, the Klan in any kind of recognizable form does not exist, though there is a whole range of other vigilante groups that serve a kind of Klan-like function under other guises.

But the Klan is "reborn" with the emergence and release of the film *Birth of a Nation* (1915), which really provides the impetus in Atlanta for William Simmons to, in a very public way, try to bring the Klan back into being. So the Klan is this heroic figure in the film, and Simmons takes that as an entrepreneurial opportunity. And the Klan within a few years of that becomes enormous, bigger than it had ever been before or since. It had membership in the millions; it was a national movement.

**When you write about the demise of the Civil Rights-era Klan, you say that it was in large part due to more rigorous enforcement of existing laws by the police.**

The story that tends to be told is that the Klan becomes an anachronism and dissolves—that it's an anachronistic joke by the end of the 1960s. What I found was a very pronounced shift in late 1965. When the Klan was growing, North Carolina would monitor rallies—they would have state police officials monitor rallies. But they would never do anything to hinder their ability to organize. But what happens by early 1966 is that there's a set of federal hearings investigating the Klan. Beyond all the communist groups they're harassing, they investigate the KKK. And the big news story that comes out, by the start of 1966, is that North Carolina is "Klansville U.S.A." It has the highest Klan membership. That was something North Carolina officials knew but had never been overly concerned about. And once that was on the front page of national newspapers, the governor immediately forms an anti-Klan campaign. And so policing entirely changes. And it works—you

## Nullification, p.2

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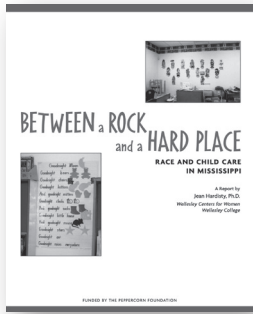
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## Between a Rock and a Hard Place: Race and Child Care in Mississippi

jean v. hardisty • wellesley centers for women, november 2013



Fifty years after the March on Washington, conservatives, libertarians, and even some White liberals have heralded the arrival of a “postracial” era, in which racism—conceived as behavior occurring between individuals—has been replaced by a new frame of “colorblindness.”

Jean V. Hardisty challenges this simplistic understanding of racism in her new report, *Between a Rock and a Hard Place: Race and Child Care in Mississippi*. Founder and president emerita of Political Research Associates, Hardisty analyzes how the colorblind frame operates “to preserve the pre-civil rights power structure and the racial inequality of resources and access.” She explores Mississippi—the “ground zero” of structural racism in the United States, according to Hardisty—and focuses on child care for poor and low-income mothers as a case study.

Poverty runs deep in Mississippi, especially among African Americans, and its effects are reflected in the state’s health statistics. Mississippi ranks last in the U.S. in child welfare. Life expectancy and other health measures are substantially worse for African Americans, who comprise 37.2 percent of Mississippi’s total

population but account for 55 percent of its low-income households. Black women are disproportionately represented among welfare recipients.

Subsidized child care—a proven and highly effective means of breaking intergenerational cycles of poverty—should be a critical site of intervention and funding for Mississippi’s policymakers. But far from combatting legacies of racial inequality, the state’s child-care system reflects and further perpetuates structural racism. Young mothers must navigate a highly bureaucratic, burdensome application and renewal process. Official language, often openly hostile and stigmatizing, reflects broader efforts to portray welfare recipients as conniving, sinful, lazy, and unintelligent.

Hardisty contextualizes Mississippi’s child-care system as the most recent iteration of the Right’s extensive record of hypocrisy—for example, claiming to promote “family values” while criticizing poor women for not working while receiving welfare benefits. Hardisty also notes how the Right has shifted funding for child-care and welfare programs toward block grants that are controlled by the states, thus undermining federal programs that benefit poor women of color. She connects Mississippi’s current policies and protocols to the Right’s historical demonization of the poor.

The report concludes by identifying several strategies for strengthening Mississippi’s system. Recommendations include minimizing the bureaucratic and administrative hurdles that shame women and make it difficult for them to receive subsidies; allocating more resources to the nonprofit sector, which can provide advocacy and social services, push for systemic reforms, and challenge block-grant funding systems; and increasing the transparency and efficiency of the child-care certificate programs and regulatory mechanisms.

Hardisty ultimately argues that Mississippi is emblematic of the challenges facing women of color and antipoverty programs across the country. While subsidized child care is not a panacea, it must be a critical point of intervention in combating poverty, particularly among women of color.

-Rebecca Suldan and Britt Moorman

## Convenient Targets

### The Anti-“Propaganda” Law and the Threat to LGBT Rights in Russia

human rights first, august 2013

Human Rights First describes a deteriorating and increasingly dangerous situation in its report on the state of LGBTQ rights in Russia. Since 2006, ten regional legislative bodies have adopted laws banning homosexual “propaganda.” Several more regions were considering similar measures when the federal law was enacted in June 2013.

As described in *Convenient Targets*, the federal anti-“propaganda” law marks a departure from recent trends in Russia. Homosexuality was decriminalized in 1993, but following a wave of anti-government protests in December 2011, Russia has accelerated a rollback of human rights as part of a broader crackdown to weaken civil society and “positive liberties.” By backing antigay measures, as the report describes, Russian President Vladimir Putin has been able to “curry favor and change the subject away from the question of his own performance.”

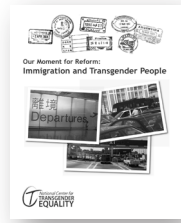
The report notes that the federal law’s vague language may enable antigay agitators and judges to use it to codify discrimination, since there are no firm legal definitions for several key terms in the law, including “propaganda,” “distributing information,” and “nontraditional sexual relations” (a term used instead of “homosexuality” or “sexual orientation”). These gaps could be exploited to target LGBTQ rights further.

*Convenient Targets* concludes with a discussion of the upcoming 2014 Sochi Olympics, Russia’s preparations for the event, and international responses to the ban. Putin has already issued a decree that will ban protests during the Olympic Games and limit access to the city, and with the Games looming, the report considers how the U.S. and the broader international community can pressure Russia to repeal the law without fueling anti-American or anti-Western sentiment. *Convenient Targets* calls for President Obama to meet with Russian human rights leaders to learn firsthand how the U.S. can be most effective in its support. The report does *not* recommend that the U.S. boycott the Games, as it asserts that a boycott would fuel anti-American sentiment while doing little to advance human rights. Finally, the report calls for multilateral responses, which would challenge the notion that homosexuality is a “Western cause.”

-James Lavelle

## Our Moment for Reform Immigration and Transgender People

national center for transgender equality,  
october 2013



*Our Moment for Reform* explores how “shortcomings and inequities in current US immigration law impact tens of thousands of transgender people and family members,” who are

victimized by a system that discriminates against both LGBTQ people and immigrants.

Expanding on the Center for American Progress’s *Living In Dual Shadows* (see “Reports in Review,” Spring 2013, *The Public Eye*), the report discusses how the undocumented trans population suffers from disproportionately high levels of insecurity in the realms of food, housing, employment, and health care. It features stories of several individuals attempting to navigate the U.S. immigration system, including a trans woman who came from Nicaragua to escape persecution but was deported twice before securing legal status.

The Supreme Court’s decision to overturn the Defense of Marriage Act makes it easier for trans people and spouses to establish their marriages for immigration purposes. Still, trans immigrants face a particularly difficult path to citizenship since they cannot marry in states that deny marriage equality, and many trans people are unable to marry because of onerous requirements for gender recognition. Navigating family-based immigration laws can also be difficult, and many have to wait years for a visa—a problem exacerbated by threatened cuts to sibling sponsorships.

*Our Moment for Reform* calls for comprehensive reform, including reforms to the asylum process and the operation of detention centers, which are particularly dangerous for LGBTQ immigrants. Staff members often do not respect the gender identity of trans people, who may end up in solitary confinement.

A bill passed by the Senate in June 2013 includes a repeal of the asylum deadline, yet chances of passing meaningful immigration reform by the end of the year have since dimmed. NCTE’s report highlights the urgent and ongoing need for such reform, as well as the complexity of the issues involved.

-James Lavelle

## Contraception and Beyond The Health Benefits of Services Provided at Family Planning Centers

the guttmacher institute, 2013

More than nine million individuals received publicly funded contraceptive services in 2006, according to a report released by the Guttmacher Institute. Such services help prevent nearly two million unintended pregnancies, 860,000 unplanned births, and 810,000 abortions every year. Overall levels of both unintended pregnancy and abortion in the U.S. would be almost two-thirds higher—and twice as high among poor women—in the absence of these publicly funded clinics and centers.

*Contraception and Beyond: The Health Benefits of Services Provided at Family Planning Centers* notes that, for many Americans, visits to publicly funded clinics are their only opportunity to receive any type of medical care, including STI testing and treatment, HPV vaccinations, Pap smears, and services for people dealing with intimate partner violence. The clinics are also heavily used for routine screenings for blood pressure, anemia, and diabetes.

“Services provided at publicly funded family planning centers . . . are vitally important to the health of men and women who seek care at these sites,” the report observes. “This is the case both for the 63% of female family planning clients who rely on these sites as their usual source of health care, as well as for those male and female clients who benefit from being linked to follow-up care with other health care providers.”

The National Commission on Prevention Priorities ranked chlamydia screening for women 25 and under—a procedure that is commonly performed at publicly funded clinics—among the ten most cost-effective and beneficial preventive health services. Such rankings are striking in the context of the GOP’s recent attacks on reproductive justice, which affect not only public health and women’s rights but also the economy. As a more recent Guttmacher report notes, in 2008 public expenditures on unplanned births “including costs of prenatal care, labor and delivery, postpartum care and one year of care for the infant—totaled \$12.5 billion in 2008. These births accounted for 53% of all publicly funded births that year.”

-Britt Moorman

## Seeking Shelter

### The Experiences and Unmet Needs of LGBT Homeless Youth

andrew cray, katie miller, and laura e. durso •  
center for american progress, september 2013



The Center for American Progress has issued an update to its 2010 report about LGBTQ youth homelessness. *Seeking Shelter* highlights the persistent challenges

facing LGBTQ youth, who continue to be disproportionately represented among the homeless youth population in the United States. Trans youth, in particular, account for “15 percent or more of homeless youth.”

The report identifies family conflict and rejection as the most common and direct reason for LGBTQ youth homelessness. Such conflict often occurs within a larger context of harassment in school and broken juvenile-justice and child-welfare systems. Once homeless, LGBTQ youth are more likely to be forced to turn to high-risk activity such as “survival sex,” and are more likely to face harassment by the police. Homeless LGBTQ youth experience shockingly high levels of violence, trauma, and criminalization, including robbery, rape, and assault.

*Seeking Shelter* recommends reforming the juvenile-justice system and strengthening home-based interventions. The authors stress the need for increased “LGBT cultural competency,” especially regarding the use of preferred gender pronouns for transgender and gender non-conforming individuals. They recommend that institutions currently serving homeless populations, including education and employment services, provide LGBTQ-specific services. The report identifies several pieces of federal legislation, including the Runaway and Homeless Youth Inclusion Act, that would “ensure that federally funded programs that serve homeless youth are welcoming of and capable of serving LGBT youth.”

Finally, *Seeking Shelter* calls for “[disassembling] the school-to-prison pipeline,” though it does not elaborate on the issue in its recommendations. Further research should focus on how homophobia, institutionalized racism, and right-wing attacks on public education and the welfare state help perpetuate the pipeline and exacerbate LGBTQ youth homelessness.

-Owen Jennings

# The Public Eye

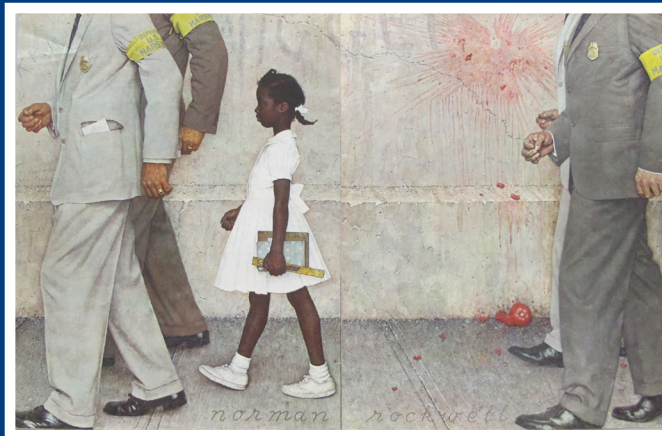
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## From the Archive

Since 1982, Political Research Associates has been collecting material by and about the Right—books and magazines, marketing appeals, posters, pamphlets, videos, and more. This series illuminates some of the more intriguing pieces in the collection. The library is available for use by qualified researchers; contact PRA for details.

Six years after the U.S. Supreme Court ruled in *Brown v. Board of Education* that “separate but equal” public schools were unconstitutional, Ruby Bridges became the first Black child to attend an all-White elementary school in the South. Bridges walked into William Frantz Elementary School on Nov. 14, 1960, accompanied by several U.S. Marshals, amid taunts from an angry crowd. She was six years old.



One of the most important milestones in the Civil Rights Movement, the moment was captured on film and widely reported in newspapers and magazines. But the painter Norman Rockwell gave the milestone its most enduring publicity more than three years later, when *The Problem We All Live With* was featured as the centerfold for the January 14, 1964, issue of *Look* magazine. The painting came during the late stages of Rockwell's career, during which he actively sought to engage broader social issues, especially

in works like *Southern Justice* (Murder in Mississippi) in 1965 and *New Kids in the Neighborhood* in 1967.

*The Problem We All Live With* shows Ruby Bridges flanked by her federal bodyguards. The wall behind her shows the remnants of a hurled tomato and the faint letters of a racial slur, along with the letters KKK. Though its permanent home is the Norman Rockwell Museum in Stock-

bridge, MA, President Barack Obama selected the painting to be hung outside the Oval Office for three months in 2011. Explaining the choice on its blog, the White House stated, “The President likes pictures that tell a story and this painting fits that bill . . . Rockwell was a longtime supporter of the goals of equality and tolerance.” For an African-American President who has often eschewed explicit discussion of race, the decision was a significant one, and even provoked pushback from some right-wing commentators.

-Ben Schmidt

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