
The Man Behind Prop 209

*Ward Connerly's latest crusade challenges
the easy assumptions about him*

BY LOUIS FREEDBERG

EVER SINCE WARD CONNERLY emerged as a leader in the fight to end affirmative action, he has had to fend off a stream of insults that might have sunk someone with a thinner skin.

Uncle Tom. House slave. Puppet of the white man. Traitor to his race. Minority counterrevolutionary. These are just some of the labels Connerly's many critics in California and around the nation have hurled in his direction. But none prepared the Sacramento businessman and regent of the University of California for the vitriol unleashed by his support last November for the university's proposal to extend health benefits to partners of its gay employees. The reaction, he says, has been even more extreme than the one prompted by his crusade against affirmative action, or as Connerly prefers to call it, racial preferences. "On race, at least you can sit down and talk with people," says Connerly, who led the successful campaign in support of Proposition 209, the initiative banning affirmative action programs in California. "Blacks will get in your face and get angry with you, but the level of debate doesn't begin to compare with this one. People start talking about morals, the Bible, degenerates, and before you know it, you're off in a terrible debate in which you just can't reason with people."

Until the university's vote last fall, Connerly had been routinely vilified by supporters of affirmative action (mostly left-of-center Democrats) — and vir-

tually canonized by affirmative action critics (mostly right-of-center Republicans). But his support for domestic-partner benefits has begun to erode the one-dimensional views each side may have held of him.

The Gathering Storm

It is only in the last few years of this decade that domestic-partner benefits have become a ubiquitous part of the American workplace. In 1982 the *Village Voice* became the first employer to offer these benefits to its gay employees; by 1990 fewer than a half dozen more employers had joined the alternative news weekly. Today, however, such benefits are offered by hundreds of universities (including Harvard, Yale, and Stanford), local governments (New York, Chicago, Los Angeles), and private employers (Microsoft, Shell Oil, Wells Fargo Bank).

The University of California, however, had lagged far behind not only other leading employers in the state, but most comparable universities as well. Richard Atkinson, the university's president, told the board of regents that the lack of domestic partner benefits had "affected its ability to recruit and retain the most qualified faculty, staff, and graduate students."

In the months leading up to the regents' tumultuous meeting, Connerly emerged as an unlikely champion of the benefits package. It passed by a razor-thin 13-12 margin. Gay rights advocates were ecstatic because of its symbolic importance: The University of California, with nine campuses, 166,000 students, and 127,000 employees, is the nation's largest institution of higher education. Few believe that the policy could have passed without Connerly's support.

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In the weeks following the meeting, Connerly was bombarded by letters and faxes lambasting his vote. "I am utterly appalled that you, of all people, would vote in favor of spending taxpayers' money to subsidize the unnatural, unhealthy, and degenerate behavior of homosexuals," wrote Paul Henry, an attorney from Chico, Calif., in a missive typical of dozens that Connerly received. "Equally perverse is that by doing so, you have cast your vote to undermine the sanctity of marriage. The family as defined by Scriptures is the fundamental unit of society. No society which has accommodated homosexuality has survived!"

Connerly immediately penned an unambiguous response. "It always astounds me that those with bigoted tendencies such as yours invoke the Scripture to support their bigotry," Connerly wrote. "I am part of an interracial marriage. When my wife and I married, there were those who said that such unions were immoral, unnatural, contrary to the Bible, and would lead to the deterioration of civilization. . . . The ignorance and nonsense about interracial marriages 35 years ago is just as absurd today with reference to sexual orientation."

Connerly says his views on the issue simply reflect a libertarian philosophy opposing government infringement on personal liberties. "I'm not an advocate of homosexuality, but I happen to believe that as long as someone is doing something that isn't harming anyone, it is really none of my business." He even evokes the Declaration of Independence to defend his position: "What is more sacred to your pursuit of happiness than to live with whomever you want?" he asks. "Your pursuit of happiness means doing it on your terms, not society's terms."

Connerly insists that there is no contradiction between his views on affirmative action and benefits for gay employees. "Just as it is wrong for us to discriminate against white people and Asians when we give others preferences, it is wrong for us to treat gays differently just because of their sexual orientation." And, he says, granting benefits to gay employees makes sound business sense. "I believe we gain a productive workforce by having people in nurturing relationships, having them in families, having them go home at the end of the day and having someone they can spend the evening with, whether it is watching TV, listening to the radio, playing chess or ping-pong, or whatever they want to do, and coming back to work the next day, refueled and ready to do the university's business. I don't care whom they go home to."

Connerly also notes that his own unusual background has made him more tolerant of families that

don't fit the traditional mold. "I came from what they would regard as a dysfunctional family. My father left when I was two, my mother died when I was four, I was raised by an aunt and an uncle and a grandmother. I would have preferred to live in a traditional family, but like so many other American families I did not have that choice."

Estranged Bedfellows

Connerly's support for domestic-partner benefits has scrambled traditional political alliances. "I welcome his extraordinarily focused determination to advance the policy," says Democratic state Assemblywoman Carole Migden, a former San Francisco supervisor and one of the most prominent lesbians in state politics. "It is a testament to progress and forward thinking."

"Logic and business sense have prevailed," says Kim Mills of the Human Rights Campaign, the nation's largest gay advocacy organization. "His conclusion on domestic-partner benefits and treating people equally is something we are all looking for."

By contrast, some of those who once hailed him as a hero are having second thoughts. "Connerly is way off the mark on this one," says Robert Knight, director of cultural studies for the Family Research Council, a leading conservative organization in Washington. "No true conservative would equate homosexual households with marriages, because we believe that without marriage and family as paramount values, hell will break loose."

And the Rev. Lou Sheldon, head of the Traditional Values Coalition in Anaheim and a prominent conservative on the Christian right, accused Connerly and the dozen other regents who sided with him of being seduced by the argument that discrimination against gays is of the same order as racial discrimination. "They believed the big lie that homosexuality is equivalent to being black, Hispanic, or Asian," says Sheldon. "But race is an immutable characteristic, while homosexuality is a behavior-based lifestyle. It is not a normal function, it is a dysfunctional behavior, and to reward people for that kind of lifestyle is wholly inappropriate and immoral."

What made Connerly's stance especially galling to some supporters is that his main antagonist on the benefits issue was none other than Gov. Pete Wilson, his closest ally in the drive to end affirmative action. It was Wilson who appointed Connerly to the university's governing board in 1993. Together, Wilson and Connerly pushed through a resolution ending the use of race and gender in university admissions, hir-

ing, and contracts in July 1995. Wilson later asked Connerly to take over the helm of a floundering campaign on behalf of Prop 209, which extended the university's ban on affirmative action to all public agencies in California. Wilson and Connerly together campaigned for the measure — which easily passed by a 54-46 percent margin.

But on the issue of domestic-partner benefits for gays, Wilson and Connerly were poles apart. Wilson led a very public campaign to defeat the policy. His central argument mirrored the position of far-right organizations. "A policy or practice of a state agency that accords equivalent status and benefits to a relationship less than marriage cannot avoid devaluing marriage and the vitality of that most important institution in the care and upbringing of children," Wilson wrote to Richard Atkinson just two days before the vote. "No other state agency of California offers such benefits to unmarried companions. Private institutions are free to do so if they choose, but they are also free to uphold the status and protection of marriage."

By normal political rules, Wilson, who is the ex-officio president of the university's board of regents, should easily have prevailed. He appointed 18 of the board's 26 members. The remainder are either representatives of alumni and faculty organizations, or elected officials, who, like Wilson, don't usually participate in university affairs. But Connerly and four other Wilson appointees, as well as virtually all of the elected officials on the board, provided enough votes to usher in the new policy. The board in the end voted to offer only health benefits to same-sex partners of its employees, the most limited benefits package available. It rejected other options, including married student housing, and pension and retirement benefits. Nonetheless, the passage of even this limited policy was an embarrassing defeat for the governor.

Sean Walsh, a Wilson spokesman, says the governor continues to believe that Connerly and other regents voted "with their hearts and not their minds." He downplayed reports that after Connerly broke ranks with Wilson he was snubbed by some of the governor's aides. "Clearly, the governor and his staff would have preferred to have seen Ward and other regents vote to deny domestic-partner benefits, and clearly some of the staff were not happy with the outcome, but that was simply a matter of frustration about not being able to deliver on your boss's political agenda." Now, he insists, there is no ill will between Wilson and Connerly, who have been friends for 30 years. "Their friendship far transcends one vote over

a policy disagreement," says Walsh.

It is too soon to know whether Connerly's support for a key item on the gay rights agenda will damage his standing as the nation's leading — and so far most effective — critic of affirmative action. "For some people, it obviously is going to undermine his support," says David Boaz, vice president of the libertarian Cato Institute. "But I hope those people will be so committed to the goal of eliminating preferences in public policy that they will continue to work with him."

That so far seems to be the case. Connerly says a handful of small donors to the American Civil Rights Institute, the organization he founded to spread his anti-affirmative action message to other states, have threatened to withhold contributions but that large donors are still firmly behind him. And he is still a hero in most conservative circles in Washington. In late January, he was the keynote speaker at a gala dinner for the Conservative Political Action Committee, where he was introduced by Kentucky Sen. Mitch McConnell, the lead sponsor of anti-affirmative action legislation in the Senate.

If anything, Connerly believes, his status has been enhanced by the latest controversy. "It says I am not some knee-jerk person out to exclude everyone, but in my tent there is room for everyone." He adds, "Those on the real, real far right who seat themselves in the Bible, they are never going to modify their view. Those who are just ideological conservatives, but not the real Bible-thumping types, they have made their peace with my domestic-partners vote. Some of them have begun to say to me, 'Intellectually we think you're right, we just have a hard time going there.'"

He has this advice for his critics: "Don't disparage other forms of family, because they can be just as nurturing and produce just as productive kids as [traditional] forms of family. Just recognize the reality of life as we live it, rather than as you would like it to be."

Connerly's name has been floated as a possible opponent of Sen. Barbara Boxer, the California Democrat who is up for re-election this November. But he says he is not interested, mainly because he is not willing to sacrifice his principles on the altar of electoral victory. That is probably just as well. Were he to run, he would surely do so without the support of the most conservative elements of his party, who will probably never forgive him for his support of a key element in the gay rights agenda.

That is a prospect that does not seem to disturb Connerly in the slightest. ●

Memo of the Month

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*James B. Hunt, Governor
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Raleigh, NC 27603-8001*

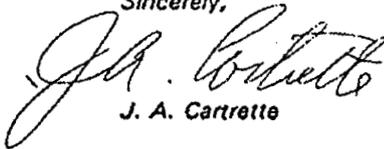
Dear Governor Hunt,

I have waited to write to see your decision about the DOT and Wildlife appointments. We have never had anything like this to happen before.

Attached is a copy of a letter that was mailed to Jim Bennett. It explains what happened and the promise you, Garland, and Jim made. Jim told us several times that Allen would get the Wildlife appointment and I would get the DOT appointment. Jim denies this, but this promise was made to three (3) of us. I understand that Mr. R. C. Soles Jr. stopped both of these appointments. When I read in the Wilmington paper that Michael Mills was going on the DOT, I lost all confidence in the system.

Each of you misrepresented the truth to us. We gave money and would have given more if you would have asked. We gave you the money and have supported you all through your career. We are very disappointed and feel that our money should be returned.

Sincerely,



J.A. Cartrette

J. A. Cartrette

Attachment