

Globalizing the Culture Wars:
The United Nations Battle over Sexual Rights

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DRAFT: Please do not quote or cite without author's permission. Comments welcome.

Dear Workshop Participants,

In the spirit of Tilly's Rules of Etiquette for the Contentious Politics Workshop, let me give you a brief introduction to my paper. It is in fact parts of a book, masquerading as a paper. The book is titled, "Globalizing the Right: Conservative Activism and World Politics," to be published in the Cambridge Contentious Politics series in late 2011. Below is a chapter outline.

The book's aim is to broaden understanding of transnational activism and global policymaking, topics in which scholars have focused mainly on "progressive" groups, seldom noting the existence of contrary movements and the clash of opposed networks. I hope to contribute to research in comparative social movements, transnational advocacy, international policymaking, and globalization. In addition to advancing the scholarly literature in those areas, I hope that the book will be accessible to undergraduates and possibly a broader public.

The paper's early sections on definitions and theory combine parts of the book's introduction. I am particularly interested in whether you think I have provided enough context from the existing literature, whether you find my own theoretical contribution useful—and how it could all be improved. (I've omitted sections on case selection rationale and methodology from the paper.) I'm also interested in whether you find the "conservative" vs. "progressive" framing helpful. I have used it since I began this project and will certainly retain it in the title and parts of the book, but I now believe the theory in fact covers clashes between networks whatever their labels.

The empirical section includes much of the book's chapter 5. I'm particularly interested in your views about the UN case's integration with the theory: Do you think I've achieved that here? How could it be improved? (Versions of other chapters are available on my website.)

The paper's conclusion is drawn from my first drafts of the book's conclusion and is still brief and preliminary. Your thoughts on it—and any other aspects of the paper/book are welcome

I look forward to meeting all of you.

Cliff

Globalizing the Right: Conservative Activism and World Politics

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The UN resolution had caught conservative activists sleeping. Introduced unexpectedly by Brazil at a Commission on Human Rights meeting in Geneva, it expressed "deep concern" at violations based on sexual orientation. It also proclaimed that "enjoyment" of human rights should not be "hindered in any way" by a person's sexuality. Innocuous to many, the resolution was nightmarish to traditional believers.¹ Worlds away, in Gilbert, Utah, a midnight warning call jolted Lynn Allred from virtuous repose. Allred, communications director for United Families International (UFI), made a lightning decision. She would jet to Switzerland because UFI must "show up everywhere marriage and the family [are] under assault[, or] . . . those who oppose marriage and family will win by default."² Other Christian groups soon joined her, but all faced a serious problem. As NGOs, their influence over the resolution was limited. So the activists turned to another wing of their loose-knit network, friendly governments. Of these, the U.S. delegation might have seemed a likely choice. After all, the year was 2003, and the President was George W. Bush.

But no. UFI and the other Christian groups turned to Egypt, Pakistan, and other Islamic states. Nor was this move unprecedented. In fact, this "Baptist-burqa" network had been forged years earlier, in the fires of UN conferences of the 1990s. At the 1995 Beijing women's summit, for instance, conservatives claimed that lesbians had launched a "direct attack on the values, cultures, traditions and religious beliefs of the vast majority of the world's peoples."³ Hammered out of this and other "threats" to traditional families, the "Baptist-burqa" coalition has endured even after 9/11. Indeed, the relationship hinges as much on cross-religious trust, toleration, and respect as on tactics. Listen to Lynn Allred idolizing a favored delegate as Superman:

"I discovered a secret about our Egyptian friend Amr Roshdy during our time in Geneva. I began to suspect that beneath his shirt and tie there was very likely a big red "S." In his work at the United Nations, Amr is a fearless defender of the family."⁴

The Baptist-burqa network is but one example of conservative advocacy on "family values." And family issues are just one of numerous global issues--human rights, arms control, the environment, development, social justice--in which conservatives have gone global. But despite the frequency with which this occurs, few scholars have noted it, instead concentrating primarily on activism by "progressive" groups and other "agents of change." As a result, the literature also misses a critical component of campaigns, clashes among ideologically opposed networks spanning governments and NGOs.

These empirical gaps suggest important theoretical ones: Why does international policymaking succeed or fail? What explains the shape that policy takes? Conflict among policy networks is not the only answer to these questions—but it is one important and neglected factor. Accordingly, the research question at the heart of this paper is: How does opposition affect international activism and policymaking?

This paper helps answer the question by focusing on the area of LGBT rights and the struggle to change international policy on these issues, primarily at the United Nations. I begin by defining key terms. Next, I briefly discuss current theories' views on the above matters and propose alternative hypotheses. Probing the latter through the case study, I then conclude by discussing broader implications. The case study itself uses qualitative methodologies: analysis of primary documents, interviews with NGO leaders, and tracing of processes involved in UN policy debates.

DEFINITIONS AND CAVEATS

Transnational advocacy networks (TANs) include NGOs, foundations, corporations, journalists, and broader publics, as well as members of governments and international organizations. United by common "causes, principled ideas, and norms," they are sometimes coordinated by loose-knit formal organizations and other times work as informal groupings.⁵ Most of the literature has examined "progressive" TANs, but as noted above their ideological rivals form such networks too. This means that groups within rival TANs may at times be inside and at times outside institutions--both "members" and "challengers" at different moments and in different settings.

Defining "conservative" and its counterpart "progressive" presents difficulties. The scope of global issues is too varied for a simple, two-fold dichotomy. Placing a group in one box for one issue says little about its classification on another. For example, the Catholic Church has worked with "progressive" NGOs seeking international small arms control but also favors "traditional" families. One alternative might be to reserve

¹ UN 2003.

² Allred 2005.

³ Quoted in Human Rights Watch 2005, 84-85.

⁴ Allred 2005.

⁵ Keck and Sikkink 1998, 8.

“conservative” for any group opposing policy change. But this too has problems. On issues such as genetically modified foods, free market groups promote new methods, while ecology organizations seek to preserve the status quo.

The upshot is that “conservative” and “progressive” are not ideal as analytic categories. For several reasons, however, I nevertheless use them, although primarily as convenient shorthand to emphasize sharp divisions on global issues. First, they are, of course, familiar terminology in many political battles around the world. Using the terms therefore improves this paper’s accessibility without doing serious harm to its analytic intentions. Second, the transnational networks on which I focus generally accept the conservative or progressive label applied to them—indeed, they label themselves in these ways too. Thus, even if from a social science standpoint the terms are ambiguous, I abide by the actors’ self-identifications. It should be noted, however, that throughout this paper my focus is on conflict between networks, whatever labels one attaches to them. Further, I intend that the theory I develop and the conclusions I draw apply to conflict among all manner of policy networks, not just between “conservatives” and “progressives.”

EXISTING THEORY: MISSING THE CLASH

To reach their goals, activists must not only convince decision-makers and broader audiences to adopt their ideas but also must fight networks promoting contrary aims. These battles influence whether a policy will be adopted at national and international levels. They also affect where and how those fights will be fought. In addition, the combat shapes mobilization, coalition formation, and therefore the very identity of opposing networks.

This spotlight on conflict should not be seen simply as a supplement to current theory. Rather, in explaining how transnational networks influence global policy, I place such contention at the heart of analysis—as it is at the nub of politics. Thus, this paper devotes equal attention to equally powerful contenders. It also restores the true nature of such clashes. As Craig Murphy has written, these involve “struggles over wealth, power, and knowledge.” Or in Lewis Coser’s more biting words, social conflict, whether domestic or international, is “a struggle over values and claims to scarce status, power, and resources in which the aims of the opponents are to neutralize, injure or eliminate their rivals.”⁶

But scholars in multiple disciplines have focused on the first part of Coser’s definition, downplaying the crucial if less savory second part. Students of the “public sphere,” for instance, acknowledge conflict as endemic—but then focus their analysis on abstract “deliberative” processes through which it is to be resolved.⁷ In international relations, Finnemore and Sikkink allude to the fact that emerging new norms enter “a highly contested normative space where they must compete with other norms and perceptions of interest.”⁸ But later works highlight cohesive networks promoting “progressive” principles, skipping lightly over groups who defend old ideals or promote counternorms.⁹ The few IR scholars who do examine counternetworks have not used them (and their clashes with networks) as a basis for broader reconsideration of transnational activism and policymaking.¹⁰

More critical analysts acknowledge various forms of conflict. Cooley and Ron note the “insecurity, competitive pressures and fiscal uncertainty” facing all NGOs as they vie for scarce funding, members, and publicity. Others note tactical differences within networks. For instance, Hertel has explored conflicts between local and international activists within the labor rights network. Carpenter pinpoints contention among the “numerous smaller issue networks” comprising the human rights movement in explaining why certain issues such as child soldiers gain major attention, whereas others such as children born of wartime rape do not. Unexamined, however, is the more fundamental flak that even chosen issues hit—e.g. from free market networks that reject labor rights or religious networks that abhor the Convention on the Rights of the Child. In studying intellectual property rights, Sell and Prakash suggest ways of filling this gap, arguing that rival NGO and business networks should be seen as “two competing interest groups driven by their respective normative ideals and material concerns.” Similarly, Milner has shown how economic groups contend with one another both domestically and internationally to affect global trade policy.¹¹

⁶ Murphy 2000, 798; Coser 1964, 8.

⁷ See, e.g., Habermas 2001; Risse 2000.

⁸ Finnemore and Sikkink 1998: 897.

⁹ Andreas & Nadelmann 2006; Della Porta and Tarrow 2005; Tarrow 2005; Price 1998.

¹⁰ Buss and Herman 2003; Chappell 2006; Smith 2008.

¹¹ Cooley and Ron 2002, 6; Bob 2005; Hertel 2006; Carpenter 2009, 24; Sell and Prakash 2004, 168; Milner 1997, 234.

These insights can be extended to explain how rival networks shape the dynamics as well as the outcomes of contention. McAdam, Tarrow, and Tilly have proposed one such approach, urging that analysts scrutinize conflict to identify common mechanisms and processes that link into larger episodes of contention.¹² That endeavor is important, and I incorporate one of their processes, “polarization.” But rather than dissecting conflict for recurrent components, I analyze broader clashes to identify their effects.

In that respect, this book owes much to the “countermovements” literature in sociology and the “advocacy coalition” framework in policy studies. Both highlight the powerful foes movements face, and both draw attention to conflict. However, they have been used primarily to study interactions within states, especially the United States, not transnationally. More important, the opposing movements approach continues to focus primarily on one movement (typically a “progressive” one), viewing countermovements as part of the subject’s “opportunity structure.”¹³ Advocacy coalition analysts avoid this limitation but mostly discuss networks’ contrasting beliefs and direct effects on policy.¹⁴

In sum, although the foregoing approaches improve over single movement or single network studies, they are too modest. I seek to elevate conflict and the strategies it entails to a central position.¹⁵ If the targets of activism are the governmental institutions that set policy and the attentive publics and broader societies that influence them, it makes little sense to highlight only one movement or network. Instead, *the analytic focus should be on the ways competing sides grapple with one another as they strive for contrary policies across various institutions*. Such struggles are not the only reason for specific effects; pre-existing power differentials and institutional rules, among other factors, play a role as well. But to clarify my argument, I highlight conflict and argue that studying it can explain more about activism and policymaking than can be learned by analyzing only one side.

THEORIZING THE CLASH OF NETWORKS

In the three sections below, I examine the ways in which inter-network conflict affects the development, dynamics, and outcomes of activism.

Development of Conflict

Issue Entrepreneurs--and Counter-Entrepreneurs. International policymaking begins with “issue entrepreneurs”--individuals, advocacy groups, and networks --who “construct” social problems, propose solutions, mobilize support, and strategize campaigns.¹⁶ What motivates entrepreneurs? In many cases, heartfelt “moral” beliefs influence whether they see an issue as a potentially tractable global problem—as well as their long-term pursuit of its solution. But entrepreneurship also includes an important material dimension. To fight the good fight, activists must concern themselves with organizational maintenance and growth. Having scarce resources, they choose and construct problems carefully. Nor is achieving a “solution” the only goal motivating them. Sometimes, indeed, maintaining a state of “crisis” is good business for policy entrepreneurs.

Overlooked in the literature, however, is entrepreneurship’s effect on opponents. Proposed new policy impinges on interests and challenges values. Nor do foes rest on their laurels, content to let politicians or institutions defend their interests. Instead, as entrepreneurs construct new problems, counter-entrepreneurs, motivated by a mix of moral and material factors, will mobilize too. In turn, this affects key decisions concerning the aims, allies, and arenas of struggle.

Constructing Problems--and Counter-Problems. Regarding aims, the literature has neglected two important points: potential opposition affects activists’ construction of problems; and such construction in turn creates a basis for “counter-entrepreneurs” to build rival problems.

Regarding the first, the more that policy entrepreneurs believe a backlash will prevent them from achieving their moral and material goals, the narrower their construction of a problem—or the more camouflaged their portrayal of it. Of course, other factors such as the amount of a campaign’s resources and the strength of allies have an effect too. Importantly, as well, this proposition does not claim that entrepreneurs will necessarily pare their problems and solutions in the face of opposition. That would be true only if entrepreneurs were motivated by a purely pragmatic political sensibility, always working toward the concrete goals solemnly pledged in their missions.

¹² McAdam, Tarrow, and Tilly 2002.

¹³ Meyer and Staggenborg 2006. For instance, Tina Fetner’s important 2008 book telegraphs this approach in its title, *How the Religious Right Shaped Lesbian and Gay Activism*.

¹⁴ Sabatier 1993.

¹⁵ Cf. Jasper 2006.

¹⁶ Nadelmann 1990; Andreas and Nadelmann 2006: 21; Finnemore and Sikkink 1998.

But for most activists, pragmatism vies with both moral fervor and organizational interests. If passions predominate, activists may not trim their approach, preferring symbolic stands to real gains. A similar result is likely if materialism rules; “toughness” in the face of opposition thrills constituents and, more importantly, opens wallets. In some cases, therefore, entrepreneurs will expand problems and radicalize solutions as opposition mounts. But there is also a significant subset pragmatically aiming to achieve substantive goals or their closest feasible approximation. In those cases, entrepreneurs will indeed narrow or camouflage their problem if opposition imperils their mission or organization.

As for counter-entrepreneurs, the more threatening the newly promoted problem, the more likely they will mobilize to construct a counter-problem. Its identity? Typically, the very solution offered by the original advocacy entrepreneur--and the entrepreneur itself.

Building Networks--and Counter-Networks. Once conflict erupts, entrepreneurs and counter-entrepreneurs will boost efforts to achieve their goals, each using the threat posed by the other as a basis for mobilizing its own constituency. In part, this is simply because activists know that organized resistance requires greater resources and power to overcome. In addition, as countermovements scholarship has shown, opponents inadvertently provide each other with rich fodder for mobilization. There are few better means of firing up one’s troops than emotion--and there are few emotions stronger than fear and hatred of an enemy.¹⁷

In what ways will activists seek to bolster resources and power? The TANs literature indicates one possibility--increasing the number and interactions of network members. As Keck and Sikkink put it, the greater the “density” of a network, the more “effective” it will be.¹⁸ This suggests that to reach their goals, leading NGOs will seek to “thicken” a network, particularly among grassroots movements and that they will be relatively promiscuous about doing so. But adding opposition networks to the mix, as this paper does, argues for important supplements and caveats to the “density hypothesis.”

On one hand, opposition provides three additional reasons for networks to grow. First, because adversaries raise doubts about a problem’s very existence, they spur entrepreneurs to link with, fund, or create local allies. Parading such partners “authenticates” the problem. It also makes it easier to dismiss foes as “denialists,” a term that has proliferated in recent policy wars. Second, ties to “grassroots” groups facilitate pseudo-democratic claims: the network “represents” a substantial constituency, even “the people” themselves, often with the added implication that its ideas must therefore be sound and its aims must certainly be fulfilled. Third, local allies make it possible for entrepreneurs to use “demonstration effects” in arguing for their goals. If a network can point to a pet policy adopted--or a detested policy thwarted--it may increase the chances of attaining a similar end elsewhere. Negative demonstration effects play a role as well. “Horror stories” about an ally’s rout or an opponent’s excesses help sow fear, cultivate support, and reap activism.

Notably, all these reasons for advocates to find local allies apply equally to counter-entrepreneurs. Thus, as the former work to authenticate their goals, the latter muster equivalent exemplars to authenticate their own claims --and de-authenticate their foes’. The ultimate result: competing global networks built from the top down by international activists. For instance, in the fight over genetically engineered (GE) foods, the clashing networks each nurture their own clutch of peasant-farmers vouching for the virtues of “miracle crops”--or the vices of “Frankenfoods.”¹⁹

On the other hand, the possibility of opposition makes tit-for-tat networking unlikely. Rather, it places a premium on an NGO’s spending scarce resources strategically--and forming transnational ties cautiously. As one implication, the more capable a potential ally, the more likely it will be admitted into a network. “Capability” includes such matters as resources, power, and credibility--all to be used in the greater struggle against the opponent. As a second implication, the more politically “acceptable” a client, the more likely it will be admitted. “Acceptability” refers to a member’s goals, tactics, and identity relative to the network’s as a whole. Extremity, violence, or scandal will often rule out a candidate--because foes are likely to tar the entire network with its most “unacceptable” element. Thus, contrary to the “density hypothesis,” policy entrepreneurs will reject, isolate, or expel groups with significant political liabilities. All of this means that network expansion, although encouraged by opposition, is strategic, not indiscriminate.

Picking and Packing Arenas. Opposition also influences the institutions activists choose to work in. Of course, some mobilization occurs outside institutions, but networks seeking international policy change typically target particular arenas. In this, resource constraints force them to concentrate on a few primary venues at national or international levels. In explaining which are selected, social movement scholars highlight “political

¹⁷ Goodwin, Jasper, and Polletta 2001.

¹⁸ Keck and Sikkink 1998, 206-07.

¹⁹ Herring 2010.

opportunities”--the relative openness or closure of domestic and international institutions, including ease of access, availability of allies, and divisions among powerholders.²⁰

But civil society opposition also affects an institution’s openness and a network’s decision to enter it. If possible, entrepreneurs will work where their foes hold least sway while avoiding sites the other side dominates. Similarly, if a network fails in one venue, it will devote greater resources to others. The international system offers numerous sites where the “losers” in one institution can try again to reach their goals. In the extreme, if a venue is captured or controlled by a rival, the outsiders may establish new, more friendly, institutions. For instance, in the 1990s, the International Campaign to Ban Landmines (ICBL) opted to forgo the UN convention process because an anti-ban network would have been able to maim or kill any agreement. Inventing an alternative forum in which oppositional forces had no such power, the ICBL produced a Mine Ban Treaty--albeit one signed and ratified only by “like-minded states,” omitting the U.S. and other big mine producers.

For their part, counter-entrepreneurs may have little choice but to venture into inopportune institutions. If, for instance, the venue is strategically crucial in a larger battle, reluctant warriors may nonetheless enter--attempting to block action, warp policy, or at least show the flag. The UN is one such arena, with premiere symbolic value. Even groups that condemn it as hostile may nonetheless set up camp on the East River. In making this decision, they balance the legitimacy their participation may lend against the mischief or violence they may wreak.

Dynamics of Conflict

If network members consider opposition a serious threat, they will fight it. This point may seem banal for those who know politics. But it is worth stating because so few analysts have studied these clashes, leaving the impression that transnational activism is a high-minded affair devoid of the attack machine and innocent of the gutter.

Far from it. In campaign after campaign, conflicting networks uncage a wolfpack of savagery, reminiscent of the waning days of a tight election. Several points, deriving from the “going negative” literature in electoral studies, are therefore worth making.²¹ First, networks deploy such tactics to win campaigns. Thus, the more an NGO believes its core interests and values imperiled, the more likely it will target the foe. Second, if one side goes negative, the other has strong incentives to do so too. Finally, if negativity plays a major role in policy battles, one would expect contending networks to develop specialized fighting units. In fact they do. Most networks today bristle with “watch groups” who sift their enemy’s every move and parse their every word. Public information is their lifeblood. But watch groups are also consistent if covert subscribers and scrupulous if scathing readers of their rivals’ private publications, newsletters, and listservs. From this, they gain valuable insight into their foe’s actions and plans.

In addition, watch groups typically double as storm troopers. For one thing, they flaunt their foes’ every faux pas. More broadly, they man ideological barricades and toss rhetorical grenades, using all means possible to explode contrary proposals--and unbuild the rival network. Recurrent tactics that go to the heart of network conflict include: *undermining* a foe’s authority, facts, and arguments, while bolstering oneself; *stripping* an opposing network of more moderate members, with the hope of enlarging one’s own; *delegitimizing* the institution in which rival activism is occurring, while legitimating one’s own preferred arena; *tilting* institutional rules in favor of one’s own network and against the rival’s; *excluding* key members of the rival network from a crucial forum, while maintaining one’s own participation; and *intimidating* adversaries into shifting goals or strategies, with the hope of staying one’s chosen course. More defensive strategies include: *avoiding* issues likely to incite an adversary, while foregrounding others that may keep it quiescent; *cloaking* goals in rhetoric and concepts that are difficult to oppose, while *tarring* opponents’ with anathemas; *linking* oneself to “white knights” who are “beyond criticism,” while *guilt-by-associating* opponents with pariahs; and *forging* Potemkin organizations, whose *raison d’etre* is undermining an opponents’ claim to represent a category of persons, while *shielding* one’s own weakest organizational links from the temptations of defection.

Outcomes of Conflict

How does opposition affect outcomes? Most basically, it makes policy change harder. The greater the opposition, the less likely a network will achieve its goals. This may seem a truism. But the proposition has been overlooked and challenges the idea that “networks are more effective where they are strong and dense” as measured by the “total number and size of organizations” and the “regularity of their exchanges.”²² If, as argued previously, network “thickening” is often a tactic to counter opposition--or to advance pseudo-democratic claims--greater network “density” will not indicate a network’s effectiveness.

²⁰ Keck and Sikkink 1998; Sikkink 2005.

²¹ See, e.g., Ansolabehere and Iyengar 1995.

²² Keck and Sikkink 1998, 206.

Second, conflict between networks--rather than persuasion by one--will shape policy. Again, this idea may seem axiomatic. But the existing literature has downplayed it, emphasizing activism by a single social movement and affirmative efforts at persuasion, such as information, symbolic, accountability, and leverage politics.²³ In particular, constructivist scholars in IR have proposed two “logics of persuasion” to explain the development of new norms: a logic of arguing; and a logic of appropriateness. In the “logic of arguing,” discursive interaction between norms promoters and followers spreads “shared understandings.”²⁴ Under the “logic of appropriateness,” states (or more accurately state elites and veto players) conform to an expanding set of international norms usually marked by universalistic, liberal values.²⁵

In both logics, states are “socialized” into adopting proposed new policy. In both as well, these are projected and modeled by “forward-thinking” NGOs, international organizations, and states. Through repeated voicing, argumentation, usage, or citation by like-minded entities in national and international settings, the proposals slowly calcify into accepted norms. In some cases, laggard governments are “shamed” into changing their policies--held up to public censure for failing to implement or conform to newly emerging norms. Rhetorical “framing” also plays a central role. To convince policymakers and international audiences to adopt new norms, activists develop appealing discursive “packages” for the problems they have identified.²⁶ Often, as Price (1998) puts it, advocacy networks “graft” emerging new norms onto already-agreed ones to enhance chances of adoption. Such frames resonate with but also subtly expand dominant cultural values, stirring governments into changing their positions. Some scholars such as George Lakoff (2004) go so far as suggest that “framing *is* social change.”

But if one notes the frequency with which powerful counternetworks challenge networks, these constructivist “logics” fall short. Indeed, designating them as “logics,” with that term’s overtone of determinacy, is a mistake. At best, these are strategies aimed at bootstrapping new norms. As such, they are controversial, with opponents attacking rather than accepting their legitimacy, much less their inevitability. Therefore outcomes are also indeterminate, with opponents’ reactions playing a key role in this contingency.

More specifically, what is internationally “appropriate” is difficult if not impossible to ascertain. Indeed, appropriateness is too temperate a term to capture the deep rifts over right and wrong dividing networks. Moreover, for every persuasive tactic there is a counter-tactic. Consider framing. No matter how much a frame resonates with those who support the underlying proposition, foes do not bow down before it. Nor do they throw in the towel when presented with a proposed norm newly grafted to a “well-accepted” international principle. Rather, they break out the chainsaw and lop off the tender young splice. On environmental issues, for instance, free market think-tanks demur from the idea that the Earth has “rights” which might place limits on economic development. Similarly, when the International Action Network on Small Arms decries a global “epidemic” of firearms violence, it faces scorn from a transnational network of gun enthusiasts who repudiate the disease analogy and portray guns as basic to individual and group security.²⁷

Beyond simple rejection of activists’ frames, opponents also counter-frame. If one side depicts a problem as involving “harm to bodily integrity”--seen by many scholars as the most persuasive of frames--the other side will often argue instead that the proposed solution threatens analogous harms. To take a well-known example, activists promoting international “reproductive rights” often do so by highlighting the number of women who die in childbirth in the developing world. On that basis, they condemn opponents of reproductive rights as “anti-woman.” But for their part, these adversaries decry the loss of human life from abortion, promote the “right to life,” and condemn reproductive rights’ proponents as “attack[ing] motherhood”--all in addition to disputing the figures on deaths in childbirth.²⁸

Nor does shaming go uncontested. Counter-networks will often respond by honoring the very “goat” their foes debate. In addition, shaming is often matched by counter-shaming--against the original shamers. In this, one network’s “authority”--moral, scientific, or otherwise--is seldom accepted by the other. Rather, it is derided—and a “counter-authority” presented as . . . more authoritative. Consider the conflict over global warming, in which both sides shame their foes’ authorities--for corruption, scientific misconduct, and more--at the same time that they honor

²³ Keck and Sikkink 1998, 18-25.

²⁴ Risse 2000; Habermas 2001.

²⁵ Finnemore and Sikkink 1998; Busby 2010.

²⁶ Snow and Benford 1992.

²⁷ Bob 2010.

²⁸ CRR 2003, 2539; C-FAM 2010a.

their own, despite the other side's attacks on them. In any case, the targets of shaming will often be immune from its ostensible effects if they believe their positions are in fact correct or moral—especially if they are supported in this belief by networks of like-minded others. Thus the Japanese state, keen to hone its international reputation in certain areas, has lost little face despite decades of opprobrium against whaling. Rather, because of the hunt's supposed centrality to Japanese culture, its indubitable importance in key electoral districts, and, its support from an international pro-whaling network, the Japanese unblushingly harpoon away.²⁹

In sum, explaining normative and policy change--and their more common twin, stasis--requires analysis of more than just one side's framing, grafting, and shaming. If, as in most issues, two or more powerful networks face off, one must examine the strategies and counterstrategies all of them use. One must also go beyond the rhetorical persuasion methods on which the literature has focused and in addition examine the panoply of ways in which networks wrestle with one another, as discussed in earlier sections of this paper. Not to do so ignores the extent to which one side's efforts may be distorted, weakened, or neutralized by another's--and how both sides shape one another's demands, behavior, strategies, and identity.

Given this paper's emphasis on conflict among opposing networks, what is crucial to the outcomes of policy battles is not the absolute number, interactions, or even power of network members, as the density hypothesis suggests. Rather it is one network's power *relative* to that of the opposing network, as determined in part by their conflictual interactions. In this view, policy change happens. But just as likely is "nonpolicy," a form of governance every bit as powerful, even if its lifeless "products" are invisible and its crafty perpetrators leave no fingerprints.³⁰ When opponents cannot extinguish policymaking, they can often stall it. And even when delay ends, foes overtly or subtly shape the results. In some cases, their power is such that the policies produced are little more than "zombies," so devoid of content that, while "alive" on paper, they are in reality dead. For scholars of transnational networking, the upshot is that one should seek to explain not only policy, but also policy "might have been": the ideas which might have been debated, the voices which might have been heard, and the provisions which might have been included--but for an opponent's machinations and clout.³¹

THE UN AND GAY RIGHTS

Development of Conflict

Building a Network, Constructing a Problem. In the U.S. and northern Europe, gay groups began public political activism in the 1960s and 1970s. Over time, they gained visibility and succeeded in pushing domestic policy changes, meager advances at first but broader ones by the end of the twentieth century in many countries. As a supplement to these budding national movements, activists contacted those they knew in other countries, then began working together more systematically. An International Lesbian Caucus formed at the 1975 UN Conference on Women in Mexico City, then attended the 1980 Copenhagen follow-up. Marking the institutionalization of such transnational ties, advocates established the International Lesbian and Gay Association (ILGA) in 1978, headquartered in Brussels. Twelve years later, the International Gay and Lesbian Human Rights Commission (IGLHRC) was founded as a one-room office on San Francisco's Castro Street. Both groups have expanded greatly, especially in recent years. ILGA is a "community-based federation" of over 670 NGOs in more than 110 countries, coordinating transnational advocacy and supporting national campaigns by conducting research, publishing reports, and holding conferences. IGLHRC, which works at international organizations such as the UN and in countries around the world building local partners' capacity to "challenge human rights violations," has annual revenues over \$1.7 million and 18 staff in New York, Buenos Aires, and Capetown.³²

In the 1970s and 1980s, however, the international wing of the gay movement was far smaller in size and more limited in reach. The domestic climate in key UN members was hostile, and most of ILGA's work centered on aiding nascent movements within states, particularly in Europe, with ILGA-Europe quickly becoming the most powerful component of the network. Although international opposition to homosexual rights had not yet coalesced into organized form, it was latent and powerful. Conflicts at the UN over women's rights and family planning already indicated conservative sensitivity on "family issues." And battles within key countries such as the U.S.--where in the late 1970s Anita Bryant's Save Our Children campaign sank new anti-discrimination laws--suggested that gay activism could easily stir counter-mobilization internationally.³³

²⁹ Blok 2008; cf. Gurowitz 1999.

³⁰ Crenson 1971.

³¹ Gaventa 1982.

³² ILGA 2010; IGLHRC 2008a, 2.

³³ Fetner 2008, xiii.

Early on therefore, international advocates publicly presented their problem in narrow terms, focusing on discrimination and violence--the "risks, difficulties and violations [homosexuals] face."³⁴ Also influencing the problem's definition were the sites of early activism: in the 1970s and 1980s, primarily international women's conferences. There the face of the problem was lesbians--about whom "straights generally have fewer and cloudier preconceptions[.]. . . may feel less hostile[, and see] as less threatening and more vulnerable" than gay men. In the late 1980s, at a series of World Health Organization meetings, male homosexuals became more active. But here too they highlighted discrimination, particularly in health related issues. In this, the "unwelcome 'opportunity'" of the AIDS crisis transformed gay men into a "victimized minority legitimately deserving of . . . special protection and care."³⁵

But this early conception of the problem avoided a more fundamental issue, homosexuality's status as "normal" or "deviant." By the mid-1990s, however, as gays made gains in key states, activists expanded their definition to encompass the UN's failure to recognize homosexuality within the spectrum of "sexual orientation" and to acknowledge "gay rights" as human rights.³⁶ In the 2000s, with further domestic advances in key states, homosexuals publicly portrayed their problem more broadly still, as one of restrictions on "sexual freedom" for "sexual and gender outlaws, whether they be gays and lesbians, transgenders, intersexed people, unmarried youth, commercial sex workers, or heterosexual women trying to live a 'non-traditional' social and erotic existence."³⁷

Counter-network and Counter-problem. Even with gay advocates' narrow construction of the problem in the 1980s, foes mobilized. Initially, this opposition was ad hoc and unorganized. At the UN's 1985 Nairobi women's conference, for instance, many religious NGOs attended. But their role in the troubles lesbians faced--being driven from the NGO Forum by its organizer, Dame Nita Barrow, ex-President of the World Council of Churches--is unclear. By the early 1990s, however, religiously based opposition became better organized, rooted in a larger, pre-existing effort to "protect" families by opposing abortion and family planning. The "Baptist-burqa" coalition itself dates at least from the 1994 Cairo Conference on Population and Development, when the Holy See reached out to Islamic delegates to block abortion proposals. Preserving "traditional" or "natural" families against the "gendered" family and homosexuality fits easily in this broader agenda--and this religious activism dogged homosexual rights campaigners as their issue won greater attention. As it eventually developed, the "Baptist-burqa" network spanned governments, especially socially conservative Islamic, African, and Caribbean nations, as well as the Holy See which enjoys special status at the UN. Again, however, the most focused participants are NGOs, most identified with various Christian denominations and most active in a variety of related "family" issues. There are too many to describe each individually, but two gladiators merit announcement here.³⁸

A major intellectual and organizational hub is the Howard Center for Family, Religion and Society based in Rockford, Illinois. Founded in 1976, by Rockford University President John A. Howard, the center is today an independent, tax-exempt organization led by Allan C. Carlson, Ph. D. With no single religious affiliation, the Howard Center's mission is to "defend" the "natural family"--"the fundamental unit of society, not the individual, not the state, not the church, and not the corporation." For years, the Center's "niche" was "exclusively research oriented." More recently it saw "the need to use our talents and resources to create new coalitions to promote the natural family worldwide." The result has been the Howard Center's "largest project, in both time and money," the World Congress of Families (WCF), a multi-day, biennial international conference. Serving as an intellectual nerve center, the Howard Center and WCF have thousands of individual members and 27 partner organizations from around the world, paying \$2,500 per year. Together, they seek to "forge a truly international pro-family movement . . . embrac[ing] all religiously grounded family morality systems around the globe, without descending into the banal."³⁹

³⁴ Wilson 1996, 215.

³⁵ Kirk and Madsen 1989, xxv.

³⁶ Human Rights Watch 2005.

³⁷ Sexuality Policy Watch 2010.

³⁸ Anderson 2000; Chappell 2006.

³⁹ Howard Center 2010; Carlson 2000.

The Catholic Family & Human Rights Institute (C-FAM), founded in 1997 by former journalist Austin Ruse, is another key combatant (and WCF member).⁴⁰ Guided by “fidelity to the teachings of the Church,” C-FAM’s mission is “reestablishing a proper understanding of international law, protecting national sovereignty and the dignity of the human person.” To achieve these goals, C-FAM “publishes and promotes scholarship” meeting this “proper understanding” of law and politics. C-FAM monitors and lobbies international institutions, particularly the UN, involving itself in everything from regular UN meetings to international conferences to treaty negotiations. In recent years, its participation has spanned debates on the Rome Statute of the International Criminal Court, the UN Declaration on Human Cloning, the Convention on the Rights of Persons with Disabilities, and numerous women’s and development issues.⁴¹ Most important, it has taken a watchdog role, spending great time and effort eyeing, sizing up, and attacking its enemies.

These and other conservative NGOs did not accept the core “problem” flagged by homosexual activists. Indeed, UN failures to recognize “sexual orientation” and gay rights were not “problems” at all. On the contrary: the possibility of their recognition was a major counter-problem, threatening to “normalize deviance” and promote sexual license. More broadly, the counter-problem extended to UN usage of such terminology as “diversity of family structures,” “gendered families,” “gender identity,” and “gender” itself. For C-FAM, “socially radical policies” such as these threaten the “natural family,” and must be “discredit[ed].”⁴² For the Family First Foundation, a WCF offshoot, they contribute to the “single most powerful force affecting the fate and future of society,” worldwide “demographic winter”—crashing populations and the ultimate “decline of the human family” (or at least of erstwhile Christian populations dwelling in its historical heartland).⁴³ It is true that some in the network, such as the Catholic Church, argue for solicitude toward those with homosexual attractions, oppose criminalization and discrimination, and affirm that homosexuals, like all people, have rights. But the Holy See and religiously based NGOs do so while explicitly rejecting the concepts of “sexual orientation” and “gay rights.”

Building Networks. With battle joined in the late 1980s, the networks began influencing one another in various ways. In some cases, this was a deliberate tactic, in others an inadvertent effect. For one thing, facing burgeoning opposition, gay activists redoubled their efforts to attract new allies. States were the top prize, though time-consuming to turn. In the Nairobi dust-up of 1985, the Dutch became the first state at a UN conference to support homosexual rights—or rather “lesbian rights.” Not coincidentally, the Netherlands is home to the world’s oldest publicly acknowledged homosexual organization, the Centre for Culture and Leisure (C.O.C.) founded in 1946. In the late 1980s and early 1990s, political mobilization by national gay movements prompted countries in Europe, the Americas, and elsewhere to take major steps toward equality for homosexuals. In turn, this was reflected in their stances at UN conferences. By the 2000s, most European states favored gay rights at international forums, with pressure from the European Union and Council of Europe playing a role in this turnaround.⁴⁴ The EU, CoE, and major foundations such as the Ford Foundation from the early 1990s and the Arcus and Soros Foundations in the 2000s provided monetary support for gay activism as well.

Beginning in the late 1970s, gay activists also targeted human rights NGOs, particularly heavyweights such as Amnesty International and later Human Rights Watch, which had significant resources, authority, credibility and contacts. For years, however, Amnesty’s International Secretariat rejected these overtures, claiming that issues of sexual identity, including imprisonment for it, were beyond its mandate. Only in the mid-1990s, after years of discussion, conflict, and pressure—and the rise of powerful homosexual movements among the “progressive” domestic populations that serve as these NGOs’ primary constituencies—did both groups open new and important programs on sexual rights.⁴⁵ Indeed, Human Rights Watch has forged to the frontlines of the struggle, its *2005 World Report* including a chapter, “Anatomy of a Backlash,” focused exclusively on the opposition and its evils.

⁴⁰ In a prior incarnation, Ruse worked in the “New York magazine world.” This included a stint with *Rolling Stone* magazine topped by a night in 1990 covering “gonzo journalist” Hunter S. Thompson’s adventures in Chivas Regal and cocaine. Years later, after Ruse joined C-FAM and Thompson killed himself with a bullet to the brain, Ruse ruefully chronicled the incident—“with this I say goodbye to Senate confirmation”—in *National Review Online*. Ruse 2005.

⁴¹ C-FAM 2010b; Ruse 1999.

⁴² C-FAM 2010b.

⁴³ Family First Foundation 2010.

⁴⁴ ARC International 2009, 1; Sanders 1996, 89.

⁴⁵ Hopgood 2006, 116-21; Mertus 2009; Human Rights Watch 2005, 72.

For their part, conservative groups sought “an injection of Christian and pro-family NGOs” into UN conferences.” These would “assist the Holy See and other friendly nations in lobbying the big UN conferences” thereby “combat[ing] the assault of the culture of death so militantly advanced by those NGOs who currently wield so much power at the international level.” If the UN treated conferences with civil society participants as a “democratic means of arriving at a ‘world consensus,’” then conservatives would respond in kind. As a result of such efforts, by the early 2000s at conferences and other UN venues, conservatives fielded their own bevy of religious, women’s, and other organizations.⁴⁶

In addition, NGOs lobbied governments of religiously conservative societies, especially in the Caribbean, Asia, and Africa. As noted in this paper’s introduction, a favored tactic was stoking nationalist sentiments, as was done not only in Beijing in 1995, but also five years later at the follow-up conference: “If the West would stop pushing homosexual and abortion ‘rights’ on unwilling countries, the document would be done. Don’t blame the developing countries with the courage to defend their values and their right to self-government!”⁴⁷ More generally, as a C-FAM strategist indicates, conservative NGOs build their network by stirring “the resentment that heavy-handed pushing of novel norms generates in much of the world.”⁴⁸

To build ties with governments, conservative activists also appeal to common moral beliefs. At the March 2000 Beijing +5 conference, for instance, the “orthodox Catholic” group, Women for Faith & Family (WFF), courted “non-Western” countries in which “certain tribal excesses” such as female genital mutilation, honor killings, and dowry deaths provide opposing human rights advocates with “emotional clubs to cow the delegates” into accepting gay rights.⁴⁹ WFF “decr[ied]” the excesses too—but argued that “‘solving’ these familial injustices” should not “be sufficient reason to dismantle traditional families world-wide.” Thus, at the PrepCom a “large contingent of Western women from pro-family NGOs” appealed to a “stunned” Zambian delegate: “Our own delegations . . . are promoting an agenda which is not true to our family and cultural traditions - in fact, radical women have been sent here in spite of our pleas to have a more balanced team of delegates. We look to nations such as yours to speak for us, to save us from the folly of our own governments!”⁵⁰

Unbuilding the Gay Network. Even as they build themselves up for battle, leading members of each network also attack one another and seek to unbuild their rival. Consider how the ILGA network has been affected by such assaults. In 1993, it obtained consultative status with the UN’s Economic and Social Council (ECOSOC), normally a routine matter but for the gay network a historic marker of at least modest international recognition. But jubilation soon turned to tribulation as Christian soldiers, working with powerful U.S. Senator Jesse Helms, took to the warpath. Their battle cry, bellowed in fundraising letters and blasted on prime-time news: ILGA must be ousted from the UN because its network included a pedophilia peddler, the North American Man Boy Love Association (NAMBLA), whose mission was to “support CONSENSUAL intergenerational relationships and help educate society about the true nature of such relationships.” Within months, Congress unanimously passed a law withholding \$119 million from the UN pending presidential certification that it granted no “official status, accreditation, or recognition” to any organization which “promotes, condones, or seeks the legalization of pedophilia, that is, the sexual abuse of children.” President Bill Clinton, fresh off his bruising “Don’t Ask, Don’t Tell” fight, hastily signed the bill into law.⁵¹

The effect on ILGA was traumatic—as fervently desired by conservatives who gloated over its coming “bind”: “If it kicks out NAMBLA, it’s hypocritical, if not it supports sex between boys and men!”⁵² Unsurprisingly (except perhaps to NAMBLA), ILGA chose the former—though without admitting hypocrisy. At the first public attacks, ILGA distanced itself from its long-time stalwart. It rationalized the group’s membership as an oversight, although foes reveled in documents demonstrating NAMBLA’s centrality to the network. More important, ILGA began a fractious internal debate, expelling NAMBLA and two other groups promoting pedophilia in June 1994.

In addition to altering its structure, ILGA changed its rules, within two years implementing a tough four-

⁴⁶ C-FAM 1998; Anderson 1999.

⁴⁷ Quoted in Human Rights Watch 2005, 84-85.

⁴⁸ Tozzi 2010.

⁴⁹ Anderson 2000.

⁵⁰ Anderson 2000.

⁵¹ NAMBLA mission, quoted in Gamson 1997, 183; H.R. 2333 (1994); NAMBLA 2010.

⁵² The Report, fundraising letter 1993, quoted in Gamson 1997, 183-84. This and the next two paragraphs are based in part on Gamson 1997.

step screening process to ensure that no group like NAMBLA would be admitted in the future. Most fundamentally, leaders of the homosexual community in the U.S. and internationally redefined the very boundaries of gay identity. Gregory King, spokesman for America's largest advocacy group, the Human Rights Campaign Fund, put it bluntly: "NAMBLA is not a gay organization. . . . They are not part of our community and we thoroughly reject their efforts to insinuate that pedophilia is an issue related to gay and lesbian civil rights."⁵³ To which NAMBLA spokesperson Bill Andriette shot back that his group represented a "main tradition" of homosexuality, whereas gay leaders were "rewrit[ing] history," "join[ing] the violence against and oppression of boy lovers," and "presenting their most sanitized image" to gain UN status.⁵⁴

Despite all ILGA's changes, ECOSOC suspended the network in September 1994. It had neglected to shed a small German NGO promoting decriminalization of pedophilia. Too late, ILGA re-emphasized its newfound identity by tossing out the Germans. It then waited five years to reapply for ECOSOC status, but was repeatedly rejected based on the earlier scandal. Tarrred with the same feather, separate groups such as IGLHRC, were refused ECOSOC consultative status and harried at UN conferences such as the 2001 Special Session on HIV/AIDS. For conservative NGOs and their Islamic allies, NAMBLA was too valuable a prey to release so soon. Only in 2006 did ECOSOC finally grant consultative status to ILGA-Europe, with IGLHRC gaining it in 2010.

Nor was this decades-long onslaught on gay groups unique. In 2000, C-FAM denounced funders of the network: "enormous American foundations . . . very radical in their world view [which] put direct pressure on governments to change their laws and vote a certain way on UN resolutions. . . . They strike at the heart of the family, religious faith, the nation and the Church."⁵⁵ Such rhetoric is meant partly for internal consumption, as a means of inspiring the converted to stronger mobilization. But these tactics also have their effects. Two leading international advocacy groups have devoted a lengthy report to the frequency of their enemies' "discrediting and controlling people, organizations and political agendas through strategic use of allegations related to sexuality." This "sexuality baiting" influences "how organizations choose projects and set priorities, . . . how they measure goals and vision against political realities and risk." Among specific effects are self-censorship and deterrence of would-be allies.⁵⁶

Unbuilding the Religious Network. On the other hand, in the face of these assaults, gay activists have not turned the other cheek. They too have worked to unbuild their opponent's network. One long-term tactic is international funding and support for national gay movements in countries around the world. This has helped change domestic attitudes and policies, leading to costly "defections" from once reliable allies of the religious network, especially Catholic-majority countries in southern Europe and Latin America.⁵⁷

At the UN, there are also efforts to exclude key foes from participation. Human Rights Watch (2005a, 84), for instance has publicly griped that foes such as C-FAM "oppose the U.N. and all international human rights mechanisms." The implication seems clear: such NGOs do not deserve ECOSOC consultative status and should play no UN role. In related cases, this has in fact come to pass. In the early 1990s, Human Life International's (HLI) application failed due to its "hostil[ity] to a whole field of UN activity," family planning.⁵⁸ (Perhaps playing a role as well: HLI ran a high-profile American campaign against the UN's "Trick or Treat for UNICEF" program.) After C-FAM's UN acceptance, it too faced accusations about its close relationship to HLI and alleged enmity to the UN. But these revelations, published in a 40-page report by Catholics for a Free Choice (now Catholics for Choice) (CFC), an NGO supporting abortion, feminism, and gay rights, failed to catch fire, undoubtedly because fighting family planning (or even Halloween) does not juice the media in the way that pedophilia does.⁵⁹

CFC, whose own application for consultative status had come under attack from the Holy See in 1998, returned the favor in 1999 after it gained accreditation. It launched the "See Change" campaign to strip Rome of its special UN position. Since 1964, the Holy See has been a "non-member state permanent observer"—a position unique to any religious representative. In this capacity, it enjoys most rights accorded states, although it does not vote on UN resolutions. As such it is a potent part of the conservative religious network, one that cannot be matched

⁵³ King quoted in Gamson 1997, 179, 185.

⁵⁴ Andriette quoted in Osborne 1994, 27.

⁵⁵ Ruse 2000.

⁵⁶ CWGL 2010; IGLHRC and CWGL 2005, 17.

⁵⁷ Tozzi 2010.

⁵⁸ Willetts 1996, 4, 37, 60, n. 24.

⁵⁹ Catholics for a Free Choice, 2001.

by NGOs advocating for gay rights, family planning, abortion and other causes. Unsurprisingly, therefore, it became a target. The See Change campaign--headlined by the slogan, "When the United Nations treats a religion as a country, we all suffer"--aims to degrade the Vatican to lowly NGO status.⁶⁰ Quickly endorsed by hundreds of . . . NGOs, the campaign has nonetheless gained little traction. Part of the reason: C-FAM launched a counter-campaign, attracting support from governments and NGOs in the thousands.⁶¹ To date, the Vatican retains its unusual seat at the UN table where it has been a leader on "dignity of the person" issues (even as some secularists conduct a rearguard action against the entire concept of "dignity").⁶²

In the post-9/11 era, Human Rights Watch (HRW) has also played the "Islamic card" against the Baptist-burqa network, highlighting the "irony" of the "odd alliance" between Christian conservatives and repressive Muslim states. According to HRW, the Baptist-burqa network attacks "the most vulnerable edge of the human rights movement" and threatens the "whole body politic." The result: "Societies are devastated. People die." More broadly, HRW scores the network for "open[ing] space for attacking human rights principles themselves--as not universal but 'foreign,' as not protectors of diversity but threats to sovereignty, and as carriers of cultural perversion."⁶³

HRW's attacks did not visibly change Baptist-burqa identity, however. Groups like C-FAM and UFI continue to work with Islamic countries on UN issues. But key members of the network also understand the dangers they run in promiscuous relations with the most extreme voices. Whether or not they learned this from ILGA's NAMBLA crisis, most associate themselves primarily with "acceptable" groups--and distance themselves from "fringe" anti-homosexual activity that might sully the entire network. Of course, the definition of "acceptability" changes over time with broader cultural changes, some wrought by the gay network. Consider the events surrounding Uganda's proposed "Anti-Homosexuality Bill" in 2009. As it became clear that three prominent American activists--Abiding Truth Ministry's Scott Lively, Exodus Global Alliance's Don Schmierer, and International Healing Foundation's Caleb Lee Brundidge--had played an important role in catalyzing Ugandan legislators, gay groups trumpeted the ties in stories picked up by the media worldwide. For instance, a spokesperson for the Astraea Lesbian Foundation for Justice, a New York-based funder of international gay activism, told the *New York Times* that its Ugandan clients were in "a fight for their lives."⁶⁴

In reaction, mainstream conservatives backed away from these groups and condemned what quickly became known as the "death to gays" law. In December 2009, the Holy See even took the unusual step of appearing with several gay rights groups at a UN press conference condemning the Ugandan bill. Facing a firestorm of international criticism, Lively himself eventually told an interviewer that he was "very disappointed" that the bill included "such incredibly harsh punishments." (On his Defend the Family blog, however, he endorsed Ugandans' existing, strongly anti-homosexual laws, claiming that they stemmed from the country's abiding disgust with 19th century *Kabaka* (King) Mwanga, who required men to have homosexual relations with him on penalty of death--and who in 1886 gruesomely executed 22 recently converted Christians who refused his advances.)⁶⁵

Exodus Global Alliance, a transnational network of "ex-gay" groups which claims to help homosexuals overcome "unwanted same-sex attraction," went further in its strategic re-identification. Schmierer claimed to have been "duped" into appearing at the Kampala conference, admitted only to having talked about "converting" gays to heterosexuality, and squeaked that "Some of the nicest people I have ever met are gay people."⁶⁶ Indeed Exodus had another strategic reason for its groveling in the face of the media and human rights frenzy: It views the world's "155 million" homosexuals as the fallowest of fields for ministry--"the largest deliberately unreached people group in the world" because "so many Christians refus[e] to reach them."⁶⁷

In sum, their bitter conflicts have left the dueling networks disfigured and scarred. But they seldom take this lying down. They two-fistedly return fire. At the same time, for their own followers, they simultaneously

⁶⁰ CFC 2010a.

⁶¹ C-FAM 2000.

⁶² Pinker 2008.

⁶³ Human Rights Watch 2005a, 84, 83, 71, 88, 82, 71.

⁶⁴ Mai Kang quoted in Gettleman 2010.

⁶⁵ National Public Radio 2009; Lively 2010, 2009; Epprecht 2008, 42-43; Faupel 1962.

⁶⁶ Gettleman 2010.

⁶⁷ Exodus Global Alliance 2010.

portray themselves as righteous victims of their foes' perfidy. As ILGA complained after continued UN spurnings, "No reason has been given . . . other than an unfounded allegation from more than a decade ago" against a network that "does not support paedophilia, and never has." C-FAM has similarly highlighted attempts to exclude pro-family groups from the UN process, noting for instance that only 6 of 800 NGOs at the 1999 Cairo+5 conference were pro-family. Each side uses the injustices and disabilities ostensibly suffered at the hands of the other to fuel anger--and therefore support--from constituents.⁶⁸

Institutions Picked and Packed. Even as they worked to build and unbuild, the rival networks also made decisions about the institutions in which they would fight. As we have seen, gay groups have campaigned aggressively at the UN. In some ways this is surprising. Major UN organs operate by consensus of state members, and many conservative governments adamantly oppose the sexual orientation concept. However, activists cannot avoid the UN due to its centrality to international politics. Even small wins there have important symbolic, and in some cases, real effects.

The perils of operating there, however, influence the specific UN venues gay activists use. Early on, the NGO forums at international conferences offered easy accreditation and a chance to raise consciousness among like-minded NGOs and states. But consensus decisionmaking has proved an impediment to actual proposals. Gay activists have therefore targeted low-level UN institutions such as quasi-judicial commissions, treaty monitoring bodies, expert committees, and special rapporteurs--which sometimes do not rule by consensus. Some of these are also staffed by international elites friendly to gay issues and accountable primarily to the UN, rather than member states. As well, these institutions operate for the most part out of the public eye.

For their part, religious traditionalists have been similarly ambivalent about the UN. On one hand, many have had strong reservations because it launched abominations such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which "strips the family of all autonomy and authority," and the Convention on the Rights of the Child, which "subvert[s] the authority of parents over their children."⁶⁹ The antipathy goes back to the early days of this "universal" international organization, when Swedish sociologist and "Social Democratic feminist" Alva Myrdal ran ECOSOC's welfare division and then UNESCO's social science section. In these positions, according to WCF's Allan Carlson, she "suppress[ed] gender roles," promoted sex education and reproductive rights, portrayed the traditional family as "antiquated and oppressive," and championed "radical feminist individualism."⁷⁰

Nonetheless, conservatives have decided that the UN cannot be neglected in their campaigns. It is simply too important and in any case offers avenues for their interests to be realized--or their opponents' to be foiled. Thus, they vigilantly patrol UN ramparts, plugging portals and flinging brickbats. They cultivate state members of the Baptist-burqa network. And they play the UN's arcane rules. Of course, these NGOs, like their ideological enemies, have limited resources. And, as Lynn Allred has lamented, "defending marriage and the family is not cheap" (even though, as UFI touts, its staff is frugal--using volunteers, flying standby, staying with friends, packing their own food, and treating all donations as "sacred").⁷¹ Thus, notwithstanding vows to fight for the family wherever it is threatened, members of the Baptist-burqa network are selective in their approach. Like the opposition, they too focus on institutions whose outcomes they can better influence, particularly those in which consensus rules make it easier to sink foes' proposals. Least tractable are restricted venues, including quasi-judicial ones in which an individual "plaintiff" or "defendant" is needed or in which an appointed official such as a special rapporteur is sympathetic to the opponent. In these cases, the primary response has been vehement critique.

Institutions Invented. Given the volleys they face, both sides hunger for alternatives to regular UN venues, sites where they can promote their goals unimpeded. In some cases, they have in fact created such institutions--dolling them up with the trappings of authority, hoping thereby to influence the law.

Frustrated by a decade of UN failure to recognize "gay rights," two NGOs, International Service for Human Rights and the International Commission of Jurists, gathered what they described as a "distinguished" (and handpicked) group of like-minded "international human rights experts" in 2006. Over several weeks in steamy central Java, they discussed, debated, and interpreted human rights principles of varied provenance and authority, then drafted and issued the Yogyakarta Principles. Accompanied by press release and flashy website, these purport to be "a universal guide to human rights which affirm binding international legal standards with which all States must comply." Among 29 "principles" and hundreds of "directives," Yogyakarta holds that states must "embody . . .

⁶⁸ ILGA 2006b; Ruse 1999.

⁶⁹ Carlson 2000.

⁷⁰ Carlson 2000.

⁷¹ Allred 2005.

equality and non-discrimination on the basis of sexual orientation and gender identity” in their constitutions or laws; and must “ensure” that “freedom of opinion and expression” does not violate the “rights and freedoms of persons of diverse sexual orientations and gender identities.”⁷²

Religious conservatives too have forged their own institutions, such as the 2004 Doha International Conference for the Family, marking the tenth anniversary of the International Year of the Family. Many UN conferences and especially the associated NGO forums have presented homosexual activists opportunities to promote their issues. Not Doha. Superficially, it resembled those conferences: endorsed beforehand by a UN resolution (though not planned by the UN itself); preceded by a worldwide call for participation and regional preparatory meetings; attended by hundreds of state and nongovernmental delegates; capped by a declaration; and memorialized by a website. But its ideological polarity was switched. The NGO Working Committee--headed by Richard G. Wilkins of Brigham Young University’s World Family Policy Center and composed of leaders from the Family Research Council and C-FAM--attracted a religiously traditional slice of “global civil society.” The conference report included statements from “community meetings, non-governmental organizations, and members of civil society working to protect the family world-wide.” The Doha Declaration reaffirmed the “right of men and women” to marry and the family as the “natural and fundamental group unit of society”--quoting the Universal Declaration of Human Rights’ Article 16 (3) to make these points. In the conference’s wake, Qatar established the Doha International Institute for Family Studies, headed by Wilkins. And conference organizers published a three-volume book, whose preface, penned by Her Highness Sheika Mozah Bint Nasser Al-Missned of Qatar, decreed: “all divine laws have blessed this sacred institution [the family], which forges a strong bond between males and females, a bond which conforms to human nature in bearing and raising new generations that, in turn, contribute to building civilization.”⁷³

Not surprisingly, gay activists appear to have given Doha a miss. But beyond the fact that committed activists generally avoid hostile arenas, the analytic lesson is more nuanced. If an institution, like the UN, plays a critical role in a policy area, activists will enter it notwithstanding disadvantages they may face, if only to harass and hamper their foes. Nor will they stop at that. Inventing friendly new arenas is also an option.

Dynamics of Contention

Incrementalism and International Norms. Yogyakarta and Doha might seem reflexive and meaningless responses to arenas riddled with adversaries. In fact, they are more: integral parts of broader strategies to bootstrap favorable new norms and ultimately law itself. This is possible because international laws’ sources are disputed, said by some to derive not only from ratified conventions, but also from states’ customary practices and scholars’ writings, however mixed and disputed these typically are.⁷⁴ In this view, conference declarations, quasi-judicial rulings, joint statements, expert publications, law review articles, and other obscure documents can influence state practice and perceived international norms. Through frequent citation and usage over long periods of time, this “soft law” may form the basis for “hard” international or even domestic law sometime in the future.

But this controverted “process” does not just happen. Custom and scholarship do not magically transmogrify themselves into norms and laws. Rather, every one of these protracted stages is part of an activist strategy: selecting favorable sources of international law, while ignoring inconvenient ones; calculating how to advance agendas, while staving off ambushes from foes; framing favorably, while ignoring or attacking counterframes; and unearthing policy-makers already receptive to goals, while avoiding those unwilling to listen. At best, change is contingent on the force of opposition. If it occurs, it is slow and incremental. Nonetheless gay advocates have embraced the strategy. In the sections below, I show first how they used it, then how opponents attacked it.

Persuasion In and Out the Closet. Two broad periods of the incremental strategy are discernible: from the mid-1970s until the early 2000s, it was pursued at the UN in closeted fashion; from about 2003 onwards, it has been conducted more openly. The first approach stemmed from the “venom of the opposition” and a lack of strong allies.⁷⁵ The second came with the advent of state allies willing to promote the issues openly even as they came under fire from opponents.

⁷² ISHR and ICJ 2006, prins. 2, 3, 19.

⁷³ UN Res. 58/15 (2003); UN Res. 59/111 (2004); Loveless and Holman 2007, ix, xiii; Doha International Conference for the Family 2010; Doha Declaration 2004; Doha International Conference for the Family 2004; Wilkins 2007, 370.

⁷⁴ For general discussion of controversies surrounding the sources of international law, see Goldsmith and Posner 2006; Glennon 2003.

⁷⁵ Wilson 1996, 217.

In the first period, homosexuals, especially lesbians, sought visibility at UN conferences. At other low-level venues, they also fought for concrete goals, using meager achievements in one site to bolster claims for additional gains elsewhere. One small but important victory occurred at the UN Human Rights Committee in 1994: a quasi-judicial decision, *Toonen v. Australia*, holding that Tasmania's anti-sodomy laws violated individual "privacy rights" under the International Covenant on Civil and Political Rights. In dicta, the Committee also opined, in answer to an Australian government question, that the Covenant's prohibition of discrimination on the basis of "sex" encompassed "sexual orientation." Rights advocates have acknowledged this ruling as "limited" because it did not recognize equality, but they have nonetheless waved it in other battles.⁷⁶

At conferences in the 1990s where they faced stiff opposition, advocates inched their agenda forward primarily under the guise of "women's rights," supporting vanilla verbiage that might arguably include homosexuals and their concerns. For instance at the 1994 Cairo population conference, gay activists joined women's groups in lobbying that the Programme of Action should support "reproductive rights" and "reproductive health," including a "satisfying and safe sex life" free of coercion and discrimination. This broad language did not expressly cover homosexuals--and by some interpretations might be thought to exclude them. But when it was adopted despite opposition, gay activists hailed this as a small advance--and later used it to argue for more.⁷⁷

In the lead-up to 1995's Beijing women's conference, activists went further, at some preparatory meetings inserting the term "sexual orientation" as bracketed text, for debate at the main meeting. But what flew in regional conclaves where gays had political clout, fell in the global meeting where they did not. It is true that the "sexual orientation" concept's international visibility increased somewhat. It was debated by state delegates for over an hour. But in the end, Beijing's Platform for Action declared only that women should "have control over . . . their sexuality, including sexual and reproductive health"—omitting all proposed references to "sexual orientation." Nonetheless, this too has been cited as progress and precedent.⁷⁸

Similarly, in the late 1990s, there were attempts to insert "sexual orientation" or "gender" into other UN documents, often in far-flung domains such as the Rome Statute of the International Criminal Court, an effort that ended in mixed results (as discussed below). The first official UN reference came in 2000--but in a Commission on Human Rights resolution on extrajudicial executions, urging states to investigate murders "committed for any discriminatory reason, including sexual orientation." In following years, UN special rapporteurs on extrajudicial killings and on torture made similar references in their reports. But the concept remained unaccepted at the UN and even in the Commission (or Human Rights Council, as it became in 2006). More generally, activists themselves avoided open promotion of their core goal, "gay rights."⁷⁹

This changed in 2003 when Brazil, acting on its own initiative, and in the context of significant domestic support for gay rights, introduced the binding resolution on "Human Rights and Sexual Orientation" noted in this paper's introduction. The fierce opposition it drew--from the UFI's Lynn Allred, her Egyptian superhero, Amr Roshdy, and many others--killed it. The same thing happened the next year. Brazil resubmitted the resolution, this time in coordination with gay rights supporters such as Human Rights Watch, which cited many of the foregoing "well grounded . . . human rights standards and United Nations precedents" in urging the Commission to adopt the resolution.⁸⁰ With progress blocked again, however, Brazil withdrew the resolution in 2005. In reaction, the gay rights network led by New Zealand, took a lesser step, submitting a similarly worded "joint statement"--nonbinding and requiring no vote for introduction--signed by 32 countries. Norway did the same in 2006, attracting 54 governments. But in both cases, state and nonstate opposition remained strong, with Organisation of the Islamic Conference (OIC) countries submitting their own counter-joint statement.⁸¹

More prominently, in the UN General Assembly in late 2008, a cross-regional grouping led by France and backed by numerous NGOs introduced a statement (again requiring no vote) urging that states and international organizations "commit to promote and protect the human rights of all persons, regardless of sexual orientation or gender identity." Joined by 66 states (although not the U.S. until the Obama administration took office in 2009), the statement called for application of existing human rights protections to gay people. However, the statement also

⁷⁶ *Toonen v. Australia*, Communication No. 488/1992, U.N. Doc CCPR/C/50/D/488/1992 (1994); Pritchard 1994.

⁷⁷ UN 1994, Ch. VII, A7.2; ARC International 2009, 1.

⁷⁸ UN 1995, para. 96; ARC International 2009, 1.

⁷⁹ HRW 2005; ARC International 2009, 1.

⁸⁰ UN 2003; HRW 2005b.

⁸¹ ILGA 2005; ILGA 2006a.

drew vehement opposition led by Syria, speaking for the OIC in a counter-statement joined by 57 states and ballyhooed by NGO members of the Baptist-burqa network.⁸²

Whether uncloseted as in these more recent cases or closeted as in the older, members of the gay rights network have long deployed the incremental strategy. They bootstrap humble steps in one low-level arena to leverage advances in others. For instance, sympathetic scholars now cite and re-cite the Yogyakarta Principles.⁸³ Advocates unblushingly brandish them in advancing their claims. And institutions that were already favorable toward gay rights, such as the Council of Europe, refer to them as authoritative, thereby deepening their authority--at least among the like-minded.

Persuasion Contested. However, opponents have long denounced the incremental strategy as a stratagem--an illegitimate pretense for creating controversial new rights “by stealth.”⁸⁴ In this view, lobbying in obscure UN forums and grafting existing international treaties onto new issues are nothing more than cunning “maneuver[s]” to “by-pass ratification and avoid . . . confrontations” with states having “contrary . . . national cultures and religious values.”⁸⁵ Such processes are “opaque, complex, and largely unaccountable.”⁸⁶ They promote “soft-law principles as universally binding without the consent of sovereign nations.”⁸⁷ Ultimately, they usurp the role of proper policymaking institutions, undermining the ability of citizens to control their own societies.⁸⁸

Even the recent, more open approach pioneered by the Brazilian resolution provoked critique, less as to process than the uses to which such nonbinding statements might be put. In this view, “soft law” has no legal value even if “dishonest” activists improperly exploit self-constructed “norms” to propel their causes forward.⁸⁹ Similarly, far from accepting or overlooking the Yogyakarta Principles, C-FAM has disparaged them as “an attempt by activists to present an aspirational, radical social policy vision as a binding norm.”⁹⁰ In the European context, when a Council of Europe report relied heavily on the Yogyakarta Principles, it was denounced by a Romanian NGO linked to the international pro-family movement. According to the Association of Romanian Families (ARF), the Principles were “created *ex nihilo*” by “law professors and representatives of LGBT organizations” who “seek to “legitimize . . . the agenda of the international homosexual movement” and to “clothe the Principles with international legitimacy thereby facilitating their incorporation as principles of international law.”⁹¹ (Yogyakarta’s lead author, Michael O’Flaherty, an Irish Catholic priest and professor of politics, has also come under harsh *ad hominem* attacks.)

But conservatives have learned that slurring “soft law,” lambasting international organizations, or even defrocking priests is not enough. The Doha Institute’s Richard G. Wilkins warns that, thanks to progressive activists’ machinations, “international norms are beginning to shape the content of domestic law . . . [and] being used to deconstruct long-standing notions of family life.” He therefore advises his own troops “to avoid negative outcomes and promote positive ones.”⁹² The goal is to stuff the international system with conservative “soft law,” jamming incrementalism by making it difficult to distinguish which of many contrary statements in fact constitutes a “new” norm. As Wilkins boasted, “the outcomes of the Doha Conference, including the Doha Declaration, take their place in the canon of declarations, platforms, and agendas from which international legal norms are derived by

⁸² UN 2008a.

⁸³ Kollman and Waites 2009, 5. These friendly critics acknowledge that the Principles can be “criticized for the limited inclusiveness of processes leading to their articulation, and their content.”

⁸⁴ Sylva and Yoshihara 2007.

⁸⁵ Anderson 1999.

⁸⁶ Sylva and Yoshihara 2007, vi.

⁸⁷ Tozzi 2007, 4.

⁸⁸ ARF, 2010, 16.

⁸⁹ Sylva and Yoshihara 2007, 19.

⁹⁰ Tozzi 2007, 1.

⁹¹ ARF 2010, 16, 28; see also ARF 2008.

⁹² Wilkins 2007, 370.

political leaders, judges, and lawyers.”⁹³ Similarly, the Syrian and other statements issued in response to the Brazilian, New Zealand, and French resolutions are as much “soft law” as the originals.

Of course, none of this stops each network from promoting a new norm based solely on its own “soft laws”--either ignoring or attacking its foes’. The result, however, is ambiguity which can only be resolved by deadly-serious normative “pillow fights” in which each side plots to explode the other’s soft law--or, better yet, smother the opposition completely.

Outcomes

What are the outcomes of this decades-long international contest? Consider battles over the core concepts of sexual orientation, gender, and gay rights. Then consider how gay groups have fought back on the Baptist-burqa network’s own sacred ground, religion itself.

Sexual Orientation--or Disorientation? For gay rights proponents such as Human Rights Watch “sexual orientation” is “the way in which a person's sexual and emotional desires are directed” and “gender identity” is a “person's deeply felt, internal sense of belonging to a gender.” Both are viewed as innate but variable aspects of human nature. Supporting this view are scientific societies led by the American Psychological Association, although its shifting positions on the sources of homosexuality now seem to have settled into a compromise--that “nature and nurture both play complex roles.” Promoting nature with consummate certainty are moral megastars in the gay rights network. Archbishop Desmond Tutu, for instance, intones that, just as black people were made to suffer “for something we could do nothing about — our very skins. It is the same with sexual orientation. It is a given.”⁹⁴

But those opposing the “homosexual agenda” have disputed and defamed the very concepts of sexual orientation and gender identity. For the “ex-gay” ministry, Exodus Global Alliance (formerly Exodus International), homosexuality is a “multi-causal, developmental disorder that can be overcome with the help of professional counselors and . . . the healing power of Jesus Christ.” Others like UFI do not seek to “cure” gay people but bandy their own “wealth of peer reviewed social science data” claiming that homosexuality is nothing more than a “lifestyle choice,” a “passing social trend,” or a “fad.” Using those same authorities, they go on to warn of the “dangers of homosexual behavior to individuals, families, and societies.” To further disparage the concept, groups such as UFI highlight its vagueness and warn of slippery slopes. For instance, countering the Brazilian resolution in 2003, they pointed to various “unhealthy” sexual “orientations” listed in the American Psychiatric Association’s Diagnostic and Statistical Manual: “non-human objects, suffering or humiliation, children or other non-consenting persons.” Using arguments like these, UFI claims to have triggered more than 345,000 email messages to the UN Human Rights Commission.⁹⁵

In 2008, UFI’s superheroes in the Organisation of the Islamic Conference (OIC) similarly condemned France’s joint statement at the UN General Assembly. Not only did it “attribute particular sexual interests or behaviors to genetic factors,” but also “the notion of orientation spans a wide range of personal choices that expand way beyond the individual’s sexual interest in copulatory behavior with normal consenting adult human beings, thereby ushering in the social normalization and possibly the legitimization of many deplorable acts including pedophilia.” Less theatrically, the Catholic hierarchy argues that the “natural structure of the family,” “inscribed in human nature itself,” involves the union of man and woman in marriage. As such, homosexuality is incoherent and violates human “dignity.” Moreover, the concepts of “sexual orientation” and “gender identity” have “no recognition or clear and agreed definition in international law.”⁹⁶ Thus, the Church fights attempts to include the concepts in UN documents.

Gay advocates angrily dismiss the foregoing as pseudo-science propagated by dilettantes devoid of standing in these spheres. Thus, Human Rights Watch denounced conservative attacks on the Brazilian resolution as “misinformation” involving “the distortion of language and medical fact.” In answer to UFI’s broadening and smearing of the sexual orientation concept, HRW has urged that it be defined narrowly--“as understood in ordinary speech as well as in repeated references in official U.N. documents”--as referring only to heterosexual or homosexual desires.⁹⁷

Regarding “gender,” the Baptist-burqa coalition has not kept every mention of this less sensitive term out of UN documents. But it has succeeded in keeping the term defined in traditional ways. A skirmish over the Rome

⁹³ Wilkins 2007, 370.

⁹⁴ HRW 2005b; APA 2008, 2; Tutu 2004.

⁹⁵ Exodus International 2010; Allred 2005.

⁹⁶ UN 2008b; Benedict XVI 2006; Holy See 2008.

⁹⁷ HRW 2005a, 86. For similar if disputed definitions, see, e.g., Amnesty International 2001.

Statute of the ICC in the late 1990s is instructive. Rights activists sought to insert the term “gender” into the Statute, as one type of “identifiable group or collectivity” whose persecution would constitute a “crime against humanity.” For conservatives, however, this came to be seen as a vehicle for tacitly recognizing homosexuality. Major conflict ensued, the result being a specially limited definition of gender: “the two sexes, male and female, within the context of society. The term ‘gender’ does not indicate any meaning different from the above.” As Austin Ruse stated in an interview, “we have been content to believe we have won. . . . Additionally, language in other nonbinding documents has to be understood as traditionally understood.”⁹⁸

Rights: Equal or Special? Beyond recognition of “sexual orientation,” a central goal of gay groups is equal rights in all spheres. A matter of simple justice, explicit rights protection would create legal tools helping millions. In this view, sexual orientation and gender identity should never form the basis for discrimination, and all laws that differentiate on these bases require revision. For advocates such as ILGA, this has meant domestic and international campaigns aimed at repealing sodomy statutes, equalizing age of consent laws, passing hate crimes and hate speech prohibitions, and recognizing same-sex unions.

As noted previously, for strategic and moral reasons, many activists in the Baptist-burqa network oppose punishment for homosexual relations among consenting adults, even if penal sanctions are still popular in some African and Caribbean societies. However the idea that same-sex relations should be acknowledged as a right is anathema. Rather, as UFI puts it, “homosexual rights” constitute “special human rights (rather than equal human rights).” They aim to protect a behavior, rather than a status. They open the door to the DSM’s list of perversions. And, especially in the form of a right to same-sex marriage, they threaten “our very civilization.” As Pope Benedict XVI has also argued, the “natural structure of the family” plays an “irreplaceable social role.” Purporting to make conventional marriage “juridically equivalent to radically different forms of union” will “in reality harm [marriage] and contribute to its destabilization.” Given all this, religious conservatives decry “homosexual rights” and “sexual freedom” as moral wrongs and catastrophic license.⁹⁹

For their part, gay rights activists such as Human Rights Watch themselves decry such “conflation of human rights principles with ‘protecting bestiality.’”¹⁰⁰ But there is no question that repulsing the attacks costs them scarce time and resources.

Culture: Established or Evolving? So even while defending bedrock empirical and normative propositions, gay groups have turned the tables, working to undermine their foes’ own fundamental beliefs. Most important, they have questioned “traditional” understandings of religion, whether Christian, Muslim, Hindu, or Jewish, as narrow and crabbed. The targets are statements like Pakistan’s opposing the 2003 Brazilian Human Rights Commission resolution as “a direct insult to the 1.2 billion Muslims around the world” because it “contradicts the tenets of Islam and other religions.”¹⁰¹

As one sally, gay rights proponents parade religious liberals at international forums. There they directly challenge orthodox views, their presence and proclamations embodying more open, faith-based values. This counter-strategy was perhaps best articulated by activist Jennifer Butler (2000) in the related context of women’s rights: “the Religious Right demonizes feminists in part by painting the feminist movement as a movement of ‘Godless radicals.’ A feminist religious stance shakes up this simplistic dichotomy and makes demonizing feminists more difficult.”

Forging Potemkin civil society is another strategy. Such organizations are not “fake.” Often, they include real constituencies with autonomous demands and heartfelt beliefs. Although they typically represent a minority position in their larger community, Potemkin society may enjoy significant support. But the core reason for their existence is strategic--to undermine opponents’ claims to represent an entire category of persons. One example we have already met: Catholics for Free Choice, which offers itself as an alternative voice for Catholics at the UN--though conservatives have challenged it as “vigorously anti-Catholic”--a “‘playboy’s dream’” that has collaborated with Planned Parenthood and been funded by “‘philanthropists’” such as the Rockefeller Foundation, Turner Foundation, and *Playboy* magazine.¹⁰²

Confronting retrograde religions more directly, Human Rights Watch’s Scott Long has savaged the “false ideologies of cultural uniformity that exploit sexuality with no other real goal than to reject, exclude, and destroy.”

⁹⁸ Rome Statute Art. 7, secs. 1, 3; author’s telephone interview with Austin Ruse, June 29, 1010.

⁹⁹ Allred 2005; Benedict XVI 2006; Family First Foundation 2008; McLerran and Stout 2008.

¹⁰⁰ HRW 2005a, 86.

¹⁰¹ WorldNetDaily.com 2003.

¹⁰² Anderson 1999.

In this view, “authentic” cultures do not exist. “Traditions” are invented and cultures undergo “*bricolage*[,] . . . constant change and interchange.”¹⁰³ Putting these views into practice, the Arcus Foundation of New York City and Kalamazoo, one of the gay movement’s primary funders with over \$155 million in assets and 25 employees, has taken the role of *bricoleur*. Arcus, promoting equal rights for the world’s LGBT communities as one of its two core goals (the other being conservation of the world’s great apes), has started a Program on Religion and Values. This targets “faith traditions” such as Anglican, Episcopal, Jewish, Methodist and Lutheran. It aims to: “refute beliefs that portray gay . . . people as sinful and immoral”; “achiev[e] long-term change in cultural attitudes and religious institutions”; and “creat[e] a positive shift in cultural attitudes and values toward sexuality in general and GLBT. . . issues in particular.”¹⁰⁴ Others tackle bedrock religious texts, including the Bible. Rightly interpreted, properly updated, the Good Book is said to support homosexuality, even same-sex marriage. Or, as *Newsweek*’s 2008 cover story, “Our Mutual Joy,” claimed, “Opponents of gay marriage often cite Scripture. But what the Bible teaches about love argues for the other side.”¹⁰⁵

Far from loosing joy on the world, however, the article unleashed a fury of vitriol that swept well beyond the U.S. Conservative religious leaders remain unmoved by calls for change and toleration, no matter how “authoritative” the source. Well-financed and persistent strategies like Arcus’s may over time influence religious moderates already receptive to homosexuals. But even a moral force like Desmond Tutu cannot move pillars of the Baptist-burqa network. For the Catholic Church, “recognition and promotion of the natural structure of the family--as a union between a man and a woman based on marriage,” with an “irreplaceable social role,” is “not negotiable.” Of course, Benedict does not speak for other religions. But his words likely reflect the uncompromising views of religiously conservative activists and governments, whether Protestant, Orthodox, Jewish, or Muslim.

“*No Chance of Consensus.*” Gay advocates have achieved some of their initial goals, in particular raising the visibility of homosexuality at the UN. More important, sodomy laws aimed at punishing consensual adult behavior have gone by the wayside in many states of western Europe, the Americas, and elsewhere--as reflected in the stance of these countries at the UN. Discrimination too has declined in these states, although the role of the UN in these important achievements appears limited.

But on activists’ core problem--UN failure to recognize gay rights and, more basically still, the sexual orientation concept--nonpolicy is the rule, though the occasional zombie staggers off UN plaza. As should be clear, this is not because the gay network lacks “density,” resources, or persuasion. Rather, the impediment is that the gay network does not act unopposed. Religious conservatives have exploited UN rules to mount potent counter-persuasion. They have bashed gay activists’ frames, slashed their grafts, and trashed their “authorities.” Simultaneously, they have counter-framed, counter-shamed, and counter-grafted. Thus human rights scholar Jack Donnelly’s observation remains accurate: “[i]n the short and medium run, there is no chance of anything even close to an international consensus on even a working text for a draft declaration on the rights of homosexuals.”¹⁰⁶

Conclusion

The decades-long UN battle over gay rights suggests broader implications for scholars of transnational activism. Although this single case study cannot “prove” the theory set out in this paper, it suggests that existing accounts of transnational activism and explanations of international policymaking are incomplete. In addition, it has other important implications. First, the paper shows that NGOs by no means speak with one voice. On most significant policy issues, there are rival networks, often ones that do not even recognize the same problem. Indeed, one network’s solution may be another’s problem. Thus, in analyzing global governance, it is not enough simply to describe proponents of change and their interactions with states.

Second, conflict pervades all stages of the policymaking process, either directly or indirectly. The most direct conflicts occur in institutional arenas, such as the United Nations, where rule-making is occurring. Here the contending sides face off, usually trying in one way or another to influence decisionmakers in international organizations or states. But even where issue entrepreneurs act more autonomously, especially in issue formation and agenda setting, the influence of opponents is felt.

Third, this paper challenges “framing” as an explanation for transnational persuasion. From an analytic standpoint, if opposing sides deploy equally evocative frames, framing alone cannot explain the decisions reached by policymakers. The frames may excite the sympathetic, acting as flags to rally those who already have a generalized leaning to the position symbolized by the frame. But it is unlikely that a new framing alone will change

¹⁰³ HRW 2005a, 74.

¹⁰⁴ ARCUS Foundation 2007a, 2007b.

¹⁰⁵ Miller 2008.

¹⁰⁶ Donnelly 2003, 237.

the views of those with pre-existing antipathy to the position—particularly when opponents will almost certainly deploy their own frames in the fight. Other factors, particularly those related to the material power of clashing networks and their linkages to governmental institutions, play a crucial role.

Fourth, this study challenges current understandings of “global civil society” positing harmonious relations among like-minded transnational activists. In this view, NGOs express popular preferences better than governments do, and their participation is crucial to democratizing global governance.¹⁰⁷ But this is little more than tunnel vision through rose-tinted glasses. This paper suggests that conservative NGOs cannot be written off as tools of corporate or state interests. Instead, the paper shows transnational politics to be ideologically riven, exploding the myth of a cohesive global civil society.

In a related vein, this paper challenges scholarship arguing that rational “deliberation” is the primary means of transnational persuasion and policy change.¹⁰⁸ Certainly such sober and reasoned interactions do occur in some arenas. But when one moves beyond circuits of agreement to contending networks which view one another with disdain, suspicion, and hostility, the deliberative model breaks down. In those cases, “reason” alone may be insufficient to convince those who deeply believe in particular values or ideas.

In sum, for a realistic understanding of global policymaking and transnational activism more generally, it is essential that scholars expand their vision beyond networks to also include counternetworks.

¹⁰⁷ Smith 2008; Barber, 2003; Kaldor 2003; Florini, 2000; Falk, 1995.

¹⁰⁸ Risse, 2000; Habermas, 2001.

Bibliography

- Allred, Lynn. 2005. Thwarting the Anti-Family Agenda: An Eyewitness Account of the Commission on Human Rights. *Meridian Magazine*, April 5, <http://www.meridianmagazine.com/familywatch/040505agenda.html>
- Amnesty International. 2001. *Crimes of Hate, Conspiracy of Silence: Torture and Ill-Treatment Based on Sexual Identity*. London: Amnesty International.
- Anderson, Mary Jo. 2000. "Beijing +5 Report: Non-Governmental Organizations: Key to Defense of Traditional Family?" Women for Faith & Family, Voices Online Edition XV: 2, <http://wf-f.org/Sum2K-Anderson.html>
- Anderson, Mary Jo. 1999. "UN Frontline Report: UN Declares Abortion a Universal Right; 'Enforced Pregnancy' an International Crime." Women for Faith & Family, Voices Online Edition XIV:1, Spring, <http://wf-f.org/UN-AndersonSp99.html>
- Andreas, Peter and Ethan Nadelmann. 2006. *Policing the Globe: Criminalization and Crime Control in International Relations*. Oxford University Press.
- Ansolabehere, Stephen and Shanto Iyengar. 1995. *Going Negative: How Political Advertisements Shrink and Polarize the Electorate*. New York: Free Press.
- APA (American Psychological Association). 2008. Answers to Your Questions: For a Better Understanding of Sexual Orientation and Homosexuality. Washington, DC: APA, www.apa.org/topics/orientation.pdf
- ARC International. 2009. "Building on the Past, Looking to the Future." www.arcusfoundation.org/assets/pdf/UN_General_Assembly.pdf
- ARC International. 2006. ARC Annual Report 2006. <http://www.arc-international.net/report2006.html>
- ARCUS Foundation. 2009. "Carla Sutherland, Former Ford Foundation Program Officer, Joins Arcus Foundation as International LGBT Rights Program Director." *ARCUS Foundation 2009*. http://www.arcusfoundation.org/pages_2/news_arch_template.cfm?ID=101
- ARCUS Foundation. 2007a. Arcus Foundation Appoints Tom Kam to Lead Program on Religion and Values, press release, Feb. 26, http://www.arcusfoundation.org/pages_2/news_arch_template.cfm?ID=20
- ARCUS Foundation. 2007b. Arcus Foundation Ends Year with New Awards Totaling over \$9.6 Million; Brings 2007 Grant Making Total Over \$16.8 Million, press release, Mar. 18, http://www.arcusfoundation.org/pages_2/news_arch_template.cfm?ID=44
- ARF (Alliance of Romania's Families). 2010. "A Legal and Policy Commentary on the Proposed PACE Draft Resolution 'Discrimination on the Basis of Sexual Orientation and Gender Identity' (Document12087)." Letter memorandum, Apr. 7 (in author's files).
- ARF (Alliance of Romania's Families). 2008. Letter of Protest re: Council of Europe's Attempts to Impose Same-Sex Marriage on Member States, June 28, www.telladf.org/UserDocs/ARFletter.pdf
- Barber, Benjamin R. 2003. *Fear's Empire: War, Terrorism, and Democracy*. New York: W.W. Norton.
- Battiatia, Mary. 1985. "The Feminist Finale; High Homes (sic) in Nairobi As Forum Disperses." *Washington Post*, July 19, G1.
- Best, Joel. 2007. *Social Problems*. New York: W. W. Norton.
- Best, Joel. 2001. *How Claims Spread: Cross-National Diffusion of Social Problems*. Piscataway, NJ: Aldine Transaction.
- Blake, Mariah. 2007. "US Evangelicals Aim to Influence European Law." *Christian Science Monitor*. April 17, p. 1.
- Benedict XVI, Pope. 2006. Address of His Holiness Benedict XVI to the Members of the European People's Party on the Occasion of the Study Days on Europe, http://www.vatican.va/holy_father/benedict_xvi/speeches/2006/march/documents/hf_ben-xvi_spe_20060330_eu-parliamentarians_en.html
- Blok, Anders. 2008. "Contesting Global Norms: Politics of Identity in Japanese Pro-Whaling Countermobilization." *Global Environmental Politics* 8: 2, 39-66.
- Bob, Clifford. 2010. "Pro-Gun Groups and the Governance of Small Arms." In *Who Governs the Globe?* Deborah D. Avant, Martha Finnemore, and Susan K. Sell, eds., Cambridge: Cambridge University Press, 183-201.
- Bob, Clifford. 2005. *The Marketing of Rebellion: Insurgents, Media, and International Activism*. Cambridge: Cambridge University Press.
- Britton, Katherine. 2008. "A Swedish Perspective on California's Gay Marriage Debate." *Crosswalk.com*, Oct. 31, <http://www.crosswalk.com/11584257/>
- Busby, Joshua W. 2010. *Moral Movements and Foreign Policy*. Cambridge: Cambridge University Press.
- Buss, Doris and Didi Herman. 2003. *Globalizing Family Values: The Christian Right In International Politics*. Minneapolis: University of Minnesota Press.
- Butler, Jennifer. 2000. 300 Religious Right Participants Attend Beijing PrepCom. *Global Policy Forum*, June 1, <http://www.globalpolicy.org/component/content/article/177/31727.html>

- Carlson, Allan. 2000. "A History of "the family" in the United Nations. Presentation to UN OBSERVER Training Seminar (CANADA) St. John The Evangelist Church, New York, NY June 2, 2000, http://www.profam.org/docs/acc/thc_acc_un.htm
- Carpenter, R. Charli. 2009. "Orphaned Again? Children Born of Wartime Rape as a Non-Issue for the Human Rights Movement." In Clifford Bob, ed., *The International Struggle for New Human Rights*. Philadelphia: University of Pennsylvania Press, 14-29.
- CFC (Catholics for Choice). 2010a. "It's Time for a Change -- a See Change," <http://www.seechange.org/>
- CFC. 2010b. "Opposition Watch." <http://www.catholicsforchoice.org/pubs/libraries/OppositionWatch.asp>
- Catholics for a Free Choice. 2001. "Bad Faith at the UN: Drawing Back the Curtain on the Catholic Family and Human Rights Institute," <http://www.catholicsforchoice.org/topics/politics/keypubs.asp>
- C-FAM (Catholic Family and Human Rights Institute). 2010a. "UN Committee Attacks Motherhood, Demands New 'Rights' for Women," Friday Fax, July 29, http://www.c-fam.org/publications/pub_detail.asp?id=1673
- C-FAM. 2010b. About Us. http://www.c-fam.org/about_us/id.43/default.asp; http://www.c-fam.org/about_us/
- C-FAM. 2001. "Pro-Life Groups Win and Lose Before UN Economic and Social Council," Friday Fax 4: 24, June 1, http://www.c-fam.org/publications/id.191/pub_detail.asp
- C-FAM. 2000. "Campaign in Support of the Holy See at the United Nations," Nov. 15 (in author's files).
- C-FAM. 1998. "Pro-Abortion Catholic Group Among NGOs Granted Official UN Recognition." Friday Fax 1: 33, May 29, http://www.c-fam.org/publications/id.42/pub_detail.asp
- Chappell, Louise, 2006. "Contesting Women's Rights: Charting the Emergence of a Transnational Conservative Counter-Network." *Global Society* 20: 491-520.
- Cooley, Alexander and James Ron. 2002. "The NGO Scramble: Organizational Insecurity and the Political Economy of Transnational Action." *International Organization* 27:1, 5-39.
- Coser, Lewis. 1964. *The Functions of Social Conflict: An Examination of the Concept of Social Conflict and Its Use in Empirical Sociological Research*. New York: Free Press.
- Crenson, Mathew. 1971. *The Un-Politics of Air Pollution: A Study of Non-Decisionmaking in the Cities*. Baltimore: Johns Hopkins University Press.
- CRR (Center for Reproductive Rights). 2003. "International Legal Program Summary of Strategic Planning through October 31, 2003," reprinted in "Documents Reveal Deceptive PRactices by Abortion Lobby," *Congressional Record*, Dec. 8, E2534-47.
- CWGL (Center for Women's Global leadership) 2010. Written Out: How Sexuality is Used to Attack Women's Organizing (2005), Rutgers University, <http://www.cwgl.rutgers.edu/globalcenter/publications/written.htm>
- Della Porta, Donatella and Sidney Tarrow. 2005. *Transnational Protest and Global Activism*. Lanham, MD: Rowman & Littlefield.
- Diamond, Sara. 1998. *Not by Politics Alone: The Enduring Influence of the Christian Right*. New York: Guilford Press.
- Doha International Conference for the Family. 2010. <http://www.yearofthefamily.org/Doha.htm>
- Doha Declaration. 2004. <http://www.yearofthefamily.org/declaration.html>
- Doha International Conference for the Family. 2004. *The World Unites to Protect the Family: Reports, Statements and Stories from Community Meetings, Non-Governmental Organizations and Members of Civil Society Working to Protect the Family World-Wide*. Qatar: Supreme Council for Family Affairs, State of Qatar, and the World Family Policy Center, Brigham Young University, www.yearofthefamily.org/.../The_World_Unites_to_Save_the_Family_Reports.pdf
- Donnelly, Jack. 2003. *Universal Human Rights In Theory and Practice*. Ithaca: Cornell University Press.
- Epprecht, Marc. 2008. *Heterosexual Africa? The History of an Idea from the Age of Exploration to the Age of AIDS*. Athens, OH and Scottsville, South Africa: Ohio University Press and University of KwaZulu-Natal Press.
- Exodus Global Alliance. 2010. Missions. <http://exodusglobalalliance.org/missionss6.php>
- Exodus International. 2010. Policy Statements, <http://exodus.to/content/view/34/118/>
- Family First Foundation. 2010. Welcome. <http://www.familyfirstfoundation.org/index.html>
- Falk, Richard. 1995. *On Humane Governance: Toward a New Global Politics: The World Order Models Project Report of the Global Civilization Initiative*. University Park, PA: Pennsylvania State University Press.
- Faupel, John F. 1962. *African Holocaust: The Story of the Uganda Martyrs*. New York: P. J. Kennedy.
- Feder, Don. 2008. 'Demographic Winter' Exposes the Century's Overlooked Crisis. *Human Events*, Mar. 27, <http://www.humanevents.com/article.php?id=25723>
- Fetner, Tina. 2008. *How the Religious Right Shaped Lesbian and Gay Activism*. Minneapolis, MN: University of Minnesota Press.

- Finnemore, Martha and Kathryn Sikkink. 1998. "International Norm Dynamics and Political Change." *International Organization* 52: 4, 887-917.
- Florini, Ann M., ed. 2000. *The Third Force: The Rise of Transnational Civil Society*. Tokyo: Japan Center for International Exchange; Washington: Carnegie Endowment for International Peace.
- FRC (Family Research Council). 2006. Religious Liberty in the Crosshairs. FRC Action Update, July 10, <http://www.frcaction.org/get.cfm?i=WU08G05>
- Gamson, Joshua. 1997. "Messages of Exclusion: Gender, Movements, and Symbolic Boundaries." *Gender and Society* 11: 2 (178-99).
- Gettleman, Jeffrey. 2010. "Americans' Role Seen in Uganda Anti-Gay Push." *New York Times*, Jan. 3., <http://www.nytimes.com/2010/01/04/world/africa/04uganda.html>
- Glennon, Michael J. 2003. *Limits of Law, Prerogatives of Power: Interventionism after Kosovo*. New York: Palgrave MacMillan.
- Goldsmith, Jack L. and Eric A. Posner. 2006. *The Limits of International Law*. Oxford: Oxford University Press.
- Goodstein, Laurie. 2008. A Line in the Sand for Same-Sex Marriage Foes. *New York Times*, Oct. 27, <http://www.nytimes.com/2008/10/27/us/27right.html?pagewanted=print>
- Goodwin, Jeff, James M. Jasper and Francesca Polletta. 2001. *Passionate Politics: Emotions and Social Movements*. Chicago: University of Chicago Press.
- Gurowitz, Amy. 1999. "Mobilizing International Norms: Domestic Actors, Immigrants, and the Japanese State." *World Politics* 51: 3, 413-445.
- Habermas, Jürgen. 2001. *The Postnational Constellation: Political Essays*. Cambridge: Massachusetts Institute of Technology Press.
- Hajjar, Lisa. 2001. "From the Fight for Legal Rights to the Promotion of Human Rights: Israeli and Palestinian Cause Lawyers in the Trenches of Globalization." In *Cause Lawyering and the State*, ed. Sarat and Scheingold, 68-95.
- Hampton, Janie. 1985. "Women: The soapbox in the sun : The UN Decade of Women Conference in Kenya," *Guardian* (London), July 29.
- Hendessi, Mandana. 1986 Fourteen Thousand Women Meet: Report from Nairobi, July 1985" *Feminist Review* 23 (June), 147-56.
- Herring, Ronald J. 2010. In Givan, Rebecca Kolins, Kenneth M. Roberts, and Sarah A. Soule, eds., *The Diffusion of Social Movements: Actors, Mechanisms, and Political Effects*. Cambridge: Cambridge University Press, 78-96.
- Hertel, Shareen. 2005. *Unexpected Power: Conflict and Change among Transnational Activists*. Ithaca, NY: Cornell University Press.
- Holy See. 2008. Statement of the Holy See Delegation at the 63rd Session of the General Assembly of the United Nations on the Declaration on Human Rights, Sexual Orientation and Gender Identity. Dec. 18, http://www.vatican.va/roman_curia/secretariat_state/2008/documents/rc_seg-st_20081218_statement-sexual-orientation_en.html
- Hopgood, Stephen. 2006. *Keepers of the Flame: Understanding Amnesty International*. Ithaca, NY: Cornell University Press.
- Howard Center for Family, Religion, and Society. 2010. Frequently Asked Questions. http://www.profam.org/THC/xthc_faq.htm
- Howard Center for Family, Religion, and Society. 2008. Over 100 Pro-Family Leaders from 22 Countries Sign Petition in Support of Romania's Defense of Marriage, press release, Apr. 7 (available on Nexis).
- HRW (Human Rights Watch). 2005a. *World Report 2005*.
- HRW. 2005b. Sexual Orientation and Gender Identity: Human Rights Concerns for the 61st Session of the U.N. Commission on Human Rights, <http://www.hrw.org/node/83524>
- IGLHRC. 2008a. Annual Report 2007-08. www.iglhrc.org/binary-data/ATTACHMENT/file/000/000/218-2.pdf
- IGLHRC. 2008b. A Celebration of Courage: 2008 Award Recipients, Apr. 1, <http://www.iglhrc.org/cgi-bin/iowa/article/support/coc2008/839.html>
- IGLHRC and CWGL. 2005. *Written Out: How Sexuality is Used to Attack Women's Organizing*, rev'd ed., www.cwgl.rutgers.edu/globalcenter/publications/written.htm
- ILGA. 2009. "State-Sponsored Homophobia Report: A World Survey of Laws Prohibiting Same Sex Activity between Consenting Adults: An ILGA Report."
- ILGA. 2010. About ILGA. <http://old.ilga.org/aboutilga.asp>.
- ILGA. 2007a. "ILGA Constitution as Amended in August 2007." http://www.ilga-europe.org/ilga/publications/publications_in_english/organisational_documents/ilga_constitution
- ILGA. 2006a. Statement by Norway--UNHRC 2006, May 12, <http://ilga.org/ilga/en/article/944>

- ILGA. 2006b. ILGA's Public Stance against Paedophilia and Commitment to the Protection of Children. July 13, <http://ilga.org/ilga/en/article/861>.
- ILGA. 2006c. LGBT World Legal Wrap Up Survey, http://typo3.lsvd.de/fileadmin/pics/Dokumente/Homosexualitaet/World_legal_wrap_up_survey_November2006.pdf
- ILGA. 2005. UN: 32 Countries Support New Zealand, Apr. 20, <http://ilga.org/ilga/en/article/533>
- ILGA-Europe. 2010. ILGA-Europe Human Rights Violations Documentation Fund. http://www.ilga-europe.org/europe/what_we_do/ilga_europe_as_a_funder
- ISHR and ICJ (International Service for Human Rights and International Commission of Jurists). 2006. Yogyakarta Principles, <http://www.yogyakartaprinciples.org/index.html>
- Jasper, James M. 2006. *Getting Your Way: Strategic Dilemmas in the Real World*. Chicago: University of Chicago Press.
- Joachim, Jutta. M. 2007. *Agenda Setting, the UN, and NGOs: Gender Violence and Reproductive Rights*. Washington, D.C.: Georgetown University Press.
- Kaldor, Mary. 2003. *Global Civil Society: An Answer to War*. Cambridge: Polity Press.
- Kampwirth, Karen. 2006. "Resisting the Feminist Threat: Antifeminist Politics in Post-Sandinista Nicaragua." *NWSA Journal* 18:2, 73-100.
- Kazmin, Amy. 2009. Gay Indians Seek Sexual Equality. *Financial Times*, June 30, http://www.ft.com/cms/s/5f059856-650d-11de-a13f-00144feabdc0.Authorised=false.html?_i_location=http%3A%2F%2Fwww.ft.com%2Fcms%2Fs%2F0%2F5f059856-650d-11de-a13f-00144feabdc0.html&_i_referer=
- Keck, Margaret E. and Kathryn Sikkink. 1998. *Activists beyond Borders: Advocacy Networks in International Politics*. Ithaca: Cornell University Press.
- Khagram, Sanjeev, James V. Riker, and Kathryn Sikkink, eds. 2002. *Restructuring World Politics: Transnational Social Movements, Networks, and Norms*. Minneapolis: University of Minnesota Press.
- Kirk, Marshall and Hunter Madsen. 1989. *After the Ball: How America Will Conquer Its Fear and Hatred of Gays in the '90s*. New York: Doubleday.
- Kollman, Kelly and Matthew Waites. 2009. "The global politics of lesbian, gay, bisexual and transgender human rights: an introduction." *Contemporary Politics*, 15:1, 1-17.
- Kollman, Kelly. 2007. Same-Sex Unions: The Globalization of an Idea. *International Studies Quarterly* 51, 329-357.
- Kupelian, David. 2005. *The Marketing of Evil: How Radicals, Elitists, and Pseudo-Experts Sell Us Corruption Disguised As Freedom*. Nashville, TN: Cumberland House, WND Books.
- Kurlantzick, Joshua. 2007. "Tomorrow, the World." *The American Prospect*, Nov., 38.
- Lakoff, George. 2004. *Don't Think of an Elephant: Know Your Values and Frame the Debate*. White River Junction, VT: Chelsea Green.
- Larson, Edward J. 2006. *Summer for the Gods: The Scopes Trial and America's Continuing Debate over Science and Religion*. Basic Books
- LCF (Lawyers' Christian Fellowship). 2006. A Personal Stand - Pastor Ake Green. LCF Annual Conference 2006, <http://www.lawcf.org/index.asp?page=Annual%20Conference%202006>
- Lively, Scott. 2010. "The Death Penalty in Uganda." Defend the Family International, Jan. 5, <http://www.defendthefamily.com/pfrc/newsarchives.php?id=4480922>
- Lively, Scott. 2009. "Report from Uganda." Defend the Family International, Mar. 17, <http://www.defendthefamily.com/pfrc/archives.php?id=2345952>.
- Long, Scott. 2005. "Anatomy of a Backlash: Sexuality and the 'Cultural' War on Human Rights." In *Human Rights Watch World Report 2005*, ed. Human Rights Watch, 70-93. New York: Human Rights Watch.
- Loveless, A. Scott and Thomas B. Holman. 2007. *The Family in the New Millennium: World Voices Supporting the "Natural" Clan*. Vols 1-3. Westport, CT: Praeger.
- McLerran, Barry and Rick Stout. 2008. *Demographic Winter: The Decline of the Human Family*.
- Mertus, Julie. 2009. "Applying the Gatekeeper Model of Human Rights Activism: The U.S.-Based Movement for LGBT Rights." In Clifford Bob, ed., *The International Struggle for New Human Rights*. Philadelphia: University of Pennsylvania Press, 52-67.
- Meyer, David S. and Suzanne Staggenborg. 1996. "Movements, Countermovements and the Structure of Political Opportunity." *American Journal of Sociology* 101: 1628-60.
- Miller, Lisa. 2008. "Gay Marriage: Our Mutual Joy." *Newsweek*. Dec. 6, <http://www.newsweek.com/id/172653>
- Milner, Helen. 1997. *Interests, Institutions, and Information: Domestic Politics and International Relations*. Princeton, NJ: Princeton University Press.
- Murphy, Craig. 2000. "Global Governance: Poorly Done and Poorly Understood." *International Affairs* 75: 4, 789-803.

- Nadelmann, Ethan. 1990. "Global Prohibition Regimes: The Evolution of Norms in International Society." *International Organization* 44:4.
- NAMBLA (North American Man Boy Love Association) 2010. Who We Are, <http://www.nambla.org/welcome.htm>
- National Public Radio. 2009. "U.S. Evangelical Leaders Blamed For Uganda Anti-Gay Sentiment." Interview transcript, Dec. 18, <http://www.npr.org/templates/story/story.php?storyId=121605529>
- Osborne, Duncan. 1994. "Ill Will toward ILGA: The Senate Takes Aim at an International Gay Group." *The Advocate*. March 8, 27.
- Parker, Richard, Rosalind Petchesky and Robert Sember. 2007. *SexPolitics: Reports from the Front Lines*. New York: Sexuality Policy Watch.
- Pinker, Steven. 2008. "The Stupidity of Dignity," *New Republic*, May 28, <http://www.tnr.com/article/the-stupidity-dignity>.
- Price, Richard. 1998. "[Reversing the Gun Sights: Transnational Civil Society Targets Landmines](#)," *International Organization* 52:3, 613-44.
- Religion News in Brief. 2005. Associated Press Online. Nov. 17. Nexis.
- Reuters. 2010. Gay-Lesbian Group Overcomes Opposition at UN. July 19, <http://www.alertnet.org/thenews/newsdesk/N19223432.htm>.
- Risse, Thomas. 2000. "[Let's Argue!](#)" *Communicative Action in World Politics*." *International Organization* 54: 1, 1-39.
- Risse, Thomas, Stephen C. Ropp, and Kathryn Sikkink, eds. 1999. *The Power of Human Rights: International Norms and Domestic Change*. Cambridge: Cambridge University Press.
- Risse, Thomas and Kathryn Sikkink. 1999. "The Socialization of Human Rights Norms into Domestic Practices: Introduction." In *The Power of Human Rights*, Risse, Ropp, and Sikkink, eds. Pritchard, Sarah. 1994. "Gay Rights Victory at UN." Australasian Legal Information Institute. <http://www.austlii.edu.au/au/journals/HRD/1994/2.html>
- Ruse, Austin. 2010. C-FAM Covering 8 Frightening UN Meetings. C-FAM Friday Fax, posted in Crosstalk Blog, <http://www.crosstalkblog.com/2010/01/c-fam-covering-8-frightening-un-meetings/>
- Ruse, Austin. 2005. "Fear and Loathing: My Night with Hunter Thompson." *National Review Online*, Feb. 22, <http://www.nationalreview.com/comment/ruse200502220743.asp>
- Ruse, Austin. 2000. "Joyful Warrior: An Interview with Austin Ruse." *Inside the Vatican*. June-July 2000, reprinted in <http://indigo.ie/~imr/otr-un.htm#Austin%20Ruse>.
- Ruse, Austin. 1999. "Toward a Permanent United Nations Pro-Family Bloc." Paper delivered to World Congress of Families II, Geneva, Switzerland, Nov. 14-17, http://www.worldcongress.org/wcf2_spkrs/wcf2_ruse.htm .
- Sabatier, Paul A. 1993. *Policy Change and Learning: An Advocacy Coalition Approach I*. Boulder, CO: Westview Press.
- Sanders, Douglas. 2007. Human Rights and Sexual Orientation in International Law. http://www.ilga.org/news_results.asp?LanguageID=1&FileCategoryID=7&FileID=1078&ZoneID=7
- Sanders, Douglas. 2006. Dalai Lama Urges Respect and Tolerance for LGBTs, *Fridae: Empowering Gay Asia*, Apr. 3, <http://www.fridae.com/newsfeatures/2006/04/03/1605.dalai-lama-urges-respect-and-tolerance-for-lgbts>
- Sanders, Douglas. 1996. "Getting Lesbian and Gay Issues on the International Human Rights Agenda." *Human Rights Quarterly* 18:1, 67-106.
- Sell, Susan K. and Aseem Prakash. 2004. "Using Ideas Strategically: The Contest between Business and NGO Networks in Intellectual Property Rights." *International Studies Quarterly* 48:1, 143-75.
- Sexuality Policy Watch. 2010. "Why Sexuality," <http://www.sxpolitics.org/?cat=42>
- Sikkink, Kathryn. 2005. "Patterns of Dynamic Multilevel Governance and the Insider-Outsider Coalition." In *Transnational Protest and Global Activism*, Donatella della Porta and Sidney Tarrow, eds., 151-174.
- Smith, Jackie. 2008. *Social Movements for Global Democracy*. Baltimore: Johns Hopkins University Press.
- Snow, David A. and Robert D. Benford. 1992. Master Frames and Cycles of Protest. In *Frontiers in Social Movement Theory*, Aldon D. Morris and Carol McClurg Mueller, eds., New Haven: Yale University Press, 133-55.
- Swiebel, Joke. 2009. Lesbian, gay, bisexual and transgender human rights: the search for an international strategy. *Contemporary Politics* 15:1, 19-35.
- Swiebel, Joke. 2002. Gay and Lesbian Rights and EU Enlargement. Eumap.org, <http://www.eumap.org/journal/features/2002/april02/gaylesbeu>.
- Sylva, Douglas. A. 2008. "AIDS and the Ideological Barrier: The Threat to 'Sexual Liberation.'" Dec. 30, http://www.c-fam.org/publications/id.952/pub_detail.asp

- Sylva, Douglas and Susan Yoshihara. 2007. "Rights By Stealth: The Role of UN Human Rights Treaty Bodies in the Campaign for an International Right to Abortion." White Paper Series No. 8. International Organizations Research Group, C-FAM (New York: C-FAM).
- Tarrow, Sidney. 2005. *The New Transnational Activism*. Cambridge: Cambridge University Press.
- Tarrow, Sidney. 1998. *Power in Movement: Social Movements and Contentious Politics*. Cambridge: Cambridge University Press.
- Tétreault, Mary Ann and Robert A. Denmark. 2004. *Gods, Guns, and Globalization: Religious Radicalism and International Political Economy*. Boulder, CO: Lynne Rienner.
- Tozzi, Piero. A. 2010. "General Assembly 'Sexual Orientation' Vote Reveals Defection by Catholic Nations." C-FAM Friday Fax 13: 4, January 7, 2010, http://www.c-fam.org/publications/id.1549/pub_detail.asp
- Tozzi, Piero. A. 2007. "Six Problems with the 'Yogyakarta Principles.'" IORG Briefing Paper No. 1. International Organizations Research Group, C-FAM (New York: C-FAM).
- Tutu, Desmond. 2004. Homophobia Is as Unjust as That Crime against Humanity, Apartheid. *Times Online*, July 1, http://www.timesonline.co.uk/tol/comment/columnists/guest_contributors/article451901.ece
- Uganda Gazette. 2009. Bill No. 18: The Anti Homosexuality Bill. Bills Supplement No. 13 to the Uganda Gazette 47: CII, Sept. 25, http://docs.google.com/fileview?id=0Bze_oVu0rCQjNjdINTMwMjItYzZwNy00N2NiLTk1ODYtMzhkOTA2YTNIzDZi&hl=en
- UN. 2008a. General Assembly Adopts 52 Resolutions, 6 Decisions Recommended by Third Committee on Wide Range of Human Rights, Social, Humanitarian Issues. Dec. 18, <http://www.un.org/News/Press/docs/2008/ga10801.doc.htm>
- UN 2008b. Response to SOGI Human Rights Statement, read by Syria – 18 Dec 2008, available at <http://ilga.org/ilga/en/article/mkjJMT21ax>
- UN. 2003. "Human rights and sexual orientation," draft resolution, Apr. 17, E/CN.4/2003/L.92
- UN. 1995. Platform for Action of the Fourth World Conference on Women, Sept., <http://www.un.org/womenwatch/daw/beijing/platform/plat1.htm>
- UN. 1994. Programme of Action of the United Nations International Conference on Population & Development, A/CONF.171/13, Oct. 18, <http://www.un.org/popin/icpd/conference/offeng/poa.html>
- Wilkins, Richard G. 2007. "International Law and the family: Building on the Doha Declaration." In *The Family in the New Millennium: World Voices Supporting the "Natural" Clan*, vol. 3. Strengthening the Family, ed. A. Scott Loveless and Thomas B. Holman. Westport, CT: Praeger, 365-84.
- Willetts, Peter. 1996. *The Conscience of the World: The Influence of Non-Governmental Organizations in the UN System*. Washington, DC: Brookings Institution Press.
- Wilson, Ara. 1996. Lesbian Visibility and Sexual Rights at Beijing. *Signs* 22:1, 214-18.
- World Bank. 2009. Improving Effectiveness and Outcomes for the Poor in Health, Nutrition, and Population: An Evaluation of World Bank Group Support Since 1997. Washington, DC: World Bank.
- WorldNetDaily.com. 2003. Global 'Gay' Rights Measure before U.N.: Opponents Fear Resolution Will Advance Homosexual Agenda Worldwide, Apr., 25, <http://www.wnd.com/?pageId=18458>
- Yogyakarta Principles. 2006. http://www.yogyakartaprinciples.org/principles_en.htm.