

8-2009

# The Origins of the Modern Religious Lobby in Virginia, 1968-1980

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THE ORIGINS OF THE MODERN RELIGIOUS LOBBY IN VIRGINIA, 1968-1980

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A Thesis  
Presented to  
the Graduate School of  
Clemson University

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In Partial Fulfillment  
of the Requirements for the Degree  
Master of Arts  
History

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by  
Kenneth Skipper  
August 2009

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## ABSTRACT

The 1960s conservative movement of Barry Goldwater gave rise to a politically active and influential block of voters that came to be known as the religious Right. Disillusioned with the direction of America and a government that seemed hostile to their views and values, religious-minded Americans began to organize to fight for the issues that were important to them. Virginia was an important battleground in the fight over these important social issues due to its unique demographic make-up with a more liberal and urban northern part with the rest of Virginia more conservative and rural. The organization of politically minded religious groups and figures in Virginia centered around three issues: the Equal Rights Amendment, abortion, and the fight over the tax-exemption status of Christian schools. Jerry Falwell and Pat Robertson became important local and national figures. There have been many books and articles written on the religious Right and their influence in America but there has been little written on how it began and eventually coalesced into an organized and coherent movement. This paper hopes to provide information on the important figures, issues and tactics used by the religious Right in their infant stage.

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## INTRODUCTION

Social and cultural rules are cyclical in America as each generation often responds to the previous generation through rebellion against their parents' values and beliefs. These responses can manifest themselves politically, culturally, religiously or socially. The years following WWII reflected an era of conservative values both socially and politically. This was a generation that had come of age during the Great Depression and WWII, and consequently had only experienced life in times of extreme chaos and upheaval and as a result they sought stability as they reached their 20s and 30s. This search for stability led to conservative values which they then tried to pass on to their children. The children coming of age in the 1960s responded with the second wave of feminism, the gay rights movement, the hippie and counter-culture movement, the increase in the use of drugs and an era of sexual liberation. The 1960s were a period of great social and political upheaval in America as the new generation challenged existing social and political rules.

In the 1960s, as African-Americans, women, and homosexuals worked for equality and tolerance and the counter-culture movement became more mainstream, many Americans began to respond negatively to these cultural changes. These Americans believed in an idealized version of history where roles and status were clearly defined and accepted. They believed in social and political harmony and adherence to

rules that had always been in place. The changing nature of race relations played a large role in turning these ideas upside down.

As the conservative movement continued to grow and resist the changes it thought were ruining the country, a new group, the religious fundamentalists, emerged on to the political scene. Religious fundamentalists had purposefully stayed out of politics during the twentieth century, but the 1962 Supreme Court decision banning prayer in public schools, the forced desegregation of schools in the South, and the subsequent questioning of the motives of all-white Christian schools prompted religious minded citizens to organize and get involved in politics. Leaders of the conservative movement who had worked on the Goldwater campaign began to target religious fundamentalists and organize them into an important voting block. Issues such as abortion, the Equal Rights Amendment, busing, affirmative action, sexual permissiveness, drugs, prohibitions on school prayer, and the secular curriculum in public schools were believed to be contributing to social breakdown and moral decay.

The twentieth century turned out to be one of Virginia's most challenging in terms of social and political change. Beginning with its founding at Jamestown in 1607, Virginia had always been resistant to change. The institution of slavery had to be abolished through Civil War. The emergence of Jim Crow laws following Reconstruction flew in the face of the civil rights granted to African-Americans by the federal government. The legacy of the Civil War and the resistance to civil rights for African-Americans created an environment in Virginia that was wary of outsiders, the federal government, and political activists.

One of the first big issues that Virginia dealt with at the dawn of the twentieth century was the issue of women's suffrage. Many states in the West had already granted women the right to vote, and many women in Virginia worked hard to achieve that same goal. Women formed organizations such as the Equal Suffrage League of Virginia and argued before the Virginia General Assembly. At the same time, organizations were formed to fight against the suffragists. Eventually in June 1919, the 19<sup>th</sup> Amendment was passed by Congress granting women the right to vote, which was then ratified by the requisite thirty-eight states to become law. Virginia's General Assembly, in a show of resistance, failed to pass the amendment and only symbolically passed it in 1952.

The New Deal was another issue of contention between Virginia and the federal government. The powerful Harry Byrd and his political machine, known as the Organization, controlled Virginia politics for over forty years, and the New Deal was one of the first issues that confronted Byrd's core values about the role of government. Like most Virginians Byrd did not like the increasing intrusion of the federal government into the states regarding welfare programs. Virginia, like many other southern states, was dedicated to fiscal conservatism and the notion of self-help. Its political leaders believed the New Deal represented too much government interference in the states and they believed it to be a slippery slope of government intrusion of federal power that would eventually take them into the realm of race relations. For if the government could come in and force the states to provide relief for the poor, it would not be long until they would call for changing their policies towards African-Americans and this fear eventually came to fruition with the Supreme Court decision *Brown v. the Board of Education*.

In Virginia the reaction to *Brown v. The Board of Education* and the desegregation of public schools was swift and defiant. The Byrd Organization rallied around the position of complete opposition to the integration of public schools in Virginia. Its leaders carefully listened to their white constituents and were willing to end all public education in order to prevent desegregation. There were several attempts to provide parents of white students the option of either sending their children to integrated schools or accepting money from the state to send them to all-white private schools. Harry Byrd, along with other southern leaders such as Strom Thurmond from South Carolina, worked together in support of a movement that came to be known as Massive Resistance. What this meant was that students were pulled out of schools; schools districts were closed; whites throughout Virginia protested, wrote letters, and worked by all of the political means possible to resist integration. The absence of violence in Virginia, however, over this issue was unique compared to what happened in many of the other southern states, for Virginians prided themselves on being law-abiding citizens no matter how much they disagreed with the federal government and civil right advocacy.

The demographics of Virginia began to change following WWII. The growth of the military industrial complex in Washington, D.C., and the surrounding areas had a significant impact on the population in Virginia. With its proximity to Washington, Virginia was forced to deal with an increase in federal presence, which brought with it outsiders from all over the country looking for government jobs. Because farming decreased during this period, Virginians were moving out to the cities or out of Virginia. This migration created an “urban corridor” that linked Northern Virginia and Hampton

Roads. These changes also brought more people from outside Virginia to the suburbs. The outsiders tended to be better educated and more affluent than most Virginians. This change in demographics and the increase in outsiders moving to Virginia had a big impact on Virginia politics.

The changes Virginia experienced during the 1950s and 1960s of course were not unique to Virginia. All across America social and political changes turned states upside down. Each area of the United States found ways to deal with what was going on. Large cities such as San Francisco and New York embraced many of the changes, while many southern and Midwestern states did not.

The late 1940s and into the late 1960s saw the two major political parties change their core values and beliefs which in turn affected their demographics. As the Democratic Party shifted its focus onto civil rights for African-Americans, many southerners switched to the Republican Party. While the Democratic Party wanted the government to get more involved in forcing the states to change, the Republican Party favored less government intrusion. Barry Goldwater, a Senator from Arizona, became the new face of conservatism and the Republican Party in the early 1960s. His presidential run in 1964 against Lyndon Johnson, though ill-fated, galvanized conservatives across America to get more involved and fight back against social and political changes they believed were wrecking the United States. They focused on social issues such as gun ownership and student busing and supported the “traditional family” against the threats of abortion, feminism, and homosexuality. Several of the important leaders of this movement enjoyed widespread support in Virginia. The most important

leader against the Equal Rights Amendment was Phyllis Schlafly from Illinois. She traveled all across America to speak at public hearings concerning the ratification of the ERA. Jerry Falwell from Lynchburg and Pat Robertson in Virginia Beach were especially influential in Virginia. Both had television programs that reached millions of viewers each week. Robertson had started his own station called the Christian Broadcast Network. Both became very visible not only in Virginia politics but in national politics. With his Thomas Road Baptist Church and Liberty University (founded in 1972), Jerry Falwell emerged as one of the most influential figures in Virginia. Jerry Falwell looked at the ERA, abortion, and the IRS threat on Christian schools as attacks on the traditional Christian home. He believed the traditional Christian home was the cornerstone of American society and what had sustained America throughout its history. Falwell used his pulpit and his radio and television program, *Old Time Gospel Hour*, to speak out against the ERA and abortion.

During the 1970s in Virginia, resistance to change such as women's suffrage and the New Deal, wariness of outsiders, the rise of the Conservative movement and the subsequent targeting of the Christian Right, all came together. The result was an environment which allowed religious groups to organize and lobby against important issues such as the Equal Rights Amendment, abortion, and revocation of the tax-exemption status of Christian schools. This thesis will deal with these three issues. The first chapter will explain the conflict over the ERA in Virginia and how the Christian Right organized itself to fight against its ratification. The second chapter will cover how abortion became the most important issue for many evangelical Christians, such as Jerry

Falwell, and how this brought them into state and national politics as never before. The third chapter explains how the IRS's attempt to revoke the tax-exemption status of Christian schools provided the issue that eventually brought the Christian Right into a more organized and politically effective movement. Religious fundamentalists in Virginia began to organize protests and become much more politically involved than they ever had before. These three issues galvanized religious groups in Virginia to fight back against what they saw as the liberalization of America and the death of the "traditional family." Many Christians discovered how to organize and themselves use effective methods of protest and opposition and as a result they gained influence not only in local Virginia politics but on the national stage as well.

## HISTORIOGRAPHY

Much has been written about the rise of the Christian Right during the late 1970s and 1980s. The problem with most of what has been written is that historians and political commentators have started this narrative with the founding of the Moral Majority in 1979. There has been very little attention paid to what led up to the creation of the Moral Majority and the Christian Right. This has left many questions unanswered. What were the issues that galvanized evangelical Christians to work together? How did they organize? Who were the leaders? How did the leaders work together? In what ways did they make their voices heard? How was Virginia different compared to other states?

There have been many books that focus on the Christian Right and how it has influenced American politics. Some, such as Daniel Hofrenning's *In Washington but Not of It* and Alan Hertzke's *Representing God in Washington*, focus on how religious-minded lobbyists work in our nation's capital. Political scientists like Clyde Wilcox focus on how Christians vote and their influence in local and national elections. Wilcox has spent his career following the voting trends of Christians since the early 1980s. While these books have contributed insight into the Christian political movement during the 1980s and early 1990s, this paper deals with the events and issues before the movement was organized. Thus while Wilcox, Hertzke and Hofrenning and many others focused their attention on what happened after the Christian Right was already organized, this paper looks at the Christian Right in its infancy.

The two most important works on the Christian Right are William Martin's *With God on Our Side: The Rise of the Religious Right in America* and Ruth Murray Brown's *A History of the Religious Right: For a "Christian America."* William Martin's book covers the Religious Right from all over America in California, Texas as well as Virginia. Martin explains how different issues had a different impact in different parts of the nation. These included sex education in California, the contents of textbooks in Texas and West Virginia, and opposition to the ERA and abortion in Virginia. As issues were spotlighted in one area, Christian leaders across the country added those issues to their cause as well. Ruth Murray Brown's study is a very good, brief overview of the Religious Right. It does not have the depth of Martin's book, but it highlights many of the important leaders of the movement. Many of the books that examine the Religious Right are more or less political commentaries, and more often than not attack the Religious Right and its worldview. Examples of these include Martin Durham's *The Christian Right, the Far Right and the Boundaries of American Conservatism*, Matthew Moen's *The Transformation of the Christian Right*, and Justin Watson's *The Christian Coalition: Dreams of Restoration, Demands for Recognition*.

There are several good books on some of the important issues that are dealt with in this paper. While a great deal of scholarship has been done on the ERA, most of it was written during the actual fight over the ERA so the bias comes through in each of the readings. Janet Boles's *The Politics of the Equal Rights Amendment: Conflict and the Decision Process* and Gilbert Steiner's *Constitutional Inequality: The Political Fortunes of the Equal Rights Amendment* provide good information on the fight over the ERA.

Both books eagerly focus their attention on the lobbying efforts of feminists but they do provide information on how anti-ERA groups fought against it. Abortion is a topic that has not leant itself well to good scholarship. The one good book on the abortion issue is Leslie J. Reagan's *When Abortion Was a Crime* but its focus is prior to the *Roe v. Wade* decision. There has not been any good scholarship done on abortion from a historical perspective since it was legalized, and most of the works on the subject are extremely biased and fraught with emotion.

This paper hopes to provide insight into how the religious lobby developed in Virginia during the late 1960s and throughout the 1970s. Its "coronation" and arrival as an influential force in American politics came with Ronald Reagan's election as President in 1980. While there were many issues that the Christian Right cared about, the ERA, abortion and the tax-exemption status of Christian schools have proved to be the most significant.

## CHAPTER ONE

## THE FIGHT OVER THE EQUAL RIGHTS AMENDMENT

## Introduction

The 1960s and 1970s were a very turbulent time in American history that witnessed a struggle between those who wanted change and those who wanted the status quo. Americans dealt with social, political, and economic changes in many different ways. Many people not directly involved in the changes embraced what was happening as best they could, while others decided to fight against what they saw as liberalism gone horribly wrong. The black Civil Rights Movement eventually peaked with the passage of the Civil Rights Act of 1964. The fight for civil rights was later continued by the women's movement and gay rights groups. While these groups were fighting for change, there were also significant numbers of people in America who did not like this new direction in the United States. This conservative group actively resisted the changes and fought back with a determination that culminated with Ronald Reagan's election.

Virginia was one of the many battlegrounds where the fight for and against change took place. One of the biggest social groups calling for change was the feminists. The feminist movement officially began with the Seneca Falls Women's Conference in 1848, but grew even bigger in the 1960s and with the campaign for the Equal Rights Amendment. The Equal Rights Amendment was finally passed by Congress at the national level in 1972. Thirty-eight of the fifty states were needed to ratify the amendment in order for it to become a part of the Constitution. The impetus for ratification came from many women who were no longer willing to be homemakers and who

wanted to break free of traditional gender roles and be treated equally and be placed on the same footing as men.

#### National History

The Equal Rights Amendment (ERA) had a long history prior to its Congressional approval in 1972. It was first introduced in Congress in 1923 and subsequently introduced almost every year until it was eventually passed by Congress in 1972.<sup>1</sup> The ERA initially read “Men and women shall have equal rights throughout the United States and every place subject to its jurisdiction,” and each additional introduction contained practically the same wording.<sup>2</sup>

During debates on the ERA, one of the many concerns Congressmen had over the ERA was how it would affect laws and privileges already granted to women in the workplace. America had always been wary of the notion of women working, so legislators had enacted laws to give them extra protection. The result of this extra protection was the creation of an environment that treated women differently from men. Gilbert Steiner argues “The most persistent and most compelling trouble that crippled prospects for an ERA from its introduction in 1923 until a year after Congress initially passed it on to the states was opposition from most organized labor during a period of ascending labor strength.”<sup>3</sup> Trade unionists had worked hard over the years to gain preferential treatment for women, and they were not willing to give up these special privileges. In this regard women in fact did not want to be treated equally in the workplace. Since they had gained privileges in matters of wages, hours and working conditions.<sup>4</sup>

Eventually on March 22, 1972, the Equal Rights Amendment was passed by Congress stating that “equality of rights under the law shall not be denied or abridged by the United States or any State on account of sex.”<sup>5</sup> It passed the House of Representatives by a vote of 354 to 23 and in the Senate by a vote of 84 to 8. Once it was passed in Congress, it was sent to the states for ratification. The ERA needed 38 states to ratify it by March 22, 1979, in order for it to go into effect and become the 27<sup>th</sup> Amendment. It would take effect two years after ratification. The sponsors of the amendment were Birch Bayh (D-Ind.) and Marlow W. Cook (R-Ky.) in the Senate and Martha W. Griffiths (D-Mich.) in the House.<sup>6</sup> Proponents of the amendment argued that it would eliminate various forms of discrimination not covered in the 14<sup>th</sup> Amendment. Spencer Rich of *The Washington Post* reported that the sponsors of the amendment believed it would:

Wipe out state laws limiting the types of jobs women may take and the number of hours they may work; eliminate laws restricting women’s rights in some states to handle property and start businesses on an equal basis with men;...abolish state laws that give women less favorable treatment than men in the handling of their children’s property, and more favorable treatment in cases of child support, child custody and alimony; and end the present exemption of women from the military draft.<sup>7</sup>

The women who had lobbied hard for the ERA believed they were speaking for all women as they sought a civil rights amendment that targeted women. They truly believed they were continuing the African-American civil rights movement of the previous decades and could hardly believe that there were women in America who did not feel the same way they did.

The movement against the ERA did not begin until it was passed by Congress and sent to the states for ratification. Although they arrived late in the game, anti-ERA forces

quickly organized and focused their attention on the state legislatures. Ruth Murray Brown argues “The anti-ERA movement in 1972 was the first protest movement to call for changes in the moral climate. It was also the first to create a permanent national organization with a base of fundamentalist and conservative Christians.”<sup>8</sup> Phyllis Schlafly was the most important figure in the fight against the ERA. In 1972 alone, 22 state legislatures approved the ERA and it seemed to on its way to gaining a quick ratification. That was before Schlafly. Donald Critchlow argues that the “ERA appeared headed for speedy ratification when Phyllis Schlafly organized the STOP ERA movement in September 1972.”<sup>9</sup> ERA proponents quickly realized there were a large number of women who did not agree with their views. However, instead of trying to understand these ERA opponents, they dismissed them as being duped or misled.

As both sides moved further and further apart on the issue of the ERA, the anti-ERA groups proved to be more effective and successful than their pro-ERA feminist counterparts. Schlafly’s winning strategy was to use a message of fear that stressed the social and legal consequences of the ERA. By creating a framework that focused on issues that could *possibly* happen or *might* change, Schlafly was able to put ERA proponents on the defensive and force them to disprove her predictions.

Both sides produced literature to persuade state legislators to vote either for or against the ERA. Janet Boles pointed out that by supporting the ERA, a state legislator had much more to lose than gain. For the decision the state legislator had to make was a difficult one. STOP ERA produced fliers that attempted to explain what the ERA would mean:

ERA will make every wife in the US legally responsible to provide 50% of the financial support of her family; ERA will wipe out a woman's present freedom of choice to take a paying job or to be a fulltime wife and mother supported by her husband;...The Equal Opportunity Act and other laws already guarantee women "equal pay for equal work" and need only to ensure women equal opportunity.<sup>10</sup>

Anti-ERA advocates wanted to discuss the tangible effects that could result from ratification of the ERA and in so doing discussed consequences and concerns with which women and the rest of the American public could easily identify. Choosing between a career or being a housewife was a decision all women could understand. Another flier distributed by the National Association of Women Lawyers, which supported the amendment, argued:

ERA will require State domestic relations laws to treat women as equals; thus State laws will necessarily require either spouse to provide a home or financial support of the homemaker or his or her family; ERA will not deprive any woman of the right to be a mother and/or homemaker but will enhance the status of her position giving her equal partnership in the marriage;...and ERA will guarantee to men as well as women equal rights to equal pay for equal work and the right to equal opportunity.<sup>11</sup>

Both sides were able to make very effective arguments, but the anti-ERA argument was more successful at gaining influence. Because pro-ERA arguments were much more abstract and difficult to understand than were the anti-ERA arguments, many legislators had a difficult time envisioning what the ERA would entail for women and American family life. ERA opponents stressed existing fears already prevalent in American society as well. It was believed the feminist movement was going to turn the family structure upside down by giving more power to women at home and in the workplace. America was already experiencing rapid change in terms of race relations, and suddenly women and the gay communities were asking for complete equality and

tolerance as well. This was something ERA opponents used effectively against the proponents of the ERA.

Dorothy Stetson also demonstrates that there were several reasons the anti-ERA movement was much more effective than the pro-ERA movement. According to Stetson, “Opponents of an amendment thus need not get majority support to defeat it; all they need to do is create enough doubt and conflict to increase the costs of support by state legislators...Thirteen states can keep an amendment out of the Constitution.”<sup>12</sup>The pro-ERA movement wrongly focused its attention on the national government in Washington, D.C., believing ratification was virtually certain after the amendment went to the states for approval.

The anti-ERA forces quickly realized that their focus needed to be on those state legislatures with a strong history of conservative Christian values. It was in those states that they concentrated their resources and efforts. Moreover, the anti-ERA proponents made their arguments in ways that ordinary Americans could identify. They argued, for example, that mothers and daughters would be drafted into the military and forced to serve in combat like men. They argued that restaurants and public facilities would no longer have separate men’s and women’s restrooms. This was something that bothered ordinary women and they knew it was something they did not want. ERA opponents also linked the ERA to abortion and homosexuality. They played up the fear that abortions would be easy to get and numerous. They also argued that homosexuals would be able to get married and adopt children, therefore threatening the sanctity of marriage and the family. These tactics were very effective in convincing many state legislators to vote

against the ERA. Even those lawmakers who were not purportedly opposed to ERA viewed the ERA as an issue not worth supporting given the problems the anti-ERA forces could cause for them.

Placed on the defensive, proponents of the ERA had a difficult time responding to anti-ERA arguments. Stetson explains that “Lacking such specific laws to attack, ERA proponents found it difficult to tell state legislators—in a way that could counter intensely emotional opponents—why passing the ERA was so necessary.”<sup>13</sup> Feminists had a difficult time defending why the 14<sup>th</sup> Amendment was not enough to provide the rights needed for women. Arguments used by STOP ERA were very effective such as “When opponents shouted that homemakers would lose their special privileges and be forced to work and send their daughters to war, feminists were hard-pressed to prove that homemakers would be better off with legal equality.”<sup>14</sup> Most of the pro-ERA arguments were based on “what-ifs” or “just-in-case.” They could not predict the future nor could they confidently explain that certain things would not happen; they could not say for certain how the Supreme Court would rule over issues like unisex restrooms, segregated prisons, or women in combat and this eventually the pro-ERA forces lost control of the argument.

In short, the anti-ERA movement was able to successfully change the argument over the passage of the ERA from one of hope and possibility to one of danger and uncertainty. As Stetson notes, “When feminists lost control of the debate over the ERA in the states, they were placed on the defensive, having to prove that dire predictions of STOP ERA would not come true. It is impossible, in politics, to prove that something

won't happen.”<sup>15</sup> Anti-ERA arguments were therefore much more effective than the pro-ERA arguments in creating a sentiment that the ERA was not really needed, and, if passed, would only do more harm than good.

As it turned out, although the women's movement had reached new heights during the 1960s and 1970s and received a great deal of national attention, its leaders proved no match for the organization and resources the anti-ERA forces put together. Lynne Ford states that “There is no question that opposition forces to the ERA were well organized and more effectively mobilized within individual states than pro-ERA organizations were immediately after congressional passage.”<sup>16</sup> While the pro-ERA groups had worked hard in the nation's capital to assure passage of the ERA, they did not realize that they needed to focus their attention at the state level as well. The conservative movement that was initiated by Barry Goldwater in his unsuccessful 1964 campaign for president, had already shown conservatives how to work and lobby for their cause at the state and local levels. They particularly learned that it was not all about national coverage and opinion. Pro-ERA groups, by contrast, had put all their eggs in one basket by focusing all their attention on Congressional passage, and once the ERA passed Congress and went to the states, they were unprepared to lobby state legislatures.<sup>17</sup> Anti-ERA groups found states a more profitable battleground and were able to recruit more and more women to their cause for a variety of reasons. Many groups made use of church mailing lists to spread anti-ERA literature. Ruth Murray Brown explains how anti-ERA groups used controversial issues to recruit more members. “Pro-family movement leaders,” she notes, “were able to use the unpopularity of

homosexuality to good effect as a recruiting tool in their fight against the ERA.”<sup>18</sup>

Although the country was going through a lot of changes and becoming more tolerant and accepting of people of different ethnic and religious backgrounds, the homosexual community still experienced a great deal of hate and intolerance. Anti-ERA groups knew that coupling the ERA with homosexuality would be an effective tool to turn people against it.

Why, then, did the ERA failed to achieve ratification by its due date of March 22, 1979? There are many reasons. First, pro-ERA forces were late to realize they needed to focus their attention on the state legislatures after congressional passage. Anti-ERA forces were quick to capitalize on this oversight by establishing an impressive network in key states to prevent the ERA from passing. Anti-ERA forces were also able to identify states where the ERA would definitely not pass and those states that were borderline and needed the most work. They knew they only needed to keep 13 states from approving it, and therefore they narrowed their focus on just a few states. The anti-ERA forces also turned out to be much better organized and better-funded than the pro-ERA movement due to their affiliation and connection with the conservative movement that had been growing since the Goldwater campaign of 1964. Also, women were divided on the issue; indeed, as William Martin points out, “Careful observers, however, noted that some of the strongest and most effective opposition came from women.”<sup>19</sup>

1972-1973

When the ERA was passed in April 1972, its supporters believed it would take no time at all before it was ratified by the 38 required states. Because Hawaii was the first to

ratify shortly after passage, and was quickly followed by 22 other states, many ERA supporters expected the process would be completed within a year or two. This was not to be. Widespread opposition to the amendment emerged immediately. One female United States Representative argued, “I never said I wanted to be liberated...God put man over all the animals of the Garden of Eden, including women.”<sup>20</sup> Although there was opposition against the ERA throughout the United States, there were also many pro-ERA organizations in the states lobbying the state legislatures for ratification. *The Washington Post* reported that “In the forefront of the drive for ratification is Common Cause, the 215,000-member nationwide citizens lobby which, says Mrs. Carter [President Jimmy Carter’s wife, Rosalynn], ‘has developed good contacts with state legislatures.’”<sup>21</sup> With two very passionate groups fighting for and against the ERA, it was clear there was going to be a fight in the states over its ratification.

Many feminists knew Virginia was going to be a difficult place to get the ERA passed. For Virginia was well known for being a conservative state despite the presence of the much more liberal Northern Virginia. Pat Keefer, the head of Common Cause, said “approval will be difficult in Arizona, Connecticut, Illinois, Mississippi, Missouri, Ohio, Virginia and Washington.”<sup>22</sup> Once organized opposition developed against the ERA, the national push for ratification slowed down. Pro-ERA organizations knew that no amendment that had failed to be ratified within two years after Congressional passage had become law, so they knew they were in a race against time.<sup>23</sup> Intense opposition to the ERA came as a bit of a shock to many of the women who had fought for Congressional passage, however. Ann Scott, the head of the legislative efforts of the

National Organization for Women, stated “We were caught by surprise...About two weeks ago we began to realize we were hitting well-organized, well-financed opposition.”<sup>24</sup> This kind of statement demonstrates the ignorance that the pro-ERA feminists had in regards to what they were up against. They seemed to picture this small group of men using their positions of power and money to fight against the ERA. What they could not understand was that they were up against women who had an opinion that was different from theirs. This was an indication of what was going to come for the rest of the decade. The feminists, in fact, would have a difficult time competing against the anti-ERA movement in both organization and financial resources.

The first opportunity for the Virginia state legislature to hear arguments for and against the ERA came on February 1, 1973. *The Washington Post* reported that “In one of the largest legislative hearings ever held in Virginia, nearly 1,000 women turned out today to argue over whether the proposed Equal Rights Amendment to the U.S. Constitution would benefit or hurt women.”<sup>25</sup> In what would become a recurring theme throughout the fight over the ERA in Virginia, “An all-male Virginia Legislative Committee today swiftly and overwhelmingly killed any chances of the General Assembly ratifying the proposed Women’s Equal Rights Amendment to the U.S. Constitution this year...there was no debate—only one brief speech—as the House Committee on Privileges and Elections killed the ratification resolution, 13 to 2.”<sup>26</sup> Although Virginia was not counted on by pro-ERA leaders, it would nonetheless have provided some momentum in the South. Many members of the Virginia Assembly did not want to vote on the resolution for ratification because they knew it was a no-win

situation for there were too many conservatives in their districts who opposed the ERA, but also a large number of women who supported it. The Committee of Privileges and Elections did many Assembly members a favor therefore by killing it in committee. This was to be a pattern throughout most of the 1970s, with the House Committee in state legislatures preventing the ERA from making it to the floor of the General Assembly.

Phyllis Schlafly spoke at the Virginia General Assembly and argued the amendment would be “depriving the wife of her right to be fully supported by her husband,” and that women’s dower rights would be abolished, and all women would be subject to the draft.<sup>27</sup> She also said “There are a few women who want to be treated like a man, but most women don’t. We protest for our right to be women.”<sup>28</sup> Schlafly wanted to appeal to a broad spectrum of women so she framed her arguments in a way that many women could identify with. Although she did not use Christianity or the Bible as the basis for her arguments, she became the darling of the Christian Right.

Many arguments against the ERA were rationalized through the prism of Christianity. Paul Doepke, pastor of the Munson Hill Presbyterian Church, told the Virginia Legislature, “A truly Christian woman could care less about equality. She is her husband’s helpmate. He is her pride and joy.”<sup>29</sup> While many women used arguments devoid of moral and spiritual matters such as unisex restrooms and unisex prisons, for people like Doepke Christianity was the motivating factor behind much of the opposition to the ERA. Many of the early arguments against the ERA were in fact based in the Bible’s hierarchy of men and women, and anti-ERA forces eventually learned they had to frame some of their arguments in terms that non-Christians could identify, which they

did—much perhaps to the surprise of their opponents. In this new framework, homosexuality, same-sex restrooms, and women in combat became a much bigger part of their arguments.

1974-1975

Although the ERA continued to stall in the Virginia General Assembly in 1974 and 1975, this was certainly not for a lack of effort on the part of the amendment's proponents. As the anti-ERA forces articulated their objections to the ERA, the pro-ERA groups countered with new arguments and new tactics. Proponents of the ERA were optimistic at the beginning of 1974, believing that their lobbying efforts had given them a better chance of passage than the previous year. They soon realized their hopes had been sorely misplaced.

The anti-ERA forces continued to raise doubts about the ERA, and in particular they argued that the family, the foundation of American society in their view, would be destroyed by the ERA. They also argued that the ERA would eliminate many of the gains women had won over the years in employment benefits. On January 30, 1974, the Virginia General Assembly heard testimony from legal experts about what the ERA would mean for "...state family, criminal, labor and finance laws if the legislature ratifies the Equal Rights Amendment to the U.S. Constitution."<sup>30</sup> The experts' conclusions were seized upon by both sides to fit their own agendas. Supporters of the ERA argued that "The scholarly, objective nature of the report should remove all doubts about any negative effects ratification of ERA could have," said Diane Gore, state coordinator of the Virginia Womens' Political Caucus which favored passage of the amendment.<sup>31</sup>

Opponents of the ERA argued that the report supported their point of view; indeed the head of the Richmond chapter of the Stop ERA cited the report as evidence that equality could be guaranteed by making only a few changes in state laws, thereby making it unnecessary to ratify ERA.<sup>32</sup> Given the constant manipulation of the experts, it's not surprising that many Virginia politicians did not want to have to vote on the ERA.

Ratification of the ERA continued to be an important topic in Virginia throughout 1974. On February 12, *The Washington Post* reported "Nearly 700 persons from across the state...overflowed into the corridor for a three-hour joint session of the House and Senate Privileges and Elections Committee. Proponents mounted a parade of supporters representing 75 Virginia organizations."<sup>33</sup> Opponents came out in large numbers as well. Those who spoke opposing the ERA included Eva Scott (Ind.-Amelia), who introduced several speakers by stating that the amendment "would give us nothing we do not already have and would remove some privileges we now enjoy."<sup>34</sup> Betty Booker Luce of the *Richmond Times-Dispatch* reported, "The opponents repeatedly characterized those favoring the issue as "women's libbers" from the white middle class who are not accustomed to hard work and therefore don't realize the necessity of protective labor laws."<sup>35</sup> The anti-ERA groups made the same mistake the pro-ERA groups by not attempting to understand the other side's point of view. By calling them names or dismissing their point of view as out of touch, they were devaluing their own argument. Another speaker at the debate who opposed to the ERA, Alyse O'Neill of Alexandria, pleaded "Please don't make us stoop to equality, we love being treated with superiority."<sup>36</sup> Many women carried signs that said 'Stop ERA for God's Sake',

‘Motherhood Deserves Preference’, and ‘Save Our Children.’<sup>37</sup> Luce also reported that other groups speaking out against the ERA included the Virginia Farm Bureau Federation, the Virginia Federation of Women’s Clubs, and the Council of Catholic Women.<sup>38</sup> Eventually the ERA was again defeated in committee before it could even be debated on the floor of the General Assembly.

Phyllis Schlafly continued to play an important role in the fight against the ERA in Virginia. She was the chairman of the STOP ERA organization and figured prominently in Virginia’s rejection of the ERA. She was one of the most vocal opponents of the women’s liberation movement and often publicly debated with their leaders. In response to a question about what she thought about the women’s movement she stated:

I don’t think the movement has been beneficial to women in any way. I think their objectives are radical and do not relate to the true facts about women. The only reason they have gotten where they have is because they appeal to women who know they’ve been discriminated against. The movement is detrimental to women and is counterproductive and degrading. The greatest put-down is the literature of the movement. They say they want women to be treated just like men but women don’t want to be.<sup>39</sup>

Phyllis Schlafly and what came to be known as the Christian Right became much more prominent in the mid to late 1970s as more and more fundamentalist Christians became aware of the ERA and the social issues it raised. Indeed opposition against the ERA was one of the early issues that galvanized the religious right to organize and to actively oppose through legislative lobbying many of the new changes in American society they deplored.

Many women who opposed the ERA were not members of national political action groups. Rather they expressed their concern through their church groups and formed their own local groups to make phone calls and write letters to Virginia delegates. Janis Johnson reported on several women from Manassas, Virginia, who expressed their feelings on the ERA. Norma Knight, a Manassas homemaker and member of the Ladies' Bible Class of Manassas Church of Christ, argued, "God has put women in a place, the home. The Equal Rights Amendment will destroy the home. I really believe there is no greater service a woman does than to successfully teach and raise her children. The Bible says women are to make the home, and their husbands will respect them and God will bless women for it."<sup>40</sup> Ruth Mullenax explained, "Women should keep their place, not be domineering. Trying to be equal or over men is what is wrong. The Bible says women should be a 'helpmate'. When I was raised the men came in to eat, and the women wouldn't think of sitting at the table until the men were finished."<sup>41</sup> Those were the common sentiments expressed by those who opposed the ERA. This line of thinking was completely foreign to the pro-ERA feminists who could not understand why women would willfully want to play what seemed to them a secondary role to men.

Proponents of the ERA experienced newfound hope at the beginning of 1975 when the Virginia Senate Privileges and Elections Committee finally agreed to send the ERA to the Senate floor for an open debate. This was a significant development because, "According to the National Organization for Women's (NOW) legislative office in Washington, Virginia is one of only three states where the amendment has never come up for floor debate. The other two states are Arizona and Mississippi."<sup>42</sup> It was also

reported that “All Northern Virginians on the Committee favored the amendment,” which was a consistent trend throughout the fight over the ERA in Virginia.<sup>43</sup> Northern Virginia and Richmond delegates consistently favored the ERA, while the rural areas of western and eastern Virginia did not. These statewide divisions, pitting the more liberal Northern Virginia against the conservative rural parts of Virginia, were the same on the abortion issue as well.

While the beginning of 1975 started off better for the pro-ERA groups when the ERA was sent to the Senate floor for a floor debate, that was changed when it was sent back to committee only a few days later where it was killed by an 8 to 7 vote. This outcome did not surprise ERA forces which had not counted on Virginia’s ratification. Elsie Heinz, a pro-ERA lobbyist for Virginia ERA Central, expressed “acute disappointment” at the Committee’s action but she added that national forces promoting the amendment “had written off Virginia anyway.”<sup>44</sup>

1976-1977

The mid-1970s saw an increase in the lobbying efforts from both pro- and anti-ERA organizations. The anti-ERA groups had been very effective in changing the discourse over the ERA. They had forced the pro-ERA groups to become more defensive about what the ERA actually would mean for women and the family. Anti-ERA groups by then had also forced the pro-ERA groups to discuss the role of abortion and homosexuality in regards to the ERA. This clouded the proponents of the amendment. Pro-ERA groups discussed that although they were successful at getting the ERA passed at the federal level, they needed more effective organization at the state level.

Thus, in Virginia passage of the ERA still looked bleak although it had been four years since the ERA had passed at the federal level and been sent to the states. Virginia was still one of only two states where the ERA had never been put to a vote on either the House or Senate floors. Pro-ERA groups continued to work hard in their protesting and lobbying efforts. One example was in January 1976, when *The Washington Post* reported that “Disregarding subfreezing temperatures, a dozen women and one man set off yesterday morning on a 100-mile walk from Fairfax County to Richmond in a demonstration to urge Virginia legislators to ratify the Equal Rights Amendment.”<sup>45</sup> The group of women marching to Richmond was called the “Homemakers Rally and Walk for Equality” and was sponsored by the Virginia chapter of the National Organization for Women.<sup>46</sup> The pro-ERA groups also received a moral and financial boost in early 1976 from the launching of a national campaign, called ERAmerica, to have the ERA ratified by 1977. This campaign was headed by several important political organizers, including Jane Wells from Texas, a former White House aid to President Lyndon Johnson, Liz Carpenter, and Elly Peterson, a former Republican National Committee co-chairman.<sup>47</sup> With four years since passage of the ERA in Congress, the pro-ERA movement desperately needed to be reinvigorated to keep its hopes alive of getting the 38 states to pass the ERA. While Virginia was certainly not expected to be one of the states to pass the ERA, that did not stop the pro-ERA groups from trying to get it passed and the anti-ERA groups from stopping them.

Both groups worked very hard at lobbying the Virginia delegates in the General Assembly. According to Bill McAllister, “It [lobbying] began on the Assembly’s

opening day when pro-ERA forces placed a small apple on each legislator's desk. 'ERA is as American as apple pie—we want a slice,' said a note that accompanied the pie. Not to be outdone, anti-ERA forces countered with 2 ½ ounce jars of orange marmalade, bearing the slogan 'Preserve equal rights.'<sup>48</sup> However all the lobbying and work by the pro-ERA groups was for naught when for the fourth year in a row the Senate Privileges and Elections Committee killed the measure by a vote of 8 to 7.<sup>49</sup> Pro-ERA organizers wanted to find a way to somehow get the ERA out of committee and to a floor vote. State Senator Clive DuVal II (D-Fairfax) believed that if the ERA was put to a floor vote in the Senate it would pass, but *The Washington Post* reported that "After 30 minutes of polite but intensive debate, the Senate rejected by a 24-to-14 vote a motion to discharge the amendment from the Privileges and Elections Committee and bring it to the floor."<sup>50</sup> Although there were Senators who supported the ERA, many of them did not want to circumvent the committee system. Senator Hunter B. Andrews (D-Hampton) was a consistent supporter of the ERA but he voted against discharging the ERA from committee. He stated, "One great thing about the Virginia Senate, as opposed to other parliamentary bodies, is that it supports the committee system."<sup>51</sup>

Jerry Falwell focused a lot of his attention on the feminists who were working hard to get the ERA passed. He believed the feminists were taking America in a direction away from God and into sin. "The women's liberation movement, the ERA amendment, this feminists' movement," he declared in September 1976, "is all war against God's plan for the family. It is an attack on God, it is God-haters who are

perpetrating this thing and I want to tell you what we can pray for our leaders that they will take the right position on the Christian home.”<sup>52</sup>

With only a few more opportunities left for ratification before the 1979 deadline, ERA supporters continued to try different avenues to get an opportunity for it to be debated and voted on in the Senate and the Virginia House of Delegates. Although by 1977 Virginia was still one of the only two states that had not had a floor vote on the ERA, many believed that there was still hope. While the national ERA supporters did not think Virginia was a likely candidate to vote for ratification, many of the Virginia proponents felt that they had a majority in the Senate and were within one or two votes in the House.<sup>53</sup> ERA supporters finally received good news on January 24 when “The Virginia Senate today set the stage for the first General Assembly floor debate on the merits of the Equal Rights Amendment by voting, 21 to 17, to take the proposal out of the hands of the committee that has considered it for four years.”<sup>54</sup> However the story still ended the same as it had for the past four years when the Virginia Senate failed to pass the ERA by a single vote.<sup>55</sup> The defeat came because “...Senator A. Joe Canada (R-Virginia Beach), a candidate for the Republican nomination for lieutenant governor, refused at the last minute to vote for the amendment unless the effective date of ratification were delayed until after a state-wide advisory referendum on ERA can be held.”<sup>56</sup> All eight Northern Virginia senators voted for the ratification of the ERA, again showing the sharp differences between the urban and rural sections of Virginia.

1978

Nineteen seventy-eight marked a turning point in the fight over the ERA in Virginia. Many ERA supporters began to focus their attention on the statewide elections of Delegates and Senators who served in the Virginia General Assembly. Supporters also continued to have a strong presence in Richmond and lobbied very hard for ratification. Those against the ERA, for their part, continued to have a strong influence in the General Assembly. Many of the Delegates and Senators in the General Assembly had not supported the ERA from the very beginning when it was passed in Congress in 1972. Now, in fact, it became much more of a liability to change their minds with the rise of the Christian Right. For by 1978 religious minded Virginians had much more of a political voice, not only in Virginia but across the country. Jerry Falwell from Lynchburg and Pat Robertson in Virginia Beach were nationally prominent but they were especially influential in Virginia politics.

The fight for the ERA had new momentum going into 1978 as evidenced by the new campaign and lobbying effort by pro-ERA organizations. ERA supporters initiated a renewed effort by placing large banners across from the state capitol stating “ERA-YES” and “Virginians for ERA.”<sup>57</sup> Megan Rosenfield of *The Washington Post* reported that “The effort complete with polls, newsletters, mailings, a full-time office staffed around the clock and insistent, persistent personal lobbying, is part of a national move to persuade at least three more state legislatures to ratify the proposed constitutional amendment before the seven-year time period runs out in March 1979.”<sup>58</sup> ERA supporters stepped up the pressure by issuing a statement that “We no longer approach the Assembly, bonnet in hand, to beg for equality. We demand that this amendment be

passed—or, by God, we will defeat them, one-by-one, across the state....”<sup>59</sup> This was an interesting statement since there had already been women arrested for protesting the repeated defeats of the ERA and Rosenfield in her article observed that “This aggressiveness does not always sit well with the gentlemen and gentlewomen of the legislature, some of whom repeat the adage, ‘you catch more flies with honey than with vinegar.’”<sup>60</sup> The pro-ERA supporters continued to work hard for ratification and, in a last-ditch effort to accomplish passage before 1979, Lynn Darling reported on January 23 that “A coalition of more than 3,000 supporters of the Equal Rights Amendment came here from around the state and beyond its borders yesterday to urge the General Assembly to approve the amendment during its current session.”<sup>61</sup> She went on to explain that “The rally was the result of months of planning and organizing by labor union locals, feminist organizations and church groups, and was sponsored by a coalition of labor organizations called Labor for Equal Rights Now (LERN). Many observers said it marked the first time that state labor unions had given more than lukewarm support to ERA passage in Virginia.”<sup>62</sup>

But while the pro-ERA groups lobbied for ratification, opponents of the ERA were continued their fight and protest against its passage. Megan Rosenfield reported that anti-ERA women carried signs outside the state Capitol that said things like “ERA Is Not the Way,” and “I’m Woman/I Might Be Strong But I’ll Stay Where I Belong.”<sup>63</sup> Although there was intense lobbying from both the pro- and anti-ERA groups, many Virginia legislators stated that they were weary of the lobbying done by both sides since most of them had already made up their mind how they would vote on the ERA.<sup>64</sup> This

did not deter many of the anti-ERA advocates. The Reverend Rod Bell of the Tabernacle Baptist Church in Virginia Beach rounded up 500 people for a rally at the state Capitol. There he argued, “The fundamentalists have never been active in the political arena. We have to get active. We’re organizing in every state. We have a constituency of over 250,000.”<sup>65</sup> On February 8, 1978, a subcommittee heard arguments from both pro- and anti-ERA speakers who included church, political, and military leaders. The Reverend Jerry Falwell from Lynchburg and the Reverend Rod Bell from Virginia Beach spoke against the ERA and further solidified the political rise of the fundamentalist of the religious right.<sup>66</sup> The Equal Rights Amendment was again defeated by the Virginia House. *The Washington Post* reported its defeat provoked “...a noisy demonstration by disappointed ERA supporters, two of whom were later arrested.”<sup>67</sup> One lobbyist, Marianne Fowler, stated “These dried up, withered old men voting on my future! It’s unacceptable. As long as I’m alive we’ll be fighting.”<sup>68</sup>

1979-1980

The Christian Right had been organizing since the mid-1970s and started to become more influential in the years 1979 and 1980. As women continued to fight for the ratification of the ERA in the Virginia General Assembly, religious fundamentalists started to become much more politically active throughout Virginia. While individuals opposing the ERA had spoken out against it on religious grounds, organized religious groups appeared to have entered the fight only late in the game. This is not to say that their lobbying efforts in Richmond were not effective, but since most of the Virginia

politicians had already made up their minds years ago, religious groups contented themselves with making sure that none of the anti-ERA delegates changed their mind.

Thus, at the beginning of 1979, the prospects for the ratification of the ERA did not look good in Virginia, and with the selection of Senator Elmo G. Cross Jr. (D-Hanover) to the Senate Privileges and Elections Committee, it seemed unlikely that the measure would even make its way out of committee.<sup>69</sup> Nor did it; for when the time came for a vote, the committee again voted against the measure. Again, all of the Northern Virginia Delegates voted for the measure but there were many organizers there to argue against it, like Gilene Williams, co-chair of the Virginia Steering Committee to Stop ERA, who claimed that the legal rights of equality “have already been won” and warned that the amendment “would impose a single standard of sameness on the sexes...and no one knows what the legal consequences will be or how the measure would be carried out.”<sup>70</sup> And when the Virginia House Delegates who supported the ERA tried to bring the measure directly to the House floor by circumventing the committee, their efforts failed and the ERA was sent back to committee.

In late 1979, the White House conference on families became a lightning rod throughout the state of Virginia. The conference was supposed to be about the deterioration of family life and values in the United States and the steps needed to correct it, but it turned into a battle between conservatives and liberals. Glenn Frankel reported that “...the Virginia Conference on Families became an emotional battleground between the professional counselors, teachers and social workers who had organized the meetings and a throng of antiabortion, antifeminist conservatives who attended en masse.”<sup>71</sup> For by

1979 evangelical Christians had begun to fight back against what they thought was a liberal agenda taking God and family values out of society. When asked why participants in the conference had to present their driver's license to enter, one coalition member said, "We don't want anybody busing in loads of feminists or homosexuals from out of state."<sup>72</sup> Many conservatives believed that any attempt by the government to interfere with the family was not what most Americans wanted. Helen Stone of Stafford Country stated, "It's a humanistic, atheistic philosophy being used, it's not the philosophy of God-fearing Americans."<sup>73</sup> Stone and many conservatives did not think one could support the ERA, abortion, or gay-rights and be a God-fearing American.

Jerry Falwell also argued that while Christians were against the ERA, they believed in superior rights and treatment for women. He believed women should be treated differently than men, which, he said, was a much better way than men. As he explained, "There's not going to be an Equal Rights Amendment because you know Christians believe in superior rights for women. We don't believe in equal rights for women. We help them with their coats, we open doors for them, we go to war for them."<sup>74</sup> From the perspective of Falwell and many evangelical Protestants, women were to be placed on a pedestal, and if they were to be treated like men, they would suffer a diminished status, even break. Women, he argued, were too fragile to be treated like men, which was very similar to the old idealized antebellum view of the southern belle. Falwell, like others, also linked the fight for the ERA as a challenge to the traditional family. On this point he was adamant, stating in February 1979:

You know why ERA is make, trying so hard to get ratification? It's just one more satanic attempt to destroy the biblical concept of the Christian home. The

husband is the head of the wife, not the dictator, the leader, the head and the wife is to be in submission to her husband. Satan never has liked that. You go right down through history and all the rahabs haven't liked that and that's the fact today and the same crowd that's pushing the ERA is for the main part pushing the open legalization of homosexuality. It's all one great big assault. The feminist movement on the Christian, the biblical concept of the Christian home. And yet there's nothing this nation needs more than a Christian home.<sup>75</sup>

Even with the increase in protests from the Religious Right, ERA's supporters continued their fight on into 1980. On January 13 ERA proponents held a large rally of nearly 8,000 in Richmond which was considered "the largest rally ever held in the state of Virginia for the ERA."<sup>76</sup> But as Glenn Frankel reported, although it may have been one of the largest rallies in Virginia for the ERA, "the demonstrators played to an empty house. Most of the state's 140 legislators left here Friday for the weekend and are not due back until Monday morning."<sup>77</sup> Furthermore, a week later opponents of the ERA held their own rally to make sure that their voices were heard. Many of those who attended that rally, Geline Williams argued, were "...not from Virginia," and indeed she claimed that the estimated 5,000 to the 8,000 estimated pro-ERA supporters came from New York, Massachusetts and other liberal states.<sup>78</sup> While Jerry Falwell did not attend, he sent his Liberty Baptist College band to provide music and entertainment.<sup>79</sup>

By 1980 Jerry Falwell had become a well-known personality in America. His rallies across America had given him national exposure and he had met with several presidents, including Richard Nixon and Jimmy Carter. While he was known on the national stage, he continued to involve himself in Virginia politics and in particular the fight over the ERA in the Virginia General Assembly. He used many of the same battle-tested arguments as Phyllis Schlafly had during the early fight over the ERA. In

February 1980, he argued, “And most Americans feel that way, and I repeat I don’t believe we have to send our girls out to combat. That’s the ERA mentality...Once it becomes law of course the Congress could not stop the drafting of women. That’s one of the ultimate goals of the Equal Rights Amendment. That’s why as a man of God I stand against it. I’m for equal rights for women, I’m against the Equal Rights Amendment.”<sup>80</sup>

### Conclusion

The conservative movement that had formed during the Barry Goldwater presidential campaign in the mid-1960s continued to grow well into the 1970s across America. Virginia became a battleground state over social issues with the emergence of well organized and well financed conservative and religious groups unwilling to accept the increasingly liberal direction of the country. The fight over the ERA in Virginia and throughout the country helped solidify the religious right into a political force that would also play a significant role in other issues that included abortion and the tax-exemption of Christian schools.

## CHAPTER TWO

### THE FIGHT OVER ABORTION

#### Introduction

Abortion was one of the most important issues that motivated the Christian Right to mobilize and become more active in politics. This was true not only on a national level but in Virginia as well. In 1973 the Supreme Court's *Roe v. Wade* decision legalized abortion and was immediately met with outrage by the Catholic Church, but very little fanfare amongst evangelical Protestants. The Catholic Church had fought against the liberalization of abortion laws in the larger cities such as New York and Chicago. In 1974 *The Washington Post* reported "...the United States Catholic Conference sent four prominent cardinals to Washington, D.C., to testify before Congress in support of a national prohibition on abortion. Their failure to sway lawmakers led the National Conference of Catholic Bishops to develop a Pastoral Plan for Pro-Life Activities."<sup>81</sup> Since they were unsuccessful at the federal level, the Catholic Church shifted the focus of its attention to state governments. Shortly after the *Roe v. Wade* decision "...hundreds of bills to restrict abortion, most written in consultation with church leadership, were introduced into municipal councils and state legislatures across the country."<sup>82</sup> Although Catholics were the first group to protest vehemently against abortion, it was not long before evangelical Protestants entered the debate.

Protestants and Catholics had historically not worked well together. Although they agreed on many issues, both social and doctrinal, they differed in many other areas. These differences created an environment that in the beginning prevented the two groups

from working together. Patricia Baird-Windle and Elanor Bader argued in their book *Targets of Hatred: Anti-Abortion Terrorism* that “Fundamentalist Christians, for one, were addled by what they felt were inconsistencies in the church’s politics, from Catholic opposition to the death penalty, to support for economic justice initiatives. Far more conservative in outlook and worldview, previously apolitical evangelicals decided that the time had come to grapple with the here-and-now of American politics.”<sup>83</sup> The right-wing conservative movement had already been in full motion before abortion became a big issue in 1973. It had started with Barry Goldwater’s failed presidential campaign in 1964 and, though it had failed, had successfully mobilized fiscal and social conservatives across the nation. It was up to conservative political operatives like Richard Viguerie, who had a direct-mail company, and Paul Weyrich, who created a political action committee called the Committee for the Survival of a Free Congress, to find a way to get religious fundamentalists involved in politics.<sup>84</sup> According to Baird-Windle and Bader, “Conservatives credit right-wing heavyweights Richard Viguerie and Paul Weyrich with recognizing the role that abortion could play in mobilizing a counterrevolution against feminist and liberation movements, including the more radical New Left.”<sup>85</sup> Viguerie explains that abortion was just one of the issues that included forced busing, taxes, and sex education in schools that got people to become more involved in the conservative cause. He said, “Their convictions against abortion are like the first in a series of dominoes. Then we lead them to concern about sexual ethics and standards among young people. This leads to opposition to secular humanism...”<sup>86</sup> Thus, Richard Viguerie actively targeted evangelical Protestants to become more politically active and

help further the conservative cause, as he and Weyrich believed the government and society had become too liberal. The women's liberation movement, the gay rights movement, and the overall mood of permissiveness were all symptoms of America being taken in a direction they did not like.

The most important aspect of the mobilization of the Christian right was to focus on social issues that appealed to many Americans' core beliefs. Traditionally in politics, economic and national security issues were the most important topics. While they would remain a focus of the conservative movement, in an effort to broaden their appeal, they hoped to focus on other issues that were important to many Americans, particularly social issues which ordinary Americans did not need to be deeply knowledgeable or well-read to feel passionately about. As Jerome Himmelstein explains, "The core activists seek to appeal to such traditionally Democratic constituencies as blue-collar workers and Southern whites on the basis of their concern about abortion, ERA, pornography, permissiveness, and the general decline of morality, family, and religion."<sup>87</sup> What made social conservatism "politically salient" they argue was the Supreme Court's ruling on abortion, Congress' passage of ERA, the emergence of the women's movement, the establishment of busing and affirmative action as federal government policy, and so on. The perception of these liberal and radical social changes of the early 1970s galvanized millions of conservatives.<sup>88</sup> But of all the conservative issues, abortion remained one of the most important, an issue that could be put into very simple, black and white questions: Was the fetus a "person"? Was abortion of the fetus murder? The strong

belief that abortion was murder touched a nerve with many evangelicals and, as they saw it, compelled them to speak out.

Martin Durham argued, “If the 1950s marked the beginnings of the modern American right, they also marked another development—the beginnings of a movement to liberalize abortion law. It was not until the following decade, however, that a counter-movement emerged.”<sup>89</sup> Although the Catholic Church was quick to protest and speak out against abortion, the Christian Right did not organize protests until a few years later. Durham explains that the Catholic Church position is slightly different than the fundamentalist position. He argued, “As we have seen, the Christian Right did not emerge until several years after the anti-abortion movement, and where the latter describes itself as the pro-life movement, the former defines itself as pro-family.”<sup>90</sup> One of the big differences between the Catholic Church and the fundamentalists was that abortion was not the only issue the Christian Right worked against. Durham explains, “It opposes abortion, and makes exactly the same central argument as the anti-abortion movement, that the fetus is an unborn human being with the right to life. But its opposition to abortion is only one of a series of stances it has taken up in defense of the family and Christian sexual morality.”<sup>91</sup> While it was one of many issues that the Christian Right fought against, it would rise to the top of the list and become the number one priority. One of the most influential leaders of the Christian Right against abortion was a Virginia pastor named Dr. Jerry Falwell.

Jerry Falwell

During the 1960s, Jerry Falwell argued that churches and their leaders should not be involved in politics. Traditionally fundamentalists like Falwell did not believe in getting involved in politics; they wanted to remain separate from the evil, tempting world while they awaited the second coming of Jesus Christ. As Utter explains, “These fundamentalists had traditionally abstained from political struggle but could no longer stay uninvolved in the face of Supreme Court’s decisions on public school prayer, abortion, and obscenity. Movies and television with immoral pictures and stories, gay rights, and the near passage of the ERA struck Falwell and his followers as reasons for political activism to reassert traditional values.”<sup>92</sup> While he disagreed with government intervention in the Civil Rights movement, Falwell did not believe he was supposed to get involved. Falwell explained in his autobiography his position on the civil rights movement and how inappropriate it was for religious leaders to get involved:

In March 1964, after hundreds of clergy and lay leaders marched on Selma, Alabama, I delivered my own public response to the civil rights crisis in a sermon entitled “Ministers and Marches.” Quoting Philippians 3:20, I reminded more than a thousand of our members that the Christian’s citizenship is in heaven. “Our only purpose on this earth,” I claimed, “is to know Christ and to make him known.” I went on to explain that “believing the Bible as I do, I would find it impossible to stop preaching the pure saving Gospel of Jesus Christ and begin doing anything else-including the fighting of communism, or participating in civil rights reform.” “Preachers are not called to be politicians,” I declared, “but to be soul winners.... If as much effort could be put into winning people to Jesus Christ across the land as is being exerted in the present civil rights movement, America would be turned upside down for God.... I feel that we need to get off the streets and back into the pulpits and into the prayer rooms.”<sup>93</sup>

But in the 1970s, Falwell saw a nation that he perceived as falling apart. He saw disintegrating families being pulled apart by alcohol, abortion, and the ERA; he saw the youth of America being corrupted by gay rights, the spread of pornography and public

schools without public prayer. These things changed his views on political activism by religious fundamentalists.

It was eventually the abortion issue that brought Falwell into the political arena. In his autobiography he explained some of the feelings he had when he found out about the 1973 Supreme Court decision *Roe v. Wade*:

In growing horror and disbelief, I read and re-read the short article describing the historical case titled *Roe v. Wade*. The Supreme Court had just made a decision by a seven-to-two margin that would legalize the killing of millions of unborn children. In one terrible act they struck down all the state laws against abortion and legalized infanticide across the land. I could not believe that seven justices on the nation's highest court could have so little regard for the value of human life.<sup>94</sup>

Although Falwell admitted that the Catholic Church had been the first religious leaders to speak out against abortion, he felt that it was “weighing on his heart” to mobilize Christians across the United States to fight against abortion. Jerry Falwell's wife, Macel, wrote in her biography of her husband how it took him a while to figure out what he wanted to do. She wrote:

Catholics took a courageous stand against the ruling [abortion]. Protestants in general, and fundamentalists in particular, stood by in silence. The situation weighted on Jerry's heart and mind as he wrestled with how to respond. As much as he abhorred the ruling, with equal fervor he abhorred the acts of violence that had erupted in response. The justices' lives were threatened and letter bombs intercepted and disarmed as people responded in blind rage, comparing them to “the butchers of Dachau” during Hitler's reign.<sup>95</sup>

In one of his many meetings with a President of the United States, he spoke with President Jimmy Carter about what could be done about abortion. Falwell said, " I asked President Carter in a private meeting, a number of ministers met with the president sir what do you think of abortion. He said I am against it as a Christian, I'm against Federal

funds for abortion. I said sir will you help us get a human life amendment through to stop it. And though he wasn't willing to help us get it through Congress he said if you get it through Congress I'll support it. So we're committed to do that."<sup>96</sup> Abortion became for Jerry Falwell a black-and-white issue: there was no middle ground, no compromise. It was something that needed to be banned immediately. "...I cannot, from the Word of God," he declared in 1976, "see abortion any thing and any other way than murder. And I believe that from the moment of conception life is there and that a doctor is literally taking power unto himself that he doesn't have the authority to exercise...But I am saying that the wide open abortion practice of our world today is wholesale murder."<sup>97</sup>

To Jerry Falwell abortion was not only wholesale murder, it was an indictment of everything that was wrong with America. In 1978 he argued that "The same crowd that is promoting ERA, women's liberation movement, Gay liberation...that same crowd is for abortion as a license to licentiousness. As a license to the worst kind of vulgarities and wickedness that will cause this nation to be one more has been and used-to-be nation and the parade of long done and forgotten world powers."<sup>98</sup> To Falwell, abortion was therefore the most important issue that America faced, and he believed that God would eventually judge America on its sin, and America would become another great fallen empire like Greece, Rome, and Britain. "And I say that if our country is willing to legalize the murder of hundreds of thousands of babies so that situation ethics can reign and the Bible be damned," he declared, "we can expect judgment of God upon this Republic."<sup>99</sup> Abortion was more important than all other issues, even prayer in school

and what was perceived as the government's attempt to take God completely out of school, which he also deplored. "Five years, one month and four days ago the United States Supreme Court legalized abortion," he intoned, "And in my opinion it was, without question, the most damaging opinion ever handed down by the Court. Even surpassing those dealing with Bible study and prayer in public schools, etc...."<sup>100</sup> Abortion, he believed, was destroying America from the inside, and America's positive leadership position in the world was becoming questionable as a consequence.

It took Falwell a little time however to figure out how he was going to deal with it. While initially focused on preaching about abortion in his church and on his radio and television program *Old Time Gospel Hour*, he later realized that he needed to be much more active if he was going to get the results he wanted. Thus he sponsored the "We Love America" rallies throughout 1976, and through these rallies he was able to get more national exposure than he would have had he by his sermons at Thomas Road Baptist Church. Falwell thereupon decided to have a bicentennial celebration in 1976 by holding "We Love America" rallies all across America. In 1976 alone, Falwell and students from Liberty University visited 141 cities performing, preaching and praying for America to be turned around. Although Falwell became much more active outside of his church in speaking out against abortion, it was not until the late 1970s that he became more politically active. For it was in 1979 with the founding of the Moral Majority that he took one more step towards becoming more than just a pastor of a small town church, establishing himself by his preaching and political connections as a major influence in Virginia and national politics.

Falwell believed that the nation was living a life of sin that was displeasing to God. Eventually God would punish America for its sin, most notably abortion, if something was not done. In his autobiography he laid out what he saw was wrong with America.

Since *Roe v. Wade*, more than a million and a half unborn babies were being aborted every year. The divorce rate had skyrocketed. The sexual, physical, and emotional abuse of children, wives, and the elderly was becoming common practice. The traditional American family was being threatened as never before in the history of the nation. Pornography was flooding the mails and being sold to children through their neighborhood stores. Drug and alcohol abuse and addiction had reached down to elementary grades. Courts seemed to favor the offender; and law-enforcement agencies, social action organizations, and welfare groups seemed helpless to stem the growing tide of injustice, immorality, and crime let alone to assist the growing number of victims.<sup>101</sup>

Falwell knew that he needed to do more than just “preach” to his church and America; he needed to become much more active. In 1976 he looked at polls that told him that sixty to seventy million Americans were born-again Christians, and from these polls he concluded that if he could harness only a small percentage of those professing Christianity as their way of life, he could change the path to hell America was on.<sup>102</sup>

Thus he set out to mobilize Christians to act and fight against what he saw as the enemies of God and America. He explained, “At a lunch break, Paul Weyrich, one of my very dear friends and a great American, looked across the table at me and said, ‘Jerry, there is in America a moral majority that agrees about the basic issues. But they aren’t organized. They don’t have a platform. The media ignore them. Somebody’s got to get that moral majority together.’”<sup>103</sup> One problem for Jerry Falwell was that he was a fundamentalist Christian who was not used to working with others not of the same religious and doctrinal beliefs. This would be one obstacle Falwell had to overcome. He

eventually got some help and encouragement from a close friend, Dr. Francis Schaffer. As he explains, “During those days the late Dr. Francis Schaeffer was a great help to me...He declared that there is no Biblical mandate against evangelical Christians joining hands for political and social causes as long as there was no compromise of theological integrity. Dr. Schaeffer pointed out that the Bible is filled with stories of the yoking together of persons from various philosophical backgrounds for the purpose of carrying out a cause that was good for humanity and pleasing to God.”<sup>104</sup> From this meeting with Paul Weyrich and Schaffer came the founding of the Moral Majority, a political lobbying organization set on influencing the legislative agenda in Washington, D.C. The goal of the Moral Majority, Macel Falwell noted, was to mobilize Christian voters to vote on the issues affecting their lives and the traditional family in America. And the Moral Majority, she explains, was one of the first organizations to target Christians.

As that time in the nation’s history, there was no such thing as value voters or the Religious Right. As a group, Christian conservatives had never been factored into national politics. These were good, solid Americans who went to church, took care of their families, and believed that voting was too worldly to do. There was no Religious Right because most of that huge section of America wasn’t even registered to vote. Jerry’s first goal became to get that sleeping segment of America’s voting—and not just voting a straight ticket, but voting the issues.<sup>105</sup>

Although she argued that they were not trying to get Christians to vote straight ticket for one party, this is exactly what would happen, for the Christian Right would eventually be co-opted by the Republican Party as they supported “pro-family” issues by opposing abortion, gay rights, the ERA, and stem-cell research.

Falwell placed a lot of the blame for abortion on the government as a whole and the legislators in Congress. In 1978 he said, “And we don’t believe in it [abortion]. And

that places all the blame, the dirty blame upon the legislators and everyone else involved in making it legal, making it law. I would not want to stand before God one day guilty of the blood of little children.”<sup>106</sup> Falwell knew that if abortion was going to be banned and things turned around in America, he would have to get his congregation and followers to get involved in Virginia and national politics. Several issues surrounding abortion aroused the ire of Falwell and others in the Christian Right, namely Medicaid funding for abortion for lower income women and the lack of notification of the parents of minors seeking abortions. Falwell encouraged his followers to get involved and write their legislators in the Virginia General Assembly. In one sermon on abortion he said, “I hope that everybody in this building will write a letter to your delegate. You’ve got the list of all of them. We have given them to you. And just like it worked on ERA, it ought to work on mass murder.”<sup>107</sup>

While Falwell wanted his congregation to get involved in the issues that affected the family and the core values of America, he claimed that he did not actively endorse candidates; rather he argued he was only speaking out against the issues that were near and dear to him. “We believe if it’s going to be saved,” he declared, “preachers of the gospel have got to have the courage to stand up and lead the way. We are not endorsing candidates. We’re not doing that. We’re not involving ourselves in partisan politics. We are simply dealing with the principles and the issues that are important.”<sup>108</sup>

Notwithstanding this position, he did eventually fully endorse the Republican Party and indeed became important in persuading evangelical Christians to vote for Ronald Reagan in the 1980 presidential election.

Abortion was not a singular issue to Jerry Falwell. It was part of the attack on the family by the federal government, the women's liberation movement and any other liberal movements seeking a more permissive America. Through abortion Falwell believed the government was telling young people that there were no consequences to their actions. "Life begins at conception," he told his *Old Time Gospel Hour* viewers, "and it is as much murder to destroy a little baby seven months before birth as it is to destroy one one year after birth, according to the word of God. And so we have the judiciary interfering with the family. We're telling young unmarried teenagers do your own thing, live like you want to live and if you make a mistake we can kill the consequences, under protection of law."<sup>109</sup> God, he stressed, would exact some form of punishment on the sinful. While America had been in a downward spiral ever since the mid-1960s, the federal government he believed had become much more intrusive in American society, liberal legislators and judges were remaking America against the will of conservative Americans and undermining the cornerstone society, the traditional family. In 1980 Falwell argued that the biggest sin of all in America was abortion. He said:

What is the sin of America? First of all, we have disregarded the dignity of human life in America. Can you imagine that seven years ago, 1973, our Supreme Court ignored all the fifty state laws that had been there for 200 years, ignored what our founding fathers believed about life, ignored what all the Congresses from the beginning of the nation had believed and all the Supreme Courts before them had believed and decided by a 7 to 2 vote that little babies don't have any rights, that any would-be mother if a child is an inconvenience or for any other reason the mother doesn't want the child to be born, that child's life can be snuffed out without that child ever having a voice in the matter.<sup>110</sup>

While there were many issues that needed to be dealt with to turn America around, abortion he emphasized was the biggest and most important. America's future depended on it.

#### Abortion in the General Assembly

While Jerry Falwell and other preachers were speaking out against abortion in their congregations, the Virginia General Assembly was debating the issue, for once the Supreme Court decided that abortion in the first three months was acceptable, the statutes in the states had to comply with the new federal laws regarding abortion. Virginia would take some time in rewriting its laws to comply with federal laws. The fight over rewriting these laws started immediately after the Supreme Court decision *Roe v. Wade*. In February 1973 the Virginia legislature rejected a bill that would have followed Supreme Court guidelines, while Virginia's law at the time permitted abortions only after rape or to save the life or health of the mother or to prevent birth of a severely deformed child.<sup>111</sup> There were delegates in the General Assembly who did not want the Virginia state legislature to comply with the federal law. One of the most conservative delegates in the Virginia legislature and a leader against the ERA, Eva Scott (Ind-Amelia) said, "Just because the Supreme Court made a bad decision, we shouldn't condone it."<sup>112</sup> While the conservative delegates tried to make a statement by voting against compliance, if they did not rewrite the Virginia abortion laws they could potentially not have any abortion restrictions at all. Virginia's abortion statutes "...limited abortions to hospitals and only when the mother's physical or mental well-being was jeopardized, or in the case of rape or incest, or if a fetus was likely to be severely deformed."<sup>113</sup> The Supreme Court

ruling invalidated those statutes by stating that the state could not regulate abortion during the first three months.

At the beginning of 1974 the Virginia General Assembly attempted to bring the state's abortion laws into compliance with the federal laws. One proposal to the Senate and House Courts of Justice Committees was to add a 'conscience clause' that would permit any hospital, doctor, nurse or other hospital worker to refuse to participate in an abortion if it violates their moral or religious beliefs. This would have been a small victory for the Christian Right, but it certainly would not have been enough. Eventually Virginia brought its abortion laws in compliance with federal laws and women would be able to obtain an abortion with few restrictions during the first six months of pregnancies, but in the third trimester only if the continued pregnancy was likely to kill the mother or there was "a substantial likelihood" the child would be born with 'irremediable and incapacitating mental or physical defect.'<sup>114</sup> In the end the fight over bringing Virginia's abortion laws in to compliance with federal laws would be very mild compared to the fight over Medicaid funding of abortions for lower income women.

In fact, by 1977 those opposing abortion had become much more vocal and focused in their protests. *The Washington Post* reported in January 1977 that "Eight persons were arrested yesterday after picketing inside the Northern Virginia Women's Clinic...."<sup>115</sup> In May "Six anti-abortion demonstrators were arrested yesterday in the Northern Virginia Women's Medical Center in Fairfax County...According to police and demonstrators, about 35 'right-to-lifers' entered the clinic...yesterday and began blocking passage to the abortion chamber where the operations were being performed."<sup>116</sup> Such

protests and picketing at abortion clinics became widespread across America, with militant anti-abortionists employing every conceivable way to prevent women from obtaining abortions, including death threats, physical violence, break-ins, bombings, and arson by some of the more extreme anti-abortionists.

There were also demonstrations before the Virginia General Assembly as it opened its hearings on the abortion issue. At a hearing of the House Committee on Health, Welfare and Institutions, Bishop Walter F. Sullivan, urged the Congress to adopt a constitutional amendment prohibiting abortions. And he added, "...just because something is legal does not make it moral or right."<sup>117</sup> A year later Bishop Sullivan went on to argue that Medicaid funding of abortions would foster "classism," with the middle class providing money to kill those who would increase the ranks of the lower class, and racism, with whites paying to kill unborn blacks.<sup>118</sup> While it is hard to know how much the race card played in the debate, the Bishop's real purpose, and that of others, was to try to persuade the House of Delegates to consider a resolution asking Congress to pass an amendment to the U.S. Constitution banning abortions.

One of the big issues surrounding abortion was federal Medicaid funding of abortions for lower income women. The issue was very complicated and the courts and state governments struggled over how to handle it. Medicaid funding of abortion had many different aspects that involved the federal and state governments, the rich and poor, religious groups and feminists. In June 1977 *The Washington Post* reported, "Rather than settle once and for all the bitter national debate over the public funding of abortions for the poor, the U.S. Supreme Court's rulings last week and yesterday appear to have simply

enlarged the battle ground and further complicated the issue. Not only must the legislatures of the 50 states now decide if they want to end elective Medicaid abortions, they must also face the difficult task of deciding exactly what makes an abortion medically necessary, rather than elective, a question that the Supreme Court left open.”<sup>119</sup> Virginia was one of the states left to struggle with what to do over the ruling. By September “Virginia’s Medicaid program could limit abortion payments only to cases in which the mother’s life is endangered under a policy revision given preliminary approval yesterday by the State Board of Health.”<sup>120</sup> The preliminary approval eventually became official on September 14 when the Virginia Board of Health voted to discontinue paying for abortions for lower income women unless her life was in danger. The decision was not to go into effect until after a public hearing which was held on November 15, 1977. During the hearing around 47 speakers testified; it was a hearing that lasted about three and a half hours.

The public hearing offered the Christian Right a perfect opportunity to organize and speak out against abortion. Lynn Darling reported “Northern Virginia antiabortion forces jammed a public hearing yesterday that was held to discuss whether Virginia should continue to pay for abortions for Medicaid recipients.”<sup>121</sup> The supporters of Medicaid funded abortions for lower income women and those against it, she noted, had very different ways of making their case, for while the supporters of state-funded abortions “came armed with sheafs of statistics, case histories and sociological studies,” their opponents, who greatly outnumbered them, “came to bear personal witness to what they saw as the immorality of abortion no matter what the income bracket.”<sup>122</sup> The

Christian Right, in fact, focused on the personal and emotional nature of abortion while the feminists focused on the abstract aspects of abortion. These are similar differences that had occurred in the fight over the Equal Rights Amendment. Those who said the state should not pay for abortions did so on moral and religious grounds. Indeed, Gilene Williams of Richmond, one of the women who testified and a member of the board of directors of the National Right to Life Committee, declared that there were no statistics to back up the claim that poor women would turn to back alley abortions; those horror stories, she added, could be matched with horror stories of deaths from abortions performed in hospitals and clinics.<sup>123</sup>

While many women supported their position against abortion on religious grounds, other women opposed abortion on practical principles. Marian Pape of Falls Church in her testimony stated, “I raised five children. I was poor, too. My husband was a mail carrier. I worked hard. But everything is free today. I come from a community of hard-working people, not college educated. But I look around and I want to know, where are all the little children? Who is going to help to pay the taxes when you grow old?”<sup>124</sup>

At the national level, anti-abortion advocates continued to lobby the federal government to ban abortion. B.D. Cohen reported “Tens of thousands of persons from all over the country marched down Pennsylvania Avenue NW yesterday afternoon to rally at the Capitol and again decry the 1973 U.S. Supreme Court decision legalizing abortion as ‘the killing of babies.’”<sup>125</sup> This was the fifth March for Life on the anniversary of the Supreme Court’s decision, the marchers, Cohen reported made up of about a quarter of school age children. He also pointed out that many were Roman Catholics, noted

because they were caring rosary beads. The leader of the March for Life, Nellie Gray, spoke with President Jimmy Carter's domestic affairs' adviser, Stuart Eisenstadt, and explained, "The life issue is not one for compromise and negotiation. Either you're for killing babies or you're against killing babies."<sup>126</sup> Anti-abortionists adopted many tactics—some lobbied the federal government for a ban on abortion, others lobbied state governments to stop Medicaid's funding of abortion.

In Virginia the issue of Medicaid funding for abortions came down to a decision by Governor John N. Dalton. The State Board of Health had recommended the end of Medicaid funding for abortions but the governor was required to sign off on the decision. Thus the governor did which was immediately decried by abortion opponents as "an act of 'blatant discrimination' that will revive 'the horrible era of back-alley abortions.'"<sup>127</sup> Even with the governor's orders for state funded abortions to be stopped, the issue went back to the General Assembly. And in February 1978, Megan Rosenfield reported, "The Virginia House of Delegates voted yesterday to allow the state to pay for abortions for indigent women who have the consent of a physician."<sup>128</sup> She added that "The abortion issue had become increasingly volatile since the Supreme Court decision in 1977 as organized 'pro-life,' or antiabortion, and 'pro-choice,' or proabortion, lobbies have developed. Part of the antiabortion strategy recently has been to get 34 states to call for a constitutional amendment to the U.S. Constitution that would make abortion illegal."<sup>129</sup> Meanwhile the fight over state funded abortion continued on well into 1978 when a federal judge in Alexandria ordered the state of Virginia to resume payments for

‘necessary medical therapeutic abortions’ for indigent women under the state’s Medicaid program.<sup>130</sup>

Anti-abortionists meanwhile began to find new ways to get their message across, taking their cues from the non-violent demonstrations of the Civil Rights Movement during the 1950s and 1960s. As Megan Rosenfield reported in August 1978, “Pro-life militants contend that abortion is murder, and have decided that the only course acceptable to their consciences is to ‘place our bodies between the (pregnant) women and the room where abortions are performed,’ as 22-year old law student Burke Blanch phrased it.”<sup>131</sup> And she added, “Though participants say the sit-ins grow spontaneously from discussions among members of an affinity group of Pro-Lifers, they are carefully organized in the sense that people are appointed to be media contacts, others to be arrested, and others to carry signs, distribute literature or sing. Some people, called counselors, ‘inform the women of alternatives available to them, that we love them and support them,’ Bodner said.”<sup>132</sup>

On the sixth anniversary of the Supreme Court decision legalizing abortion, there were two rival marches in Washington commemorating the event. Stephen J. Lynton reported in January 1979, “Thousands of demonstrators plan to commemorate...with protest rallies, symbolic red roses, strident rhetoric, religious gatherings, and a midday march along Pennsylvania Avenue.”<sup>133</sup> He also explains, “One key aim of the ‘March for Life’ rallies and its congressional lobbying campaign is to press for what the group’s leaders describe as a ‘mandatory human life amendment’ to the U.S. Constitution. Such an amendment would assert a ‘paramount right to life’ for every ‘human being from the

moment of fertilization.’ It would prohibit all abortions. The ‘March for Life’ demonstrators plan—as they have in the past—to distribute red roses to members of Congress and others as a ‘symbol of short life and martyrdom’ and an emblem of their campaign for the ‘preborn child.’”<sup>134</sup>

In February 1979 the Virginia General Assembly demonstrated its conservative stand towards abortion when the House of Delegates voted to require that women seeking abortions in Virginia must be informed in writing about the physical and psychological risks to their health before the operation can be performed.<sup>135</sup> Delegate Lewis P. Fickett, Jr. (D-Fredricksburg) explained “Those of us who do not believe in abortion are simply saying...give a poor woman in distress on the verge of an abortion some sense of what she is doing.”<sup>136</sup> As the General Assembly was requiring women to receive more information before the got an abortion, anti-abortionists were taking more drastic measures. Stephanie Mansfield reported “A Rockville abortion clinic was hit by early morning arsonists yesterday, who set several fires in the clinic’s first floor offices, destroyed medical records and stole \$1,000 worth of medication....”<sup>137</sup>

In September 1980, there was another hearing by the Virginia State Board of Health to discuss the possibility of liberalizing Medicaid funding of abortion. Virginia had one of the most restrictive Medicaid regulations in the country which allowed the state to pay for an abortion only in cases of “substantial endangerment...of the life of the mother.”<sup>138</sup> Jerry Falwell was present at the meeting and was accompanied by people from his church in Lynchburg wearing “Jesus First” buttons.<sup>139</sup> But there were people from all over Virginia and from different religious backgrounds. Lois S. Hurdle of

Virginia Beach said, “It’s kind of like genocide. The same thing happened in Germany in the late 1930s. They went abortion crazy...it could destroy our society.”<sup>140</sup> Maureen H. Whalen, a Chesapeake housewife said, “It is abhorrent to return a human being to God as readily as we would return an imperfect car to Detroit. It is deserving of God’s wrath.”<sup>141</sup> Glenn Frankel pointed out “Many of the opponents are members of or closely aligned to the ‘pro-family’ evangelical movement that lately has flexed its political muscles both in this state and nationally. Others, including bishops of the Catholic dioceses of Richmond and Arlington, are members of traditional religious groups that have historically opposed abortion.”<sup>142</sup> Eventually the State Board of Health voted to extend Medicaid coverage to abortions where the pregnancy resulted from rape or incest, although the Governor John Dalton rejected the recommendation.<sup>143</sup>

## Conclusion

As the conservative movement tried to find its footing in an America that was changing and moving in a direction that they felt they had power to stop, leaders of the movement knew that they had to identify new groups of Americans who had not been politically active but were upset with the direction the country was moving. As evangelical Christians became more politically active in speaking out against issues they felt passionate about, conservative political operatives like Paul Weyrich and Richard Viguerie sensed their importance and began to target them for involvement in the Republican Party. Although evangelical Christians needed very little prodding to get involved in the fight against abortion, many conservative politicians and political operatives identified them and by the late 1970s it was beginning to organize into a block

of voters. As they became more organized and more conscious of the issues and how to speak out effectively, evangelical Christians played an important role in altering the discourse of American politics. Abortion became the key issue that evangelical Christians rallied around which became the gateway into other conservative issues. Jerry Falwell and other ministers in Virginia played an important role in helping politics become more aware of social issues that many Christians found important.

## CHAPTER THREE

### THE IRS VERSUS CHRISTIAN SCHOOLS

#### Introduction

Desegregation did not come easily in the South. The aftermath of the Supreme Court decision *Brown v. the Board of Education* in 1954 was one of resistance, both active and passive, of violence and, hatred, but of eventual success. Southern whites fought doggedly against desegregation for over twenty years, and they explored many different ways to get around it. Many whites fled the cities for all-white suburbs. Many Protestant evangelical and fundamentalist churches opened private schools that were too expensive for most African-Americans. Teachers and staff at these schools were not paid as much as those at public schools, but they provided an environment that many evangelical southern whites wanted in their schools. This included reinforced religious beliefs, patriotic values, and conservative behavior. Even before the government got involved to try to force integration, Christian school officials were in constant conflict with the local school boards over hiring policies and curriculum standards.

In 1978 the Internal Revenue Service (IRS) announced it was going to withdraw the tax-exemption status of Christian schools that did not meet certain requirements for admitting minorities. The IRS argued that something needed to be done because many Christian schools that had opened in the 1960s and 1970s were schools designed to avoid integration or, as many called them, “segregation academies.” The move by the IRS to take away the tax-exemption of Christian schools was set in motion several years before. The 1972 Supreme Court case *Green v. Connally* “... decided that a school that practiced

segregation no longer fit the definition of a charitable institution and was therefore not eligible for tax exemption.”<sup>144</sup> In another move that led to the 1978 action, the IRS also revoked the tax-exempt status of Bob Jones University in Greenville, SC, for not allowing interracial dating and marriage. According to the important players involved, the fight between the IRS and Christian schools over their tax-exemption status became a galvanizing force that united Protestant evangelicals and helped run them into an important political force known as the Christian Right.

#### Political Operatives

While the ERA and abortion were important issues that were vehemently resisted, it was the IRS threat that brought many Protestant Christians together. Martin Durham points out in his book *The Christian Right, the Far Right and the Boundaries of American Conservatism* that conservative political operative Paul Weyrich argued the Christian Right “...did not emerge in the aftermath of the 1962 Supreme Court decision on school prayer or the decision on abortion eleven years later. Instead it was the federal government’s attack on the rights of Christian schools that awoke the sleeping giant of evangelicalism.”<sup>145</sup> Weyrich argued that while abortion, the ERA and homosexual rights were important issues “...the changes to which evangelicals objected in the broader society were now threatening their right to educate their own children.”<sup>146</sup> The ERA and abortion were issues that did not seem to intrude into their homes the way the IRS threat did. They felt the government was specifically targeting Christians without provocation.

White southerners vehemently protested desegregation and did their best to prevent it. As more private Christian schools were created as havens from integration,

southern states tried to help white parents afford to put their children in all-white private schools. They did this in the form of tuition reimbursements and tax deductions. While Virginia did not provide money for parents who put their children in private schools, many other southern states did. The southern states tried as best they could to continue segregation and they tried to find ways to help white families avoid desegregation. Eventually the federal government caught on and ruled state supported private schools unconstitutional. The *Richmond Times-Dispatch* reported, “The Supreme Court struck down as unconstitutional Monday tuition reimbursement and tax deductions for the parents of children attending parochial and other nonpublic schools.”<sup>147</sup> The court argued both forms of government assistance for parents of children in nonpublic schools violated the First Amendment ban on state aid to religious institutions.<sup>148</sup>

While they were prepared for the Massive Resistance movement throughout the South during the 1950s and 1960s, once resistance became passive and not as visible, it took the federal government a while to decide how to address this resistance. Beginning in 1970 the federal government took a more active role in forcing the “segregation academies” to integrate. Peter Milius reported that “The Nixon administration, reversing a five-year-old federal policy, announced yesterday that it will revoke the tax-exempt status of all private schools ‘which practice racial discrimination.’”<sup>149</sup> Internal Revenue Commissioner Randolph Thrower said that the IRS would send written inquiries to all 10,000 private schools that had tax-exempt status. It would be up to the schools to prove that they have “racially nondiscriminatory admission policies.”<sup>150</sup> The IRS probe was initiated due to a suit filed by civil rights lawyers for five black families in Mississippi.

Milius reported, “The suit argues that tax-exempt status is, in effect, a public subsidy for the schools. Exemptions shield the schools themselves from income taxes and allow donors to deduct gifts from their taxable income.”<sup>151</sup> The IRS had allowed tax breaks for parents who sent their children to private Christian schools. In order to get the tax break, the school had to prove non-discrimination based on race. In August 1978, *The Washington Post* reported, “Currently, a taxpayer can deduct contributions to a private school unless it discriminates on the basis of race. A school can demonstrate that it does not discriminate if it has an antidiscrimination provision in its bylaws and advertises that it admits minority students.”<sup>152</sup>

Two important leaders of the Christian Right, Robert Billings and Paul Weyrich, were strong conservatives who had supported Goldwater in the 1960s. They believed the United States was being led in the wrong direction by liberals who wanted to depart from values that had made America great. The traditional family (mom, dad, children) and patriotic values rooted in Christianity had been the bedrock of America for centuries. They eventually found that they were kindred spirits and worked together to bring America back to greatness. Billings and Weyrich agreed with Jerry Falwell that the government was targeting and attacking Christianity to try to get rid of it in America.

The Christian school movement had been growing since the mid-1960s and was continuing to grow well into the 1970s. The IRS attempt to revoke the tax-exempt status of Christian schools was seen “...as a transparent attempt by their government to impose a secular philosophy on their children by using the excuse of racial discrimination to obstruct Christian education.”<sup>153</sup> This was an odd argument for the Christian leaders to

make. They wanted both the government to stay out of their lives yet they wanted special treatment from the government at the same time.

Robert Billings was one of the pioneers of the Christian school movement. He wrote a book called *A Guide to the Christian School* that became the standard for anyone who wanted to start a Christian school. Billings would become one of the most important figures in the fight against the IRS. He already had a strong network of connections throughout the country to call on at a moment's notice, and he was very knowledgeable on how to use his connections.

Paul Weyrich was a conservative political operative who had come of age during the 1960s and had worked on Barry Goldwater's failed presidential campaign. Weyrich would be the one who sought out Billings to coordinate a response to the IRS. Weyrich knew that there were plenty of Christians in America who did not vote but cared deeply about what was happening to their country. Weyrich had sought an issue that all Christians would care about to get them motivated to organize and get more involved in politics. Many Christians had already been organized in the fights over the ERA and abortion but nothing had yet brought them all together.

Weyrich had learned how to organize and use the political process during a liberal political strategizing session in 1969. There he figured out what conservatives needed to do to fight back against the rising tide of liberalism. He observed, "They had all these different groups, including religious groups, networking with people on the hill, formulating strategy for offering amendments, and then executing that strategy with media, with demonstrations, with lawsuits, with studies, with political action, by targeting

people—all the different parts of the political process.”<sup>154</sup> Weyrich eventually created a policy analysis organization called the Heritage Foundation in 1973 with help from brewer Joseph Coors; a year later he formed a political action committee called the Committee of the Survival of a Free Congress.<sup>155</sup>

Once the threat from the IRS became real, Billings and Weyrich brainstormed to determine their next move. They organized a meeting with pastors from all over the country to let them know what needed to be done to fight back. They wanted the pastors to urge their congregations to get more involved politically but the pastors initially resisted. Paul Weyrich explained how he eventually convinced the pastors to get their congregations more involved.

Lance Tarrance and Associates did an excellent study, and a man came to a big meeting in Washington and made a presentation. He revealed that not only was the evangelical community anxious for their [pastors] leadership to come forth on these issues, but they were sort of angry at them for not having come forth... You could see the wheels turning at this meeting, and from that moment on you had a commitment on the part of lots of different people to be involved in the political process, because they knew they wouldn't lose their ministries.<sup>156</sup>

This study allayed the pastors' fears that their congregations would abandon them if they were asked to get involved in politics. Weyrich and Billings pointed out that their followers wanted them to get involved and lead. Out of this Weyrich and Billings started the Christian School Action which would later become the National Christian Action Coalition (NCAC) whose purpose was to lobby in Washington for their cause. The NCAC produced a newsletter for fundamentalist churches that kept them up-to-date on any congressional legislation affecting their Christian schools.<sup>157</sup> They also brought in Jerry Falwell from Virginia and James Dobson from California. Weyrich and Billings

wanted Falwell and Dobson to use their radio and television programs to reach out to their followers and let them know what the IRS was attempting to do to Christian schools all across America. William Martin explains that “While Billings traveled extensively and used his newsletter, *Christian School Alert*, to warn Christian-school leaders and supporters about the IRS threat, Falwell and Dobson reinforced his message through their broadcasts and publications.”<sup>158</sup> Other religious leaders such as Pat Robertson of Virginia and Jim Bakker used their television programs, the *700 Club* and the *PTL Club*, to also speak about how the government’s attack on Christian schools.

Billings, Falwell, Dobson, Robertson and Bakker all told their followers that they needed to write letters to the IRS, their congressmen, and the President to tell them they did not agree with the IRS’s actions. Billings and Weyrich knew opposition needed to come from a strong grassroots movement and not just from several lobby groups based in Washington; rather what was needed, they stressed, was a significant amount of outpouring of outrage from ordinary Americans across the country. And within weeks, Martin wrote, “the White House, the Director of the IRS, and members of Congress received at least half a million pieces of mail protesting the new regulations.”<sup>159</sup> This massive ‘grassroots’ opposition forced the IRS to abandon its plans to revoke the tax-exempt status of Christian schools that did not meet certain racial requirements.

By 1978 Jerry Falwell had already become an important figure in Virginia due to his outspokenness on issues such as the ERA and abortion. One of his most enduring legacies was his creation of private Christian schools associated with his Thomas Road Baptist Church. He established both a K-12 school and a college that became Liberty

University. But as the government sought to force integration, it began to target private Christian schools across the country. Jerry Falwell's schools became one of its targets. Falwell did not think this was surprising, for in his view the federal government had been attacking Christians for years and tried to bring them in line with the rest of the country.

He argued:

America, America is locked in a moral battle for her very life. It started back in well I guess thirty, thirty five years ago in a very significant way. Symptoms began to crop out all along the way—abortion on demand legalized, prayer, bible reading kicked out of the public schools, and then as the Christian school movement began to accelerate opposition from bureaucratic agencies but oh, thank God, he has raised up his people everywhere.<sup>160</sup>

The IRS's attempt to take away the tax-exemption status of Christian schools was in his view therefore just another example of the government's attempts to intrude in private, and particularly Christian, life. The traditional family and the strong Christian home were what America needed in order to get back on track. Therefore Falwell and many other Christians wanted the government to leave them alone, to allow them to teach and educate their own children as they saw fit. He argued:

All that matters is what God thinks about it and by the way the parents own the children, not the state and all this monkey business legislation about we can't send our children to Christian schools is a lot of baloney. We can send them where we please, we own our children, the state does not own our children and when the state comes after our children they'd better come loaded for bear.<sup>161</sup>

The public school system, he and others who thought like him, was teaching their children godless values pressed upon them by a government and a liberal agenda with which they disagreed. While the IRS attacked these Christian schools as being “segregation academies,” they ignored the other reasons many Christians chose to send

their children to Christian schools. Many fundamentalist Christians were thoroughly upset with the public school system. Thus when President Jimmy Carter recreated the federal Department of Education, which many Christians viewed as yet another opportunity for the government to push its liberal agenda, Falwell and many other pastors called on their followers to send their children to Christian schools where they would get the education and religious background they needed. Falwell declared:

“I’m saying that the premise of humanism, secularism, deweyism, the void of discipline, all the problems that the educators are helpless to stop are permeating our public schools until in many areas...but the philosophy behind them and the support of the courts for atheism and liberalism and the almost impossible situation in the are of discipline would mean to Christian parents we ought to put our children in Christian schools even if you have to sell three of your television sets to do it and sacrifice greatly.”<sup>162</sup>

For in his view America needed a spiritual awakening, to repent of its sins, in order to save itself from God’s wrath. He truly believed that there were evil forces at work influencing the government’s actions. “They want,” he said, “to revoke the exempt status of all the Christian schools. Why? To put the Christian schools out of business. Why? Because they’re motivated by the devil in this effort, that’s why.”<sup>163</sup>

Falwell held that the actions by the IRS were all just “cheap politics” and that the government had no real proof of what they accused the Christian schools of doing. “They used a lot of politics and a lot of terms,” he declared, “to say well we don’t believe the Christian schools are as quality as public schools, show their ignorance immediately. Secondly they come in saying we don’t believe that they’re meeting all the requirements against discrimination. Why don’t they come down and look and see.”<sup>164</sup> He had faith that they were doing the right thing and not just trying to get around integration. They

were only trying to educate their children in an environment they believed was healthier and more effective than that in the public school system. He had faith that they would be successful in defeating the IRS and its attempt to revoke their tax-exempt status. While Falwell loved America and was proud of being a law-abiding citizen, the government for him had become the enemy, for by banning school prayer, taking Bible study out of the classroom and now attacking Christian schools, it was attempting to eliminate Christianity from America. “No,” he declared, “their real objective is to put God’s work out of business, and I’ve got news for those IRS people in Washington. God was in business before you were ever thought of, and he’s going to be in business after you’re long since forgotten and you’re not going to stop the work of God...”<sup>165</sup>

And while Falwell was fighting against the IRS in Virginia, there were others fighting against the IRS at the national level as well. For by this time, conservatives and religious fundamentalists had begun to organize and fight against what they saw as an attack on their Christian values. Warren Brown reported, “A coalition of conservatives...denounced as a threat to religious freedom proposed Internal Revenue Service regulations that would end tax exemptions for private schools judged racially discriminatory.”<sup>166</sup> The Chairman of the National Christian Action Coalition Reverend Robert Billings said, “The potential consequences of this are frightening. If you can tax private religious schools, why not tax churches?”<sup>167</sup> Billings, Falwell, Robertson, and Dobson had told their followers to write letters to the IRS, which their followers did with glee. American Conservative Union Chairman Philip M. Crane claimed that his group had received 60,000 letters protesting the IRS proposals. “They say,” he added, “they are

planning to make the ‘dangerous’ new guidelines a major political issue, one that could bring 150,000 similarly concerned Americans to Washington for a planned mass demonstration.”<sup>168</sup> The IRS did not take the criticism lying down, and announced through their chief counsel Stuart E. Seigel that, “The service is not attempting to establish social policy or to regulate private education in the United States. Our role in this area is thrust upon us by our responsibility to monitor the tax-exempt status of charitable organizations. Our role is to reflect, not create, public policy.”<sup>169</sup>

Opposition to the IRS’s actions was swift and fierce. At a hearing on December 5, 1978, *The Washington Post* reported, “The Internal Revenue Service ran into a barrage of opposition yesterday on proposed new rules to revoke the tax exemptions of private schools that discriminate against minority students, all but guaranteeing that the agency will have to give ground.”<sup>170</sup> The hearings lasted four days, and the IRS heard arguments from both sides of the issue. The majority of speakers spoke out against the IRS proposals. One woman, June Griffin, spoke out of turn and shouted, “These men do not have the right to tell us how to run our schools, our homes, our churches!”<sup>171</sup> Many Christian schools were upset at being labeled racist for not having any black students, which was why the IRS claimed to be targeting them. While many of the schools may have been created with the express purpose of getting around desegregation, many other schools were all-white by default. Art Pine and Marjorie Hyer of *The Washington Post*, reported, “Particularly upset are officials from suburban schools and from schools sponsored by religious groups unlikely to have many black members—such as Amish or

Hebrew schools. Protesters said requiring these schools to meet racial requirements would be unrealistic.”<sup>172</sup>

#### IRS Mistakes

IRS officials, obviously, had been shortsighted by not taking these possibilities into account when they came up with the new standards. For to many it became clear that the IRS was specifically targeting Christians and requiring standards of them that exceeded common sense and, through social engineering, foster racial harmony. The evangelical Christians did not believe it was the IRS’s role to coerce and enforce public policy. The tax-exemption status for Christian schools was a major concern to parents who had to sacrifice and budget their money to pay for tuition. Pine and Myer reported, “Denial of a tax exemption is a major financial setback for most private schools. Not only do they lose tax-free status for their own income, but persons contributing to the school no longer are allowed to take deductions for their donations.”<sup>173</sup> While opponents of the IRS were certainly upset over the government intrusion into the education of their children, they were equally upset over how it would hurt their bank accounts. Many parents had to sacrifice a great deal to afford to put their children in a private school. This broadened the opposition consequently.

One problem for the opposition, however, was that the IRS proposals were supported unequivocally by the Departments of Justice and of Health, Education and Welfare and by a handful of civil rights groups and civic organizations. While it was clear the government was behind the IRS proposals, the IRS needed support from civil rights groups to give them the leverage to move forward. Thus, not surprisingly, on

December 7, 1978, *The Washington Post* reported “The Internal Revenue Service, under fire from opponents of its plan to deny tax benefits to segregated private schools, drew support yesterday from the U.S. Civil Rights Commission.”<sup>174</sup> The chairman of the U.S. Civil Rights Commission, Dr. Arthur S. Flemming, spoke to a seven-member IRS panel about what he thought about their proposals. The IRS proposal, he said, was “a necessary and long-overdue step forward in federal civil rights enforcement...[it placed on the schools] the obligation of factually demonstrating their present conduct legally qualifies them for...tax exemptions.”<sup>175</sup>

Nonetheless, despite these elements of support, the amount of opposition and the level of discontent with the IRS eventually forced it to soften its stance. The Internal Revenue Service, Art Pine reported in February 1979, “bowing to fierce opposition from religious groups, yesterday softened its proposed rule for revoking the tax exemptions of ‘segregation academies’—private schools set up to cater to white who flee from desegregated schools.”<sup>176</sup> The *Richmond Times-Dispatch* reported “The earlier plan had drawn what official termed the most complaints in IRS history—100,000 letters. Critics said the changes could affect the tax status of thousands of private schools.”<sup>177</sup> The IRS recognized the obvious: they would be unable to enforce their earlier proposals so they eventually reached a compromise. The previous plan put the burden of proof on the school to prove they were not discriminatory towards minorities: they would have had to meet four of five tests which included, “minority scholarships, minority recruitment, minority teachers, increasing minority enrollment, and other evidence of good faith.”<sup>178</sup> These guidelines were considered too “mechanical” in that they did not take in variables

that affected the different schools from community to community and were now replaced by guidelines giving local IRS agents the authority to decide tax-exempt status on a case-by-case basis.<sup>179</sup> Pine explained, “The revised regulations differed from the previous ones in several important ways. The earlier proposal would have required either that a school enroll at least 20 percent of the total proportion of minority students in its community or else meet four out of five ‘affirmative action’ tests.”<sup>180</sup> The new proposals gave the local IRS agent a lot more power and gave the schools more leeway in their acceptance of minority students, and the local IRS agent could take into account the makeup of the local community, the type of religious school it was, to the attitudes and actions of its directors and officials.<sup>181</sup> Although the IRS compromised and softened its proposals on determining whether a Christian school was meeting the requirements of integration, these new proposals were unacceptable to Congress and, on September 6, 1979, the U.S. Senate voted 47 to 43 “...to kill for a year Internal Revenue Service guidelines which private schools that discriminate against minorities would be denied tax-exempt status.”<sup>182</sup> Thus the IRS was no longer able to deny tax breaks to private schools that screened out minority students.

At the state level, as the number of Christian schools and universities grew, the Virginia General Assembly decided that it needed to have more oversight into the curriculum standards and the conferring of diplomas. This attempt at more oversight was just one more attempt by the government, as Christian groups saw it, to intrude on the Christian school movement, and they were not willing to accept it without a fight. Karlyn Barker reported that Virginia Senate majority leader was upset with the influence

of the religious groups in Virginia. He said, "It's frightening, really. These schools take the position that God teaches everything, even mathematics."<sup>183</sup> The purpose of the measure was to require the State Council of Higher Education to approve the conferring of degrees or certificates awarded by some 34 private and religious institutions in Virginia.<sup>184</sup> With so many private Christian schools and universities in Virginia teaching so many students each year, the government wanted to make sure there were certain standards in place. While many of the Christian schools spoke out against the measure such as Jerry Falwell and his Liberty University, Pat Robertson of the Virginia Beach based Christian Broadcasting Network actually supported the measure.<sup>185</sup>

Paul Weyrich and Robert Billings both agree that the conflict between the IRS and Christian schools was the issue that motivated Christians to organize and work together and get more involved in politics, far more so than abortion, ERA or homosexuality. For as Weyrich explained, the other issues like abortion, the ERA and homosexuality did not galvanize Christians because they were issues they could avoid and deal with on their own. Thus, as he saw it, "...that while Christians were troubled about abortion, school prayer and the ERA, they felt able to deal with those on a private basis. They could avoid having abortions, put their children in Christian schools, and run their families the way they wanted to, all without having to be concerned about public policy."<sup>186</sup> But the intrusion of the government into their lives was something that really upset a significant number of Christians. They felt like they could no longer just separate themselves from the world, that the government was coming after them and they had to fight back. The IRS threat therefore, in Weyrich's estimation,

...enraged the Christian community and they looked upon it as interference from government, and suddenly it dawned on them that they were not going to be able to be left alone to teach their children as they pleased. It was at the moment that conservatives made the linkage between their opposition to government interference and the interest of the evangelical movement, which now saw itself on the defensive and under attack by the government. That was what brought those people into the political process. It was not the other things.<sup>187</sup>

Robert Billings agreed with Weyrich that the fight between the IRS and Christians schools helped galvanize Christians into becoming more politically involved. But he did not think it was only ideological; he believed that it also had to do with money. He explained, "If the Christian schools were to lose their tax-exempt status, their tuition could conceivably double. When it becomes not just a moral or a conservative/liberal issue, but a pocketbook issue, you definitely take an interest."<sup>188</sup>

#### Conclusion

Of all the issues that the Christian Right fought against, whether it was the Equal Rights Amendment, abortion, school prayer in schools, the feminist movement or gay rights, they were the most successful in their fight against the IRS over the tax-exemption status of Christian schools. Having emerged during the mid-1970s over issues like abortion and the ERA, it took the IRS to galvanize all evangelical Christians together in one common purpose. Evangelical Christians had organized and spoken out against many issues but they had never truly worked together as a cohesive block until the IRS threat against Christian schools. While the IRS believed it was doing the right thing by finding a way to coerce Christian schools to integrate, the Christian Right believed they were being singled out for persecution by a government that did not like or care for their beliefs or values. The IRS did not expect the response they got when they received

thousands of letters protesting their attempt to revoke the tax-exemption status of Christian schools unless they met the IRS's racial requirements. In that response Robert Billings, Paul Weyrich and the Christian Right finally found an issue that all evangelical Christians could get behind and support, after they were led through that door, they would find that there were many other issues they cared about as a group and wanted to change.

## CONCLUSION

The rise of the Christian Right during the 1970s eventually morphed into powerful lobbying groups who worked in Washington, D.C. and in the states across the United States. These groups have played an important part in American politics for almost three decades by influencing the legislative agenda and discourse to the issues they feel passionately about. While Falwell and Robertson initially resisted steering their followers toward a specific political party, as the 1980s got under way, they had co-opted the Republican Party as their own. It has been this way ever since. The media, with not much protest, portrays the Republican Party as the Christian party while the Democrats are not.

Abortion, women's rights, gay rights, religion in public schools and stem-cell research are just a few of the many issues the religious Right has chosen as their own. These are issues where there is no compromise; there is only right and wrong; black and white. The religious lobby has had a significant impact over the past thirty years. While abortion has not been federally banned, states across the United States have placed significant restrictions on abortions to the dismay of feminists and women's rights advocates. The Equal Rights Amendment was successfully defeated and has not been resurrected as of 2009. While the ERA and women's rights were tied to gay rights, homosexuals have gained more rights and acceptance since the 1970s. One of the most important social issues of the last ten years has been gay marriage. Several states across America have granted homosexuals the right to marry while many other states have passed constitutional bans against it. Stem-cell research has been another important issue

in the last several years due to the increased awareness brought by the late Christopher Reeves. The destruction of human embryos to harvest the stem-cells and the possibility of growing human embryos for that purpose has posed a moral question similar to that of abortion. Under the leadership of George W. Bush, the government placed restrictions on the use of human embryos in stem-cell research, but recently these restrictions have been lifted under the new Barack Obama administration.

Since the 1970s, social issues have been the most important issues to the religious Right and their lobbying groups. While they have made gains in some areas, they have lost ground in others. They have had tremendous influence in some years and not much at all in other years. The most enduring factors of the religious Right is that once they figured out what issues were important to them, they have quickly organized to have their voice heard. There is nothing the government can do without the religious Right influencing the discourse. While it may seem that the religious Right has lost all of its influence recently, it will no doubt adapt and adjust its message to the changing times to regain its voice.

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## ENDNOTES

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<sup>3</sup> Gilbert Steiner, *Constitutional Inequality: The Political Fortunes of the Equal Rights Amendment*, (Washington, D.C.: The Brookings Institute, 1985), p.7.

<sup>4</sup> Ibid, p.7.

<sup>5</sup> Janet Boles, *The Politics of the Equal Rights Amendment: Conflict and the Decision Process*, (New York: Longman, 1979), p.1.

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<sup>7</sup> Ibid, A9.

<sup>8</sup> Ruth Murray Brown, *A History of the Religious Right: For A "Christian America"*, (New York: Prometheus Books, 2002), p.124.

<sup>9</sup> Donald T. Critchlow, *Phyllis Schlafly and Grassroots Conservatism: A Woman's Crusade*, (Princeton: Princeton University, 2005), p.216-217.

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<sup>11</sup> Ibid, p.6.

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<sup>15</sup> Ibid, p.46.

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<sup>32</sup> Ibid.

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- <sup>33</sup> Joanne Omang, "Va. Proponents Rally For Equal Rights Bill", *The Washington Post*, (February 13, 1974), p. C6.
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- <sup>35</sup> Betty Booker Luce, "600 Women Argue to Panel," *Richmond Times-Dispatch*, (February 13, 1974), p. B1, B3.
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- <sup>39</sup> Sally Quinn, "Phyllis Schlafly: Sweetheart of the Silent Majority", *The Washington Post*, (July 11, 1974), p. D1.
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