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| God Bless Mississippi: The Promised Land of State-Sanctioned Bigotry |
| Media Bias in Seven Feature Articles on Mississippi’s House Bill 1523 |
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## *Abstract*

*A surge of religious freedom bills started to sweep through America after their Supreme Court decided same-sex marriage should be legal. Mississippi was one of the states that introduced an religious freedom act, which would protect religious people when they deny their services to LGBT individuals. Almost immediately, the media responded with an outcry against it. This thesis argues that American news reports covering HB 1523 are biased. It does so by analysing seven feature articles from major American online news outlets to see whether the apparent liberal bias actually exists, by examining the concepts of agenda setting, framing, status conferral and balance. The extent to which an article is biased depends on the representation of both the opposing and supporting side, and the depiction of the LGBT community. Eventually, an overall liberal media bias is established, but the LGBT community is confined in their representation.*

## Introduction

On the 26th of June 2015, the Supreme Court legalised same-sex marriage (SSM) in America. At that moment, fourteen, mostly Southern, states had laws banning SSM, including Tennessee, Louisiana and Mississippi (“US Supreme Court”). Approximately nine months later, religious freedom acts were introduced several Southern states including Georgia, North Carolina and Mississippi, that were meant to protect religious individuals who did not agree with SSM. The media responded with an upsurge of indignation: Sanchez of *CNN* called the acts an “onslaught of religious freedom bills”, Hall of *The Clarion-Ledger* said the bills “offend my religious beliefs”. *The Saint Louis American* called Mississippi’s bill “unconstitutional”, and many news outlets, both local and nation-wide, depicted the acts as a “backlash” for America. Dissenting voices were rarely heard in these news reports and the debate was easily dominated by the opposing side.

This thesis therefore argues that an overall liberal media bias can be found in national online American news outlets regarding Mississippi’s House Bill 1523. It continues to argue, however, that, in spite of this liberal bias, the LGBT community is still marginalised given their inadequate representation. The theoretical framework consists of three sections. The first section covers the concept of media bias: its definition, its role in presidential elections, and its effects on voting behaviour. The second discusses Mississippi’s House Bill, by focussing on its content and the media’s response. The third considers the LGBT community and its representation in the media. Then, the methodology is explained, and the corpus is determined. The latter consists of seven feature articles originating from the online websites of prominent national American newspapers, TV broadcasts and radio. The corpus is synchronic, as all articles are written within one month, can be seen as initial responses to the bill, and do not engage in debates with other journalists. After further elaboration on this, definitions of the concepts agenda setting, framing, status conferral, and balance will be given followed by the analysis of the articles. Initially, each article will be discussed individually through the four concepts mentioned earlier. Later, the articles’ underlying connections between the discussed topics, the used frames and sources will be clarified. Finally, it concludes tentatively that although an overall liberal media bias seems to exist, the LGBT community is poorly represented.

## The Ins- and Outs of Media Bias

Many studies regarding media or journalism are concerned with media bias, referring to the tendency to prefer one side to another, and to actively favour one side over the other. Media bias can be observed in many different contexts, but presidential elections are often the subject of analysis (D’Alessio and Allen 137). During elections news coverage can easily be manipulated, by allowing one candidate or political party to dominate the news, or dividing overtly opinionated statements unequally between parties (138). A biased journalist emphasises only one side of the story, and lacks a necessary degree of objectivity (Zelizer and Allan 10-11). Entman argues that the notion of bias is “curiously undertheori[s]ed” and offers a solid theoretical framework consisting of three types to fill this void (163). The superseded distortion bias is described as “news that purportedly distorts or falsifies reality”(163). News that fails to provide equal space for conflicting sides, emphasising one side instead, is called content bias. Decision-making bias refers to “the motivations and mind-sets of journalists who allegedly produce the biased content” (163). Although different theories exist in literature regarding bias, most studies are unable to demonstrate a decisive or consistent left-wing or right-wing bias. However, media bias is not an imaginary concept: it can actually be observed in news reports covering minorities or American foreign policy (164). Mullainathan and Schleifer endorse Entman’s theory. They distinguish two types of bias rather than three and define them as ideology and spin. Ideology refers to more traditional left- or right-wing preference, and can be related to Entman’s content bias, whereas spin can be linked to decision-making bias since it covers the process of extracting a simple and memorable story from a complex situation. The simplification process journalists go through to spin a story inevitably creates bias, since some information is necessarily disregarded (2). By using these types of media bias, Mullainathan and Schleifer try to test people’s abilities to accurately subtract facts when reading several competitive media sources (21). Their findings neatly align with Entman showing that when journalists do not spin their stories, competition leads to more objective articles. However, when there is no ideology bias, competition seems to encourage biases from spin (21). This would imply that news coverage with little ideological bias and more spin, such as legislation and foreign policy, are less fact-driven and more bias-driven. Whereas news with ideological bias, such as presidential elections, would be reported more accurately by competitive media sources.

Both Entman and Mullainathan and Schleifer analyse the concept of media bias, but much research is focused on the effects on the public, especially during political elections (Entman 164). DellaVigna and Kaplan, for example, analyse voting behaviour in states which only recently acquired the American right-wing cable network *Fox News*, to see whether voters changed their political alliances after watching it. This exposure increased the number of Republican votes by 0.4-0.7 percent during the presidential elections of 2000, suggesting that biased media has the capacity to influence people’s political preferences(32). A broader perspective is adopted by Morris who researches many television-based news sources, including *Fox News*, *CNN* and *MSNBC*, and offers an in-depth discussion of the relationship between “partisanship, perceived bias, television news habits, and political attitudes” (713). His results show that news audiences differ in their perceptions of media, political leadership and political climate (726). However unsurprising this result may seem, its consequences are worth considering. People tend to watch news sources which support their political beliefs, so confrontations with conflicting beliefs become increasingly improbable. A polarisation in which there is a growing number of news sources while the chance of encountering contradicting convictions diminishes thus seems at hand (726).

Chiang and Knight move away from television networks by analysing the effect of newspaper endorsements on voters. Like Mullainathan and Schleifer, they are curious whether voters could recognise media bias and become less dependent on biased news reporting when they vote as a result. Their outcome shows that endorsements influence voters to a degree that not only affects credibility, but also the newspaper’s alliances and the political preference of the supported candidate (23). When a democratic candidate is endorsed by a left-wing newspaper, it is less influential than when the same candidate is endorsed by a neutral or right-wing newspaper. Contrastingly, Druckman and Parkin analyse the effects of editorial slants on the candidates’ image and voting behaviour of the electorate. Although their evidence clearly shows that editorial slants have the ability to influence voters, it remains unclear whether their findings can be generalised to different fields or campaigns (1047).

These studies imply that media bias has the ability to successfully change voting behaviour. However, to fully understand the underlying mechanisms of this ability further research is required.

Protection of Religious Freedom, or a Free Ticket for Open Discrimination? Mississippi’s House Bill Explained

HB 1523 was first introduced in February 2016 and approved by the governor of Mississippi Phil Byrant on the fifth of April. It is described as the “Protecting Freedom of Conscience from Government Discrimination Act” (HB 1523 Section 1). Its goal is to protect people’s religious freedom by ensuring they cannot be sued or in any other way marginalised when acting upon the conviction that marriage is defined as:

a) the union of one man and one woman; b) [s]exual relationships are properly reserved to such a marriage; c) [m]ale (man) or female (woman) refer to an individual’s immutable biological sex as objectively determined by anatomy and genetics at time of birth. (HB 1523 Section 2)

This means that same-sex couples (SSC) can be denied the status of marriage and its accompanying rights. SSCs can be denied mortgage, foster care or adoption. Section 3 states that employers have the right to choose their employees based on their sexual orientation. This bill is also aimed at people who identify as transgender (transgenders). Psychologists, counsellors and surgeons can refuse treatment when they wish to physically transform from one gender to another (HB 1523 Section 3.4). Anyone defining gender as stated in Section 2 also has the right to restrict certain areas, such as restrooms and dressing rooms to biological sex rather than gender (HB 1523 Section 3.6).

As could be expected of bills covering subjects such as LGBT, HB 1523 spiked an immense public debate. Most nation-wide news outlets criticised Mississippi's new litigation. *USA Today*'s headline on April 10th read: "Civil rights groups mobilize against Mississippi's 'religious freedom' law" (Berry). Kevin Conlon at *CNN* took it one step further, writing: "In Mississippi's Religious Freedom Law, some see echoes of a shameful past", thereby comparing the state's long history of racism with the current situation of the LGBT community (*CNN*). Even *Fox News* published an article on their website on Methodists who openly objected to the law ("Dozens of Methodist"). However, since this article originated from the *Associated Press (AP)*, it was not necessarily representative for *Fox News’* convictions. The *AP* is a non-profit cooperation determined to “finding, reporting and distributing news. [*AP*] is independent and objective and has a deep and active commitment to freedom of the press” (ap.org). The company is owned by its members consisting of 1400 American news outlets. All these members are allowed to use the articles published by the *AP* freely and to edit them if desired. The particular article was also used by *The Columbia Daily* (local Missouri newspaper), *Lawyer Herald* (legal news website), *WAPTNews 16* (local broadcast in Mississippi) and the *Monterey Herald* (local news outlet in California). None of these agencies, including *Fox News,* changed the unbiased nature of the article. *Fox News’* stand as advocate of the bill became clear in Todd Starnes’ article which described HB 1523 as a “bold step to defend religious liberty” (Starnes). Local news agencies as *The* *Clarion-Ledger*, biggest newspaper of Mississippi, *Jackson Free Press* and *WJTV* were all opposed. *WJTV12* reported on the open letter the President of Mississippi State University (MSU) had written to its students and staff stating that “our core values are unchanged” and that MSU will continue to “creat[e] and maintain a campus community that reflects the rich diversity of this nation – an environment in which differences are welcomed, embraced, and valued” (Keenum in Aldridge). Similar to the *WJTV*, the *Jackson Free Press* published an open letter aimed at Governor Byrant: “[e]ven though this may secure your position with religious conservatives, you, sir, will someday realize that you are on the wrong side of history” (Johns). *The Clarion-Ledger* published several articles questioning the grounds of the bill and two reporters quoted Christians stating that “[the bill] doesn’t make sense. It’s anti-Christian, it’s anti-religion. Jesus would never do that” (Royals and Fowler). *Fox News* and two local Mississippian newspapers were the minority in not condemning the law, which suggested the existence of media bias regarding HB 1523.

A bright picture seems to emerge, since it could be argued that the LGBT community and their rights are widely supported by the media. Kelso describes an increase in queer representations in popular media broadcasts, suggesting this conclusion is correct (1058). He focusses on the representation of LGBT-children. According to him, the LGBT community has been represented with more sympathy during the past few years (1059). Moscovitz analyses the portrayal of SSM in news stories on television (27). He describes several similar studies which found that popular news coverage tends to consist of covert anti-gay propositions, and only provide heterosexual perspectives on gay and lesbian issues. In several stories gays and lesbians are depicted as “mentally deranged, sexual perverts and radical militants” (27-28). Some stories even state that the only plausible explanation for gay men and their immoral lifestyle is that they have been sexually abused at some point in their lives (28). Here, it should be noted that although the articles on HB 1523 have been quite the opposite of Moscovitz’s descriptions, it does not mean they are prejudice-free. Moscovitz’s results show that news outlets only rarely give LGBT individuals the opportunity to voice their opinion during issues about their community: “[t]he debate was dominated by conventional ‘straight’ perspectives, continuing to grate power and prominence to traditionally authoritative sources”(36). Bias, in this case, lies in the choice of representatives, which can be related to status conferral and balance. Hackl’s findings neatly complement Moscovitz’s paper. Hackl focusses her study on representations of the LGBT community during the presidential elections of 2012 in *The New York Times*, *The Washington Post*, the *Wall Street Journal* and the *New York Post*, to see whether they reflect the community accurately (1-2). Her findings show that only a very specific group of the LGBT community, white upper-class[[1]](#footnote-1) gay men, are given space to speak during Obama’s campaign (24). This can be related to Moscotivz’s argument that the views of traditionally authoritative sources, white upper-class men, dominate the debate. Hackl takes this one step further: she claims that representations of the LGBT community in media not only fail to reflect the diversity of the community, they mainly report on SSM and show no interest in bisexuals or transgenders (25). By focussing on SSM, lesbians and gays become the dominant group within the LGBT community, which aids the development of homonormativity.

Although homonormativity is a relatively new term, it has been discussed at length by many scholars. It can be described as the following:

Within the last decade a small segment of the gay and lesbian population – predominantly white, middle-class and wealthy, and gender-normative – has gained increased visibility, acceptance, and political legitimacy in dominant US society. (…) [T]he growing acceptance of legalization of ‘gay’ marriage ha[s] both contributed to and [is] a reflection of shifting boundaries of normative sexuality and familial structures. [It is] the extension of heteronormative privilege to certain normative gays and lesbians. (Vitulli 156)

Homonormativity is a determinant factor in choosing speakers as Hackl points out. Additionally, it can also set the agenda of the greater public: it stimulates journalists to change LGBT issues into stories which align with heterosexual norms, thereby excluding bisexuals and transgenders.

Media bias thus not only depends on whether an article gives equal weight to both sides of the story, it is also visible in the choice of sources (status conferral and balance), and in the main subject of a story (agenda setting).

## What, How, Who, Where, When, and Why

This paper will analyse the media bias regarding Mississippi's HB 1523. First, particularly useful concepts will be defined. It will then continue with an in-depth analysis of seven feature articles published by nation-wide outlets whose affiliations range from right-wing to very liberal. The analysis will be conducted using agenda setting, framing, status conferral and balance.

The feature articles used in this paper originate from seven of the most prominent online national news agencies *Fox News* (TV), *The Washington Times* (newspaper), *CNN* (TV), *USA* *Today* (TV), *NPR* (radio), *The* *Washington Post* (newspaper) and *The New York Times* (newspaper). In total there are three TV broadcasts, three newspapers, and one radio station. They are ordered respectively from the political right to the left. *Fox News* is the most Republican, followed by *The* *Washington Times*. *CNN* tends to be more centrist with some affiliations with the right-wing. *USA Today* is the most centrist of them all. *NPR*, like *CNN*, leans towards the centre, but shows some liberal tendencies. *The Washington Post* is more liberal than *NPR*, and *The New York Times* is the most liberal (Groseclose and Milyo 1228). The articles were written between the 31st of March, and the 22nd of May. This relatively short time period, and the fact that none of the writers respond to other features, or further developments in the bill, strongly suggests that the corpus is synchronic. The authors are either editors or permanent reporters or staff members, making it likely that the underlying ideology of the articles aligns with the ideology of the news outlet.

Feature articles can be divided into multiple categories including human interest, and backgrounders, reaction and analysis stories (Whitacker, Ramsey and Smith 211-20). Human interest refers to articles discussing human nature and its experience with defeat, victory, happiness and sorrow. Part of their intent is to create some sort of emotional response (21). In terms of structure, human interest stories are often shorter, include relatively long quotations by several speakers, and use straightforward language (218-19). Backgrounder stories are known for their more serious topics and their analytical scope on news and trends (220). One of their main goal is to teach the public about the situation at hand. They are objective to stimulate the development of the reader’s own judgement (220-21). The articles discussed in this paper are mainly human interest, with some elements of backgrounder stories, meaning they contain many quotations, straightforward language, and some of them offer an analysis on HB 1523’s origins and future.

## The Theoretical Foundations of Agenda Setting, Framing, Status Conferral and Balance

The analysis consists of seven sections, each discussing one article regarding agenda setting, framing, status conferral and balance respectively. It will start with a discussion of the main focus of the article, or agenda setting, which entails that media defines the main topics or stories and raise public awareness and debate, thereby stirring people into thinking about particular topics (Franklin Hamar, Hanna and Richardson 29). Framing helps people to shape their thoughts about these topics, and is sensitive to bias. The concept of framing is used in various fields, leading to divergent definitions (Wheaver 144). In journalism it refers to the selection of phrases, or words that express "some aspects of a perceived reality to make [the topic at hand] more salient, thus promoting a particular problem, definition, causal interpretation, moral evaluation, and/or treatment recommendation" (Entman in Franklin, Hamar, Hanna and Richardson 108). Framing thus covers the ways in which journalists present news to the public. The analysis will look into slogans (pro-life vs. pro-choice), metaphors, historical examples, imagery, depictions, and word choice (Zelizer and Allan 48; Whitacker, Ramsey and Smith 8). Bias can be derived from more than a journalist’s vocabulary. The sources add to bias as well, which is closely related to status conferral. First coined by Lazarsfeld and Merton, the term status conferral in journalism refers to the creation and re-confirmation of status upon people or institutions whose voices are rarely heard (Lazersfeld and Merton in Lemert and Nestvold 491). In this thesis, status conferral considers individuals of the LGBT community. Besides status conferral, the concept of bias is closely related to balance as well. To be balanced as a journalist, means to be unbiased: “[the] ability to remain even-handed in news coverage” (Zelizer and Allan 9; Franklin, Hamer, Hanna and Richardson 39). This does not necessarily mean that each side is given exact equal time and space, but there is a “dispassionate approach to the simultaneous existence of more than [one] perspective and the various aspects of a topic that they raise” (Zelizer and Allan 9-10). Balance can be achieved by using sources “to reflect different points of view, and neutrality in the presentation of the news” (McQuail in Harcup 179). Keeble argues that “[t]he title or descriptive phrase accompanying the quoted person clarifies the bias, but this is the bias of the source not the reporter” (in Harcup 147). Balance can be looked at in several ways: over a longer period of time (diachronically), or at one moment (synchronically). This is a synchronic study, and balance is discussed exclusively within the article. The extent to which an article is balanced depends on whether both sides are given equal weight and how the LGBT community is represented.

Balance conflates the other concepts. Agenda setting specifies the focus of an article, stating the take on HB 1523 and how LGBT is discussed, so it can only hint at potential marginalisation of the LGBT community. Framing does not necessarily add to balance, but helps setting the tone of an article. The author’s political preference can become clear both explicitly and implicitly through the language or frames used to describe the bill or the community. Showing a clear opinion through descriptions diminishes the level of balance. The concept of status conferral can be related more directly to balance. Sources can establish balance when both sides are given equal weight. When journalists quote twice as much supporting as opposing sources, their articles could become rather unbalanced. However, only by adding agenda setting, framing and status conferral can the extent to which an article is balanced be determined.

 In this thesis LGBT has been used as abbreviation, even though LGBTQQIAAP, meaning lesbian, gay, bisexual, transgender, queer, questioning, intersex, asexual, agender, and pansexual[[2]](#footnote-2), can be regarded as a more complete form. Several scholars argue that the abbreviation LGBT is unsatisfactory, because it combines sexual orientation (LGB) with gender identity (T) (Fassinger and Arsenau; Petchesky; Hackl). Fassinger and Arsenau point out that discussing transgenders together with lesbians, gays and bisexuals could potentially marginalise transgenders (20). Mississippi’s HB 1523 is aimed at lesbians, gays, bisexuals and transgenders. I will therefore continue to use the abbreviation LGBT in this thesis, with caution and the full realisation that gender identity ought to be considered as distinctly different from sexual orientation. In the analysis of the feature articles I will make this distinction clear by discussing sexual orientation such as SSM, separately from issues regarding gender identity such as bathroom or dressing room restrictions.

## Seven Feature Articles Dissected and Analysed

The journalists used lenses to view HB 1523, almost all showing a clear preference either opposing or supporting it. Starnes from *FoxNews* and Richardson from *The Washington Times* were the only ones supporting, the former more fiercely than the latter. Conlon (*CNN*), Kaplan, (*The Washington Post*), McPhate (*The New York Times*), and Berry (*USA Today*), all favoured the opposition. Domonosky (*NPR*) took a contrastingly neutral tone. Only one included an LGBT individual as source. The repercussions of the bill for transgenders were barely mentioned, as most articles focused on SSM.

Starnes, instead of discussing whether the bill is possibly harmful for LGBT individuals, gives a justification for its existence demonstrating its necessity by depicting the LGBT community as militant activists. He emphasises the positive consequences for small-businesses. His headline reads “Mississippi has taken a bold step to defend religious liberty”. By framing the bill as “a bold step to defend religious liberty”, he suggests that HB 1523 serves a brave and good cause, which clearly shows his political preference. His introduction states that the bill will “protect” individuals, and “every Christian who owns a business in the state of Mississippi owes the governor a thank-you”. It becomes clear that Starnes deems the bill a “necessary protection”, because “[m]ilitant LGBT activists and their supporters have waged a war on Christian business owners”. To demonstrate the LGBT’s violence, Starnes states that the community bullies, intimidates and silences vulnerable people, without providing details of the events. He later describes the community as “the LGBT mob” and “a real threat”. Large commercial companies, such as Disney, who threatened to punish Mississippi if the bill was passed[[3]](#footnote-3), are depicted as “egregious anti-Christian companies”. Governor Byrant, on the other hand, is glorified, saying that he “should be commended for his courage” since he signed the bill “under the threat of an economic boycott”. These words suggest heroism on Byrant’s part, which is emphasised in the last sentence: “Governor Byrant did his part and now we must do ours (…) [by] turning our backs on businesses that are enemies of religious liberty”. Starnes quotes several proponents, including Governor Byrant tweeting that HB 1523 “merely reinforces the rights which currently exist” and Tony Perkins, president of the Family Research Council (FRC), saying that “no person should be punished by the government by crippling fines or face disqualification” because of their religious beliefs. The FRC is a conservative organisation with strong Republic alliances, whose goal is to “advance the faith, family and freedom in public policy and the culture from a Christian worldview” (frc.org). Their vision propagates “a culture in which human life is valued, families flourish and religious liberty thrives” (frc.com). Apart from these main figures, Starnes also refers to some small-business owners who are being sued after declining to participate in SSMs. However, instead of giving them direct quotes, he mainly uses them as examples to demonstrate the militancy of the LGBT community. Starnes quotes only one opponent: Mr Schwartz, writer and composer of several hit-musicals including *Wicked* and *Pippin*, who bans several Southern states from performing his works after introducing a bathroom bill[[4]](#footnote-4). Starnes undermines Schwartz by adding a mocking statement to his quote. Starnes’ article is severely unbalanced. He does not provide equal space for both sides of the story, and his descriptions of the LGBT community and HB 1523 shows a clear preference for the proponents of the bill. Rather than creating balance, Starnes seems to use his sources to support his own view. Mr. Schwartz is the exception to this, but Starnes immediately wards off his argument.

Richardson, like Starnes, focuses on the advantages of HB 1523 for small-business owners, specifically those who “want to avoid serving gay weddings”. She does not include transgenders, apart from one brief mention of the bathroom bill in North Carolina. Her political stance is more covert than Starnes’. One of the few overt statements that suggests Richardson’s support for HB 1523 is in the headline: “Mississippi religious-freedom bill protects businesses for denying services”. Here, Richardson frames the bill as protection. Another statement is in the introduction: “Mississippi bakers, florists and photographers (…) can breathe easy”. She quotes Perkins and Byrant, and refers to several states whose governor vetoed the bill, portraying the vetoes as if they are coerced by other parties: “Mr Deal faced intense pressure to veto the bill from national companies (…) while the NFL hinted that Atlanta could lose its bid for [the upcoming Super Bowl]”. Forest Thigpen, Centre[[5]](#footnote-5) president, is also quoted saying that “opponents have not even read the bill”, and that opposition against HB 1523 “shows the extreme nature of [Left individuals] (…) that treat even mild religious protections as unacceptable”. Chad Griffin, president of the Human Rights Campaign (HRC) is depicted as “lambast[ing] Mr. Byrant while vowing that ‘his state will suffer’”, insinuating that Griffin is threatening the governor. The HRC is America’s “national lesbian, gay, bisexual, transgender and queer civil rights organization”. They “envision a world where LGBTQ people are [assured]of their basic equal rights, and can be open, honest and safe at home, at work and in the community” (hrc.org). Richardson defines the organisation as “the nation’s largest gay advocacy group”, which rather degrades the HRC and its goals. Mrs. Ouida Meruvia, spokeswomen for the Democratic Party of Mississippi, is the other opponent quoted in the article. Richardson weakens Meruvia’s comment by stating that her voters support the bill: “63 percent of registered voters surveyed supported the bill”. Richardson thus seems to be a proponent of HB 1523. Although her article is less unbalanced than Starnes’, the opponents and proponents are not given equal weight, her language use favours the proponents, and her sources already have status and are mostly supporters. She has not interviewed any members of the LGBT community, the president of the HRC is not taken very seriously, and she overlooks the fact that the bill also affects transgenders.

 Conlon’s approach is distinct, connecting HB 1523 with the Jim Crow laws in Mississippi during the 60s. He applies a historical perspective, and quotes several Mississippians responding to the bill. Even though Conlon mentions transgenders, his main focus lies on gay couples and SSM. Conlon’s headline clearly defines the lens of his article:“In Mississippi’s Religious Freedom Law, Some See Echoes of a Shameful Past”. Connecting HB 1523 with Mississippi’s history of segregation states Conlon’s opposing view. He describes Mississippi’s history as “shameful” and “stained” by the Jim Crow laws, which are “[invoked by] verse and scripture to justify discrimination”. Conlon sees an underlying connection since the new bill is “passed in the name of religion” too. Conlon’s implied disapproval of HB 1523 is confirmed a few lines later: “[t]he hateful new law in Mississippi is plain wrong. Mississippi has a long dark past, and once again it is on the wrong side of history”. Amongst the several officials Conlon quotes, governor Byrant is the only supporter of the bill. He uses responses of a broad group of Mississippians “of different ages, genders, races, sexual identities and religious beliefs”. Although there are both proponents and opponents Conlon only reflects on the opponent’s “wounded sense of pride about the place they call home”. Juanita Moore (African-American), John Haynes (Tupelo native), Jeremie Jones (gay and black), Mark Leopold (white and straight), and Robert Green (senior pastor), are all deeply frustrated with their governor and state. Haynes says: “I am so upset and disappointed. We have done so much work over the past few decades to rehabilitate our image”. Green agrees with the bill’s initiative, but the actual law “was an overreaction, and it has hurt Mississippi so badly”. Jones even considers leaving his state because of the new law. “I’m black, and I’m gay. I got too many strikes against me in Mississippi”. Conlon does not provide space for advocates of the bill in his article. Like Richardson, he seems to use his sources to emphasise his own point of view. His article may be politically unbalanced, but his representatives consist of a rather diverse group. He is the only one to include a member of the LGBT community: Jeremie Jones, 30, owner of a bakery.

Berry focuses on the litigation of HB 1523, and the organisations trying to fight it. She briefly mentions the content of Section 2, but does not elaborate on its consequences for the LGBT community. Her language does not hint at a political preference. One exception can be found in the headline: “Civil Rights Groups Mobilize against Mississippi’s ‘Religious Freedom’ Law”. Religious freedom has been placed between quotations marks, suggesting Berry’s disapproval. Her description of the FRC endorses this idea: “[a] group that campaigns against gay marriage among other social issues”. Berry’s sources hint at her opposition as well. Quena Gonzalez, director at FRC, is the only proponent in the article. His quote is followed by a long list of critics arguing that “the law sanctions discrimination”. All sources are either directors or presidents like Victoria Kirby (National LGBTQ Task Force), Derrick Johnson (Mississippi NAACP), and Erik Fleming (Mississippi ACLU), or a spokesperson as Scott Simpson (Conference on Civil and Human Rights). Kirby connects HB 1523 with Mississippi’s past, saying that “[i]t’s a dangerous slippery slope and one that Mississippi with its history should know better”. In this article, there are no references to members of the LGBT community. The vast majority of her sources not only opposes the bill, some actively try to fight it with lawsuits and petitions.

Domonoske is the most impartial of all. She focusses on the bill’s content and its consequences for the LGBT community. She provides mostly examples of the bill where SSM or SSCs are discriminated against, but few related to transgenders. Her headline is “Here’s Why Mississippi’s ‘Religious Freedom’ Bill is so Controversial”. Like Berry, Domonoske has placed religious freedom between quotation marks. The language is informative, stating mere facts, without additional comments: “Supporters describe it as a bill protecting religious freedom. Critics call it a sweeping bill giving state sanction to open discrimination against LGBT people”. She refers to frames used by the two opposing sides, explaining their arguments in similar fashion, and her own preference is not apparent from her explanations. Her sources consist of both supporters and opponents of the bill. Douglas Laycock, professor at the University of Virginia and Jennifer Branning, a Republican senator, are both advocates. Their voices are countered by the governor of Georgia and John Horne, a Democratic senator. Besides the equal number of sources on both sides, their status is similar as well, making it a fair comparison. As McQuail argues, sources can be used to provide different perspectives to establish balance, and Domonoske does just that. Additionally, she also manages to refer to both sides impartially. Domonoske has not included a member of the LGBT community in her article, and transgenders are not mentioned as much as SSMs or SSCs.

Kaplan is the most inclusive, since she mainly focuses on the consequences of the bill for the entire LGBT community. Her introduction describes how the law may discriminate against SSCs, transgenders and people having pre-marital sex. Approximately half way through the article she elaborates on all these groups and how the bill could potentially interfere in their personal lives:

The bill protects doctors who refuse to provide counselling, sex-reassignment surgery, fertility treatments and other services based on their religious convictions (…) It allows state employees to recuse themselves from licensing or overseeing a same-sex marriage. (…) And it gives foster and adoptive families license to guide, raise or instruct, children as they see fit.

Where Richardson covertly proposes the bill, Kaplan covertly opposes. Generally, Kaplan does not use persuasive frames. Her political stance is implied by her descriptions of the bill. The headline hints at her political preference saying that “Mississippi’s Senate just Approved a Sweeping ‘Religious Liberty’ Bill that Critics say is the Worst yet for LGBT rights”. The quotation marks around religious liberty, and the fact that “critics”, deem Mississippi’s bill to be the “worst yet” strongly insinuates Kaplan’s opposition. She calls HB 1523 “more sweeping” when compared to similar legislations in other Southern states. While discussing the consequences of the bill, Kaplan overlooks possible benefits for proponents, listing a broad range of services like “employers, landlords and rental companies, adoption and foster care agencies, people and companies that provide marriage-related services”, all of which could deny their services to the LGBT community. Kaplan elaborates on the bill’s repercussions by discussing how specific groups within the LGBT community could be harmed by HB 1523. Surprisingly, she starts with transgenders, and describes how the bill “protects doctors who refuse to provide counselling, sex-reassignment surgery, fertility treatments”, and “allows companies and schools to establish sex-specific policies regarding dress and bathroom use”. She then continues with registrars feeling uncomfortable with “overseeing a same-sex marriage”, who are able to freely deny their service as given they “ take ‘all necessary steps’”. Kaplan also writes that according to the HRC, the upbringing in foster and adoptive families might raise potential harm to “LGBT children [when they are] being forced into ‘conversion therapy’”. Kaplan’s sources are similar to Domonoske’s in that they already have status as director or senator, and neither uses LGBT individuals as source. The opponents are given more direct quotes, while the proponent’s arguments are reported. Opponent Ben Needham, director of HRC’s Project One America, is directly quoted saying that “the measure is probably the worst religious freedom bill to date”. Advocates, on the other hand, are said to “say that the legislation will protect the rights of those who disagree with the court’s decision[[6]](#footnote-6)”. They are represented by Governor Byrant and Senator Jenifer Branning, but their voices are overshadowed by Erik Fleming and Senator John Horhn whose quotes are not countered with contradicting arguments. Even though the language is neutral, Kaplan’s opposition can still be detected in her sources and how much their arguments are reflected in the article. When considering the LGBT community, Kaplan has done a good job in discussing all individuals influenced by the bill. However, she has not included an LGBT individual as a source.

 McPhate’s view on SSM and SSCs and HB 1523’s repercussions are visible in the headline “Mississippi Law on Serving Gays Proves Divisive”. He is primarily focussed on “gays”, rather than on the entire LGBT community. He does mention transgenders, but only briefly since “much of the law focuses on same-sex marriage”. McPhate’s language does not hint at his political preference, and is informative. However, he refers to opponents twice as often as to proponents. The only advocates are governor Byrant and Tim Wildmon, President of the American Family Association (AFA). The AFA is a non-profit organisation which believes that “a culture based on biblical truth best serves the well-being of our nation, and our families, (…) and that personal transformation through the Gospel of Jesus Christ is the greatest agent of biblical change in any culture” (afa.net). The opposition is represented by 10 law professors at Columbia Law School writing an open letter, Eunice Rho, counsellor for the ACLU, Rob Hill, director of HRC in Mississippi, and Page Pate, a legal analyst. Rho thinks “it’s one of the most aggressive bills that we have seen that would target LGBT people”. Hill is concerned that “public employees can potentially use religion as a means of denying somebody else their civil rights”. Wildmon, on the other hand, argues that “[t]hese people are so paranoid, the LGBT bunch, about this, when nobody is discriminating against them, because of who they have sex with”. According to him “[the LGBT community] want[s] to go after these Christians to prove a point and that’s why these laws are being enacted”. His quote is later followed by Pate saying that “[t]his law doesn’t give [individuals] any more rights than they currently have under Mississippi law and the United States Constitution. So from their perspective – ‘We need this law to protect our religious freedom’—Uh no you don’t”. Pate’s quote suggests Wildmon’s argument is irrelevant; Christians already have the rights to deny services to LGBT individuals. It is hard to distinguish a clear opposing stance from the article, but the opposition is given significantly more space to voice their arguments, which could reflect McPhate’s personal preference. He, however, does not use a member of the LGBT community as source, and he disregards transgenders.

 The differences between the articles in agenda setting, framing, status conferral and balance is quite clear. Starnes depicts the LGBT community as violent-driven, and uses this characterisation to demonstrate the law’s necessity. Conlon’s main focus lies on how Mississippi’s history of segregation is connected to HB 1523. Berry discusses the litigation process of HB 1523, and how several human rights organisations try to fight it. Domonoske offers a detailed explanation of the bill’s content and consequences. Richardson, Kaplan and McPhate focus on the consequences of the bill on different groups of people. Richardson describes the bill’s advantages for small businesses, McPhate discusses the repercussions specifically for SSM and SSCs, and Kaplan, being the most inclusive, designates the bill’s possible effects on the entire LGBT community. When looking at framing, Starnes uses this concept throughout his article, depicting governor Byrant as hero and the LGBT community as “militant LGBT activists” and “LGBT mob” who “waged a war”. Conlon’s frames are rather strong as well. He calls the bill “hateful”, says it was “passed in the name of religion” and “plain wrong”. Starnes and Richardson both describe it as “protective”. Starnes takes it one step further, stating the bill is a “bold step”. The others use less strong frames, and both McPhate and Domonoske have not included any frame regarding the bill or the LGBT community. Generally, the language in their articles is objective and informative. In terms of status conferral, Starnes and Conlon are the ones who refer to individuals without status. Conlon quotes them directly, whereas Starnes only mentions them briefly. Conlon’s sources are a diverse group of Mississippians, including a member of the LGBT community. The extent to which an article is balanced is bipartite in this thesis: it depends on whether both sides are given equal weight, and whether and how the LGBT community is represented. Considering the first, only Domonoske has given both the opponents and the advocates equal weight. Starnes’ preference is obvious through his frames. Kaplan’s political stance is visible through her examples. Richardson, Conlon, Berry, and McPhate have implicitly shown their stance through the unequal division in sources. Richardson has quoted two opponents and three proponents. McPhate has twice as much opponents as proponents (4x2), Berry has five opponents against one proponent, and Conlon’s ratio is eight opponents to one proponent. The representation of the LGBT community differs per article. Most articles focus on the repercussions for SSM and SSCs, even though the lives of transgenders can be significantly altered as well. McPhate specifically points out that the bill is mainly aimed at SSM and SSCs. Starnes, on the other hand, has not made a distinction between SSM, SSCs or transgenders. He seems to see the LGBT community as one vicious group. Conlon is the only one to directly quote a gay man. Kaplan has been the most inclusive, discussing SSM, SSCs, transgenders and even LGBT children.

## Media Bias in America’s most Prominent Online News Outlets

Most articles convey a political preference, which aligns with Mullainathan and Schleifer’s argument that news covering legislation is predominantly based on spin, less fact-driven and therefore more bias-driven. The political stance taken by the journalists in the article generally aligns with the news outlet’s ideology. *Fox News* is at the far-right of the political spectrum, and Starnes’ article strongly advocates the bill. Richardson writes for the right-wing *Washington Times*, and, supports the bill as well. Kaplan and McPhate of respectively *The Washington Post*, and *The New York Times* the two most liberal national newspapers in America, write articles opposing the bill. Berry of *USA Today*, the most central of the discussed news outlets, is also opposed. Conlon’s and Domonoske’s stance could be seen as more surprising. The latter, reporter of *NPR*, has not taken a political stance. Contrastingly, Conlon, writer for right-centrist broadcast *CNN*, explicitly condemns the law. It could even be argued that he is more outspoken against the law than McPhate, even though the latter writes for the most liberal national news outlet in America. However, it is quite impossible to make any definitive conclusions based on the limited corpus in this thesis. It could be that the article only reflects the news outlet’s political preference, and not necessarily the writer’s. However, the stance in the article could have nothing to do with the news outlet, and could solely reflect the reporter’s own conviction. The fact that the writers are permanent staff members could suggest a combination of the two: that the argument in the article reflects both the news outlet and writer. However, extensive comparative research would be needed to make a legitimate statement on this matter. What can be said in this thesis, is that the articles generally reflect the political stance of the news outlet they have been written for.

 When considering media bias, any similar conclusion will have to be tentative. This thesis argues that an over-all liberal media bias can be found in national American news outlets regarding Mississippi’s House Bill 1523. The corpus is heterogeneous since it consists of a broad range of media types. However, since only seven national news outlets have been discussed, the conclusion will not be representative for the entire national American news reports on the bill. From these seven, two have supported the bill ( Starnes *Fox News*, Richardson *The Washington Times*), four have condemned it (Conlon *CNN*, Berry *USA* *Today*, Kaplan *The Washington Post*, McPhate, *The New York Times*), and one has not shown a clear preference for either side ( Domonoske *NPR*). Even though Starnes’ and Richardson’s advocacy of the bill is as expected, there is a considerable majority of news outlets opposing the bill. It should also be pointed out that this majority consists of more than just the liberal press, whose opposition was anticipated, but also the more centrist and right-centrist outlets. It could therefore be argued that an overall liberal bias can be detected in the articles discussed in this thesis. A considerably larger corpus would be needed to establish whether the news outlets as a whole are biased against or for HB 1523. Future research could look into correlations similar to those regarding voting behaviour, and see whether such correlations can be found in LGBT issues as well.

## Visibility of LGBT in the Media: A Story of Marginalisation

Apart from the liberal media bias, this thesis also argues that the LGBT community is marginalised regarding its representation. It might be that the media supports LGBT individuals by condemning potentially discriminatory laws. However, even though this issue specifically concerns the community, actual LGBT individuals are not adequately represented in the media. Here too, caution is needed: the small corpus is not representative for all news reports covering HB 1523. However, it is rather conspicuous that from a total of 40 sources[[7]](#footnote-7), only one is an LGBT individual. Based on this corpus, Moscovitz’s argument seems to be right: the white, heterosexual perspective dominates the debate, even in LGBT issues. Most sources already have status as senator, spokesperson, director or president of large organisations including the HRC, the FRC and ACLU. Even though there is only one quoted LGBT individual, homonormativity as defined by Vitulli seems to be nevertheless reflected in the articles. The bill is predominantly discussed regarding SSM and SSCs. McPhate, *The New York Times*, even states that the bill is mainly aimed at SSM, in spite of Section 2, which strictly defines gender to the biological sex as established at birth, meaning transgenders are heavily discriminated against as well. The other writers often merely mention the repercussions for transgenders in one or two lines. Kaplan, *The Washington Post*, has included transgenders and elaborately writes on the bill’s consequences for this particular group. She has been the only one to do this. As Fassinger and Arsenau argue, transgenders really seem to be disregarded when they are discussed together with their LG counterparts. A division thus could possibly emerge between LG and T, in which the LGs tend to be more generally accepted than BTs. The LGBT community as a whole is marginalised as well, given their scarce representation. There is still a long way to go.

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LGBT individuals who shared their definitions and experiences

Max Burger Roy

T.G. Roberts

Kitty O’Leary

Caitlin Baxter

Kayla Cook

## Appendix

LGBTQQIAAP as Defined by LGBTQQIAAP individuals 24

Mississippi's House Bill 1523 26

Starnes, Todd. “Mississippi has taken Bold Step to Defend Religious Liberty.” *Fox News* 5 Apr. 2016. Web. 30 May 2016. 33

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LGBTQQIAAP as Defined by LGBTQQIAAP individuals

Lesbian

Women attracted to other women

Gay

Men attracted to other men

Bi-sexual

“Bisexuality is being equally attracted to both genders” (bisexuality.org).

Transgender

“Gender identity is a person’s internal, personal sense of being a man or a woman (or someone outside that gender binary)” (glaad). Being transgender then means that someone’s gender identity differs from their biological sex.

Queer

Queer is a lose term, and is defined in many different ways. Max identifies as queer and he says: “anyone who is not cisgender (those who identify with the biological sex they are born with) and heterosexual can use the word queer to label themselves”

Questioning

Doubting one’s sexual orientation. T. describes this as “a stage of self discovery.”

Intersex

“Intersex is a general term used for a variety of conditions in which a person is born with a reproductive or sexual anatomy that does not seem to fit the typical definitions of female or male” (isna.org)

Usually, chromosomes are pairs consisting of either XY (males) and XX (females). Kayla however, has Turner Syndrome: a chromosome defect that heavily influences the development of her body. She only has one X chromosome and needs hormone therapy to stimulate puberty and menstruation. Many girls with this syndrome are unable to conceive (ghr.gov).

This is Kayla’s experience:

I found it hard to connect fully to my sex when I can’t have kids or even a period without hormones. I wouldn’t even have breasts without this treatment. I was told the only reason I needed them was so I can have breasts and look like other girls, and only later was I told that they may prevent bone issues (they didn’t). I feel better without them, but I also feel less female. It has caused me to really take a hard look at the connection between my gender and my biological sex, and I’ve found that gender wins every time. I am a girl, not because of my chromosomes, or body, but because that is how I identify.

Asexual

“Someone who does not experience sexual attraction” (asexuality.org). People who identify as asexual can experience attraction to others, “but feel no need to act out that attraction sexually” (asexuality.org).

Agender

“Someone whose does not identify as female nor male” (Garett). They are severely discriminated against as Garett describes in her gripping feature on agenders.

Pansexual

“Pansexuals have the capability of attraction to others regardless of their gender identity or biological sex” (stop-homophobia.htm). This means that pansexuals are open to relationships with males, females, transgenders, agenders or queergenders. Kitty, who is pan herself, describes it as “loving all genders, regardless of looks. This goes beyond bisexual, which is bi (two). Instead, it moves into the non-binary.” Caitlin usually explains her sexuality the following: “Pan in Latin means ‘all’. Bi in Latin means ‘two’. Poly in Latin means ‘many’”.

H. B. No. 1523 To: Judiciary B

MISSISSIPPI LEGISLATURE REGULAR SESSION 2016

By: Representatives Gunn, Arnold, Bounds, Carpenter, Gipson, Shirley, Boyd, Eubanks

HOUSE BILL NO. 1523

(As Passed the House)

AN ACT TO CREATE THE "PROTECTING FREEDOM OF CONSCIENCE FROM 1 GOVERNMENT DISCRIMINATION ACT"; TO PROVIDE CERTAIN PROTECTIONS 2 REGARDING A SINCERELY HELD RELIGIOUS BELIEF OR MORAL CONVICTION 3 FOR PERSONS, RELIGIOUS ORGANIZATIONS AND PRIVATE ASSOCIATIONS; TO 4 DEFINE A DISCRIMINATORY ACTION FOR PURPOSES OF THIS ACT; TO 5 PROVIDE THAT A PERSON MAY ASSERT A VIOLATION OF THIS ACT AS A 6 CLAIM AGAINST THE GOVERNMENT; TO PROVIDE CERTAIN REMEDIES; TO 7 REQUIRE A PERSON BRINGING A CLAIM UNDER THIS ACT TO DO SO NOT 8 LATER THAN TWO YEARS AFTER THE DISCRIMINATORY ACTION WAS TAKEN; TO 9 PROVIDE CERTAIN DEFINITIONS; AND FOR RELATED PURPOSES. 10

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI: 11

**SECTION 1.** This act shall be known and may be cited as the 12 "Protecting Freedom of Conscience from Government Discrimination 13 Act." 14

**SECTION 2.** The sincerely held religious beliefs or moral 15 convictions protected by this act are the belief or conviction 16 that: 17

(a) Marriage is or should be recognized as the union of 18 one man and one woman; 19

(b) Sexual relations are properly reserved to such a 20 marriage; and(c) Male (man) or female (woman) refer to an 22 individual's immutable biological sex as objectively determined by 23 anatomy and genetics at time of birth. 24

**SECTION 3.** (1) The state government shall not take any 25 discriminatory action against a religious organization wholly or 26 partially on the basis that such organization: 27

(a) Solemnizes or declines to solemnize any marriage, 28 or provides or declines to provide services, accommodations, 29 facilities, goods or privileges for a purpose related to the 30 solemnization, formation, celebration or recognition of any 31 marriage, based upon or in a manner consistent with a sincerely 32 held religious belief or moral conviction described in Section 2 33 of this act; 34

(b) Makes any employment-related decision including, 35 but not limited to, the decision whether or not to hire, terminate 36 or discipline an individual whose conduct or religious beliefs are 37 inconsistent with those of the religious organization, based upon 38 or in a manner consistent with a sincerely held religious belief 39 or moral conviction described in Section 2 of this act; or 40

(c) Makes any decision concerning the sale, rental, 41 occupancy of, or terms and conditions of occupying a dwelling or 42 other housing under its control, based upon or in a manner 43 consistent with a sincerely held religious belief or moral 44 conviction described in Section 2 of this act.

(2) The state government shall not take any discriminatory 46 action against a religious organization that advertises, provides 47 or facilitates adoption or foster care, wholly or partially on the 48 basis that such organization has provided or declined to provide 49 any adoption or foster care service, or related service, based 50 upon or in a manner consistent with a sincerely held religious 51 belief or moral conviction described in Section 2 of this act. 52

(3) The state government shall not take any discriminatory 53 action against a person who the state grants custody of a foster 54 or adoptive child, or who seeks from the state custody of a foster 55 or adoptive child, wholly or partially on the basis that the 56 person guides, instructs or raises a child, or intends to guide, 57 instruct, or raise a child based upon or in a manner consistent 58 with a sincerely held religious belief or moral conviction 59 described in Section 2 of this act. 60

(4) The state government shall not take any discriminatory 61 action against a person wholly or partially on the basis that the 62 person declines to participate in the provision of treatments, 63 counseling, or surgeries related to sex reassignment or gender 64 identity transitioning or declines to participate in the provision 65 of psychological, counseling, or fertility services based upon a 66 sincerely held religious belief or moral conviction described in 67 Section 2 of this act. This subsection (4) shall not be construed 68 to allow any person to deny visitation, recognition of a 69 designated representative for health care decision-making, or 70 emergency medical treatment necessary to cure an illness or injury 71 as required by law. 72

(5) The state government shall not take any discriminatory 73 action against a person wholly or partially on the basis that the 74 person has provided or declined to provide the following services, 75 accommodations, facilities, goods, or privileges for a purpose 76 related to the solemnization, formation, celebration, or 77 recognition of any marriage, based upon or in a manner consistent 78 with a sincerely held religious belief or moral conviction 79 described in Section 2 of this act: 80

(a) Photography, poetry, videography, disc-jockey 81 services, wedding planning, printing, publishing or similar 82 marriage-related goods or services; or 83

(b) Floral arrangements, dress making, cake or pastry 84 artistry, assembly-hall or other wedding-venue rentals, limousine 85 or other car-service rentals, jewelry sales and services, or 86 similar marriage-related services, accommodations, facilities or 87 goods. 88

(6) The state government shall not take any discriminatory 89 action against a person wholly or partially on the basis that the 90 person establishes sex-specific standards or policies concerning 91 employee or student dress or grooming, or concerning access to 92 restrooms, spas, baths, showers, dressing rooms, locker rooms, or 93 other intimate facilities or settings, based upon or in a manner 94 consistent with a sincerely held religious belief or moral 95 conviction described in Section 2 of this act. 96

(7) The state government shall not take any discriminatory 97 action against a state employee wholly or partially on the basis 98 that such employee lawfully speaks or engages in expressive 99 conduct based upon or in a manner consistent with a sincerely held 100 religious belief or moral conviction described in Section 2 of 101 this act, so long as: 102

(a) If the employee's speech or expressive conduct 103 occurs in the workplace, that speech or expressive conduct is 104 consistent with the time, place, manner and frequency of any other 105 expression of a religious, political, or moral belief or 106 conviction allowed; or 107

(b) If the employee's speech or expressive conduct 108 occurs outside the workplace, that speech or expressive conduct is 109 in the employee's personal capacity and outside the course of 110 performing work duties. 111

(8) (a) Any person employed or acting on behalf of the 112 state government who has authority to authorize or license 113 marriages, including, but not limited to, clerks, registers of 114 deeds or their deputies, may seek recusal from authorizing or 115 licensing lawful marriages based upon or in a manner consistent 116 with a sincerely held religious belief or moral conviction 117 described in Section 2 of this act. Any person making such 118 recusal shall provide prior written notice to the State Registrar 119 of Vital Records who shall keep a record of such recusal, and the 120 state government shall not take any discriminatory action against 121 that person wholly or partially on the basis of such recusal. The 122 person who is recusing himself or herself shall take all necessary 123 steps to ensure that the authorization and licensing of any 124 legally valid marriage is not impeded or delayed as a result of 125 any recusal. 126

(b) Any person employed or acting on behalf of the 127 state government who has authority to perform or solemnize 128 marriages, including, but not limited to, judges, magistrates, 129 justices of the peace or their deputies, may seek recusal from 130 performing or solemnizing lawful marriages based upon or in a 131 manner consistent with a sincerely held religious belief or moral 132 conviction described in Section 2 of this act. Any person making 133 such recusal shall provide prior written notice to the 134 Administrative Office of Courts, and the state government shall 135 not take any discriminatory action against that person wholly or 136 partially on the basis of such recusal. The Administrative Office 137 of Courts shall take all necessary steps to ensure that the 138 performance or solemnization of any legally valid marriage is not 139 impeded or delayed as a result of any recusal. 140

**SECTION 4.** (1) As used in this act, discriminatory action 141 includes any action taken by the state government to: 142

(a) Alter in any way the tax treatment of, or cause any 143 tax, penalty, or payment to be assessed against, or deny, delay, 144 revoke, or otherwise make unavailable an exemption from taxation 145 of any person referred to in Section 3 of this act; 146

(b) Disallow, deny or otherwise make unavailable a 147 deduction for state tax purposes of any charitable contribution 148 made to or by such person; 149

(c) Withhold, reduce, exclude, terminate, materially 150 alter the terms or conditions of, or otherwise make unavailable or 151 deny any state grant, contract, subcontract, cooperative 152 agreement, guarantee, loan, scholarship, or other similar benefit 153 from or to such person; 154

(d) Withhold, reduce, exclude, terminate, materially 155 alter the terms or conditions of, or otherwise make unavailable or 156 deny any entitlement or benefit under a state benefit program from 157 or to such person; 158

(e) Impose, levy or assess a monetary fine, fee, 159 penalty or injunction; 160

(f) Withhold, reduce, exclude, terminate, materially 161 alter the terms or conditions of, or otherwise make unavailable or 162 deny any license, certification, accreditation, custody award or 163 agreement, diploma, grade, recognition, or other similar benefit, 164 position, or status from or to any person; or 165

(g) Refuse to hire or promote, force to resign, fire, 166 demote, sanction, discipline, materially alter the terms or 167 conditions of employment, or retaliate or take other adverse 168 employment action against a person employed or commissioned by the 169 state government. 170

(2) The state government shall consider accredited, licensed 171 or certified any person that would otherwise be accredited, 172 licensed or certified, respectively, for any purposes under state 173 law but for a determination against such person wholly or 174 partially on the basis that the person believes, speaks or acts in 175 accordance with a sincerely held religious belief or moral 176 conviction described in Section 2 of this act. 177

**SECTION 5.** (1) A person may assert a violation of this act 178 as a claim against the state government in any judicial or 179 administrative proceeding or as defense in any judicial or 180 administrative proceeding without regard to whether the proceeding 181 is brought by or in the name of the state government, any private 182 person or any other party. 183

(2) An action under this act may be commenced, and relief 184 may be granted, in a court of the state without regard to whether 185 the person commencing the action has sought or exhausted available 186 administrative remedies. 187

(3) Violations of this act which are properly governed by 188 Chapter 46, Title 11, Mississippi Code of 1972, shall be brought 189 in accordance with that chapter. 190

**SECTION 6.** Any person who successfully asserts a claim or 191 defense under this act may recover: 192

(a) Declaratory relief; 193 b) Injunctive relief to prevent or remedy a violation 194 of this act or the effects of such a violation; 195

(c) Compensatory damages for pecuniary and nonpecuniary 196 losses; 197(d) Reasonable attorneys' fees and costs; and 198

(e) Any other appropriate relief except only 199 declaratory relief and injunctive relief shall be available 200 against a private person not acting under color of state law upon 201 a successful assertion of a claim or defense under this act. 202

**SECTION 7.** A person must bring an action to assert a claim 203 under this act not later than two (2) years after the date that 204 the person knew or should have known that a discriminatory action 205 was taken against that person. 206

**SECTION 8.** (1) Sovereign, governmental and qualified 207 immunities to suit and from liability are waived and abolished to 208 the extent of liability created by Section 6 of this act, and a 209 person may sue the state government, except state courts, for 210 damages allowed by Section 6 of this act. 211

(2) Notwithstanding subsection (2) of this section, this 212 section does not waive or abolish sovereign immunity to suit and 213 from liability under the Eleventh Amendment to the United States 214 Constitution. 215

**SECTION 9.** (1) This act shall be construed in favor of a 216 broad protection of free exercise of religious beliefs and moral 217 convictions, to the maximum extent permitted by the state and 218 federal constitutions. 219

(2) The protection of free exercise of religious beliefs and 220 moral convictions afforded by this act are in addition to the 221 protections provided under federal law, state law, and the state 222 and federal constitutions. Nothing in this act shall be construed 223 to preempt or repeal any state or local law that is equally or 224 more protective of free exercise of religious beliefs or moral 225 convictions. Nothing in this act shall be construed to narrow the 226 meaning or application of any state or local law protecting free 227 exercise of religious beliefs or moral convictions. Nothing in 228 this act shall be construed to prevent the state government from 229 providing, either directly or through an individual or entity not 230 seeking protection under this act, any benefit or service 231 authorized under state law. 232

(3) This act applies to, and in cases of conflict 233 supersedes, each statute of the state that impinges upon the free 234 exercise of religious beliefs and moral convictions protected by 235 this act, unless a conflicting statute is expressly made exempt 236 from the application of this act. This act also applies to, and 237 in cases of conflict supersedes, any ordinance, rule, regulation, 238 order, opinion, decision, practice or other exercise of the state 239 government's authority that impinges upon the free exercise of 240 religious beliefs or moral convictions protected by this act. 241

**SECTION 10.** As used in Section 1 through 9 of this act, the 242 following words and phrases shall have the meanings ascribed in 243 this section unless the context clearly indicates otherwise: 244

(1) "State benefit program" means any program administered 245 or funded by the state, or by any agent on behalf of the state, 246 providing cash, payments, grants, contracts, loans or in-kind 247 assistance. 248

(2) "State government" means: 249

(a) The State of Mississippi or a political subdivision 250 of the state; 251

(b) Any agency of the state or of a political 252 subdivision of the state, including a department, bureau, board, 253 commission, council, court or public institution of higher 254 education; 255

(c) Any person acting under color of state law; and 256

(d) Any private party or third party suing under or 257 enforcing a law, ordinance, rule or regulation of the state or 258 political subdivision of the state. 259

(3) "Person" means: 260

(a) A natural person, in his or her individual 261 capacity, regardless of religious affiliation or lack thereof, or 262 in his or her capacity as a member, officer, owner, volunteer, 263 employee, manager, religious leader, clergy or minister of any 264 entity described in this section; 265

(b) A religious organization; 266(c) A sole proprietorship, or closely held company, 267 partnership, association, organization, firm, corporation, 268 cooperative, trust, society or other closely held entity operating 269 with a sincerely held religious belief or moral conviction 270 described in this act; or 271

(d) Cooperatives, ventures or enterprises comprised of 272 two (2) or more individuals or entities described in this 273 subsection. 274

(4) "Religious organization" means: 275

(a) A house of worship, including, but not limited to, 276 churches, synagogues, shrines, mosques and temples; 277

(b) A religious group, corporation, association, school 278 or educational institution, ministry, order, society or similar 279 entity, regardless of whether it is integrated or affiliated with 280 a church or other house of worship; and 281

(c) An officer, owner, employee, manager, religious 282 leader, clergy or minister of an entity or organization described 283 in this subsection (4). 284

(5) "Adoption or foster care" or "adoption or foster care 285 service" means social services provided to or on behalf of 286 children, including: 287

(a) Assisting abused or neglected children; 288

(b) Teaching children and parents occupational, 289 homemaking and other domestic skills; 290

(c) Promoting foster parenting; 291(d) Providing foster homes, residential care, group 292 homes or temporary group shelters for children; 293

(e) Recruiting foster parents; 294

(f) Placing children in foster homes; 295

(g) Licensing foster homes; 296

(h) Promoting adoption or recruiting adoptive parents; 297

(i) Assisting adoptions or supporting adoptive 298 families; 299

(j) Performing or assisting home studies; 300

(k) Assisting kinship guardianships or kinship 301 caregivers;302

(l) Providing family preservation services; 303

(m) Providing family support services; and 304

(n) Providing temporary family reunification services. 305

**SECTION 11.** The provisions of Sections 1 through 9 of this 306 act shall be excluded from the application of Section 11-61-1. 307

**SECTION 12.** This act shall take effect and be in force from 308 and after July 1, 2016. 309

**Mississippi has taken a bold step to defend religious liberty**



By [**Todd Starnes**](http://www.foxnews.com/archive/todd-starnes)

 Published April 05, 2016

 [FoxNews.com](http://www.foxnews.com/)

647 words

Mississippi Governor Phil Bryant signed a religious freedom law Tuesday that will protect people who believe that marriage is between a man and a woman.

The Religious Freedom Law will “protect sincerely held religious beliefs and moral convictions of individuals, organizations and private associations from discriminatory action by state government or its political subdivisions, which would include counties, cities, and institutions of higher learning.”

In other words, every Christian who owns a business in the state of Mississippi owes the governor a thank-you.

“This bill merely reinforces the rights which currently exist to the exercise of religious freedom as stated in the First Amendment to the U.S. Constitution,” Gov. Bryant wrote in a message posted on Twitter.

Family Research Council President Tony Perkins praised Gov. Bryant “for standing up to the fundamental freedoms of the people they represent.”

“No person should be punished by the government with crippling fines or face disqualification for simply believing what President Obama believed just a few years ago - that marriage is the union of a man and a woman,” Perkins said.

Before the Supreme Court decided to redefine marriage President Obama assured the nation that those who opposed same-sex marriage had nothing to fear. He promised us that gay marriage would have no impact on our lives or our religion.

The president’s assurances turned out to be woefully wrong.

It has become clear in recent days that such protections are necessary. Militant LGBT activists and their supporters have waged a war on Christian business owners from coast to coast.

They’ve gone after grandmothers like Baronelle Stutzman, the owner of a Washington state flower shop who declined to participate in a gay wedding.

They’ve tried to silence and intimidate the owners of bakeries in Indiana, Colorado and Oregon.

And most recently, the LGBT mob has gone after the owners of the Timbercreek Bed and Breakfast in Paxton, Ill.

Jim and Beth Walder were fined $80,000 because they refused to hold a civil union ceremony for two homosexual men.

Thanks to Gov. Bryant, Christian business owners will be free from such bullying and intimidation.

The governor should be commended for his courage. He signed that legislation under the threat of an economic boycott.

Hollywood and Big Business are threatening to punish any states that defend the rights of Christians.

Some of the most egregious anti-Christian companies are Disney, Coca-Cola, and the National Football League.

“Big business and Hollywood have engaged in economic blackmail in Mississippi just like they have in Indiana, Georgia, North Carolina and Texas to try to force government discrimination of those who support natural marriage,” said Perkins.

The threat is real.

Oscar-winning composer Stephen Schwartz just announced he will ban North Carolina theaters or any other organizations from performing his works. His decision comes after the state banned  transgender people from using the bathrooms of their choice.

Mr. Schwartz is perhaps best known for creating the Broadway show “Wicked.”

[Playbill obtained a copy of an email he sent to fellow writers and producers urging them to join his boycott:](http://www.playbill.com/article/stephen-schwartz-takes-action-following-north-carolina-law)

“I feel that it is very important that any state that passes such a law suffer economic and cultural consequences, partly because it is deserved and partly to discourage other states from following suit,” he wrote.

Mr. Schwartz seems to believe that any state that refuses to let a man use the bathroom with a little girl should be punished. Wicked, indeed.

Governor Bryant did his part and now we must do ours -- by standing with lawmakers and corporations who defend the First Amendment and turning our backs on businesses that are enemies of religious liberty.

*Todd Starnes is host of Fox News & Commentary, heard on hundreds of radio stations. His latest book is "*[*God Less America: Real Stories From the Front Lines of the Attack on Traditional Values.*](http://www.amazon.com/God-Less-America-Stories-Traditional/dp/1621365913/)*" Follow Todd on Twitter*[*@ToddStarnes*](https://twitter.com/toddstarnes)*and find him on [Facebook](https://www.facebook.com/ToddStarnesFNC%22%20%5Ct%20%22_blank).*

# Mississippi religious-freedom bill protects businesses for denying services

Valerie Richardson – Washington times

629 words

Merchants can to avoid supporting gay marriages

Mississippi bakers, florists and photographers who want to avoid serving gay weddings for religious reasons can breathe easy — at least for now. Calls for a boycott and repeal campaign followed after Republican Gov. Phil Bryant signed a religious-freedom bill Tuesday that protects small-business owners from facing penalties for declining to participate in same-sex ceremonies.

Chad Griffin, president of the Human Rights Campaign, the nation’s largest gay advocacy group, called the bill “horrific” and lambasted Mr. Bryant while vowing that “his state will suffer.”

“Just as we’re doing elsewhere, we will continue to rally fair-minded voters, businesses, and civil rights advocates to repeal,” Mr. Griffin said in a statement.

Mr. Bryant rejected accusations that the legislation permits discrimination against gays and lesbians, arguing that it actually stops “government from interfering with people of faith who are exercising their religious beliefs in a manner involving marriage, or involving activities that are offensive to them as a business person.”

“This [bill] does not create one action against any class or group of people,” Mr. Bryant said on SuperTalk Mississippi. “It doesn’t create a new action at all or a new defense against any action of those people.”

Asked whether gays could be refused service at a restaurant or hotel, Mr. Bryant said, “Never.” On the other hand, he said, a restaurant owner would be allowed to decline a request to use the premises for a same-sex ceremony.

A #BoycottMississippi movement gained steam Tuesday on social media, but Mississippi isn’t the only state facing boycott calls. In the last two weeks, gay-rights advocates have called for boycotts of Kansas and North Carolina after their GOP governors signed religious-freedom bills.

Kansas Gov. Sam Brownback signed March 22 the Campus Religious Freedom Bill, which allows religious groups at public universities to limit their membership to like-minded believers without losing funding or resources.

In North Carolina, Gov. Pat McCrory signed legislation March 23 forbidding localities from passing “bathroom bills” giving transgender people access to restrooms, locker rooms and other public accommodations based on their gender identity, not their biological sex.

Tony Perkins, president of the conservative Family Research Council, said Tuesday he was encouraged by the success of the state bills.

“This new law gives fresh momentum to efforts on the federal and state level to stop government discrimination against people who believe that marriage is between a man and a woman,” Mr. Perkins said in a statement, referring to the Mississippi measure.

Gay-rights groups notched a win March 28 when Republican Gov. Nathan Deal vetoed a religious-freedom measure that would have protected small-business owners from participating in gay weddings.

Mr. Deal faced intense pressure to veto the bill from national companies like Disney, Apple and Time Warner, while the NFL hinted that Atlanta could lose its bid for the 2019 or 2020 Super Bowl.

Leading Mississippi employers such as Nissan, Tyson Food, MGM Resorts International and Toyota have expressed their opposition to the bill, according to the HRC.

Mississippi Democratic Party spokeswoman Ouida Meruvia called the bill-signing “incredibly disappointing” and accused Republicans of “building new barriers of bigotry.”

Even so, a Mason-Dixon Polling & Research survey released Friday found that 63 percent of registered voters surveyed supported the bill. The poll was conducted for the Mississippi Center for Public Policy.

“It seems that the opponents have not even read the bill, or they have picked out specific words or phrases without seeing or understanding the context,” said center president Forest Thigpen in a statement. “If they do understand it, their opposition shows the extreme nature of the Left and some corporate interests that treat even mild religious protections as unacceptable.”

House Bill 1523 was approved overwhelmingly in the state House by 80-39, and 31-17 by the state Senate.

# In Mississippi's religious freedom law, some see echoes of a shameful past

**By**[**Kevin Conlon**](http://edition.cnn.com/profiles/kevin-conlon-profile)**, CNN**

Updated 1151 GMT (1951 HKT) April 22, 2016 1323 words

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**Jackson, Mississippi (CNN)** It wasn't too long ago that lawmakers in Mississippi would invoke verse and scripture to justify discrimination.

"The good Lord was the original segregationist,"[proclaimed Ross Barnett, Mississippi's governor, in the early 1960s](http://www.nytimes.com/1987/11/07/obituaries/ross-barnett-segregationist-dies-governor-of-mississippi-in-1960-s.html). "He made the white man white and the black man black, and he did not intend for them to mix.''

For much of the past century, that's the way it was in Mississippi, whose history is stained by civil rights-era prejudice and violence. From the lynching of Emmett Till to riots over desegregation at Ole Miss, it's a legacy that modern-day Mississippi wants to leave behind.

But now, decades later, comes [a controversial new law](http://www.cnn.com/2016/04/05/us/mississippi-governor-signs-religious-freedom-bill/) -- passed in the name of religion -- that critics decry as state-sanctioned bigotry against gays, lesbians and transgender residents. And some here are wondering whether Mississippi's shameful past is once again rearing its ugly head.

"Discriminating because (someone is) gay, that's still discrimination, just like when we (were) coming up as black (and) they would discriminate against our color," said Juanita Moore, 54, an African-American who grew up the youngest of 10 children on a cotton farm southeast of Jackson. Moore has little use for the state's"Protecting Freedom of Conscience from Government Discrimination Act," perhaps the most far-reaching of the so-called "religious freedom" bills sweeping through the South.

"It's the new Jim Crow," she said.

Moorewas born just as Jim Crow, the collective name for the state, local and regional laws that segregated and subjugated African Americans in Mississippi and other parts of the South until the 1960s, was being forcibly dismantled by the federal government. But she believes "we got a lot of people in Mississippi still stuck in those days."

No less an authority than U.S. Congressman John Lewis, a towering icon of the civil rights movement, agrees.

"The hateful new law in Mississippi is plain wrong," he said earlier this month on Twitter. "Mississippi has a long dark past, and once again it is on the wrong side of history."

The hateful new law in Mississippi is plain wrong. Mississippi has a long dark past, and once again it is on the wrong side of history

### What the law does

In a nutshell, the law, which goes into effect July 1, will shield private businesses and some public-sector employees from legal action and discipline if they refuse a customer on the grounds that doing so would violate a "sincerely held religious belief." For example, the law would protect a bakery owner who declines on religious grounds to make a cake for a same-sex wedding.

"It's not discriminating against anyone," Gov. Phil Bryant [insisted to CNN affiliate WAPT](http://www.wapt.com/news/central-mississippi/jackson/bryant-people-around-us-overreacting-to-religious-objection-law/38972546).

In fact, Bryant said the law is meant to prevent discrimination against people like him, Christians with deeply held religious beliefs about marriage and sex.

"All we're trying to do is say that people of faith have some protection from an overbearing government," he added. "People of faith have some rights as well in this country."

In this, Mississippi is hardly unique.

In addition to high-profile battles playing out over religious-freedom laws in Tennessee and North Carolina, there have been some 100 bills proposed in legislatures across the United States in 2016 that invoke religion as justification to refuse services to gay people, [according to Eunice Rho of the American Civil Liberties Union](http://www.cnn.com/2016/04/06/us/nationwide-bill-religious-freedom-sexual-orientation/index.html).

But [Mississippi's legislation is exceptionally far-reaching](http://billstatus.ls.state.ms.us/documents/2016/html/HB/1500-1599/HB1523SG.htm). It will allow "the right to discriminate against a broad range of Mississippians in a variety of contexts including housing, employment, public services, education and adoption," said [a memo signed by 19 law professors from Mississippi and beyond](https://web.law.columbia.edu/sites/default/files/microsites/gender-sexuality/files/memo_regarding_ms_hb1523.pdf). "Those who will be most harmed by this law are LGBT Mississippians, intersex persons, persons who defy sex and gender stereotypes."

Critics also see echoes of past prejudices, both in the state and elsewhere.

"Governor Bryant turned back the clock to a dark time in Mississippi's past,"[said Wade Henderson, president of The Leadership Conference on Civil and Human Rights](http://www.civilrights.org/press/2016/civil-and-human-rights-2.html), a national advocacy group.

"Religious liberty is meant to be a sacred shield to protect people from discrimination, not a sword to deny civil rights and equality to others. These are the same arguments used to oppose women's suffrage, interracial marriage, the acceptance of Asian immigrants, the Americans with Disabilities Act, and the abolition of slavery."

In the days after its passage, [CNN spoke with dozens of Mississippians of different ages, genders, races, sexual identities and religious beliefs](http://www.cnn.com/2016/04/08/us/southern-states-religious-freedom-bills-reaction/) about the new law. Some supported it, some opposed it and some were ambivalent. But one thing tied almost all of them together: a wounded sense of pride about the place they call home.

John Haynes, a Tupelo native whose family history in Mississippi dates back to the 1700s, is worried the new law strikes dangerously close to wounds from the 1950s and 1960s that have not yet fully healed.

"It harkens back to that era," Haynes, 39, said. "To those sins of 50 years ago that we'd long since put behind us."

Although Haynes now lives near Washington, D.C., he said he'll always consider Mississippi home.

"It's my beloved state," said the NASA meteorologist, who recently wrote [a letter to the editor published in the Clarion-Ledger](http://www.clarionledger.com/story/opinion/2016/04/13/hb-ruins-work-rehab-states-image-letter/82982696/), the state's largest newspaper, bemoaning the law as something that "could have easily been written in 1956."

"I am so upset and disappointed (because) we have done so much work over the past few decades to rehabilitate our image," he told CNN. "Everyone I know is ashamed."

"I feel like it's taking us back years," agreed Jeromie Jones, 30, who owns a bakery in Pearl, a suburb of Jackson. "At one time, I felt like we were progressing and getting somewhere, but now all that is being overshadowed by another law that puts (Mississippi) at the bottom of the totem pole."

Jones, who married his husband, George, in December, is so concerned over the law's potential effects that he is seriously considering leaving the state.

"I always wanted to stay here, because this was home," he told CNN. "Every time someone gets big from this area, they move away (...) they are always leaving, they always forget where they came from, but I didn't want to be that person," he said. "But (the law) pretty much just took that and wiped it away.

"I'm black, and I'm gay," Jones added. "I got too many strikes against me in Mississippi."

### An overreaction?

Unlike Jones, Mark Leopold will probably never be affected by this law. The 28-year-old bartender is straight and married and has no plans to switch genders.

But, like Jones, he is fuming.

"When outsiders who've never been to Mississippi look in and see these headlines, they don't see the good part about Mississippi, they only see the bad," he said. "And the people that are from here are sick of being the ass-end of every joke."

Even among those who supported the spirit of the law, there is a sense of regret.

"This is what I share in common with the framers of the bill," said Robert Green, a senior pastor at Fondren Church in Jackson. "We are concerned about religious freedom because if we're told what we can do and I have to do this kind of wedding or that kind of wedding, that's not America anymore."

"But," said Green, "(the law) was an overreaction, and it has hurt Mississippi so badly."

As for Moore, the lifelong Mississippian, grandmother of two, and child of segregation, she believes it's time for Mississippi's dark history to finally become history.

"It's 2016," she said. "Time for us to change."

**Civil rights groups mobilize against Mississippi's 'religious freedom' law**

[**Deborah Barfield Berry**](http://www.usatoday.com/staff/7081/deborah-barfield-berry/)**, USA TODAY***12:26 p.m. EDT April 10, 2016 725 words*

WASHINGTON – Civil rights groups and gay rights advocates in Mississippi are coordinating with national organizations to challenge the state’s new “religious freedom’’ law.

“There’s a lot of national interest,’’ said Erik Fleming**,**director of advocacy and policy for theAmerican Civil Liberties Union (ACLU) of Mississippi. “I hate that Mississippi is getting negative press because Mississippi has always had a lot of negative press based on actions of our elected leaders. But if we can garner victory out of this, regardless of what level … it sends a positive message, not only for Mississippi, but the nation, as to which direction we need to be going in order for us to co-exist.’’

At issue is the controversial Protecting Freedom of Conscience from Government Discrimination Act, which Republican Gov. Phil Bryant signed Tuesday. The law allows denial of certain services to the LGBT community based on any of three religious beliefs — that marriage is between a man and a woman, that sex is proper only within such a marriage, and that people are male or female based on their genetics and anatomy at birth.

Supporters of the law say it protects religious rights.

“It simply protects the rights of Americans, and in this case Mississippians, to not be persecuted by the government for their beliefs,’’ said Quena González, director of state and local affairs for the Family Research Council,  a Washington-based group that campaigns against gay marriage among other social issues.

Critics say the law sanctions discrimination.

“This bill is the broadest discrimination bill that we’ve seen passed,’’ said Victoria Kirby York, director of national campaigns for the National LGBTQ Task Force . "It’s a dangerous slippery slope and one that Mississippi with its history should know better.''

The task force is urging members to call and write letters to Mississippi lawmakers and use social media, including action alerts, to demand repeal of the law.

The Leadership Conference on Civil and Human Rights is among national groups vowing to help Mississippi groups challenge the law —and to help groups fighting similar laws in other states.

“They’re popping up everywhere. We’re playing Whac-A-Mole,’’ said Scott Simpson, a spokesman for the conference. “These are the same arguments that folks used to fight desegregation. These are the same arguments that were used for people to oppose interracial marriage. There’s no place for them to be used against the LGBT community either.’’

Derrick Johnson, president of the Mississippi NAACP, said state civil rights and social justice groups have met regularly over the law and other issues that he said roll back civil rights protections for Mississippians.

“This has been one of the most reactionary legislative sessions in a very long time in Mississippi,'' he said.

Fleming said civil rights groups willpressure Bryant to call state lawmakers into special session to consider repealing the law. He acknowledges that’s highly unlikely.

“But we’ve got to exhaust every opportunity we can to try to keep this bill from going into effect July 1,’’ he said.

The Human Rights Campaign has launched an online petition and urged supporters to call and write Bryant.

Some major corporations, including General Electric, have also called on Bryant to repeal the law, and a handful of state and city officials around the country have banned workers from doing official business in Mississippi.

Rep. Bennie Thompson, D-Miss., has asked the Justice Department to investigate whether Mississippi's law violates federal civil rights statutes.

“Simply put, this is government-sanctioned discrimination,’’ Thompson wrote to Attorney General Loretta Lynch.

**Mississippi groups are considering possible legal action, but González of the Family Research Council questioned the merits of that strategy. He also said the council is urging pastors to write Mississippi state lawmakers expressing support for the new law.**

**“I think lawmakers and policymakers in Mississippi have the good sense to protect people’s consciences and move on,’’ he said.  “The threats that we’re seeing, especially from corporate bullies, are not only hypocritical but empty.’’**

**Fleming at the Mississippi ACLU said civil rights groups teamed up earlier to push a Mississippi bill that would have provided more protections against discrimination, but the measure failed. He said that same coalition, along with national groups, aim to repeal the religious freedom bill.**

**“We’re trying to get our best and our brightest to look at the bill and figure out what our strategy is going to be,’’ he said.**

***Contributing: Bracey Harris, The (Jackson, Miss.) Clarion-Ledger.***

***Contact Deborah Barfield Berry at******dberry@gannett.com******. Twitter: @dberrygannett***

# Here's Why Mississippi's 'Religious Freedom' Bill Is So Controversial

April 1, 20162:12 PM ET NPR

[CAMILA DOMONOSKE](http://www.npr.org/people/348744968/camila-domonoske)

846 words

This week, Mississippi lawmakers approved a bill called the "Protecting Freedom of Conscience from Government Discrimination Act."

Supporters describe it as a bill protecting religious freedom. Critics call it a sweeping bill giving state sanction to open discrimination against LGBT people.

The legislation, now sitting on the governor's desk, allows state employees to refuse to issue same-sex-marriage licenses and protects private companies and religious groups from being punished for denying a range of services to LGBT people.

### [THE TWO-WAY](http://www.npr.org/sections/thetwo-way/)

### [Georgia Gov. Says He Will Veto Controversial 'Religious Liberty' Bill](http://www.npr.org/sections/thetwo-way/2016/03/28/472134459/georgia-gov-says-he-will-veto-controversial-religious-liberty-bill)

And it's clearly focused on the treatment of LGBT people — not on religious freedom writ large.

State religious freedom bills have made the news frequently in recent years, from the controversial passage of an [Indiana law](http://www.npr.org/sections/thetwo-way/2015/03/28/395987537/indianas-religious-freedom-bill-sparks-firestorm-of-controversy) last year to one that Georgia's Republican governor [refused to sign last month](http://www.npr.org/sections/thetwo-way/2016/03/28/472134459/georgia-gov-says-he-will-veto-controversial-religious-liberty-bill).

Those laws often defined religious belief quite broadly. Supporters of such bills could argue — as Douglas Laycock of the University of Virginia did last year, [talking to NPR's Jennifer Ludden](http://www.npr.org/2015/03/30/396405047/controversy-continues-over-indianas-religious-freedom-restoration-act) — that religious freedom laws have a range of applications.

"There are cases about churches feeding the homeless. The neighbors sometimes don't like that. There are cases about Muslim women wearing scarves or veils. They're about Amish buggies. They're about Sabbath observers," Laycock said, saying such laws would apply to all those cases.

Not so [Mississippi's bill](http://billstatus.ls.state.ms.us/2016/pdf/history/HB/HB1523.xml). Here's Section 2, in its entirety:

The sincerely held religious beliefs or moral convictions protected by this act are the belief or conviction that:

(a) Marriage is or should be recognized as the union of one man and one woman;

(b) Sexual relations are properly reserved to such a marriage; and

(c) Male (man) or female (woman) refer to an individual's immutable biological sex as objectively determined by anatomy and genetics at time of birth.

The bill then defines all the actions that a Mississippi resident could take — with one of those moral convictions as a reason — with the guarantee that the state government won't punish him or retaliate against him.

For religious organizations, protected actions include refusing to conduct a marriage, firing or disciplining employees, declining to provide adoption or foster care services and refusing to rent or provide housing.

### [THE TWO-WAY](http://www.npr.org/sections/thetwo-way/)

### [North Carolina Passes Law Blocking Measures To Protect LGBT People](http://www.npr.org/sections/thetwo-way/2016/03/24/471700323/north-carolina-passes-law-blocking-measures-to-protect-lgbt-people)

For individuals and private companies, they include "guiding, instructing or raising" a foster child in accordance with those three beliefs; refusing to give counseling, fertility services or transition-related medical care; declining to provide wedding-related business services; and establishing sex-specific dress codes and having sex-segregated restrooms and other facilities.

And the bill allows state employees to refuse to license or perform marriages to which they morally object.

Any state punishment or retaliation for such actions, like a person losing a job, a license or a state grant, is deemed "discrimination" under the bill, with compensation to be available for those so affected.

The law doesn't mention the right of a private company or person to fire employees or refuse to rent housing. But in Mississippi, as in 27 other states, [it's already legal](http://www.npr.org/sections/itsallpolitics/2015/04/28/402774189/activists-urge-states-to-protect-the-civil-rights-of-lgbt-people) to fire people or refuse to lease them property because of their sexuality.

Both proponents and opponents of the bill have focused on the impact it would have when LGBT Mississippians seek to marry, raise children or receive medical and psychological services. Supporters say the law protects the religious freedoms of those opposed to homosexuality; opponents say the law amounts to a state sanction of discrimination against LGBT people.

### [IT'S ALL POLITICS](http://www.npr.org/sections/itsallpolitics/)

### [Did You Know It's Legal In Most States To Discriminate Against LGBT People?](http://www.npr.org/sections/itsallpolitics/2015/04/28/402774189/activists-urge-states-to-protect-the-civil-rights-of-lgbt-people)

Some groups have also noted that because an opposition to extramarital sex is also a protected belief, the proposed Mississippi bill could [also impact unmarried couples and single mothers](http://www.protectthyneighbor.org/posts/2016/3/24/discriminatory-bill-moves-to-mississippi-senate-floor).

But, again, it's worth noting that in Mississippi, as in 27 other states, it's already legal to deny housing to [an unmarried couple](http://www.nationalfairhousing.org/Portals/33/2013_Fair_Housing_Trends_Report.PDF) based on a landlord's objection to premarital sex. Mississippi even has a rarely enforced law on the books [criminalizing cohabitation](http://www.mississippifamilylawyerblog.com/2014/07/shackin-up-the-legal-effects-o.html).

Paul Boger of Mississippi Public Broadcasting [reported Thursday](http://www.mpbonline.org/blogs/mississippiedition/mississippi-edition-thursday-march-31st/) on the state Senate debate over the bill. The vote broke down along party lines, Boger reports, with Republicans in favor and Democrats vocally dissenting:

"Freshman Sen. Jennifer Branning, a Republican from Philadelphia [Miss.], presented the bill. She said it only has one goal: 'This bill in no way allows for discrimination by one person against another. What it does is it prohibits your government from discriminating against you with regard to your religious beliefs. That's the bottom line.'

"In all, debate lasted a little more than three hours, with many Democrats arguing the bill was discriminatory against the LGBT community in Mississippi. Many drew distinct parallels between this bill and Jim Crow laws. Sen. John Horne of Jackson says Mississippi's history does not need to repeat itself. ... 'We don't need to put another stain on Mississippi.' "

The state House and Senate passed the bill earlier this week, and on Friday morning, the House approved the final version. It's now headed to Republican Gov. Phil Bryant, for signature or veto.

# Mississippi’s Senate just approved a sweeping ‘religious liberty’ bill that critics say is the worst yet for LGBT rights

By [Sarah Kaplan](http://www.washingtonpost.com/people/sarah-kaplan) March 31 Washington Post

858 words

Mississippi’s House Bill 1523 says, among other things, that public employees, businesses, and social workers cannot be punished for denying services based on the belief that marriage is strictly between a man and a woman. Same goes for people who act on the belief that “sexual relations are properly reserved to such a marriage” and that gender is determined at birth. It says the government can’t prevent businesses from firing a transgender employee, clerks from refusing to license a same-sex marriage, or adoption agencies from refusing to place a child with a couple who they believe may be having premarital sex.

As of Wednesday, HB 1523 has [passed Mississippi’s House and Senate](http://msbusiness.com/2016/03/bill-allowing-service-refusal-to-same-sex-couples-heads-to-governor/).

The “Religious Liberty Accommodations Act” must return to the House for to resolve differences, according to the [Mississippi Business Journal](http://msbusiness.com/2016/03/bill-allowing-service-refusal-to-same-sex-couples-heads-to-governor/). But it is expected to be approved there (it [passed](http://billstatus.ls.state.ms.us/2016/pdf/votes/house/0460003.pdf) 80 votes to 39 in February). Then it will go to the desk of Republican Gov. Phil Bryant, who has championed religious liberty bills in the past.

Ben Needham, director of Human Rights Campaign’s Project One America, told [Buzzfeed](http://www.buzzfeed.com/dominicholden/mississippi-scheduled-for-final-vote-on-anti-lgbt-religious%22%20%5Cl%20%22.cpv1WrQnE) Wednesday that the measure “is probably the worst religious freedom bill to date.”

But advocates of the bill, which is one of about 10 drafted by states across the country in response to the Supreme Court decision guaranteeing a right to same-sex marriage last summer, says that the legislation will protect the rights of those who disagree with the court’s decision.

“This is presenting a solution to the crossroads we find ourselves in today as a result of Obergefell v. Hodges,” Republican State Sen. Jenifer Branning said as she presented the bill to the Senate, according to the [Jackson Clarion-Ledger](http://www.clarionledger.com/story/news/2016/02/19/house-ok-bill-support-man-woman-union/80608686/). “Ministers, florists, photographers, people along those lines — this bill would allow them to refuse to provide marriage-related business services without fear of government discrimination.”

Later in her speech, she assured her colleagues, “It takes no rights away from anyone. It gives protection to those in the state who cannot in a good conscience provide services for a same-sex marriage,” according to New York Magazine.

The passage of the bill comes days after [Georgia Gov. Nathan Deal vetoed](https://www.washingtonpost.com/news/post-nation/wp/2016/03/28/georgia-governor-to-veto-religious-freedom-bill-criticized-as-anti-gay/) a similar measure that had provoked outrage from Hollywood, the National Football League and a number of big businesses. North Carolina, meanwhile, is [dealing with backlash](https://www.washingtonpost.com/news/post-nation/wp/2016/03/23/north-carolina-passes-bill-blocking-lgbt-protections/?tid=a_inl) to a recently-passed law that bars local governments from extending civil rights protections to gay and transgender people and prohibits transgender people from using public bathrooms according to their gender identity.

The Mississippi legislation is more sweeping than both those measures. It prevents the government from “discriminating” (through taxes, fines, withholding benefits, or other forms of retaliation) against a “person” (broadly defined as an individual, religious organization, association, corporation and other kinds of businesses) for acting on their religious convictions regarding sexuality and marriage. That includes employers, landlords and rental companies, adoption and foster care agencies, people and companies that provide marriage-related services (rental halls, photographers, florists, etc.).

The bill protects doctors who refuse to provide counseling, sex-reassignment surgery, fertility treatments and other services based on their religious convictions, and allows companies and schools to establish sex-specific policies regarding dress and bathroom use. It allows state employees to recuse themselves from licensing or overseeing a same-sex marriage, so long as they take “all necessary steps” to ensure that the marriage isn’t impeded or delayed as a result. And it gives foster and adoptive families license to “guide, raise or instruct” children as they see fit, a rule that [Human Rights Campaign](http://www.hrc.org/blog/siren-today-mississippi-senate-to-vote-on-appalling-anti-lgbt-legislation) argues would make LGBT children vulnerable to being forced into “[conversion therapy](https://www.washingtonpost.com/blogs/govbeat/wp/2015/03/04/a-lot-of-states-are-trying-to-ban-gay-conversion-therapy-for-kids-guess-which-one-is-doing-the-opposite/).”

The version of the bill passed by the House also would have allowed people who felt their right to religious exercise had been infringed by the government to sue the state; the Senate version gives the state sovereign immunity from such suits.

Gov. Bryant has not explicitly said whether he would sign the bill if it reaches his desk. But in an interview with [WLOX](http://www.wlox.com/story/31593569/religious-accommodations-bill-debate) this week, he said he didn’t think the legislation was discriminatory.

“I think it gives some people, as I appreciate it, the right to be able to say ‘That’s against my religious beliefs and I don’t need to carry out that particular task,'” he told the TV station.

Critics disagree.

“It is very broad and very dangerous,” Erik Fleming, a former Mississippi legislator who is now director of advocacy and policy for the state’s branch of the ACLU, told BuzzFeed. “It basically sanctions religious discrimination.”

“It is reminiscent of what happened 50 or 60 years ago in this same state,” Fleming told [BuzzFeed](http://www.buzzfeed.com/dominicholden/mississippi-scheduled-for-final-vote-on-anti-lgbt-religious%22%20%5Cl%20%22.cpv1WrQnE). “People say that it is just religious, but there were people who had a religious belief that black and white people should be segregated, and you’re opening that Pandora’s box again.”

That same argument was made by the bill’s critics during the Senate debate on Wednesday, according to [WLBT](http://www.msnewsnow.com/story/31606009/senate-passes-religious-freedom-bill) and the [Associated Press](http://www.tulsaworld.com/mississippi-senate-passes-bill-on-objection-to-gay-marriage/article_2053f4eb-5003-52f5-8a32-5920b46e2f18.html). Sen. John Hohrn (D-Jackson) told his colleagues that measures like HB 1523 were the reason people “think badly” of the state.

“Why do we keep doing this to ourselves?” he asked. “We don’t need to put another stain on Mississippi.”

***Mississippi Law on Serving Gays Proves Divisive***

**By MIKE McPHATE** APRIL 14, 2016

1069 words New York Times

Opponents of the bill protested outside the Mississippi governor’s mansion last week in Jackson, the capital.

To hear some supporters tell it, a measure signed into law last week in Mississippi does little more than let bakers reject wedding cake orders from same-sex couples.

But its provisions allowing people with religious objections to deny certain services to gay couples have ignited fierce opposition, with some critics portraying them as a free pass to open-ended discrimination.

[The Mississippi measure](http://billstatus.ls.state.ms.us/2016/pdf/history/HB/HB1523.xml?version=meter+at+null&module=meter-Links&pgtype=article&contentId=&mediaId=&referrer=http%3A%2F%2Fwww.nytimes.com%2Fsection%2Fus%3Faction%3Dclick%26pgtype%3DHomepage%26region%3DTopBar%26module%3DHPMiniNav%26contentCollection%3DU.S.%26WT.nav%3Dpage&priority=true&action=click&contentCollection=meter-links-click), the latest in a wave of similar legislative efforts across the country, has turned a harsh national spotlight on the state, as gay rights organizations, several major companies and at least five other states have publicly denounced it.

Gov. Phil Bryant has [strongly defended the law](https://twitter.com/PhilBryantMS/status/717386566897963008/photo/1?version=meter+at+null&module=meter-Links&pgtype=article&contentId=&mediaId=&referrer=http%3A%2F%2Fwww.nytimes.com%2Fsection%2Fus%3Faction%3Dclick%26pgtype%3DHomepage%26region%3DTopBar%26module%3DHPMiniNav%26contentCollection%3DU.S.%26WT.nav%3Dpage&priority=true&action=click&contentCollection=meter-links-click), known officially as the Protecting Freedom of Conscience from Government Discrimination Act, by arguing that it was drafted in the “most targeted manner possible.”

“This does not create any action against any class or group of people,” [he said during a talk radio show](http://www.supertalk.fm/governor-bryant-defends-his-signing-of-hb-1523-on-the-jt-show/?version=meter+at+null&module=meter-Links&pgtype=article&contentId=&mediaId=&referrer=http%3A%2F%2Fwww.nytimes.com%2Fsection%2Fus%3Faction%3Dclick%26pgtype%3DHomepage%26region%3DTopBar%26module%3DHPMiniNav%26contentCollection%3DU.S.%26WT.nav%3Dpage&priority=true&action=click&contentCollection=meter-links-click) on April 5, the day he signed the law. “All this bill does is stop the government from interfering with people of faith who are exercising their religious beliefs.”

Critics of the bill, he added, “give the worst possible examples that may happen.”

An examination of the bill by Columbia Law School, however, found that it created a number of specific potential harms to gay, transgender and other people in schools, workplaces and government settings.

Among the scenarios described in [the report](http://web.law.columbia.edu/sites/default/files/microsites/gender-sexuality/files/memo_regarding_ms_hb1523.pdf?version=meter+at+null&module=meter-Links&pgtype=article&contentId=&mediaId=&referrer=http%3A%2F%2Fwww.nytimes.com%2Fsection%2Fus%3Faction%3Dclick%26pgtype%3DHomepage%26region%3DTopBar%26module%3DHPMiniNav%26contentCollection%3DU.S.%26WT.nav%3Dpage&priority=true&action=click&contentCollection=meter-links-click), which was signed by 10 law professors:

• A school mental health counselor could refuse to work with a transgender student

• A government agency manager could require female employees to wear skirts or dresses

• A religious university could fire a single mother working in the cafeteria

In each case, the acting group or individual would only need to profess adherence to any of three religious beliefs specified in the bill: that marriage is between a man and a woman, that sex is reserved for heterosexual marriage, or that gender is determined at birth as male or female.

Messages left with Mr. Bryant and the main sponsor of the bill, House Speaker Philip Gunn, were not returned.

Gov. Phil Bryant, in the Capitol in Jackson, Miss., has dismissed concerns about the law as overblown.

“I think it’s one of the most aggressive bills that we have seen that would target L.G.B.T people,” said Eunice Rho, advocacy and policy counsel for the American Civil Liberties Union. “This explicit targeting of specific populations, many of whom are already fairly marginalized and face discrimination in everyday life, poses huge problems.”

Much of the law focuses on [same-sex marriage](http://topics.nytimes.com/top/reference/timestopics/subjects/s/same_sex_marriage/index.html?inline=nyt-classifier&version=meter+at+null&module=meter-Links&pgtype=article&contentId=&mediaId=&referrer=http%3A%2F%2Fwww.nytimes.com%2Fsection%2Fus%3Faction%3Dclick%26pgtype%3DHomepage%26region%3DTopBar%26module%3DHPMiniNav%26contentCollection%3DU.S.%26WT.nav%3Dpage&priority=true&action=click&contentCollection=meter-links-click). It spells out more than a dozen of the services that could be denied by individuals or businesses on the basis of religious objections, among them poetry, printing, flowers and limousine rentals.

Wedding ceremonies are what this is really all about, said Tim Wildmon, president of the American Family Association, which has supported the legislation.

“This is specifically tailored to keep the state government from going after small business owners who may be Christian or Jew or whatever,” he said. “They have a religious objection to being forced to participate in a gay wedding ceremony.”

But the law goes much further than that, opponents say. One the most grievous passages of the legislation, they say, grants government clerks the right to refuse to issue marriage licenses to same-sex couples.

“Here we’re talking about public employees, who can potentially use religion as a means of denying somebody else their civil rights,” said Rob Hill, the state director of the Human Rights Campaign in Mississippi.

Legal experts have noted that such refusals would additionally pose a stigmatizing effect on same-sex couples that is forbidden by the Constitution. Ms. Rho, of the A.C.L.U., said assertions by some politicians that the law would cause no harmful consequences to gay and transgender people "couldn’t be further from the truth.”

“It’s difficult for me to understand how they think this is narrowly tailored given the breadth of the populations that are affected,” she said. “I suppose if you’re a heterosexual married couple, you’re fine?”

Mr. Wildmon and other supporters of the law have depicted a country whose religious convictions are under siege. [The outcry over measures in North Carolina and Mississippi](http://www.nytimes.com/2016/04/13/us/north-carolina-mississippi-gay-rights-boycott.html?version=meter+at+null&module=meter-Links&pgtype=article&contentId=&mediaId=&referrer=http%3A%2F%2Fwww.nytimes.com%2Fsection%2Fus%3Faction%3Dclick%26pgtype%3DHomepage%26region%3DTopBar%26module%3DHPMiniNav%26contentCollection%3DU.S.%26WT.nav%3Dpage&priority=true&action=click&contentCollection=meter-links-click), the argument goes, is the result of a cultural insurgency of pro-L.G.B.T. forces that have taken over big business, Hollywood and the news media.

 “These people are so paranoid, the L.G.B.T. bunch, about this, when nobody is discriminating against them because of who they have sex with,” Mr. Wildmon said. “They want to go after these Christians to prove a point and that’s why these laws are being enacted.”

That sentiment has become increasingly acute in the wake of the [Supreme Court’s landmark ruling last](http://www.nytimes.com/2015/06/27/us/supreme-court-same-sex-marriage.html?version=meter+at+null&module=meter-Links&pgtype=article&contentId=&mediaId=&referrer=http%3A%2F%2Fwww.nytimes.com%2Fsection%2Fus%3Faction%3Dclick%26pgtype%3DHomepage%26region%3DTopBar%26module%3DHPMiniNav%26contentCollection%3DU.S.%26WT.nav%3Dpage&priority=true&action=click&contentCollection=meter-links-click) year guaranteeing a right to same-sex marriage. Nowadays, Gov. Bryant said during his radio interview, religious people who raise objections to gay marriage are stigmatized as hateful.

Religious believers aren’t trying to dictate other people’s lives, he said. “We’re just saying, ‘Can you let us lead our lives? Can you just let us decide what we want to do?’ ”

Several legal experts have predicted that the law, which goes into effect July 1, would not survive judicial scrutiny in part because its elevation of specific religious beliefs violates the First Amendment’s establishment clause, which bars an official endorsement of one particular religion.

Mr. Hill, of the Human Rights Campaign, said the gay rights group and its partners were already exploring their litigation options.

Some analysts have dismissed the whole legislative effort as political theater, arguing that the bill won’t significantly alter the ground reality for gay and transgender people who are already vulnerable under state law.

Mississippi lacks any legal protections for gay, lesbian and transgender people in housing, employment or public accommodations such as restaurants, hospitals and schools. At the same time, the Fair Housing Act, passed in 1968, does not cover sexual orientation and gender identity.

Page Pate, a legal analyst who has studied the legislation, offered the example of the wedding cake baker who refuses the business of a gay couple.

“This law doesn’t give that person any more rights than they currently have under Mississippi law and the United States Constitution,” Mr. Pate said. “So from their perspective — ‘We need this law to protect our religious freedom’ — Uh, no you don’t.”

*Follow Mike McPhate on Twitter*[*@mmcphate*](https://twitter.com/mmcphate?version=meter+at+null&module=meter-Links&pgtype=article&contentId=&mediaId=&referrer=http%3A%2F%2Fwww.nytimes.com%2Fsection%2Fus%3Faction%3Dclick%26pgtype%3DHomepage%26region%3DTopBar%26module%3DHPMiniNav%26contentCollection%3DU.S.%26WT.nav%3Dpage&priority=true&action=click&contentCollection=meter-links-click)*.*

1. Upper-class has not been given a further definition, but can be interpreted as classes A and B as defined by the National Readership Survey(NRS) (nrs.co.uk). [↑](#footnote-ref-1)
2. Definitions and further explanations can be found in the Appendix, and are partially given by LGBT individuals. [↑](#footnote-ref-2)
3. Over 120 corporate businesses have threatened to boycott North Carolina after the implementation of bathroom bills, including Apple, YouTube, Google, Coca-Cola and AirBnB (hrc.org). [↑](#footnote-ref-3)
4. Legislature which states that individuals should use the bathroom of their biological sex, rather than their gender. [↑](#footnote-ref-4)
5. Mississippi Centre for Public Policy, a think tank in the capital Jackson [↑](#footnote-ref-5)
6. Last summer the Supreme Court decided that all Americans should have the right to marry whoever they want, regardless of sexual orientation. [↑](#footnote-ref-6)
7. This number is the accumulation of all sources used by the writers. Sources are directly quoted people. *Fox News* used three, *The Washington Times* used five, *CNN* used nine, *USA Today* used six, *NPR* used five, *The Washington Post* used six and *The New York Times* used six. [↑](#footnote-ref-7)