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GOP presidential candidates defend discrimination, not free speech

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Several of them pledge to plunge the United States deeper into the military conflict in Syria. Half wish to deny women the right to an abortion, even in cases of rape or incest. Their frontrunner has made appalling, bigoted statements about immigrants and Muslims. All would deprive the working poor of health insurance and each denies climate change.

So, what else could the Republican candidates for president do to alienate further the moderate voters their party's nominee must persuade to capture the White House in 2016? Well, they are working hard to offend millions of additional voters with their radical positions on gay rights.

Last week, the American Principles Project (APP) announced that six Republican presidential candidates — Sens. Ted Cruz of Texas and Marco Rubio of Florida, Dr. Ben Carson, former Hewlett-Packard CEO Carly Fiorina, former Pennsylvania Sen. Rick Santorum and former Arkansas Gov. Mike Huckabee — made the following promise: "If elected, I pledge to push for the passage of the First Amendment Defense Act (FADA) and sign it into law during the first 100 days of my term as President." Former Florida Gov. Jeb Bush, Donald Trump and Sen. Rand Paul of Kentucky have not signed the pledge but have publicly supported the bill, the APP reports.

Although it sounds like legislation meant to defend free speech, FADA would, instead, enshrine bigotry against same-sex couples (and many others) into federal law. The bill states: "[T]he Federal Government shall not take any discriminatory action against a person, wholly or partially on the basis that such person believes or acts in accordance with a religious belief or moral conviction that marriage is or should be recognized as the union of one man and one woman, or that sexual relations are properly reserved to such a marriage."

This is similar to the executive order that Gov. Bobby Jindal issued last summer that endorsed religion-influenced discrimination against same-sex couples. (Speaking of Louisiana, five of our Republican representatives are among FADA's 152 House co-sponsors: House Majority Whip Steve Scalise, John Fleming, Charles Boustany, Garret Graves and Ralph Abraham.)

This congressional legislation, however, goes much further and is more odious than Jindal's legally dubious order. As the American Civil Liberties Union (ACLU) correctly notes, FADA would also permit "federal contractors or grantees, including those that provide important social services like homeless shelters or drug treatment programs, to turn away LGBT people or anyone who has an intimate relationship outside of a marriage."

The ACLU observes that the bill isn't just bad for gays and lesbians. It also would "let commercial landlords violate longstanding fair housing laws by refusing housing to a single mother based on the religious belief that sexual relations are properly reserved for marriage." A university could "continue to receive federal financial assistance even when it fires an unmarried teacher simply for becoming pregnant."

The ACLU also maintains the bill would "permit government employees to discriminate against married same-sex couples and their families" and "federal employees could refuse to process tax returns, visa applications, or Social Security checks for all married same-sex couples."

And it's not only the ACLU that's alarmed. As Walter Olson, a senior fellow at the libertarian Cato Institute's Center for Constitutional Studies, argued, FADA "isn't really an accommodation law" for those who believe their religious freedom is being violated. "It's an our-guys-win law," he wrote. "It says that even if the government has set you up as the monopoly provider of some service or gatekeeper for some permission, you may use that monopoly or gatekeeper status against same-sex couples and their interests with entire impunity."

Influenced by extreme conservatives like Cruz, Rubio and Santorum, many in the GOP believe the party's problem in presidential elections is that their recent nominees have not been sufficiently conservative. More so than any election in a generation, the 2016 contest may put that dubious premise to the test.

I'm not a betting man, but if I were, I would wager a considerable sum that a nominee dedicated to policies that offend large percentages of women, Latinos, African-Americans and young people will not draw an equal or greater number of voters who deny science and embrace bigotry.

Cruz disagrees. "I'm convinced 2016 will be an election like 1980," he said in November. "We will win by following [Ronald] Reagan's admonition by painting in bold colors, not pale pastels."

Reverential references to the 40th president notwithstanding, Cruz and his extremist fellow candidates don't remind me of Reagan at all, who was a moderate compared to this fanatical crowd. In their dogmatism and radical style, Cruz and the rest more closely resemble the 1964 Republican nominee, Sen. Barry Goldwater, who lost to Lyndon Johnson in a historic landslide. If these GOP candidates continue to offend voters with support for repulsive, unconstitutional bills like the FADA, their party's nominee is destined, like Goldwater, to ignominious defeat.