



CITY OF SAN ANTONIO

Ron Nirenberg
Councilman
District 8

Councilman Nirenberg Remarks on Non-Discrimination Ordinance Sept. 5, 2013

“Today, I am voting in favor of the updates to San Antonio’s non-discrimination ordinance.

My decision was not an easy one, but I believe it is the right decision.

Long before I was ever elected or took a seat on the Council, I always expressed support for the intent of the non-discrimination ordinance, but not for the initial draft that was presented.

My promise was to be thoughtful, deliberate and honest. I took to heart the hundreds of calls, Emails and letters from constituents. I met personally with constituents, leaders of the faith community, business leaders and legal experts, ensuring that every side had a voice and every argument was heard and considered.

Over the last two months, this community has engaged in a dialogue about what it means to be equal under the law, about discrimination and about treating people with fairness and dignity. The heart of the debate has centered on whether or not sexual orientation, gender identity and veteran’s status should be added to the list of protected classes that currently includes race, religion, sex, national origin, age and disability. Each of those classes, it would seem, deserves protection from discrimination because of past oppression or a high potential for bias.

Several things affirm that the passage of this ordinance is the right choice for San Antonio and all its residents.

First, this ordinance will make the San Antonio non-discrimination policy consistent with state and federal law. The interpretation of this ordinance will be – must be – conducted in full light and service to the laws which supersede our own, regardless of any belief to the contrary.

Second, the preponderance of data shows that equal rights for all makes economic sense. Where these laws exist, businesses thrive, which is why so many individual companies, large and small, support non-discrimination on behalf of their employees and their customers. Our two largest chambers – the Greater San Antonio Chamber of Commerce

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and the Hispanic Chamber of Commerce – have offered their support of the ordinance. These Chambers represent a significant part of businesses in the city and I think it is important that these organizations support the passage of this ordinance.

Just as important, the city attorneys and Councilman Bernal fielded and addressed my concerns about religious liberty in the original draft language. The revisions eliminate language barring “prior discriminatory acts” and narrow the scope to include discrimination only while acting in the official capacity of the city. While some in the faith community disagree with the law’s intent, many have voiced their support for it and acknowledge that no right to religious conviction, practice or speech is abridged. In fact, the ordinance itself exempts all religious organizations and most all nonprofits.

During this debate, I was also reminded of the 50th anniversary of the March on Washington, an occasion that still speaks to us today. As Martin Luther King noted in that speech, and as every citizen on either side of this issue point out, the debate about equality has been going on in this country since it was founded. It comes as no surprise that resistance to such change has been profound each time.

Our Founding Fathers all spoke eloquently about the rights of the individual being paramount. President Theodore Roosevelt later famously said, “No man is above the law, and no man is below it.” As a country, we have decided that equal protection under the law means that the law itself must be consider the content of one’s character, and that alone.

What Martin Luther King said is true – “When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir ... that all men ... would be guaranteed the unalienable rights of life, liberty, and the pursuit of happiness.

But perhaps most recently, this Sunday, as I sat with my family at St. Matthews during mass, I listened to a lesson whose message was that Jesus was welcoming to everyone at his table, including those whom the Pharisees believed at the time did not deserve equality. I had struggled how to best express my support for this ordinance in a community so clearly divided. I found that expression in the words of the priest and the text of the scripture.

And as our priest spoke, he talked specifically about the dangers of passing judgment on others because of their differences. He evoked the need for humility and acceptance and our duty in the eyes of God by using a parable about an accident. He spoke about three groups of people: bystanders, police, and the paramedics. Bystanders are those who stand aside, watch what unfolds, but do not get involved.

The police are charged with recording the events and assigning responsibility. Paramedics are called to help, regardless of who is to blame, regardless of who they are, regardless of the color of their skin and the religious beliefs they hold; the paramedic’s job is to heal and give urgent care. Jesus, our priest noted, calls for us all to be the third group: to care for our neighbors without cause of judgment, even the least among us.

There are those who want the law to allow people, based on their religious convictions, to refuse service to certain individuals. Doing so would render the purpose of nondiscrimination policy of any kind, including the Civil Rights Act of 1964, moot. This is an intent and an outcome I cannot support. It suggests that a prevailing religious belief should be consideration for not extending equal rights to certain people. But where would we be if our founders codified particular religious precepts rather than establishing a Bill of Rights?

There are those who have said that we are not voting on the spirit of non-discrimination policy, rather, the language of this particular ordinance. They are correct. But the discord over this ordinance centers fundamentally on its intent: whether one retains a right, by law, to discriminate, or whether the rights of the individual are treated equally under the law as our Founding Fathers intended. That is the question at the heart of the debate here in San Antonio and wherever free people use civil law to intervene in pursuit of equal human rights.

I am your City Councilman for District 8, and I have sworn an oath to protect and defend all of our citizens and their rights in this great city. I take that obligation and privilege very seriously. That is why I pushed revisions to the ordinance that ensure both religious liberties and individual rights are protected. And that is why I support the ordinance that is before us today.

There are many other challenges facing our city. Today we will vote on this non-discrimination ordinance and we will move on to other pressing issues. As we do so, we must work together to heal the divisions brought to the surface by this debate and remember we all share a common goal to maintain our quality of life and preserve San Antonio as the city in which we are all so proud to live, work, and raise our families.

I look forward to serving you. Thank you.”

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