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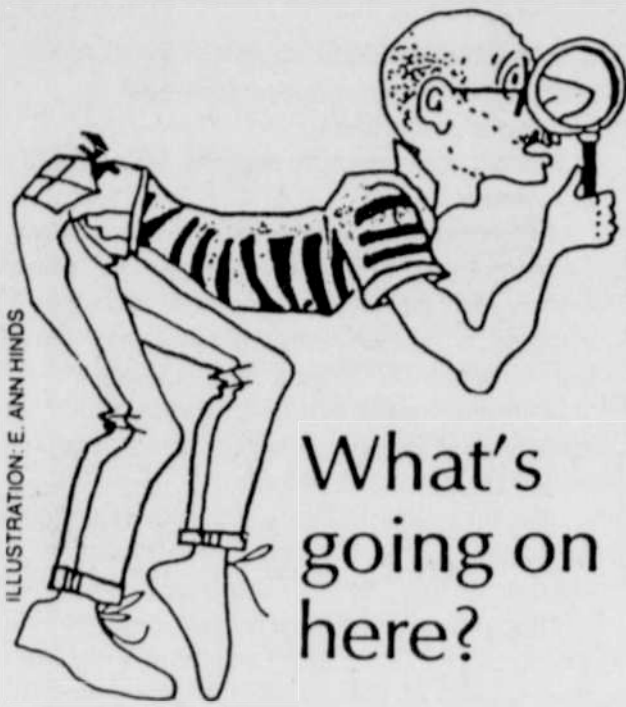


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What's
going on
here?

BY J A Y B R O W N

Voices in the wilderness

The framers had an idea which is central to Western thought. It's central to our American tradition. It's central to the idea of the rule of law. And that is that there is a zone of liberty, a zone of protection, a line that's drawn where the individual can tell the Government beyond this line you cannot go."

— Judge Anthony M. Kennedy responding to Sen. Joseph Biden's question on unenumerated rights guaranteed by the Fifth and 14th Amendments and the Preamble to the U.S. Constitution, in testimony before the Senate Judiciary Committee hearings on Judge Kennedy's nomination to the U.S. Supreme Court.
Judge Kennedy's nomination is the Reagan

Administration's third attempt to fill the vacancy created when former Associate Justice Lewis Powell retired last summer. (United States Senate, Dec. 14, 1987)

This country has a long and unfortunate history of discrimination based on sexual orientation."

— Judge Julia Carter Mack writing the opinion in a 5-2 decision of the District of Columbia Court of Appeals which ruled that the D.C. Human Rights Act requires Georgetown University, the oldest Roman Catholic University in the United States, to provide the same "tangible benefits" to lesbian and gay groups as it grants to other student groups. The court ruled that the District of Columbia has a "compelling state interest in the eradication of sexual orientation discrimination." (Gay Community News, Dec. 6-12, 1987)

The door opened, he got out, he walked right over and took my hand. I'm still shaking. It was like the second Messiah or something."

— Kimberly Spartin, on the receiving end of Mikhail Gorbachev's spontaneous gladhanding at a busy downtown intersection in Washington, D.C. Ronald Reagan waited for more than an hour while Gorbachev honed a technique he learned from his role model, Lenin. (New York Times, Dec. 11, 1987)

It was a shocking sight at first — I couldn't decide whether the image was more threatening as a homoerotic come-on or as an unrealizable heterosexual physical ideal that women would now expect me and all men to match."

— Frank Rich, reacting to a huge Times Square billboard featuring a hunk wearing white Calvin Klein underwear. ("The Gay Decades," Esquire, November 1987)

AIDS, the Bible and civil rights

A long footnote to a United States Civil Rights Commission proposal to study legal issues surrounding the AIDS epidemic cites various scriptural passages which condemn homosexuality. Commissioner Robert A. Destro said that the attitudes reflected in the quotations were "a real part" of the debate over civil rights and AIDS.

The text of the proposal said that people infected with the deadly virus suffer a "tremendous stigma" because "those acts generally responsible for transmitting the virus are often illegal and have traditionally been morally proscribed."

Contrary to the First Amendment to the U.S. Constitution, which states, *Congress shall make no law respecting an establishment of religion*, religionists are making serious inroads in and out of government. The footnote to the Civil Rights Commission proposal is merely a drop in the pond, but it is one of the things you are paying for with your tax dollars.

Both sides now

A controversy surrounding Governor Goldschmidt's Executive Order 87-20 and the Oregon Public Employees Union (OPEU) is brewing in the pages of *Lavender Network* down in Eugene. In November, *LN* published an opinion by Betsey Brown hailing the governor, which elicited an outraged response by Ann Montague of Corvallis.

Montague says, in part: "... in my mind, the real heroes are the gay and lesbian OPEU members who pressured their union to take a stand and fight. And the heroes were the union members, our bargaining team and the union staff: from our executive director to the field staff who understood the importance of this issue and fought for it." Contending that the executive order "appeared ... to cover management," Montague concluded "... 'hail the governor' sticks in my throat."

Kathy Wittwer of the OPEU Local 085 in Eugene replied to Montague's letter: "... we

should indeed be hailing the governor for his executive order, since it applies to all state employees. Of more importance, however, is that an executive order from the governor (regardless of who he or she may be) sends a highly visible message throughout the state."

Wittwer argues that equal protections for gays and lesbians lack OPEU support "at the bargaining table" and that gays and lesbians "who have possible discrimination grievances [should] exercise caution when seeking help from a union steward or OPEU staff member." Wittwer says, however, "there are gay people active in the University of Oregon OPEU Local who are well equipped to work with such problems, and any gay state employee is welcome to contact us."

Sandra E. Nemeth of Springfield also responded to Montague's letter. A former staff member of OPEU, Nemeth wrote, "While on staff, I witnessed very little support for gay rights. Organized opposition was quite strong to the contract language safeguarding gay and lesbian workers."

"Speaking solely as a former staff member, I feel that the many incidents of gay-baiting, homophobic remarks and intimidation by the management of the union do not warrant the gay and lesbian community's support of its leadership."

Obviously, Executive Order 87-20 is not a panacea; it is, however, a giant step in the right direction. It is one campaign promise which came through. Will union members be able to use its impetus to make some real changes?

Wittwer also reminds us that we should remember the efforts of the people who negotiated the final draft of Executive Order 87-20, especially Kathy Bogan, Janice Wilson and Stevie Remington of the Oregon ACLU Commission on Lesbian and Gay Rights, and Keeston Lowery of the Right to Privacy PAC.

Progressive files for District 14

Beverly Stein, a longtime friend of the gay and lesbian community, has filed for state representative for District 14. Stein's nominating petition contained more than four times the number of signatures required from registered Democrats. District 14, which covers most of southeast Portland, has been represented by Shirley Gold, who will be running for the Oregon Senate.

Stein has been active in politics for some time; she has worked for former City Commissioner Margaret Strachan and was co-chair of the Oregon Rainbow Coalition. Stein is a grassroots activist who as a Legal Aid attorney won a substantial rate reduction for public utilities customers.

Stein, currently an attorney in private practice, is running her first race for the Legislature.

Liberals

Remember Robert Bork? Those of us who contacted Sen. Mark Hatfield during the hearings on Bork's nomination received a response which included the text of a speech Sen. Hatfield made on the floor of the Senate on October 7, 1987, announcing his decision to support the nomination. In the letter Hatfield said "... it became apparent that what we were witnessing was akin to the popular election of a judge. The hearing process was becoming cloaked in the trappings of political campaign machinery."

But the clincher is in the text of the speech:

"... The case against this man is flawed. I would say to my fellow liberals: We above all others have a solemn obligation to stand firm against unfounded charges of extremism. We above everyone had better err on the side of tolerance lest we be deemed intolerable ourselves."

If this sounds like a politician who owes his longevity to the right, it's no coincidence. I'll believe Sen. Hatfield is a liberal when he signs on as a sponsor of the Civil Rights Amendment Act which would prohibit discrimination on the basis of sexual orientation.

