

just out

The IN publication for the OUT population

FOUNDED 1983 • JAY BROWN AND RENEE LACHANCE

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FEATURE

85 FILMS, 11 DAYS: A sneak preview of the dizzying montage that is Portland's seventh annual queer film festival

p 28

NEWS

NORTHWEST • Portland life coaches and therapists guide people out of the closet; groups create an environment of support and education for trans people and their partners; volunteer helps church with Spanish-language outreach

pp 7-19

NATIONAL • Gays begin planning for GOP convention; AIDS funding stagnates in Senate

pp 21-25

WORLD • Canadians refused entrance into United States

pp 26-27

ARTS AND CULTURE

ART • Queer artists open up during Portland Open Studios

p 41

CULTURE • Haunted house welcomes fairies to an all-homo's-eve; out on the town—see what Portland queers have been up to lately

pp 43-45

MUSIC • Rejuvenate with Anne Weiss; why you're going to Bands Against Bush

pp 46-47

BOOKS • The queer body in fine form

p 49

DIVERSIONS • Fall Balls left and right; vote for Mr. Gay Poder Latino; Last of the Bathhouse Beauties; leave those wire hangers at home for *Mommie Queerest*

p 52

WHAT'S POPPIN'? • Enroll in the *School of Rock*

p 55

COLUMNS

MS. BEHAVIOR • My friend's girlfriend hates me

p 37

EPIQUEEREAN • Mediterranean stew

p 42

OUT WITH IT! • Your fall queerview

p 52

THE GOSPEL ACCORDING TO MARC • Target: Sissyphobia

p 57

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GUEST COMMENTARY

BY U.S. REP. EARL BLUMENAUER

Equal rights: A personal odyssey

Congressman reconsiders the Defense of Marriage Act

In my 30 years as an elected official, the evolution of the gay and lesbian civil rights issue has touched my notion of fairness and government policy in very profound ways.

In fact, the first time someone acknowledged to me that he was gay was in 1973, when I chaired the Oregon Legislature's first hearing on a nondiscrimination bill. After the hearing, a young man I had known in high school told me how urgent and important issues of employment, housing and even personal safety were to gays and lesbians.

Since that day, I have observed the ebb and flow of the debate on gay rights, attending hearings, learning the stories of people—like my former classmate—who were harassed and living in fear. I also have developed a wide circle of friends and many colleagues who are gay and in committed relationships. I have come to understand that equality for gays and lesbians is an issue of justice for us all, regardless of our sexual orientation or political philosophy.

Along the way, I've experienced two extraordinarily painful episodes that help define my thinking.

When I was a Multnomah County commissioner in the 1980s, we enacted one of the first and most comprehensive nondiscrimination ordinances in the country. The backlash, however, was brutal. Faced with an opposing referendum that threatened to divide the community, leaders in the local gay and lesbian movement urged the commission to repeal the ordinance. Although we already had nondiscrimination administrative policies in place and I was strongly in favor of the ordinance, I joined with my fellow commissioners to repeal it, hoping to spare our community an ugly campaign. Politicians and leaders of the gay and lesbian community agreed on the action, but that did not make it any easier to explain to the gay citizens sitting in the front rows, some crying with disbelief and anger.

That experience framed my thinking 12 years later when I was confronted with the Defense of Marriage Act in Congress. DOMA created a federal definition for marriage as the union between a man and a woman, preventing the federal government from recognizing marriages at the state level. In addition, it provided that states do not have to recognize same-sex marriages performed in other states. Until DOMA, marriage issues hadn't been a priority for the gay and lesbian movement; their national agenda focused on nondiscrimination policies in employment and housing, while in Oregon, we were busy fighting the destructive and hateful anti-gay initiatives of extreme right-wing organizations.

The introduction of DOMA in 1996, however, changed all that. It quickly became clear that people like Ralph Reed and Jesse Helms were pushing the hot-button issue of banning same-sex marriages to ensure the political failure of the gay and lesbian civil rights agenda. Focusing on DOMA instead of issues such as employment nondiscrimination and civil rights put supporters of gays and lesbians at a severe disadvantage; the country was simply not ready to discuss same-sex marriage in any rational way. Hoping to deny the more extreme right-wing elements the opportunity to further exploit the issue of gay and lesbian civil rights, I cast my vote in favor of DOMA.

Looking back eight years later, I now feel that my vote was wrong. While my analysis may have been accurate and my vote may have even been the best political move, it remains one of the few votes I've made in Congress that I would change. Sadly, people who choose to exploit

fear and bigotry based on sexual orientation continue to do so regardless of any efforts to diffuse the issue. In fact, the passage of DOMA only made some gay-bashers even bolder in their hypocrisy.

My vote on DOMA caused political confusion and serious personal pain for people who knew of my commitment to equality for gays and lesbians. Voting on the basis of political tactics rather than my own personal beliefs also muddled my message about the critical need for anti-discrimination protections for gays and lesbians. Most troubling for me was the implication that my vote might be interpreted as a direct attack on people's ability to make their own choices about their personal relationships and their dignity as human beings.

Recently, civil rights victories in the U.S. Supreme Court, Vermont and Canada have created a resurgence of the controversy surrounding gay and lesbian marriages. These successes do not have to lead to more anti-gay proposals and rhetoric; most Americans today have friends or relatives who are involved with same-sex relationships based on the same deep, emotional commitment and affection found in the heterosexual community. Unfortunately, despite their increasing acceptance by commercial media, by the marketplace, by almost all thoughtful employers and even by the Supreme Court, same-sex relationships remain the target of discrimination.

It is now time for Congress to play a constructive role in affirming civil rights for gays and lesbians. After eight years of refusing to grant even a hearing on the Employment Nondiscrimination Act, the House should now make it a priority to enact this important legislation. Nondiscrimination in employment should be one of the bedrocks of a society that claims to value self-reliance and the opportunity for individuals to reach their full potential.

Congress should also forcefully reject House Joint Resolution 56, which proposes a constitutional amendment that would define marriage solely as the union between a man and a woman. Tragically, this same legislation would also prohibit states, local governments and the courts from conferring legal rights or civil unions to gay or lesbian couples.

It simply makes no sense to deny the benefits, legal rights and opportunities afforded to married couples to others who want to commit to a long-term, loving relationship—and it is particularly galling to do so when the administration proposes to spend hundreds of millions of dollars in a curious exercise to "promote marriage."

This attempt to pre-empt decisions at the state level is not just stunningly hypocritical; it will fuel fear and prejudice, creating further divisions in our communities and intolerance throughout our society.

It's time for Congress to recognize gays and lesbians as people who deserve the same basic and civil rights afforded to every other person, whether in the workplace or at home. Disagreement with a person's religion, sexual orientation or cultural background does not entitle the U.S. Congress—or anyone—the right to suppress them. Instead of pitting citizen against citizen over questions of identity, sexuality and private behavior, Congress should model the behavior it expects from others: fairness, tolerance and a basic respect for human dignity. **JM**

U.S. REP. EARL BLUMENAUER, a Democrat, represents the 3rd Congressional District of Oregon.

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REFLECTIONS

20 years ago in just out...

Twenty years ago, *Just Out* was created to fill the needs of an emerging gay and lesbian culture in Portland. Twenty years later, we're still here and still going strong. With pride we approach our anniversary date still celebrating our achievements, our culture, our history, and our stories.

For our special 20th anniversary issue in November we want to bring your reflections of *Just Out* to the paper. What has *Just Out* meant

to you? Did you meet your partner through the "Just Friends" ads? Were we part of your coming-out experience? How have you been affected or influenced by stories, profiles and faces featured in our pages?

Please join in our celebration. Be a part of our milestone in publishing and building community. Send your thoughts and stories to justout@justout.com.

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