DUDLEY CLENDINEN
and
ADAM NAGOURNEY

The Struggle to Build
a Gay Rights Movement
in America

Simon & Schuster
gay activists. "We believed in the Constitution," Pat Norman, a California lesbian, told Newsweek. "Guess what? It doesn't mean us." A friend called Michael Hardwick in tears when she learned of the decision from television news. "It was all for nothing," Hardwick replied.

The Hardwick ruling stirred the deepest response among gay men and lesbians since the Dade County referendum nine years before. On the night of the decision, nearly three thousand homosexuals and their supporters gathered in Greenwich Village, blocking traffic on the broad avenues around Sheridan Square in what was by far the city's largest spontaneous gay political gathering since Stonewall. "The message is that we're second-class citizens," Joyce Hunter, a lesbian activist, told the crowd. "Nobody's going to tell me what I can do in the privacy of my home or hotel room." Later that week, in a demonstration on the Fourth of July, five thousand people turned out at the southern end of Manhattan to disrupt the centennial anniversary of the Statue of Liberty, an Independence Day ceremony attended by Ronald Reagan and Chief Justice Burger. In the wake of the decision, two dozen gay activists met to begin planning a second march by homosexuals on Washington, D.C. "This has been such a wretched time for all of us," said Steve Ault, who helped organize the 1979 march. "A march is needed for ourselves. We need to say that we're not going back into the closet, and we need an event that will be a self-affirmation." There was also a surge in fundraising for the national gay organizations, as there had been after Dade County. Jeff Levi at the National Gay Task Force asked Sean Strub to craft a fundraising letter keyed to the Hardwick decision, and it generated what he considered an astonishingly high 20 percent return rate, and $40,000 in contributions. Monthly contributions to Lambda Legal Defense in the two months after the ruling reached $90,000, compared to the typical $40,000, a few made in the name of Justice Byron White. "The time for gay rage is now!" The Advocate declared in an uncharacteristically strident editorial. "The time has come for gays to use massive, widespread, creative acts of civil disobedience to help win fair treatment and equal rights. Just as white society would never have voluntarily torn down the civil system of segregation without being pushed back by militancy, so too the [heterosexual] world will never give gays a fair shake unless it learns that there's a high price to pay for anti-gay violence and discrimination."

Yet for all the concern stirred by the case, no state ever reinstated a sodomy law, and some state courts—acting on state constitutions—actually overturned their sodomy laws (notably, Kentucky, whose sodomy law applied only to homosexuals). Byron White had framed the case as an appeal by homosexuals for special protections under the Constitution. But the public perception was that the nation's highest court had condemned the most far-fetched kind of governmental intrusion into private life. It was so shocking, and so re-inforced the stereotypes that homosexuals had created of their opponents—sexual puritans peeping in through bedroom keyholes—that it produced a mocking defiance of the Court that swept up newspaper editorialists, legal commentators, cartoonists and talk show hosts. "A Government in the Bedroom" read the headline in Newsweek's story on the decision. "I think that the Hardwick vs. Bowers decision will go down as one of America's most shameful episodes," said the civil rights lawyer Alan M. Dershowitz. The New York Times, in a lead editorial titled "Crime in the Bedroom," called it a "gratuitous and petty ruling, an offense to American society's maturing standards of individual dignity." A Gallup poll for Newsweek found that respondents disapproved of the decision by 47 to 41 percent, and opposed, by an especially lopsided 57 to 34 percent margin, the suggestion that "states should have the right to prohibit sexual practices conducted in private between consenting homosexual adults." When Tom Stoddard appeared on the Phil Donahue show, his television host made his brief for him, teasing him out flashlights to his audience and announcing he was deputizing them as members of the Supreme Court's sex police. When Donahue asked how many people agreed with the Court's decision, Stoddard counted a scattering of hands.

Four years later, Justice Lewis F. Powell Jr. told a group of New York University students, "I think I probably made a mistake" voting with the majority. Powell had voted with the majority in the Roe v. Wade ruling on abortion rights, so his decision to support White's narrow view of privacy in Hardwick was widely noted among Court observers, particularly as word filtered out that he had switched sides at the end of the deliberations to support the majority. He had second—or rather, third—thoughts when he read Blackmun's draft dissent, but he could not bring himself to reverse himself again so close to the end of deliberations. Some of the gay lawyers involved in the case knew one of Powell's clerks was homosexual, and they pleaded with him to come out to the justice in hopes that it might influence Powell, but the clerk declined, later saying he assumed Powell already knew.

July 1986, Los Angeles

Peter Scott, a founder and the first head of MECLA, David Mixner's consulting partner and most recently the chair of AIDS Project Los Angeles, entered the hospital one month after the Supreme Court ruled in the Hardwick case. Scott had been worrying about his health for nearly a year, and in that he was no different from most gay men in America in the summer of 1986, examining their skin for purple blotches in the shower, fingering the

* This was a telephone poll of 611 adults on July 1 and 2, with a 5 percent margin of error.
and communicable disease,” and provided that people with AIDS or the HIV virus be “subject to quarantine and isolation statutes.” The measure would prohibit HIV “carriers” from working in schools or as food handlers. The overwhelming number of signatures filed, the opinion polls and the mood of the country all suggested sympathy for the kind of strong measures contained in the LaRouche initiative. In the conservative National Review, Joseph Sobran wrote an essay on “The Politics of AIDS,” asserting that homosexuals deserved more blame and less sympathy for AIDS, and quoting personal ads in the Nation (“Sordid and desperate, the ads make it impossible to idealize gay life”), to dramatize his argument that “the obvious carrier of AIDS is the ‘gay lifestyle’—promiscuous homosexuality.

“Nobody died at Three Mile Island, but an accident there brought down strict control—and moral opprobrium—on the nuclear-power industry,” Sobran wrote. “Thousands have died of AIDS, and more thousands are going to die of it, but no serious restraints or even censure has been placed on sodomite promiscuity. It’s up to the rest of us to pay the bills, find the cures, and take the risk.”

In California, the committee behind the initiative was called PANIC—Prevent AIDS Now Initiative Committee. “We start as an underdog,” said Bruce Decker, the Republican chairman of the California AIDS Task Force and finance chairman of the opposing Stop LaRouche campaign. The “voting public is dreadfully afraid, and if they have the sense that any measure will make it safe for them, they’ll vote for it, civil liberties be damned.” But it soon became clear that this was not going to be a replay of either the Briggs or Bryant initiative. The gay movement was more sophisticated and influential. The image of Mixner and Scott riding off to a hidden corner of Los Angeles for a secret meeting with a political operative to plead for Ronald Reagan’s endorsement seemed almost farcical now. The gay movement in California could raise money, produce a media campaign and enlist as allies nearly every established political figure in the state, which is what it did now. Even Governor George Deukmejian, who had blocked a gay rights bill in Sacramento, called Proposition 64 “wholly unnecessary and unwarranted.” What’s more, class frictions in California’s gay community were put aside. Ivy Botini, the most prominent of the state’s grassroots lesbian leaders, joined forces with the members of MECLA, and the two sides shared office space on Wilshire Boulevard. Mixner and Torie Osborn oversaw fundraising and planned the commercial that marked the gay movement’s final arrival in the modern age of politics. The LaRouche initiative lost by a huge margin—71 percent to 29 percent, dwarfing the 58 percent to 42 percent result of Briggs eight years before.

“It sends a very powerful message to any other politician, to any other cheap demagogue, that there is absolutely no political advantage to messing around with this community any longer,” David Mixner said. Ever-optimistic,
February 1987, Atlanta

This is a historic moment, thought Urvashi Vaid, the dark and intense public information officer for the National Gay and Lesbian Task Force, as she settled behind the microphone next to Tom Stoddard, the executive director of Lambda Legal Defense, who was thinking the same thing. They were among fourteen men and women dressed in business suits and wearing name tags, assembled in two orderly lines, seated and standing, still and serious, like high school students posing for their yearbook picture. It was unusual to get fourteen gay and AIDS movement leaders together for one press conference, much less united behind one position, but that they had done on the second and final day of the Disease Control and Prevention conference in Atlanta to discuss the AIDS epidemic. Nearly every major gay and AIDS organization was represented: the National Gay and Lesbian Task Force,* National Gay Rights Advocates, the Human Rights Campaign Fund, the AIDS Action Council, People With AIDS, the Gay Men’s Health Crisis from New York, Mobilization Against AIDS from San Francisco, and Gay and Lesbian Advocates and Defenders from Boston. “We have never been this organized,” Urvashi Vaid said in the days leading up to the conference. They had spent weeks preparing for this, with four telephone conference calls, and meetings in California, New York and Washington, after learning that the Centers for Disease Control was considering a regulation mandating HIV testing at hospitals, sexually transmitted disease clinics and prenatal clinics. A mandatory testing policy would scare away the very people who needed medical attention, they said. They had found a consensus of support for their position at this meeting in Atlanta, and the press conference was intended to marshal public support by highlighting the opposition of medical professionals to the proposed regulations. “We came here organized to present an alternative case, to demand attention for real solutions,” Vaid announced. “And we have succeeded. The message of this conference to the CDC is loud and clear: spend money on more education and research, expand anonymous testing centers and end the discrimination experienced with people with AIDS.”

Vaid’s audience was primarily reporters, sprinkled with a handful of gay activists not associated with the leaders holding this press conference. During the past two days these activists had made their presence known by wearing replicas of Nazi concentration camp uniforms—gray shirts stenciled with prisoner numbers and painted with the pink triangle that Nazis used to distinguish known homosexuals. They called themselves the Lavender Hill Mob, for the 1951 British comedy with Alec Guinness about an aging, mild-mannered and loyal bank auditor who lived in a rooming house on Lavender Hill in London and organized a £1-million gold heist of the bullion shipment that he was in charge of safeguarding. The Lavender Hill Mob’s view of activism was quite different from that of the gay leaders who mingled easily with the doctors and state and federal health officials at the Marriott Marquis Hotel that last Tuesday and Wednesday of February. A debate on the ethics of HIV blood testing meant little to the Lavender Hill Mob, or to the frightened constituency they were coming to represent.

Mary Robinson, the originator of the political zap—organized chaos and theater, calculated to attract press attention—from his years with the GAA, had suggested they dress as concentration camp prisoners. A member more recently of the Gay and Lesbian Alliance Against Defamation, he wanted to protest anti-homosexual sentiment spurred by AIDS. But Robinson found GLAAD timid and conservative, and had quit to help form the more subversive Lavender Hill Mob. This small organization had been an intermittently disruptive force in the months leading up to the conference in Atlanta, employing political zaps. “Who cares that the issue is mandatory testing of people going into hospitals?” Robinson said, broaching the idea of the Centers for Disease Control zap to Michael Petrelis, a young, loud and impressionable admirer he met at GLAAD. “We’re going and we’re going to demand drugs.”

Two of the five members of the Mob dressed in the concentration camp outfits and sat in the front row so CDC officials could see them. They interrupted the proceedings by raising a banner which read “THE LAVERENDER HILL MOB,” and shouted the conference into a premature end.

“We’re tired of the genocide!”

“Where’s the funding?”

“Why are we talking about testing now?”

“What about saving people’s lives?”

“STOP KILLING US!” Michael Petrelis yelled, stretching out the word “us,” his voice cutting through the ballroom.

Members of the Lavender Hill Mob saw little difference between the health professionals they had been haranguing and the homosexuals who now were talking into the television lights. They fumed at their smugness, and viewed their claims of victory as hollow. As Urvashi Vaid began the press conference she had spent so much time planning, Michael Petrelis rose from his seat at the back of the hall.

“You’ve sold out the gay community!” Petrelis bellowed, his loud voice overwhelming Vaid.

* The National Gay Task Force voted Nov 2-3, 1986, to add the word “lesbian” to its slate.