

1989 The Fight for Gay Marriage Begins by Elder Tess Lambert

We are just waiting for the translators to start their recordings. They need to start their recordings again.

If you could kneel with me we will have a slant prayer

Amen

Before we journey to 1989, I wanted to add one other point. Another reason that we know that this subject is gender but not just gender, marriage, its because between 1888 and this history what is being discussed is the two institutions of Eden. 1888 was the institution of the Sabbath, our history is the institution marriage which is to correctly understand marriage. And I will leave it with a question that I won't answer for you. What institution was under threat or a subject in point 3 - Millerite history - Slavery. So 1888 we know its Sabbath and our own we know its marriage. And that is what affected Eve. It was her marriage that was affected even though it has affected women married and unmarried every facet of their lives for 1000s of years, headship was still an issue, a breakdown of marriage. So I wanted to just put in a 4th point about that institution.

So behind me exists our reform line, its not all drawn neatly as far as evenly spaced. The reason for that is the dates are not even years apart, so sometimes I just need to fit a lot more information. So I hope its doesn't complicate it for anyone. So we know that homosexuality has existed for a long time and we are going to go into ancient history at a later date. Maybe tomorrow but I guess just a few words and introduction.

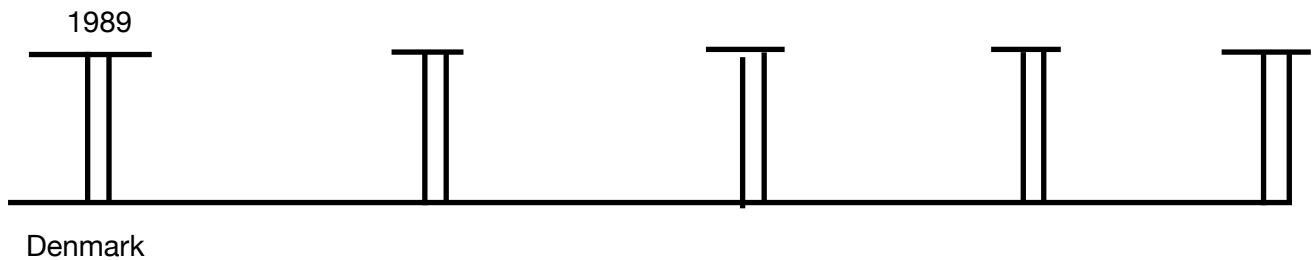
08:01 There was never really a word homosexuality, there was different words to describe the act of sex but there was no word to describe that type of relationship. The word homosexuality first introduced in 1868 which should immediately get..... So it wasn't until the late 1800's, the later half of the 1800's that there was a word for this. Elder Parminder has already discussed some of that when he has talked about sodomy but towards the late 1800's early 1900's people became more open especially in the 1920's people who were homosexual or lesbian where more open without much fear of persecution. It didn't last long and persecution really drove them into hiding in the 1930's. Then you had world war 2 and then after world war 2 you had the cold war. I think many of us are familiar with the persecutions in the United States of homosexuals during the Cold War especially in the MCarthy area. So around the 50's and 60's there was a lot of persecution. People were driven out of their jobs sometimes to suicide. They would face entrapment by the police in general it was a time of great persecution and in June 1969 that community felt on edge. So when the police raided the stonewall inn they expected it to be like every other raid. Push their way in, arrest some people, beat some people up. But by this stage the community felt they could take no more and someone began to fight back. This started a series of protests and from 1969 forward a movement developed where they refused to quietly take the persecutions and stigma.

13:03 But our core subject is marriage and gay marriage did not/was not part of the agenda or conversation in 1969. Same sex marriage rarely attracted mainstream attention until they say the late 1980's. The New York Times said 'The question of same sex was all but dormant until the late 1980's when according to gay activists the AIDS epidemic was a turning point. All of a sudden they had questions on inheritance and death benefits.'

So their going to want to, once you know you're going to lose someone, the status of the relationship and the way we view that relationship, the connection that you have with them, the knowledge that or the way that you want to be remembered after death, the way that you want to remember the people that you love after death. It feels much more important. So when this epidemic began it did over time turn many people's minds to the subject of marriage. So that played one part in changing the things that they were fighting for. But it still was given very little mainstream attention and even many within the homosexual community where not interested in the subject until 1989 acted as a turning point.

16:37 Now a number of things happened in 1989. I am going to start outside the United States. Can you still hear me or the audio just softened?

17:20 So the starting point for the fight for gay marriage started in 1989. There were quite a number of events that happened in that year that really gave impetus to this movement. I am going to start outside the United States, in Europe - Denmark. This was the first country in the world to allow registered partnerships.



For the translators that have a list of quotes, we are going to go to that document and read. It's titled 'A Triumph for Love in Denmark' and this is from the Time Magazine Book released in 2009. So for those who aren't aware of what Time Magazine did in 2009, it's on the 20th anniversary of 1989 they released a book. To try and illustrate for people how significant this year is/was and we are going to read from that book. This page/section of the book is called 'A Triumph for Love in Denmark'.

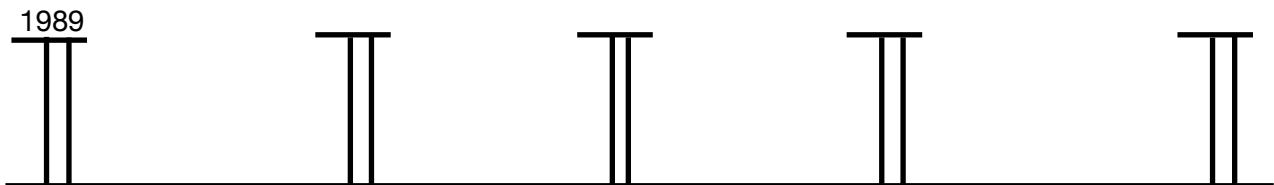
19:57 It was October 1st 1989, and dressed in matching suits Axel and Eigil had just become the first gay couple in the world to legalise their union. Today that photograph hangs on the wall of 94 year old Axel's Copenhagen apartment amid a crop of house plants. His husband Eigil has been dead for 14 years. But Axel still remembers the wedding as if it were yesterday. More than anything he remembers the crowd. 'I have never seen so many television cameras, there were journalists there from all over the world. He says, it wasn't until that moment that we realised the historic significance of what we were doing.

21:26 The article goes on then to explain that Denmark wasn't particularly tolerant towards homosexuals. Axel himself had been persecuted and lost his job but two things happened. First are both caused by AIDS. First it made conservatives think that it might be good to support stable monogamous relationships among homosexuals and second it brought homosexuals into the public sphere. For the first time politicians were meeting gay men and lesbian women and realising they weren't any different from straight people. So first of a significant change in events was in Denmark. It's not marriage, it's a registered partnership. It did not have all the rights of marriage for example they could not adopt children.

23:39 Back into the United States. On July 6, 1989 in New York City. Now this one might take a little explanation. But after World War 2 New York City had rent controlled apartments. So if me and my husband have a rent controlled apartment that rent is capped so they can't charge me more and these rent controlled apartments are quite precious. People want them. So if my husband signed the lease for this apartment and he dies the law stated that I could take over that lease and it

would be still rent controlled. I wouldn't be thrown out of my home and need to go find a much more expensive apartment.

25:36 So this from the L.A Times 1989. New York's highest court ruled Thursday that a partner in a long-term homosexual relationship can take over the couples rent-controlled apartment when the lover who signed the lease dies. In doing so the court expanded the definition of a 'family' as it applies to New York's rent controlled laws. 1 paragraph down. The decision marks the first time any top state court in the nation has recognised a gay couple to be the legal equivalent of a family American civil liberties union lawyer William Rubenstein said.



- Denmark
- New York City
- A.Sullivan-TNR

26:57 The first time such a court in the United States has recognised them as family. Today's decision is a ground breaking victory for lesbians and gay men Rubenstein said. It marks the most important single step forward in American Law toward legal recognition of lesbian and gay relationships. The case involved Miguel Braschi 33 who wants to live in the desirable Manhattan apartment he shared for 11 years with Leslie Blanchard. The two men were considered a life-time couple and spouses by their friends. Blanchard, the owner of a Manhattan Beauty Salon, died in September 1986, leaving Braschi almost \$5 Million. Soon afterward, the landlord, Stahl Associates, attempted to evict Braschi on grounds that he had no right to continue living in the below-price apartment because he was not related to Blanchard by 'blood, marriage or adoption.

29:00 Third. Third subject in 1989 that made the year a turning point. Andrew Sullivan is a gay journalist and on August 28, 1989 he wrote an article in the New Republic. Now Andrew Sullivan was kind of a conservative but he's homosexual and it changed party affiliation around the Iraq War. He wrote this article that is recognised as a turning point. He wrote another article actually in 2015, if we have time we will read from that article one as well. The 1989 article was titled Here Comes The Groom A Conservative Case for Gay Marriage. He says, the gay movement has ducked this issue primarily out of fear of division. Much of the gay leadership clings to notions of gay life as essentially outsider, anti-bourgeois, radical. Marriage, for them, is co-optation into straight society. For the Stonewall generation, it is hard to see how this vision of conflict will ever fundamentally change. But for many other gays-my guess-, a majority-while they don't deny the importance of rebellion 20 years ago and are grateful for what was done, there's now the sense of a new opportunity. A need to rebel has quietly ceded to a desire to belong.

32:14 I think we will have example soon to show his point is quite correct. Many homosexuals in 1989 are opposed to gay marriage because they wanted to fight society and not be co-opted into it. But this is a behaviour that is really typical of civil rights movements. There's quite a parallel fight within feminism. The women that fought through the sexual revolution and second wave Feminism often conflict fight today with today's feminists - this newest generation of feminists. And the conflict is those older feminists fought so hard against society, fought so hard under the sexual
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revolution to even have their female sexuality recognised, they have then watched the MeToo generation and the MeToo generation says the sexual revolution was important and good but it also has been used by men to see women as so sexually available, it has added to the fetishisation and sexualization of women and they see some of the results of that when they raise their hand and say MeToo. The older feminists say do you not appreciate what we fought for and they criticise the MeToo movement so this is what I have referred to before about different currents within the stream of feminism. The refinement of the message as we look back at the sexual revolution and see its positives and its negatives and our view of the MeToo movement because that's an external fight. So the same thing is parallel thing is happening when it comes to gay rights.

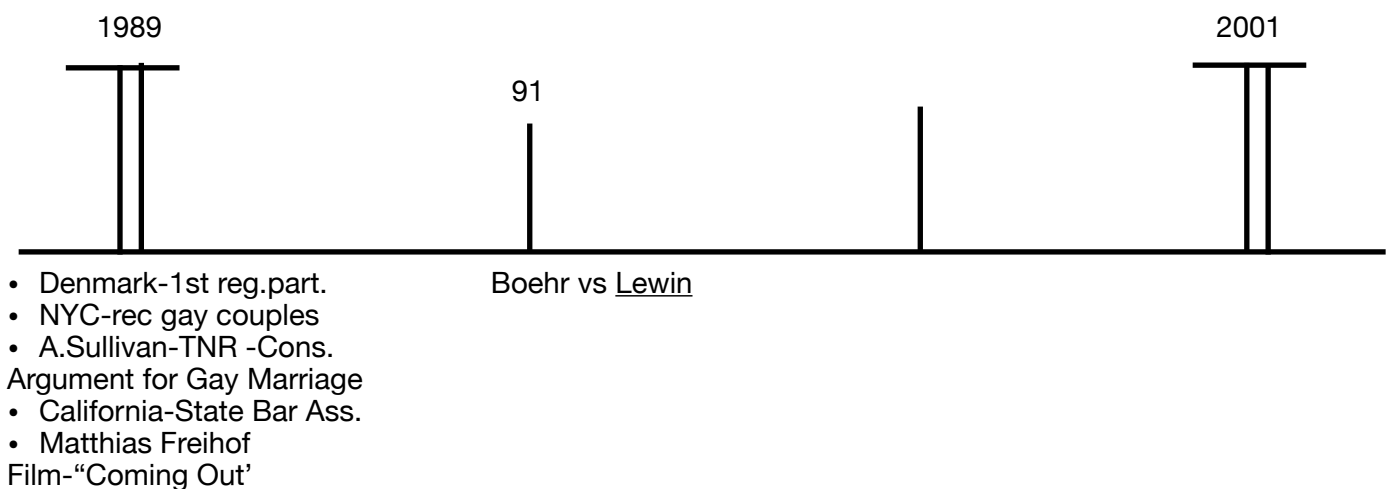
36:26 In the next paragraph he talks about the complication of domestic partnerships and why marriage is better. Third paragraph that I have listed here. As it has become more acceptable for gay people to acknowledge their loves publicly more and more have committed themselves to one another for life in full view of their families and their friends. Those conservatives who deplore promiscuity among some homosexuals to be among the first to support it. Whenever you drive people underground it's going to create an unhealthy culture. This is when people talk about the gay culture. We have to realise what develops when you drive people underground. His last argument. The argument that gay marriage would subtly undermine the unique legitimacy of straight marriage is based upon a fallacy. Gay marriage could only delegitimise straight marriage if it were a real alternative to it, and this is clearly not true. To put it bluntly, there's precious little evidence that straights could be persuaded by any law to have sex - let alone marry - someone of their own sex. The only possible effect of this sort would be to persuade gay men and women who force themselves into heterosexual marriage (often at appalling cost to themselves and their families) to find a focus for their family instincts in a more personally positive environment. But this is clearly a plus, not a minus: Gay marriage could both avoid a lot of tortured families and create the possibility for many happier ones. It is not, in short, a denial of family values. It's an extension of them.

40:07 He carries on to argue that a civilised society does not persecute minorities. And Therefore given the fact that we already allow legal gay relationships what possible social goal is advanced by framing the law to encourage these relationships to be unfaithful, un developed and insecure? So as he states he is making a conservative argument but it was considered a turning point argument.

41:20 One more event in the United States that sparked this. September of 1989 the State Bar association of California. It urged recognition of marriages before even homosexuals, it urged recognition of marriages between homosexuals even before gay rights advocates adopted the issue. Now we are going to move outside the United States. Now we are going to Germany. East Germany. So we have been to Denmark, 3 events in the United States. Now we are going to East Germany.

42:45 By 1989 Germany has been divided for 41 years. As you might expect homosexuals and lesbians were persecuted by the secret police. But there was one fellow who no longer wanted to be homosexual in secret. His name is Matthias Freihof. One of the last films made by the East Germany State film studio was called Coming Out. So even in that environment the East Germany film studio produced this movie with Matthias as the lead actor. It was also his personal Coming Out. It premiered on November 9, 1989. So after 41 years of separation the first gay beamed they make came out on November 9, 1989 a short distance from the Berlin Wall. It received such praise they played the premiere twice. So as they sat watching this premiere over the hours of midnight they had no idea of what was taking place down the road. As they came out of that premiere they saw through the windows the cars and the people and Matthias tells the story of walking down to the border between East and West Germany. It's seen also as a historic event and a turning point. Even separately to the timing of the double premiere. So you see in 1989 the fight begins. But what did we understand from the document -How the Constitution Became Christian? What inevitably is going to happen? There's going to be a backlash. There's going to be a fight. It became a fight in 1991. So I wanna just deal with one issue of discrimination and then we'll get to the fight.

47:53 This is from the New York Times 1991 October 6. The Georgia Attorney General has withdrawn a job offer to a lawyer **after learning that she planned a wedding ceremony with her lesbian lover**. State law banned sexual relations between people of the same sex and the Attorney General Michael J. Bowers had successfully defended that law 5 years ago before the United States Supreme Court. Of course Georgia Law also just does not recognise homosexuality. But he defended and kept a law on their books that made it illegal to be a practising homosexual in Georgia. But the threat really begins in 1990. Could say it heats up and it begins in Hawaii. On December 17, 1990, three same sex couples applied for marriage licences at the Hawaii Department of Health. And of course they were denied. I suspect they anticipated being denied so they initiated a lawsuit - May 1st 1991 and this lawsuit went all the way up to the supreme Court of Hawaii. It was known as *Boehr Vs. Lewin*. They ended up suing the state of Hawaii for the legal right to marry.

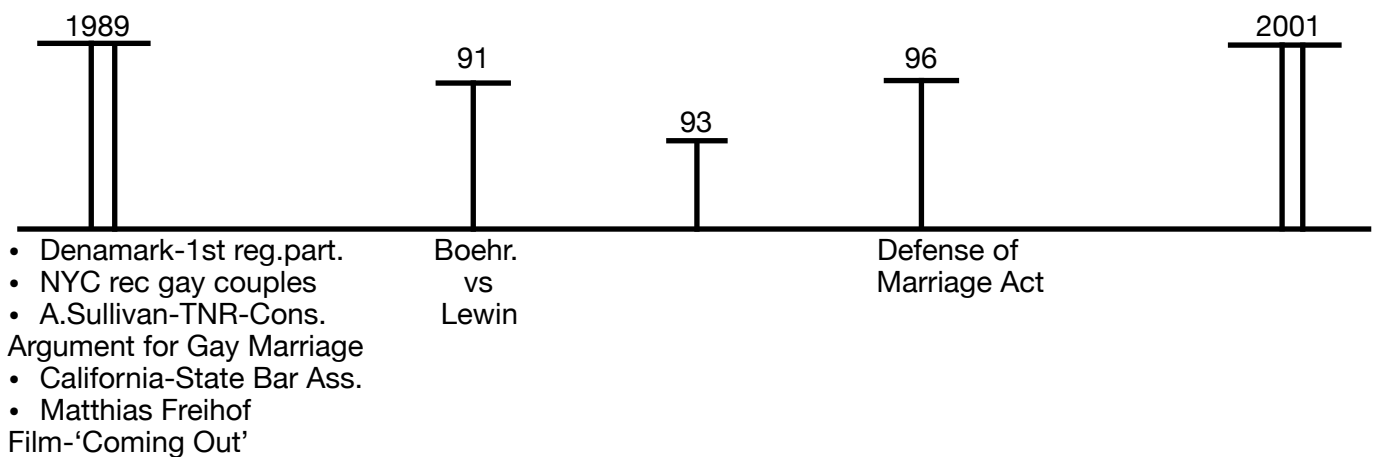


51:18 Touching again on what we spoke about before that this desire for gay marriage was not uniform through the homosexual community. You may have heard of Lambda. Legal Defense and Education Fund. It's the American Civil Rights organisation that focuses on Lesbian, gay, LGBT people. Lambda refused to represent them in court. Because for two reasons, they doubted whether taking the issue to court was a wise strategy and they debated the importance of marriage itself. So when these three couples went to court the Civil Rights organisation that was meant to represent them refused but others took up the cause. In 1993 the Supreme Court of Hawaii ruled. I won't read the quotes for these I will just paraphrase. It's considered the first major judicial victory for same sex marriage activists. But to be fair it wasn't much of a victory. The Supreme Court looked at the rules that had been based on racial classifications, they acknowledged that all their past rules on racial classifications were unconstitutional and they compared and contrasted that then with the laws on the state books regarding same sex marriage and they considered that those that position was also discriminatory but they didn't rule for same-sex marriage. What they did they is they said to the state of Hawaii if you're against same-sex marriage, your current laws and your state constitution do not prohibit it. So you need to consider state of Hawaii what kind of defines you want to make because your argument and defines against these three couples are unsatisfactory. So they didn't really fully rule in favour of the couple the state had time. And this terrified just about every other state in the United States. Because if Hawaii which was dangerously close to legalising same-sex marriage that makes everything complicated.

56:56 If you're a man and woman in Arkansas and you have family in California you might decide to fly to California and get married and then when you fly back to Arkansas has to recognise your

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marriage. So if Hawaii legalised gay marriage and a homosexual couple from Arkansas decide to fly to Hawaii to get married, what is Arkansas required to do? So that's panic number 1. Panic number 2. If Hawaii recognises this couple as married, what then about the federal government because they are a lot of things that the federal government is responsible for not the state? So if you're a member of the armed forces and you fly to Afghanistan and fight and you die in Afghanistan it's the federal government that has to notify your family, husband or wife. So it's said that there's 100's maybe 1000's of ways the federal government interacted with a couple's marriage not the state. So everyone is watching Hawaii from 91-93 and it didn't end up going that well for opponents of same-sex marriage. So when there is a group threat, what do you do? You mobilise and you define the Constitution and the law in ways that protect you from the group threat and when would you expect that response to be formalized? Answer as a member of the movement. 1996. They've mobilised, they've formed their counter arguments going back to the document of quotes. Georgia representative Bob Barr then a republican authored the Defence of Marriage Act and introduced it in the house of representatives May 7, 1996. Senator Don Nickles of Oklahoma then introduced the Bill in the senate.



1:01:50 This is what is known as DOMA. Third paragraph. The 1996 Republican Party platform endorsed DOMA, the Democratic Party platform that year did not mention DOMA or same-sex marriage at all. The Bill moved through Congress on a legislative fast track and met with overwhelming approval in both houses of the Republican-controlled Congress. On Jul 12, 1996 with only 65 Democrats and then representative Bernie Sanders who was an independent and representative Steve Gunderson who was Republican in opposition. So it's authored by a Republican, it's introduced by a Republican, passes through a Republican-controlled house, passes through a Republican-controlled Senate but who is President. A Democrat.

1:04:00 This is an article by the New York Times in 2013. He had just flown across the country after an exhausting campaign day at Oregon and South Dakota, landing at the white house after dark but President Bill Clinton still had more business before bed. He picked up a pen and scrawled out his name, turning a Bill into Law. It was 10 minutes before 1 a.m. on Saturday, Sept. 21, 1996, and there were no cameras, no ceremony. The witching-hour timing bespoke both political calculation and personal angst. With his signature, federal law now defined marriage as a union of a man and a woman. Mr. Clinton considered it a gay baiting measure but was unwilling to risk re-election by vetoing it. It's understood that if he had vetoed it, it still would have gone through because he had so little support in Washington by that time. But by vetoing it he still would have sent a message but what do we learn about the Wig Party, what do you do in an election year. The end, winning an election justifies the means, compromise.

1:06:38 For nearly 17 years since that middle-of-the night moment has haunted Mr. Clinton the source of tension with friends, advisors and gay rights supporters. He tried to explain, defend and justify. He asked for understanding. Then he inched away from it bit by bit. Finally this month 2013, he disavowed the Defence of Marriage Act entirely urging that the law be overturned by the Supreme Court. Rarely has a former president declared that an action that he took in office violated the Constitution. So historically, Bill Clinton had quite a number of homosexual friends and he had been seen relative for his time as progressive and supportive for the community. But earlier in his presidency he had tried to open up the military to gays and lesbians and politically that had a negative impact for him. So by 1996 he was afraid of the consequences if he vetoed DOMA. Last paragraph. The Bill passed with overwhelming margins enough to override a veto. So his veto wouldn't have mattered. At least as far as passing the law is concerned. He hoped to avoid calling attention to it with his post midnight signature. Mike McCurry the press secretary got a call at home asking if they should wait till morning to announce it.

1:09:45 Quoting his press secretary from the time. His posture was quite frankly driven by the political realities of an election year in 1996. Some gay supporters were outraged. They did feel betrayed. Not wishing to change subjects. That wasn't his only compromise to win that election. The other ACT that he signed is the illegal immigration reform an immigrant responsibility act of 1996. And that act on immigration has negatively affected the southern border for decades since.

1:11:16 So before we close, I just want to explain what DOMA is. It's a really short Bill. It's only 2 pages and consists of 3 sections. The first section consists of nothing more than the name. It's just an explanation of the name. So it's fairly meaningless as far as the impact of the law is concerned. Section 2 & 3. Section 2 says that no state has to acknowledge a same-sex marriage that performed in another state. So this is a response to Hawaii. So if Hawaii was to legalise same-sex marriage, Arkansas would not recognise any of those couples as married. I would sayo this protected the states. Section 3 is clearly simple. The Federal government does not recognise as married, any gay couple legally married by a state that allows it. So one was to protect the states, one was to protect the federal government. The federal government recognises that marriage only exists between a man and a woman and it's an action to defend marriage due to the recent events. It's a legal response to the group threat.

1:14:54 So I'm going to review before we close. The first presentation I wanted to explain why we are discussing this subject. Remind us of some of our history. Particularly how we have understood these 3 issues of racism, worship and gender as they become testing points for God's people post 1798. Recognizing that we must understand external events and the institutions of Eden. Threading our way marks we went back to 1989 recognising it as a turning point where gay marriage became a possibility, an external subject in mainstream media. A key subject on the night of November 9 despite the Berlin Wall. Denmark the first country in the world to legally recognise those relationships, the arguments by one journalist that were astounding for the time but gained a lot of traction and the actions in California and New York City. This one being called the most important single step forward in American law towards legal recognition for same-sex people.

1:18:07 Quite heating up in the state of Hawaii. Galvanized national attention. Fighting to the rest of the United States in 1993. The Counter attack formalised in 1996 with DOMA act signed by a compromising Democrat that stopped other states from having to recognise same-sex marriages in another state and had the federal government state that marriage only existed between a man and a woman. When we come back tomorrow we will start with 2001.

If you kneel with me we will close in prayer.

Dear Lord, I pray we will see the importance of history that we will divide history correctly, interpret history correctly and understand what it has to teach us. As we go and consider these subjects tracing these events we pray Lord that you give your people wisdom. Bless the other speakers and the leaders also running this camp meeting. Bless the efforts behind the scenes that it might be a blessing to all. We pray this in Jesus' name. Amen

See you tomorrow