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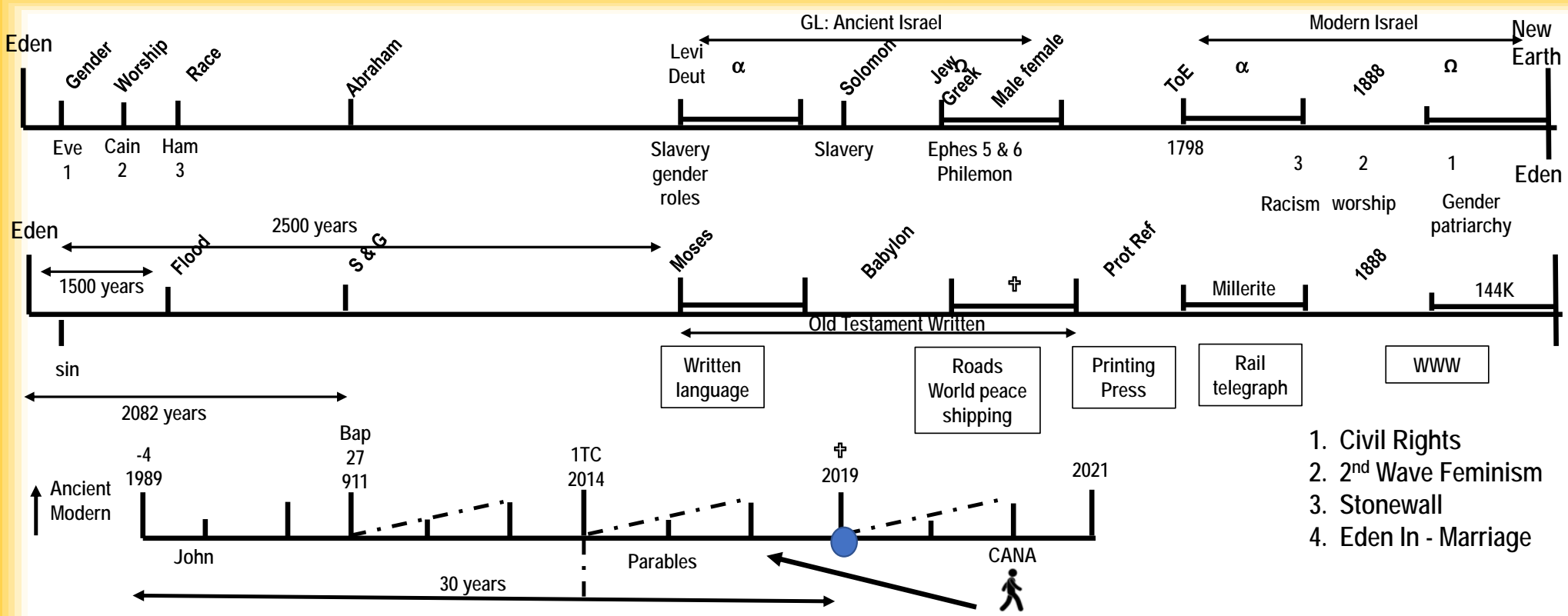
IPR/Repairersofthebreach7 Camp Meeting

August 25-28, 2021

#2 The Fight For Gay Marriage Begins

Elder Tess Lambert

August 25, 2021




Before we journey to 1989, I want to add one other point. Another reason that we know that this subject is gender but not just gender, marriage, is because between 1888 and our history what is being discussed is the two institutions of Eden. 1888 was the institution of the Sabbath. Our history is this institution of marriage which is to correctly understand marriage. I'll 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 it's Sabbath our own we know it's 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 thousands of years, headship was still an issue, a breakdown of marriage. So I wanted to just put in that point of that institution.



So here exists our reform line, it's 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 in. I hope that doesn't complicate it for anyone.

So we know that homosexuality has existed for a long time and we're going to go into ancient history at a later date, in our next study. But just a few words of introduction, there was never really a word homosexuality. There was different words to describe the act of sex but there was no words to describe that type of relationship. The word homosexuality first introduced in 1868 which would immediately get known. So it wasn't until the late 1800s the latter half of the 1800s that there was a word for this. Elder Parminder has already discussed some of that when he's talked about sodomy but towards the late 1800s early 1900s people became more open. Especially in the 1920s, people who are homosexual or lesbian were more open without much fear of persecution. It didn't last long. And persecution really drove them into hiding in the 1930s. Then you had World War II and then after World War II 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 McCarthy era.



So around the 50s and 60s 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.

In June of 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 the movement developed where they refused to quietly continue to take the persecution and stigma. But our core subject is marriage and gay marriage was not part of the agenda or conversation in 1969.



Same-sex marriage rarely attracted mainstream attention until they say like the late 1980s. The New York Times *said the question of same-sex marriage was all but dormant until the late 1980s. According to the gay activist the AIDS of endemic was a turning point. All the sudden they had questions of inheritance and death benefits.* So they're going to want to, once you know you're going to lose someone the status of the relationship and the way you view that relationship, the connection 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 they were fighting for but it still was given very little mainstream attention. And even many within the homosexual community were not interested in the subject until 1989 acted as a turning point.



Denmark 1st
'Registered partnerships'

There were a number of things happened in 1989. We're going to start outside of the United States. The starting point for the fight for gay marriage began in 1989. Quite a number of events that happened in that year that really gave impetus to this movement. We're going to start outside the United States, in Europe.

Denmark, this was the first country in the world to allow registered partnerships

A Triumph for Love in Denmark and this is from the Time Magazine book released in 2009. For those that aren't aware what Time Magazine did in 2009, it's on the 20th anniversary of 1989 they released a book to try to illustrate for people how significant this year is or was. We're going to read from that book. This page or section of the book is called ***Triumph for Love in Denmark***, *it was October 1, 1989, and dressed in matching suits Axel and Ival had just become the first gay couple in the world to legalize 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 Ival had been dead for 14 months. But Axel still remembers the wedding as if it were yesterday. More than anything he remembers the crowd; I've 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 realized the historic significance of what we were doing. 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 actually meeting gay men and lesbian women and realizing they weren't any different from straight people.*



- Denmark 1st
'Registered partnerships'
- NYC

So the first of the 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.

Back into the United States, on July 6th, 1989, in New York City, now this one might take a little explanation, but after World War II New York City had rent-controlled apartments. So if me and my husband had 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 still be rent-controlled. I wouldn't be thrown out of my home and need to go find a much more expensive apartment.



- Denmark 1st

'Registered partnerships'

- NYC

Rec gay couple as family

This is from the LA Times, 1989, New York's highest Court ruled Thursday that a partner in a long-term homosexual relationship can take over the couple's 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.

Fourth paragraph down, the decision marks the first time any top state court in the nation has recognized a gay couple to be the legal equivalent of a family, American Civil Liberties union lawyer William Rubenstein said. The first time such a court in the United States has recognized him as a family.



- **Denmark 1st**

'Registered partnerships'

- **NYC**

Rec gay couple as family

Today's decision is a groundbreaking victory for lesbians and gay men, Rubenstein said. It marks the most important single step forward in American law toward the legal recognition of lesbian and gay relationships. The case involved Miguel Rasky, 33 who wants to live in a desirable Manhattan apartment he shared for 11 years with Leslie Blanchard. The two men were considered a lifetime couple and spouses by their friends. Blanchard, the owner of a Manhattan beauty salon died in September of 1986 leaving Brasky almost 5 million dollars. Soon afterward the landlord, Style Associates attempted to evict Brasky on ground 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.

- Denmark 1st

'Registered partnerships'

- NYC

Rec gay couple as family

- A. Sullivan, *The New Republic*



Third subject in 1989 that made the year of turning point:

Andrew Sullivan is a gay journalist and August 28th of 1989 he wrote an article in the *New Republic*. Now Andrew Sullivan was kind of a conservative but he's homosexual and he changed party affiliation around the Iraq War. He wrote this article that is recognized as a turning point. He wrote another article actually in 2015 and if we have time, we'll read from that one as well. The 1989 article was titled, ***Here Comes the Groom, A Conservative Case for Gay Marriage***. He says, *the gay movement has stuck to 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 inter-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 by guess the 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.*



- **Denmark 1st**

'Registered partnerships'

- **NYC**

Rec gay couple as family

- **A. Sullivan, The New Republic**

I think we will have examples soon to show his point is quite correct, many homosexuals in 1989 were opposed to gay marriage because they wanted to fight society, not be co-opted into it. But this is a behavior that's really typical of civil rights movements. There is a quite parallel fight within feminism. The women that fought through the Sexual Revolution and Second Wave Feminism often conflict or fight today with today's feminist, this newest generation of feminist. And the conflict is those older feminists fought so hard against society, fought so hard under the Sexual Revolution to even have their female sexuality recognized, they then watched the Me-Too generation, and the Me-Too 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 is added to the fetishization and sexualization of women and they see some of the results of that when they raise their hand and say Me-Too.



- **Denmark 1st**

'Registered partnerships'

- **NYC**

Rec gay couple as family

- **A. Sullivan, The New Republic**

The older feminists say do you not appreciate what we fought for? And they criticized the Me-Too movement. So this is what I referred to before about different currents within the stream of feminism, the refinement of the messages as we look back at the Sexual Revolution and see its positive and its negatives, and our view of the Me-Too movement because that's an external fight. So the same parallel thing is happening when it comes to gay rights.

In the next paragraph he talks about the complication of domestic partnerships and why marriage is better.

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 should 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 realize what develops when you drive people underground.



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Rec gay couple as family

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The argument that gay marriage would subtly undermine the unique legitimacy of straight marriage is based upon a fallacy. For heterosexuals, straight marriage would remain the most significant—and only legal—social bond. Gay marriage could only delegitimize 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 with—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.



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Cons. argument for gay marriage

- State Bar Assoc. CA

He carries on to argue that a civilized 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, undeveloped and insecure.*

So as he states he's making a conservative argument, but it was considered a turning point argument.

One more event in the United States that sparked this: September of 1989, the State Bar Association of California. It urged recognition of marriages between homosexuals even before gay rights advocates adopted the issue.

Now we're going to move outside of the United States. We're going into East Germany. So we've been to Denmark. three events in the United States and now we're going to East Germany.



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- Matthias Frieoff

"Coming Out"

By 1989 Germany's 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 Frieoff. *One of the last films made by the East German State film studio was called **Coming Out***. So even in that environment the East German film studio produced this movie with Matthias as the lead actor. It was also his personal coming out. It premiered on November 9th of 1989. So after 41 years of separation the first gay themed film they make came out on November 9 of 1989, a short distance from the Berlin Wall. It received such praise they played the premiere twice. So as they start watching this premiere over the hours of midnight, they had no idea 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 historical event and a turning point even separately to the timing of the double premiere.



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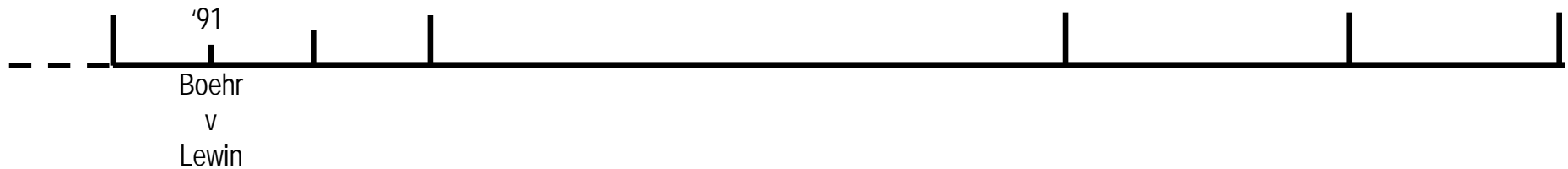
- Matthias Frieoff

"Coming Out"

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 want to just deal with one issue of discrimination and then we'll get to the fight. This is from The New York times 1991 October 6th. *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 bans sexual relations between people of the same sex and the Attorney General Michael J Bowers had successfully defended that law five years ago before the United States Supreme Court. Of course Georgia law also just does not recognize homosexuality.*

But he had defended and kept a law on their books that made it illegal to be practicing a practicing homosexual in Georgia. But the threat really begins in 1990, let's say it heats up. And it begins in Hawaii.

Lamda



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"Coming Out"

On December 17th, 1990, three same-sex couples applied for marriage licenses 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 of 1991. And this lawsuit went all the way up to the Supreme Court of Hawaii. It was known as Bohr versus Lewin. They ended up suing the state of Hawaii for the legal right to marry.

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 Lamda, Legal Defense and Education Fund, it's the American Civil Rights organization that focuses on lesbian gay, LGBT people. Lamda 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 organization that were meant to represent them refused. But others took up the cause.

Lamda



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Cons. argument for gay marriage

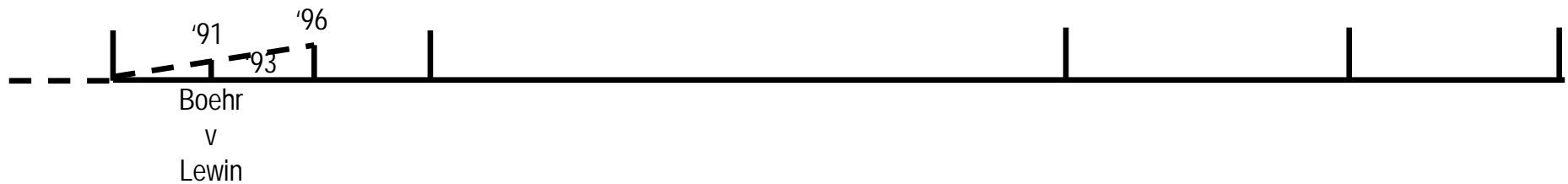
- **State Bar Assoc. CA**

- **Matthias Frieoff**

"Coming Out"

In 1993 the Supreme Court of Hawaii ruled, I won't read the quotes for this I'll 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 position was also discriminatory. But they didn't rule for same-sex marriage, what they did was 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 defense you want to make because your arguments and defense against these three couples or unsatisfactory. So they didn't really fully rule in favor 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 legalizing same-sex marriage that makes everything complicated. If you're a man and a woman in Arkansas and you have family in California, you might decide to fly to California and get married. Then when you fly back to Arkansas the state of Arkansas has to recognize the marriage. So if Hawaii legalized gay marriage and a homosexual couple from Arkansas decided to fly to Hawaii and get married, what is Arkansas required to do? So that's panic number one.

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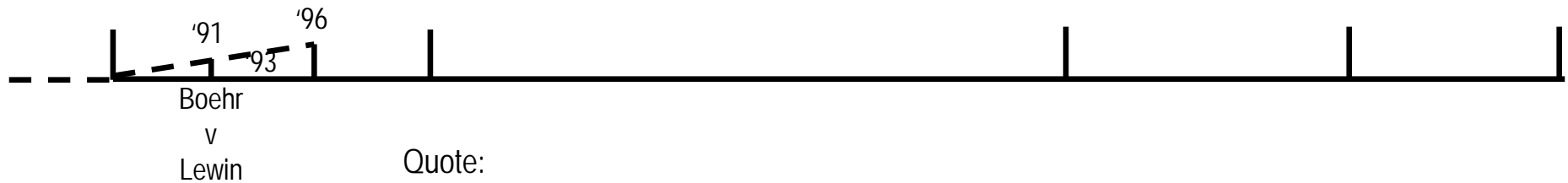
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"Coming Out"

Panic number two, if Hawaii recognizes this couple as married what then about the federal government? Because there 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 needs to notify your family, your husband or wife. So it said that there's hundreds or maybe thousands of ways the federal government interacted with the couple's marriage not the state. So everyone's watching Hawaii from 1991 to 1993 and it didn't end up going that well for opponents of same-sex marriage.

So when there's a group threat what do you do? You mobilize, 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 mobilized, they formed their counter-arguments.

Lamda



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"Coming Out"

Quote:

Georgia Representative Bob Barr, then a Republican authored The Defense of Marriage Act and introduced it in the House of Representatives on May 7th, 1996. Senator Don Nichols of Oklahoma then introduced the bill in the Senate.

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 moves through Congress on a legislative fast track and met with overwhelming approval in both houses of the Republican-controlled Congress on July 12th, 1996, with only 65 Democrats and then Representative of Bernie Sanders who was an independent and Representative Steve Gunderson who was a Republican in opposition.

So it's offered by a Republican, it's introduced by a Republican, passes through Republican-controlled House, passes through a Republican-controlled Senate, but who is president? A Democrat.

Lamda



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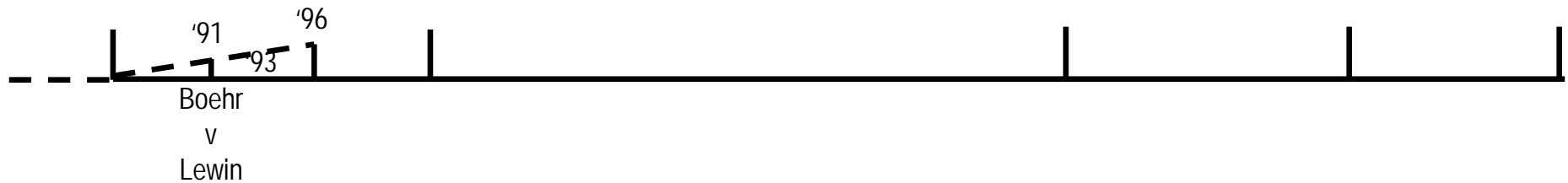
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"Coming Out"

This is an article by the New York Times in 2013, *they had just flown across the country after an exhausting campaign day in 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 scrolled out his name signing his name to it. It was 10 minutes before 1:00 a.m. on Saturday on September 21, 1996, and there were no cameras, no ceremony. The witching hour timing bespoke both political calculation and personal aims. With his signature federal law now to 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 you had a veto, 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 did we learn about the Wig Party, what do you do in election year? The end winning the election justifies the means: **you compromise.**

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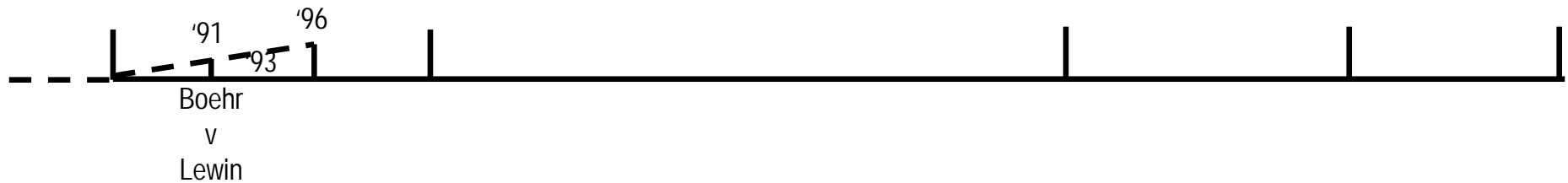
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"Coming Out"

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 Defense of Marriage Act, entirely urging that the lobby overturned by the Supreme Court. Rarely has a former president declared that an action he took in office violated the Constitution.

So historically Bill Clinton had quite a number of homosexual friends and he'd been seen relative to his time as progressive and supportive of the community. But early in his presidency he tried to open up the military to gays and lesbians and politically that had had a negative impact for him. So by 1996 he's afraid of the consequences if he vetoes DOMA.

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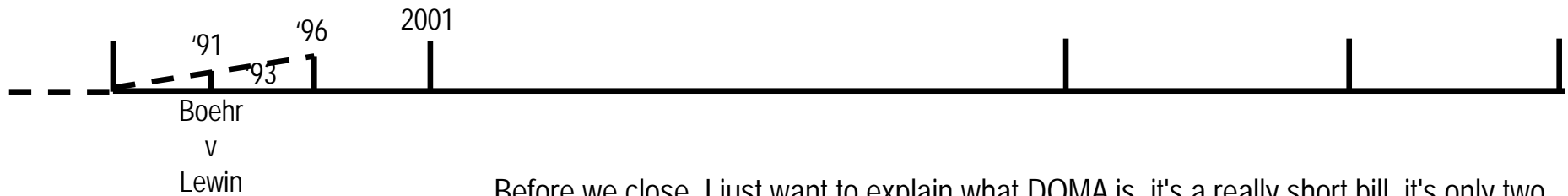
"Coming Out"

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 until morning to announce it.*

Quoting his Press Secretary from the time, *his posture was quite frankly driven by the political realities of an election year. Some gay supporters were outraged, they did feel betrayed.*

Not wishing to change subject but that wasn't his only compromise to win that election. The other acts that he signed is the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. And that active immigration has negatively affected the southern border for the decades since.

Lamda



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"Coming Out"

Before we close, I just want to explain what DOMA is, it's a really short bill, it's only two pages and consists of three 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 two and three: section 2 says that no state has to acknowledge a same-sex marriage that was performed in another state, so this is a response to Hawaii. So if Hawaii was to legalize same-sex marriage Arkansas would not recognize any of those couples as married once they stepped foot in Arkansas, this protected the states.

Section 3 equally as simple, the federal government does not recognize as married any gay couple legally married by a state that allows it. So one was to protect the states and one was to protect the federal government. The federal government recognizes that marriage only exists between a man and a woman, it's an action to defend marriage due to the recent events. It's a legal response to the group threat.

DOMA

- 1) Name
- 2) No state recognizes SS marriage from other states
- 3) Federal Gov does not recognize gay marriage



- Denmark 1st

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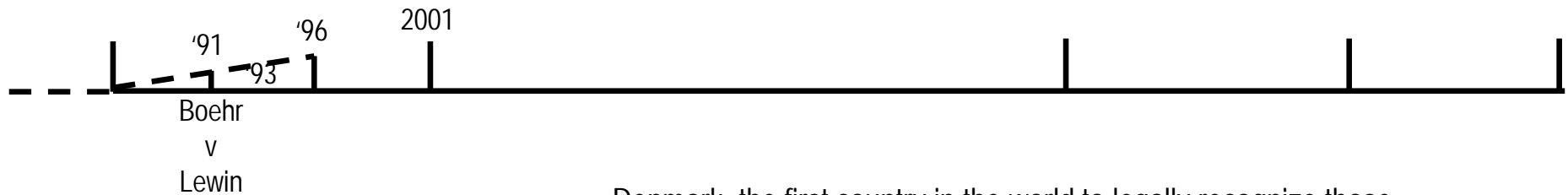
"Coming Out"

I'm going to review before we close. The first presentation I wanted to explain why we're discussing this subject, remind us of some of our history, particularly how we have understood these three 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 waymarks, we went back to 1989, recognizing 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 9th just by the Berlin Wall.

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"Coming Out"

- Denmark, the first country in the world to legally recognize those relationships.
- The arguments by one journalist that were astounding for the time, they 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 of for same-sex people.
- Fight heating up in the state of Hawaii, galvanized national attention, frightened the rest of the United States in 1993.
- Then a counter-attack formalized in 1996 with the DOMA Act signed by a compromising Democrat, that stopped other states from having to recognize same-sex marriages in another state
- And how the federal government state that marriage only existed between a man and a woman.

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When we come back tomorrow, we'll start with 2001

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DOMA

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When we come back tomorrow, we'll start with 2001

Dear Lord, I pray that 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, I pray Lord that you will give your people wisdom, balance, bless the other speakers and the leaders also running this camp meeting. Bless the efforts behind the scenes that I might be a blessing to all.

We pray this in Jesus' name, Amen