

By KAY BELLOR

Because gays are a hidden minority which fears working publicly for gay rights, efforts to gain equal protection for lesbians and gay men have left the movement without vocal support, according to Barbara Weinstock, co-chairman of the Virginia Coalition of Lesbian and Gay Rights (VCLGR).

The fears of gays, coupled with the belief among national and state legislators that to support gay rights legislation would be "political suicide," have slowed action toward gay civil rights, she observed.

"Society has put its stamp of approval on the black struggle for civil rights. That hasn't happened with the gay liberation movement," according to third-year law student Robert Schwartz, who lobbied in Richmond with VCLGR.

Gays fired from their jobs because of their homosexuality, gay parents denied custody of their children, or gays denied housing have little legal recourse, according to Weinstock.

This year Senator Paul Tsongas, D-Mass., introduced the first gay civil rights measure ever in the Senate. Tsongas' bill, S. 2081, outlaws job discrimination on the basis of sexual orientation.

But the bill will be held in committee until after the November elections because "it is not now in the best interest" of some Senators to publicly support the bill even though they sympathize with the cause, according to Tsongas' legislative assistant, Helene Colvin.

In an interview with "Capitol Hill," the Gay Rights National Lobby (GRNL) newsletter, Tsongas said, "My bill simply provides a legal recourse for persons fired or denied jobs because of this aspect of their lives. It is consistent with strong public disapproval of government intrusion into the personal lives of others."

### Political hesitation

Introduced in December, the bill will remain in the Senate Labor and Human Resources Committee until after the November elections, according to Colvin.

After hearings next December, supporters of the bill plan to introduce it on the Senate floor, she added.

Support for the bill does not break down on a regional or partisan basis, Colvin said, but is supported "by those who understand the civil rights measure."

The fate of the Tsongas bill represents the general trend of gay rights legislation. Despite the determined effort of liberals, the issue is too politically volatile to gain enough support for passage.

And the political problems faced by legislators are only partially as intense as the emotional and social pressures that await gays who publicly support the movement.

### Religious opposition

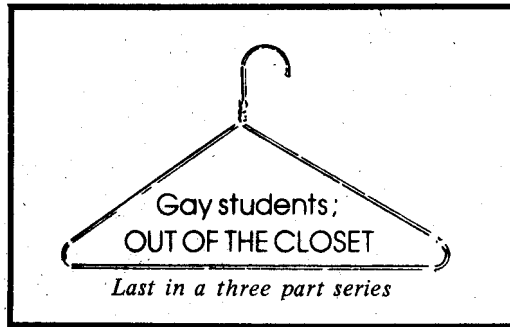
But not all the legislative difficulties facing gays involve political inertia or lack of vocal support. Several lobbying groups, notably the 187,000-member Christian Voice, formed this year, have challenged gay rights activists on moral and religious grounds.

Christian Voice Executive Director Gary Jarmin said these lobbies have mobilized the evangelical vote against gay rights.

The lobbies have thrown their support behind several purportedly anti-gay bills introduced in Congress this year. Some of the bills, gay activists claim, would give congressional approval of discrimination against gays.

In Virginia, Delegate Bernard Cohen, D-Alexandria, introduced H.B. 873, which would have deleted some of the state's sodomy laws.

The law now prohibits both voluntary and involuntary sodomy. Cohen's bill would have made voluntary sodomy legal.



The House Committee for Courts and Justice amended the bill to make sodomy between partners of the same sex illegal and punishable as a misdemeanor. According to Schwartz, the amended bill sanctioned an act for heterosexuals while outlawing it for homosexuals and therefore discriminated against gays.

The bill then passed through the committee and the House. It was introduced in the Senate, where gay rights activists vehemently opposed the legislation.

The VCLGR opposed the bill because it distinguished between gay and heterosexual activity and also because the amended version made the offense a misdemeanor, according to Schwartz.

Reducing the offense from a felony to a misdemeanor probably would result in more gays being charged, Schwartz added.

The bill died when the Senate Committee failed to act on it before the end of the legislative session.

Alcohol Beverage Control (ABC) regulations have a great impact on gays because ABC laws prohibit the hiring of homosexuals and the use of liquor-selling establishments as meeting for homosexuals, according to Weinstock.

Overturing these laws is difficult because "ABC said it would have to go before the General Assembly [to change regulations], but the General Assembly takes recommendations from the ABC board. We've been getting the runaround," Weinstock said.

Immigration reformation bills have also been introduced this year to prevent discrimination against gays who attempt to gain visas or citizenship.

In one recent case in Northern Virginia, Judge Oren Lewis denied citizenship to a man who admitted to having a homosexual relationship.

Earlier this year, Sen. Alan Cranston, D-Calif., introduced a bill to delete "sexual deviation" from a section of the Immigration and Nationality Act which now excludes from citizenship "aliens afflicted with psychopathic personality, sexual deviation or mental defect."

### Gap between proposal and law

But like the civil rights measures, a large gap separates introduction of gay legislation from passage.

As many anti-gay measures have accompanied recent gay-rights legislation. The "Family Protection Act" of 1979, a bill introduced by Sen. Paul Laxalt, R-Nev., would prohibit federal money from being used for gay legal services or "organizations that present homosexuality as an acceptable lifestyle."

Included in the bill are measures which call for "a statement that discrimination against declared homosexuals would never be considered an 'unlawful employment practice.'"

Representative Larry McDonald, D-Ga., introduced House Concurrent Resolution 166 on July 24, 1979. The resolution states in part "that homosexual acts and the class of individuals who advocate such conduct shall never receive special consideration or a protected status under the law."

Schwartz and Weinstock both observed that gay activism is hampered by the unwillingness of gays to come out in great numbers in support of gay rights legislation.

Gay unwillingness to publicly support gay rights stems from unwillingness to identify themselves as gay in a society that is becoming increasingly conservative, according to Weinstock.

"Things are getting worse. People are going back into the closet," she said.