

Q-NOTES

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January 1989

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TO ADVERTISE: 339-0679

Judge to Congress: Anti-Gay Armstrong Amendment Stinks

BEST BETS

- Jan. 8 *Carmen Del Rio-Scorpio*
Jan. 9 *Bowling, Coliseum Lanes*
Jan. 12 *Torn Jeans Contest - Charades*
Jan. 12 *PFLAG*
Jan. 15 *New Life MCC 6:45*
Jan. 20 *Sasha Tate, Ashley Jordan & Diane Davis - Oleens*
Jan. 28 *MCC Charlotte Pot Luck Supper 6:30*
Jan. 28 *NTE Dancers - Oleens*
Jan. 29 *BINGO at Stevens*
Jan. 31 *GALA - UNCC*

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Washington, D.C., December 13, 1988 - Lesbians and gays in the nation's capital won a critical civil rights victory today when a federal judge struck down the infamous "Armstrong Amendment" that would have allowed religious institutions to discriminate on the basis of sexual orientation.

In a surprise ruling by conservative, Reagan-appointed U.S. District Judge Royce Lamberth, the court said the U.S. Congress did not have the constitutional power to compel the District of Columbia and its council members to enact legislation against their best judgment, including anti-gay legislation.

D.C. council members, lobbied by the Human Rights Campaign Fund (HRCF) and other national and local activist groups, opposed the anti-gay Armstrong Amendment passed by Congress last October as part of the D.C. Appropriations bill. The amendment, sponsored by Sen. William Armstrong (R-Colo.), would have permitted religiously "associated" educational institutions to discriminate against "any person or persons that are organized for, or engaged in, promoting, encouraging, or condoning any homosexual act, lifestyle, orientation, or belief."

Congress had forced the District to pass the law by December 31, 1988, otherwise risk cutoff of all city funds.

In striking down the Armstrong Amendment, Judge Lamberth - who many gay activists considered more of a conservative demagogue than Sen. Armstrong himself - held that the First Amendment protects the right of elected council members to exercise their own judgment in voting for or against legislation. The judge asserted that the United States had no interest in forcing council members to vote for anti-gay discrimination.

In vividly worded language, Lamberth rejected Congress' contention that the elected officials of D.C. simply "hold their noses" and adopt the law.

"First amendment protection," said the judge, "encompasses both the right to speak and the right not to speak, and even the olfactory burden to which the United States refers is constitutionally suspect."

Activists heralded the ruling on the case, formally named "Clarke vs. the U.S." after D.C. Council Chairman David Clarke, joking that the gay community 'won the case by a nose.'

"This confirms what we've believed all along: that the homophobic legislation passed by Armstrong and the U.S. Congress stinks," said Robert Bray, HRCF communications director. "Members of Congress should be the ones holding their noses for passing such foul law. It would have seriously undermined the power of our Human Rights bill."

The ruling marks a major milestone in a long, frustrating ordeal for Washington's gays and lesbians.

The ordeal began in 1980 when D.C.'s Georgetown University was charged with discriminating against its gay and lesbian student groups. The university agreed to grant the groups equal treatment following a separate court ruling earlier this year.

Although both the university and gay groups accepted the ruling, Sen. Armstrong still pushed his amendment through in the closing days of the 100th Congress.

In this week's decision, the Court did not rule on the constitutionality of religious exemption for anti-gay discrimination, but left that issue to be decided if and when Congress should act directly to amend D.C.'s Human Rights Act.

"The judge told Congress if they wanted such laws passed, they would have to pass them," said Steve Smith, HRCF legislative

counsel. "Congress can't force its dirty work on local elected officials. If the decision stands, it will be more difficult for the extreme right in Congress to force its will on the District.

"In any case, we will work with our friends in Congress and elsewhere to win this vote the next time it occurs," said Smith.

The U.S. Department of Justice, which represents the federal government in the case, did not announce immediately whether it would appeal the decision.

Unfortunately, the ruling came the same day the D.C. Council passed two other, separate anti-gay laws.

One bill was designed to comply with a Congressional mandate that insurance companies doing business in D.C. be allowed to test applicants for HIV. Local AIDS activists demanded that insurance companies at least be required to test all applicants to prevent "red lining" of gay neighborhoods.

The Council also gave final approval to a bond issue for Georgetown University. Gay activists believed the denial of bonds to Georgetown could be used as political lever-

age to force the university to treat its gay student groups with equality.

Local gay and lesbian and AIDS organizations mounted a massive public campaign to prevent final passage of the laws, including visits and telephone drives to every Council office, a full-page advertisement in the *Washington Blade*, and a public rally in sub-freezing weather on Sunday, December 11.

About a hundred community members packed the Council chambers and filled the outside hallway the evening the anti-gay laws were passed. The meeting was disrupted several times by gay and lesbian activists. Some activists chained themselves to chamber furniture, hurled pink triangles at the council members, and chanted slogans, including, "We'll remember in November," referring to re-elections of the council members.

Five protesters were arrested at the meeting and eventually released after being charged with disturbing the peace.

Human Rights Campaign Fund Newsletter

Metrolina AIDS Project 1988 - Year in Review

By David Prybylo
Special to Q-Notes

JANUARY: As 1988 begins, the CDC reports 50,265 cases of AIDS (reported since 1981), of whom 28,149 have died. During the month an additional 1,991 AIDS cases and 1,057 deaths are reported.

MAP holds its first volunteer training of the new year on January 30 and 31 at which approximately 20 new volunteers are trained.

FEBRUARY: 2,911 new AIDS cases and 1,726 deaths are reported during February.

Buddy training is held for 8 new buddies on February 27 and 28. A buddy is a special friend who provides emotional and practical support to a person with AIDS (PWA).

MARCH: 3,103 new AIDS cases and 1,613 deaths are reported during March.

On March 1 a part-time Administrative Assistant is added to the staff. On the 23rd, the Board of Directors holds a retreat to discuss MAP's goals and objectives and to develop strategies to meet future needs.

APRIL: 2,582 new AIDS cases and 1,543 deaths are reported during April.

April marks the appearance of MAP's first newsletter, designed to provide information about MAP and AIDS to our clients, volunteers, and concerned others. This month also sees the establishment of the Dennis Fund: an emergency financial relief fund for PWAs founded in memory of - and as the last wish of - one of our former clients. On the 28th MAP holds a Volunteer Appreciation Day.

MAY: 3,754 new AIDS cases and 2,167 deaths are reported during May. Les Kooyman, our Executive Direc-

tor, attended a conference at the CDC in Washington from the 8th to the 11th. On the 16th, a college intern joins the staff as Summer Case Coordinator. A cocktail party is held on the 19th to thank benefactors and friends. On the 30th a candlelight vigil is held at Independence Park to remember those whom we have lost to AIDS.

JUNE: 1,958 new AIDS cases and 1,280 deaths are reported during June.

Twenty new volunteers are trained at a session held on the 4th and 5th. Dr. Bob Barrett, a UNCC psychologist who works closely with us at MAP, attends the 4th Annual International Conference on AIDS in Stockholm from the 12th to the 16th. Also during June, the new North Carolina Partner Notification law goes into effect. The law makes it mandatory for any person who tests positive for HIV to notify his or her sex or needle-sharing partners. Also in June, Mecklenburg County awards \$40,154 to MAP for fiscal year 1988-89.

JULY: 2,902 new AIDS cases and 1,525 deaths are reported during July.

Les Kooyman attends the Lesbian and Gay Health Foundation's AIDS Conference in Boston from July 20 to 27. July marks the beginning of a new Bereavement Support Group at MAP for families and friends who have lost loved ones to AIDS.

AUGUST: 3,279 new AIDS cases and 1,929 deaths are reported during August.

A picnic to mark our third anniversary is held on August 20. The picnic is attended by clients, volunteers and board members and is a great way to celebrate 3 years of hard work.

SEPTEMBER: 2,164 new AIDS cases and 1,153 deaths are reported during September.

September marks the beginning of

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