

# A clean sweep

Can the success of gay rights legislation in New England be repeated elsewhere? **By Chris Bull**

**W**hen the history of gay rights legislation in the 1990s is written, it may be remembered as the era of New England. Beginning with Massachusetts's passage of legislation in 1989 banning antigay discrimination and ending when Maine and New Hampshire adopted similar measures this spring, all six New England states have approved some form of statewide legal protection for their gay and lesbian residents. The clean sweep of the region left activists searching for ways to apply its lessons to other states.

"The idea that what you do on your little piece of God's green earth is up to you and you alone is alive and well in New England," says Sue Hyde, the New England field organizer for the National Gay and Lesbian Task Force, a political group. "Not everyone embraces homosexuality, but they are willing to allow others to conduct their lives as they see fit. We can now say to the rest of the country, 'See, none of the dire results predicted by conservatives for gay rights have come to pass.'"

Yet the unique political circumstances of New England are unlikely to be replicated elsewhere anytime soon. In addition to historical support for civil rights, Maine and New

**"In New England not everyone embraces homosexuality, but they are willing to allow others to conduct their lives as they see fit."**

Hampshire have sympathetic governors, the willingness of Catholic Church leaders to remain neutral, weakness and infighting among antigay groups, and well-organized gay lobbying groups.

In New Hampshire, Gov. Jeanne Shaheen signed the measure into law on June 7, three weeks after Maine governor Angus King signed his state's legislation. In adopting the antidiscrimination laws, Maine

and New Hampshire joined their fellow New England states of Connecticut, Massachusetts, Rhode Island, and Vermont. Only five other states in the nation—California, Hawaii, Minnesota, New Jersey, and Wisconsin—have laws on the books prohibiting antigay discrimination. The District of Columbia passed a gay rights measure in 1977.

New Hampshire and Maine took similar paths to the legislation. In New Hampshire support for the bill was bolstered by Bishop Leo O'Neil of the Roman Catholic Diocese of Manchester. O'Neil agreed to drop his opposition in return for the insertion of language declaring that the state "does not intend to promote or endorse any sexual lifestyle other than the traditional, marriage-based family."

"I've yelled at the legislators for accepting the amendment and making gays and lesbians second-class citizens," says Susannah Colt, a veteran gay activist who testified in March at a hearing on the bill in the New Hampshire house of representatives. "But that seemed to ►

## Solid states

Within the past eight years, every state in New England has passed laws protecting gay men and lesbians from discrimination. Such measures have also been written into law in California, Hawaii, Minnesota, New Jersey, Wisconsin, and the District of Columbia.

1992  
VERMONT

1997  
NEW HAMPSHIRE

1989  
MASSACHUSETTS

1995  
RHODE ISLAND

1991  
CONNECTICUT

1997  
MAINE

be the only way to get the bill through this time. We can work to remove it in the future when people realize that as productive citizens we shouldn't be treated differently from any other minority."

John Camobreco, assistant professor of political science at the University of New Hampshire, says subtle demographic shifts played directly into activists' hands. "There is a migration of people to the southern part of the state, where the high-tech industry is situated, who are more politically moderate than the traditionally conservative hotbed in the north," he says. "But even in the north voters tend to be fiscally conservative and libertarian rather than socially conservative and antigay. In between Massachusetts and Vermont, New Hampshire might seem conservative. But if you put it in middle of the deep South, it would seem moderate. The state just doesn't have the organized social-conservative movement that other states have."

In Maine the Catholic Church also agreed to remain neutral, in part because King had already allowed a bill prohibiting same-sex marriage to become law without his signature.

"When the marriage bill passed, the church had some sense that they were being listened to on a moral issue that's very important to them," says Pat Peard, head of the gay group Maine Won't Discriminate. "That made it easier for them to support a ban on discrimination, which for them lacks the moral connotation of marriage."

The bill benefited from a bruising battle over an unsuccessful 1995 antigay ballot measure that would have prohibited the state from adopting antidiscrimination legislation on the basis of sexual orientation. "That effort boomeranged on the antigay forces by leaving mainstream voters suspicious about their motives," says Bill Nemitz, a columnist at the *Portland Press Herald*. "A lot of voters were educated about who gay people are. The fight over that initiative alienated so many people that it fractured any sense of coalition the right wing might have had going into this fight."

In Maine, at least, the issue may not be settled yet. The local chapter of the Christian Coalition, a right-wing religious group, is toying with the idea of mounting another ballot mea-

sure, this time to overturn the antidiscrimination law. According to a unique "people's veto" provision in the Maine state constitution, opponents of any law passed by the legislature have 90 days to gather 10% of voters' signatures after the legislature's adjournment to spark a referendum. "This could be the most contentious battle yet," says Nemitz, "because the coalition is talking about waging a battle against sin, not just equal rights."

Hyde says the most important lesson from Maine and New Hampshire, as in the four other New England states that have already enacted bans on antigay bias, is that there is no substitute for experience. "In Maine people have been working on some form of gay rights legislation for 20 years now," she says. "In New Hampshire the bill was introduced only in 1993, but they have been working with the legislature for at least a decade. The gay rights battle is fundamentally about people working to create an atmosphere in which legislation is possible. People have to be willing to chop wood and carry water for years and years before they get their reward." ■



# A cure *for* financial stress.

When you or someone you know is living with AIDS, a life insurance policy can be sold to our company for immediate cash. It may sound strange, but it's true. Every year, we buy millions of dollars worth of life insurance from people who need to relieve financial stress from their lives.

As a pioneer in our industry, we know first hand how important money becomes when survival is an expensive choice.

**Make a better choice. Call today for a copy of our free brochure or application.**

**1-800-572-4346**