



# BGLAD Newsletter

June, 2001

**Bisexuals, Gays, Lesbians, Transgendereds and Allies At DuPont**

Contact: [BGLAD.BGLAD@usa.DuPont.com](mailto:BGLAD.BGLAD@usa.DuPont.com) See us at [www.DuPontbglad.com](http://www.DuPontbglad.com)

## Faith Wohl to Speak in the Fall



Faith A. Wohl, locally known for her pioneering initiatives to help employees balance their work and family life at DuPont and for her role in creating the Child-Care Connection, will be BGLAD's annual diversity speaker.

Wohl's experience and national reputation for successfully dealing with family issues in the workplace prepared her for her position as director of the U.S. General Services Administration's Office of Workplace Initiatives, where she was responsible for policy development and implementation of child care and telecommuting centers for employees throughout the federal sector. In addition, Wohl designed new work/family initiatives and volunteer and community outreach programs for GSA employees, and she played a critical role in incorporating the recommendations made by Vice President Al Gore's National Performance Review on how to make the government more family-friendly. (continued)

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## Best Companies for Gays: AmEx, Disney, Microsoft Top

**List** By JORDAN T. PINE ©2001 DiversityInc.com  
May 3, 2001

American Express, Walt Disney and Microsoft are the top three most gay-friendly corporations in the United States, according to a 50-best list from the Gay Financial Network (gfn.com). Also in the top five are Lucent Technologies, Xerox Corporation and SBC Communications. Lucent gained six places since last year's list and SBC made the list for the first time.

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## Faith Wohl To Speak

(continued from p. 1)

Before her GSA position, Faith was with DuPont for more than 20 years, serving in management roles as director of corporate communications, corporate affairs and community affairs and public affairs manager for textile fibers and employee relations departments. Her last position with DuPont was as director of work force partnering.

Recognized for her accomplishments in family and workplace issues by a number of national and community organizations, Wohl was a recipient in 1994 of the prestigious national Lewis Hine Award from the National Child Labor Committee, for her work in developing quality child care programs. She also was honored in 1997 by the Delaware Chamber of Commerce, which gave her its annual award for her role in creating Child-Care Connection, a statewide resource and referral agency serving families in communities throughout Delaware and nearby Pennsylvania and Maryland.

## Best Companies for Gays

By

JORDAN T. PINE ©2001 DiversityInc.com May 3, 2001

(continued from p.1)

"All of the companies on this year's list had great policies for gays and lesbians, but we went a lot further to ascribe a rating to these companies," said Walter B. Schubert, founder and CEO of gfn.com. "For example, we looked at whether a company advertised in the gay media or included sexual orientation in its diversity training.

Last year, IBM, AT&T and Bank of America topped the gfn.com list. This year, IBM slipped to No. 6, AT&T to No. 13 and Bank of America to No. 27. But the two lists aren't really comparable because of a change in methodology, Schubert said.

The gfn.com rankings are based on an analysis of financial data and corporate policies. Only public companies in the Fortune 500 are considered. **Companies that don't have an anti-discrimination policy that specifically mentions sexual orientation and same-sex domestic-partner benefits are automatically excluded from the running.**

What's left over – about 100 or so companies this year – is weighted based on any additional gay policies the company may have, financial criteria such as revenue growth, and votes cast by gfn.com members. More than 100,000 members had the opportunity to vote this year, and their votes counted for roughly 40 percent of how each company was ranked, Schubert said.

The list's focus on financial prowess as well as gay-friendly policies makes the gfn.com ranking a powerful group of companies. All together, the companies have a market cap of \$3.4 trillion, and an average market cap of \$74.1 billion, according to gfn.com. Most of the gfn.com 50 also beat the S&P 500 last year, in some cases by as much as double. Does this mean there's a correlation between diversity awareness and corporate success? "I'd

love to make that correlation, and I suppose with a supercomputer it's possible," Schubert joked. "But we can make the inference that diversity is an inclusionary practice that's good for the bottom line, regardless of whether the data exists to back that up."

The gfn.com 50 covers a wide range of industries, from financial-services companies, such as JP Morgan Chase to car manufacturers, such as General Motors. High-tech companies, such as

Microsoft and Compaq Computer, were prominent on the list, as were retail chains, such as Nordstrom and Federated Department Stores.

Oil and gas companies were among those least represented on the list. Only one such company, Chevron Corp., made this year's list. Mobil, formerly a No. 4-ranked company, lost its standing in November 1999 when it merged with Exxon and the latter company repealed its gay-friendly policies.

## Best Companies for Gays

<u>Rank</u>	<u>Company</u>	<u>Symbol (NYSE unless noted)</u>
1.	American Express Co.	AXP
2.	Walt Disney Co.	DIS
3.	Microsoft Corp.	Nas: MSFT
4.	Lucent Technologies Inc.	LU
5.	Xerox	XRX
6.	International Business Machines	IBM
7.	Hewlett-Packard Co.	HWP
8.	Apple Computer Inc.	Nas: AAPL
9.	AMR Corp.	AMR
10.	Citigroup Inc.	C
11.	Gap Inc.	GPS
12.	Verizon Communications	VZ
13.	AT&T Corp.	T
14.	AOL-Time Warner Inc.	AOL
15.	JP Morgan Chase & Co.	JPM
16.	Intel Corp.	Nas: INTC
17.	SBC Communications	SBC
18.	Ford Motor Co.	F
19.	Compaq Computer Corp.	CPQ
20.	New York Times Co.	NYT
21.	Oracle Corp.	Nas: ORCL
22.	Coca-Cola Co.	KO
23.	Sun Microsystems	Nas: SUNW
24.	Texas Instruments	TXN
25.	Aetna Inc.	AET

<u>Rank</u>	<u>Company</u>	<u>Symbol (NYSE unless noted)</u>
26.	FleetBoston Financial	FBF
27.	Bank of America Corp.	BAC
28.	US Airways Group Inc.	U
29.	General Motors Corp.	GM
30.	Boeing Co.	BA
31.	Merrill Lynch & Co.	MER
32.	Charles Schwab Corp.	SCH
33.	General Mills	GIS
34.	Eastman Kodak Co.	EK
35.	Qwest Communications Int.	Q
36.	UAL Corp.	UAL
37.	Chevron Corp.	CHV
38.	Wells Fargo & Co.	WFC
39.	Cisco Systems Inc.	Nas: CSCO
40.	Motorola Inc.	MOT
41.	Costco Wholesale Corp.	Nas: COST
42.	Chubb Corp.	CB
43.	Federated Department Stores	FD
44.	Enron Corp.	ENE
45.	Allstate Corp.	ALL
46.	Gillette Co.	G
47.	Honeywell International	HON
48.	Fannie Mae	FNM
49.	Barnes & Noble Inc.	BKS
50.	Nordstrom Inc.	JWN

## BGLAD Member News

Articles on promotions and graduations and other BGLAD member news are available to BGLAD members only.

### Gay World News

#### Gay Proms Gain Support Through Corporate Efforts

By CANDICE CHOI ©2001 DiversityInc.com April 23, 2001

"There was a time when you knew which companies were offering domestic-partner benefits," Urban said. "Now it's become a matter of knowing the few which aren't," he said.

Boys will pin each other with corsages while girls step out of limousines dressed in tuxedos at this year's gay high-school proms. The recent surge in gay proms corroborates findings of a report by the Horizons Foundation, which found gay, lesbian, bisexual and transgender (GLBT) issues are gaining wider acceptance in homes nationwide. According to the report, 76 percent of parents said they would be comfortable discussing homosexuality with their kids, while 67 percent said they believed in teaching their children that gay people are just like everyone else. In addition, 79 percent of parents said they would be comfortable working with a gay or lesbian co-worker, 70 percent with a gay close family member, and 55 percent with their child's teacher being gay and 54 percent with a gay friend of their child.

For many parents, an increased awareness of gay and lesbian issues has come from a surprising source – the workplace. "The biggest place for change is through the workplace," said Rick Urban, co-chair of EQUAL!, Lucent Technology's educational and support group for GLBT employees. **"You spend so much time in your place of employment that it becomes like a second family. If you're not learning about these issues at home, then you're learning it through your interactions with your employees."**

Over the last five years, the driving force behind EQUAL!, which was established in 1980, has crystallized into a compelling business case. "There's a certain momentum that's developed around the whole diversity issue within Fortune 500 companies," Urban said. In turn, the growing business case for diversity has fostered the proliferation of employee affinity groups that champion the rights of GLBT employees.

As of last year, more than 100 of the Fortune companies offered domestic-partner benefits, part of a 25 percent increase since 1999, according to a report by the Human Rights Campaign (HRC) Foundation. **"There was a time when you knew which companies were offering domestic-partner benefits," Urban said. Now it's become a matter of knowing the few which aren't, he said.**

Kathleen Miller, a member of Parents, Families and Friends of Lesbians and Gays (PFLAG), a group that helped sponsor the first gay prom in St. Petersburg, Fla., notes that corporations "have been great," in increasing the awareness of gay issues. In return, companies have benefited by fostering a more inclusive and open environment. "When the stress level of gay workers goes down, their productivity goes up," Miller said. As a mother, Miller helped launch the first gay prom in St. Petersburg, Fla., last spring because of the harrowing

experience her gay son had when he attended a straight prom. "He was getting remarks and stares," Miller said. "The photographer had never taken a photo of a gay couple and he didn't know where to put their arms. Everyone was staring."

Miller noted that kids are coming out at a younger age now - "and don't think we'll be able get them back in the closet," she said. One of this year's most notable gay proms, sponsored by the Long Island Gay and Lesbian Youth Inc. (LIGALY), is using the phrase "Free to be" as its theme. Featured at the prom will be pictures depicting what the group hopes will reflect the future of the United States – gays serving openly in the military, gay scout leaders and the country's first lesbian president. "What gay kids face daily is people calling them names, spitting on them and physically harassing them," said David Kilmnick, executive director of LIGALY. "If they were to go to their school prom, they would just get more of that."

Angela Bucci, a junior at Linden Hurst High School who came out to her family when she was 14 years old and who will attend the LIGALY prom, said having a lesbian grandmother has made her parents extremely understanding and accepting of her sexual identity. Because she is new to her school, however, Bucci said she is not comfortable bringing her girlfriend to the school prom. "Nobody else at the school has come out," Bucci said. "So I don't know how I'd feel about taking my girlfriend to the prom." The other perk of attending a prom is that she can choose to wear either a dress or a tuxedo, she said.

The growing prominence of gay proms does not mean that gay acceptance is universal, however. "As good as it seems sometimes, we still have a long way to go," said KipuKai Kual'i'i, executive director of Pride at Work, an organization affiliated with the AFL-CIO. Sixty-one percent of the parents surveyed in the Horizon study said they would discuss gay issues only if their children brought up the subject on their own. "Parents have gotten slightly better," said James Fallarino, a senior at Sachem High School and member of LIGALY. "They're making progress slowly."

## **Coalition Fights Bias Legislation** -- Bill would ban discrimination based on sexual orientation

By JENNIFER PORTMAN News-Journal Company - 03/08/2001

The Delaware Christian Coalition mobilized this week against legislation that would ban discrimination based on sexual orientation urging its members to lobby the state's General Assembly. The conservative group mailed about 18,000 cards asking its members to contact their representatives to "vote for decency, vote no" on House Bill 99. "We oppose special rights based on behavior," said Dave Cline, the Christian Coalition's state chairman. "The Constitution does not protect behavior, it protects things that are beyond people's control."

The bill, sponsored by Rep. William A. Oberle Jr., R-Beechers Lot, would make it illegal to discriminate against someone based on their real or perceived sexual orientation in employment, housing, public works contracting, public accommodations and insurance. The bill defines sexual orientation as heterosexual, bisexual or homosexual.

"It has nothing to do with behavior, it has to do with discrimination," said Oberle, who said he was offended by the mailing and does not personally think homosexuality is a choice. He said he has been fielding dozens of calls since Tuesday. "They are well-intentioned people who have been misled," Oberle said. "I am not condemning them, I am condemning the people who are manipulating them for their own ends."

The mailing states that "Homosexual sex is the largest single cause of AIDS among American men," and warns, "Don't encourage behavior which promotes a disease that is fatal." Gay rights activists said those statements are untrue and the disease has nothing to do with the legislation. "They are trying to influence public policy with lies," said George Meldrum, a board member of the homosexual political action committee Delaware Liberty Fund. The mailing "is all the more reason why we need protection because all that it does is foster prejudice and hate."

Cline said the information on the card is fact, not innuendo, and the association of AIDS with the bill is based in common sense. He said discrimination is usually linked to low income and homosexuals earn more money than the national average. "This is not a group that needs special rights or special protections," he said. The Delaware Christian Coalition has opposed similar legislation in the past. During the last General Assembly session, the proposal was defeated in the House by a vote of 18 to 15.

Cline said the group launched its campaign against the bill now because it learned Oberle was going to try to push it through quickly when the General Assembly resumes next week. Oberle said that is not his plan, and even if it was, the legislative process takes time. "All I want is an open, honest discussion on the House floor," he said. Passage of the bill remains uncertain. Despite what he considers scare tactics, Peter Medwick, statewide coordinator for the American Civil Liberties Union Lesbian and Gay Project, said he thinks the legislation has a chance. Rep. Deborah Hudson, R-Fairthorne, who has received about 75 calls, said the bill's scope might be too broad. "It's an enormous bill, I'm kind of disappointed they didn't break it down," said Hudson, who is not sure how she will vote. "It is a shame to have something go down in flames because it was too big of a nut to crack."

Passage of the bill, Oberle said: "Depends on whether there are 21 staunch souls who are willing to do the right thing and ignore all this misinformation."

### **Spielberg's List Doesn't Include Boy Scouts ©2001**

**DiversityInc.com April 17, 2001**

Oscar-winning filmmaker Steven Spielberg has stepped down from the Boy Scouts of America (BSA) advisory board in protest of the group's policy prohibiting gays.

Spielberg's role in the organization's Los Angeles board has been minimal, aside from undisclosed donations and the creation of the cinematography merit badge, which bears his likeness.



"I thought the Boy Scouts stood for equal opportunity, and I have consistently spoken out publicly and privately against intolerance and discrimination based on ethnic, religious, racial, and sexual orientation," Spielberg said in a statement yesterday. "The last few years in scouting have deeply saddened me to see the Boy Scouts of America actively and publicly participating in discrimination," Spielberg said. "It's a real shame."

Spielberg is not alone. In the last year, four other board members have withdrawn their support from the BSA Los Angeles council, said Joey Robinson, the district's spokesperson. "We appreciate [Spielberg's] years of dedication and service," said Gregg Shields, national spokesperson for the Boy Scouts. "He's been a great friend of scouting and we respect his wishes to step down." Last June, the U.S. Supreme Court upheld the

group's right to refuse membership to gay individuals on the basis that BSA is a private organization. Despite the ruling, many cities, schools, churches and companies have withdrawn support and funding in light of their own anti-discrimination policies.

The Los Angeles City Council decided to no longer allow the Boy Scouts to use city services and facilities free of charge. The council also directed all city agencies to review their ties with the Boy Scouts to determine whether such relationships should continue. The City Council also cited the BSA's exclusion of individuals who are agnostic or atheist as a reason to discontinue free access to the city's resources. "The city of Los Angeles values the principle of equality and justice and strongly opposes any form or method of discrimination. According to city law, any group that functions in a discriminatory manner must be denied special privileges from the city," the resolution stated.

Spielberg was "really very upset" that the scouting policy has deteriorated to its current state, said Marvin Levy, Spielberg's publicist. "He wants that scouting opportunity to be available for all kids," Levy said. However, a year after the Supreme Court ruling, the Boy Scouts' position on gays does not appear likely to change soon, Levy said.

"Once scouting fully opens its doors to all who desire the same experience that so fully enriched me as a young person, I will be happy to reconsider a role on the advisory board," Spielberg said.

*Editor's Note: Spielberg is an eagle scout*

## **Why Are We the GLBT Movement?** By Mary Ann Horton

Now that transgendered people have become a very visible and mainstream part of the GLBT movement, sometimes it's helpful to step back and ask "why?" After all, at first glance, it seems like trannies are different than gay, lesbian, and bisexual people. They dress differently and talk about "gender" a lot. What the heck is that, anyway?

There has been much discussion about \*sexual orientation\*: who we love. We've also heard about \*gender identity\* (whether we identify as a man or a woman,) \*gender characteristics\* (biological things like chromosomes and secondary sex characteristics,) and \*gender expression\* (how we look, act, dress, and groom ourselves.) Some people make a distinction between sexual orientation and gender, implying that we're two separate groups of people. But in reality, we're diverse elements of the same queer community. Many transgendered people are gay, lesbian, or bisexual, and many lesbigays can't pass for straight. Anybody who doesn't fit the expected stereotypes for someone of their birth sex, including who they love, how they look, and what they do, can be considered \*gender variant\*, or more colorfully, \*queer\*. And let's face it, how many of us are truly Barbie or Bubba, anyway?

Back in June, 1969, the movement hadn't even become "gay" yet, it was just a bunch of queers that went to bars and got beat up by the cops. The Stonewall Inn was raided, and all but a few transsexuals and drag queens were let go. The riot that ensued had dykes, trannies, and queens at the center. And yet, somehow, the movement was launched as a "gay rights" movement. It took years for lesbians to claim their own space. Not until the 1990s have bisexual and transgendered people been welcomed back into the queer mainstream.

Transgendered people are much more likely to be harassed, beaten, or killed than straight-appearing gays and lesbians. 11 of 23 known GLBT murder victims this past year were transgendered, and a 12th was dating a transsexual. As a group, we fear going out, because members of hate groups may see us, assume we are homosexual, and just have a grand old time beating up the fag. Recently, Jeff Whittington, a 14 year old boy, was brutally beaten to death by two drunken adults. They saw his nail polish and his effeminate manner, offered him a ride, and drove him to a back alley. He was then kicked, punched, and left for dead. One of the attackers later bragged that he jumped up and down on this child's head, and that he bled from places he didn't know existed. The boy was rushed to a hospital, where he died of brain injuries. Later, the attackers said they "\_\_\_\_\_ed up a faggot and left him for dead."

The issues faced by gender variant people are essentially the same issues faced by homosexuals. Our basic human rights are constantly under attack by the religious right. We struggle with closets and coming out. We are often fired, denied housing, or kicked out of public accommodations just for who we are. Schools and the military make a big deal out of getting rid of us. We are denied the right to marry and the right to decent medical insurance benefits. We are presumed unfit to raise children by bigoted divorce court judges and adoption laws. We cannot safely walk down the street without fearing attack. Some locations and companies have laws prohibiting discrimination based on sexual orientation. Even though it's well known that many gay men and lesbians are visibly gender different, it's little known that sexual orientation protections only apply to who we love, not to how we look, act, or dress. A recent survey at a pride celebration, It's Time, Ohio! found that, of gay, lesbian, and bisexual people who have suffered workplace discrimination, 76% have been discriminated against for their gender expression. These people are not protected, even in places with sexual orientation laws and policies. It's not enough to protect sexual orientation. If we really want to be protected, we must protect both sexual orientation (who we love) and gender expression (how we look, act, and dress.) The gay, lesbian, bisexual, and transgender movement has united with pride in who we are, who we love, how we identify. We will not rest until we have the same full rights enjoyed by straight people.

## **Georgia lesbian files suit to have Vermont union recognized**

A lesbian in Atlanta has filed a lawsuit seeking to have the state recognize the civil union she and her partner had performed in Vermont last July, the *Atlanta Journal and Constitution* reports. In the suit Susan Freer is seeking to have the state of Georgia recognize the civil union as a marriage. The state Court of Appeals has agreed to review the case, probably in the fall. A lower court judge ruled against the claim.

After divorcing her husband in 1995, Susan met Debra Jean Freer, eventually adopting Debra's last name as her own. The couple had a civil union ceremony in Vermont shortly after the law establishing civil unions took effect last July. "Susan and Debra made a lifetime commitment, and it meets the standard of marriage," said their attorney, Adrian Lanser, said. "I don't think you have to be a liberal or conservative to believe people should be entitled to make their own commitments." Susan Freer hopes that having her relationship recognized will help her resume her relationship with her children, who live with her ex-husband. "I called on Christmas Day, but my ex-husband told me they weren't there," said Freer, 36. "I would set up a time to call when they were supposed to be there, but they never were. This is all very hard." Darian Burns, Susan's ex-husband, is being represented by Liberty Counsel, a religious right legal group based in Orlando, Fla. In a press release, the group said that in 1998, Burns and Freer entered into a visitation agreement that "prohibits visitation by either party during any time in which one party cohabits with or has overnight stays with an adult to which the party is

not legally married or to whom the party is not related within the second degree.” Lanser told the *Journal* that Freer did not violate the agreement because she and Debra Freer are effectively married.

Debra Freer says that the children, 12-year-old twin boys and a 9-year-old son, were told about the civil unions ceremony “and they said they were happy for their mother and were happy for her happiness.” Burns filed contempt charges last September, saying that Susan Freer violated the terms of her visitation agreement. In the Liberty Counsel press release, Matthew Staver, president and general counsel of the group, said that “traditional family relationships between a man and a woman have been recognized as the bedrock of American society. The civil unions recognized in the state of Vermont are not the equivalent of marriage, and even if Vermont recognized homosexual marriages, the other 49 states are not required to recognize such relationships.” Staver added that “homosexual relationships are not rooted in American society as a fundamental freedom. All relationships are not required to be recognized from one state to another, just like bigamy would not be a recognized relationship.”

Meanwhile, in Vermont more than 150 people gathered at the statehouse recently to celebrate the first anniversary of the passage of the civil unions law. "I'm honored on behalf of the Vermont senate to say, 'Happy Anniversary!'" Senate president pro tem Peter Shumlin said. Some of the couples joined under the law posed at the statehouse for a formal portrait. "Everybody look straight ahead," one photographer yelled to the group. "We can't look straight!" about half the couples yelled back, laughing, before breaking into the song "You Are My Sunshine." Since the law took effect last July, 427 Vermont couples have been joined under the law.

Another 1,566 out-of-state couples have traveled to the state to have unions performed.

## **Controversy: Conversion from Gay to Straight**

*The following two articles describe two views about a topic of extreme importance: is homosexuality “inherent” or “learned”; editorial comments at the end of the two articles.*

### **Psychiatry and Homosexuality Wall St Journal, May 23<sup>rd</sup>, 2001**

Robert L. Spitzer (Reprinted by permission of the author)

In 1973, I opposed the prevailing orthodoxy in my profession by leading the effort to remove homosexuality from the official list of psychiatric disorders. For this, progressives and the gay community respected me, even as it angered many psychiatric colleagues. I said then--as I say now--that homosexuals can live happy, fulfilled lives. If they claim to be comfortable as they are, they should not be accused of lying or of being in denial.

Now in 2001, I find myself challenging a new orthodoxy. This challenge has caused me to be perceived as an enemy of the gay community and of many in the psychiatric and academic communities.

The assumption I am challenging is this: that every desire for change in sexual orientation is the result of societal pressure and can never be a rational, self-directed goal. This new orthodoxy claims that it is impossible for an individual who was predominantly homosexual for many years to change their sexual orientation—not only sexual behavior, but attraction and fantasies—and to enjoy heterosexuality. Many professionals actually believe it is unethical for a mental-health professional, if requested, to attempt such psychotherapy.

This controversy exploded to the forefront last week, when I reported the results of a study which asked an important scientific question: Is it true that *no one* who was predominantly homosexual for many years, could strongly diminish their homosexual feelings and substantially develop their heterosexual potential?

What I found was that, in the unique sample I studied, many made substantial changes in sexual arousal and fantasy--not merely behavior. Even subjects who made a less substantial change believed it to be extremely beneficial. Complete change was uncommon.

My study concluded with an important caveat: it should not be used to justify denial of civil rights to homosexuals, or as support for coercive treatment. I did not conclude that all gays *should* try to change, or even that they would be better off if they did. However, to my horror, some of the media reported the study as showing that homosexuality is a choice, and that substantial change is possible for any patient who decides to make the effort.

In reality, change should be seen as complex and on a continuum. Some people appear able to change self-identity and behavior, but not arousal and fantasies; some can change only self-identity; and only a very few, I suspect, can substantially change all four. Change in all four is probably less frequent than therapists who do this kind of work tend to claim; in fact, I suspect the vast majority of gay people would be unable to substantially alter a very firmly established homosexual orientation.

I certainly believe that parents with homosexually oriented sons and daughters should love their children--no matter how their children decide to live their lives--and should not use my study to coerce them into unwanted therapy.

However, I continue to believe that desire for change cannot *always* be reduced to succumbing to society's pressure. Sometimes, such a choice can be a rational, self-directed goal. Imagine the following conversation between a new client and a mental health professional:

Client: "I love my wife and children, but I usually am only able to have sex with my wife when I fantasy having sex with a man. I have considered finding a gay partner, but I prefer to keep my commitment to my family. The homosexual feelings never felt like who I really am. Can you help me diminish those feelings and increase my sexual feelings for my wife?"

Professional: "You are asking me to change your sexual orientation, which is considered by my profession as impossible and unethical. All I am permitted to do is help you become more comfortable with your homosexual feelings."

The mental health professions should stop moving in the direction of banning such therapy. Many patients, provided with informed consent about the possibility that they will be disappointed if the therapy does not succeed, can make a rational choice to work toward developing their heterosexual potential and minimizing their unwanted homosexual attractions. In fact, such a choice should be considered fundamental to client autonomy and self-determination.

Science progresses by asking interesting questions, not by avoiding questions whose answers might not be helpful in achieving a political agenda. Gay rights are a completely separate issue, and defensible for ethical reasons. At the end of the day, the full inclusion of gays in society does not, I submit, require a commitment to the false notion that sexual orientation is invariably fixed for all people.

*Dr. Spitzer is Professor of Psychiatry, Columbia University. His presentation of the above ideas is available on the BGLAD web site [www.dupontbglad.com](http://www.dupontbglad.com).*

## **NEW STUDY ON CONVERSION THERAPY IS BIASED AND UNSCIENTIFIC, HRC SAYS: Researcher Has Ties to Anti-Gay Political Extremists, Says HRC** Wednesday, May 9, 2001

WASHINGTON — A new study claiming some gay people can become heterosexual through prayer, therapy and mentoring relationships is unscientific and profoundly biased, according to the Human Rights Campaign. The validity of the study is questionable because of the author's anti-gay views, close ties to right-wing political groups and lack of objective data, HRC said.

The study's author, Robert Spitzer, a psychiatrist at Columbia University in New York, was slated to present his findings May 10 at the annual meeting of the American Psychiatric Association in New Orleans.

"This study has little scientific value because the sample was largely drawn from organizations with strong anti-gay missions and appears to be a reflection of the researcher's personal bias," said HRC Associate Director of Communications Wayne Besen. "This study makes it clear that until society is free from anti-gay prejudice, people will feel compelled or can be coerced into attempting to change and claim success even if it has not occurred."

For the study, 200 subjects were selected "with great difficulty" from "ex-gay" ministries and the National Association for Research and Therapy of Homosexuality, according to Spitzer. Fifty-seven women and 143 men participated. "This sample is

highly skewed because so-called conversion therapy is filled with examples of people who claimed heterosexuality because they desperately wanted to find acceptance in society,” said Besen.

Lack of acceptance and fear of rejection may have played a key role in the subjects’ decision to enter into conversion therapy and make claims of their change, said Besen. And the influence of right-wing political groups may have been a factor. A disproportionate number of the subjects, 37 percent, were suicidal before undergoing the therapy, and 93 percent said that religion was extremely important in their lives.

“It is unclear why Spitzer believes he has the unique ability to tell whether these individuals are truthful in their testimonies,” said Besen who said that HRC had urged him a year ago in a letter to carry out physical measurements to add validity to his study, yet he refused. “Perhaps he was concerned that objective data might undermine his subjective, biased study,” Besen said.

Two HRC reports, *Mission Impossible: Why Reparative Therapy and Ex-Gay Ministries Fail and Finally Free: Personal Stories — How Love and Self-Acceptance Saved Us From "Ex-Gay" Ministries*, highlight that most medical and mental health professionals reject conversion therapy and its *unusually high failure rate and lasting, harmful effects*.

In 1973, Spitzer was a key member of an APA panel that removed homosexuality from a list of a mental disorders. Spitzer, who says he holds no anti-gay bias, has publicly opposed gay adoption, gay marriage and allowing gays to serve openly in the military. He made his remarks at a news conference last year with representatives from the Family Research Council and Focus on the Family, two religious political groups.

Spitzer and his allies on the political right claim that this study shows that sexual orientation in some “highly motivated” people may be changeable. The

results, however, show the opposite. Even though study participants were a hand-selected sample of activists — with 78 percent having spoken out publicly about conversion therapy — only 17 percent of the men and 55 percent of the women said they were entirely heterosexual after at least five years of expensive, time-consuming therapy.

*“Anti-gay activists have long claimed that tens of thousands of people have gone from gay to straight,” said Besen. “But after a review of the most ‘successful’ 200 cases they could provide, it is clear that the failure rate of conversion therapy is extraordinarily high. This is why Spitzer admitted having extreme difficulty finding non-religious therapists who could provide his study with clients who had successfully changed sexual orientations.”*

Spitzer also said that his study employed no objective methods to measure whether study participants were *still stimulated by the same sex, although the technology has existed for some time*. In light of many high profile failures, objective testing with physical measurements is a crucial component to testing the veracity of “ex-gay” testimonies.

***Editor’s Comments: It seems to me that both Spitzer and Besen are right: most human behavior is not “on” or “off” – it falls somewhere along a continuum. We are not 100% gay or straight – bisexuals are an example, as is situational homosexuality in prison populations. With a lot of energy, anyone can control or modify their behavior, their feelings, and their beliefs to satisfy their powerful needs. Is gayness learned? I think not. Is it a choice? I think not. Could a person modify their point on the continuum? I think so, with great expenditure of personal energy. mbl***

## **Legally Gay in Delaware: Stereotypes, Tolerance and Acceptance: Gay Rights in Courts of Law and Public Opinion (Excerpt) By Marc Wolinsky**

By legend, the modern gay rights movement began in front of the Stonewall Bar in Greenwich Village, New York in 1969. In 1976, it moved to the United States District Court for the District of Delaware. Richard Aumiller, a Lecturer at the University of Delaware, had been fired from his position because he gave interviews to three newspapers about the difficulties that the University's gay and lesbian student group had experienced in finding a place to meet. During the weeks leading up to the firing, the then-President of the University, Edward A. Trabant, told Aumiller that the majority of Delawareans did not share his views on homosexuality and would not do so in Aumiller's lifetime.

The University defended Trabant's decision, claiming that Aumiller's comments reflected an "evangelistic endeavor" to attract gays to the campus, that they could cause "harm" and "embarrassment" to the University, and that Aumiller had "placed himself in a position of encouraging, condoning and sanctioning homosexuality for the undergraduate." Trabant said that Aumiller's statements were "shocking" and an "effront (sic)" to him personally. The University also claimed that Aumiller's termination was justified because he falsely suggested in one interview that University officials knew that he was gay when he was hired, something that the officials claimed they would not have done.

Aumiller won his suit. In an opinion by District Judge Murray M. Schwartz, the court found that the University and its President had violated Aumiller's First Amendment rights, and awarded him reinstatement, compensatory and punitive damages, and attorneys' fees. The 40-page opinion shows that the case was hotly litigated; the University, its Trustees and its President apparently believed that an action that today looks indefensible should be vigorously defended. They had reason to think that they would prevail.

In 1972 and 1976, the Eighth and Ninth Circuits had upheld decisions by government agencies that refused to employ openly gay people — in one case, an applicant for a position as a cataloguer in a university library, in the other, a probationary clerk-typist at the EEOC — on the ground that their employment would "foist tacit approval of this socially repugnant concept upon his employer" and "reflect discredit upon . . . [his] employer, impeding the efficiency of the service by lessening general public confidence in the fitness of the government to conduct the public business with which it is entrusted." And the next year, in *University of Missouri v. Gay Lib*, three Justices of the Supreme Court voted to grant *certiorari* to review an Eighth Circuit decision upholding the right of a gay student group to even exist. The University claimed that the group could be banned because its existence would encourage students to have gay sex, which was criminal under Missouri law.

In his dissent from the decision not to grant *certiorari*, Justice Rehnquist wrote: "Writ large, the issue posed in this case is the extent to which a self-governing democracy, having made certain acts criminal, may prevent or discourage individuals from engaging in speech or conduct which encourages others to violate [sodomy] laws." He continued: "[T]he question is more akin to whether those suffering from measles have a constitutional right, in violation of quarantine regulations, to associate together and with others who do not presently have measles, in order to urge repeal of a state law providing that measles sufferers be quarantined."

Judge Schwartz distinguished the Eighth and Ninth Circuit decisions on the ground that the employees in those cases were more out of the closet than Aumiller — unlike those unsuccessful plaintiffs, Aumiller had never "appl[ie]d for a marriage license, kiss[ed] a man in public, or participat[ed] in homosexual demonstrations." He

went on to rule that there was not “a scintilla of evidence . . . that Aumiller was on a campaign to convert heterosexuals to homosexuality,” that his presence on campus would not cause students to change their sexual orientation, and that Aumiller had not sought to create the impression that he was speaking for the University or that it endorsed his views. Judge Schwartz concluded: “The Court fully recognizes that homosexuality is an extremely emotional and controversial topic and that Aumiller’s opinions on the subject quite likely represent a minority view. But this unpopularity can not justify the limitation on Aumiller’s First Amendment rights by the University of Delaware.”

*The erosion of stereotypes*

*Aumiller* stands as a paradigm of the challenges facing the gay rights movement when it began. In 1976, in Delaware and throughout the country, employers felt perfectly justified in discriminating against a gay man or woman solely on the basis of his or her self-identification as a gay person. In education, one of the most pernicious stereotypes used against gay people was offered as a basis: that an openly gay teacher would “recruit” questioning teens to homosexuality. It was thought that the mere presence of individuals who spoke the words “I am gay” would bring discredit to any institution that employed them. As Justice Rehnquist’s 1978 dissent shows, the idea that gay people were sick, immoral and criminal remained in currency. And the personal morality of a majority was deemed a sufficient basis for terminating a government employee. Indeed, in 1986, a bare majority of the Supreme Court held in *Bowers v. Hardwick* that the personal morality of the majority can provide a constitutional basis for imprisoning a person who shares intimacy in the privacy of his or her home with someone of the same sex.

Judge Schwartz’s decision rejected these stereotypes. Gay people are not criminals, at least not in Delaware. Psychological studies show that homosexuality is not an illness. Studies also show that homosexuality is not transmitted through casual contact like the measles, and that gay teachers do not recruit their students to homosexuality. And no right-minded person would think that the employment of a gay person meant that an institution endorsed his or her sexuality.

But the impact of the *Aumiller* decision and other cases like it far transcended the debunking of stereotypes. By protecting the right to identify oneself publicly as a gay person, decisions like *Aumiller* gave gay people the ability to change people’s minds through example. It is easy to demonize gay people when you don’t know any. It is harder to demonize them when you have gay friends, co-workers, aunts and siblings or when your favorite television shows feature sympathetic gay characters. Discrimination has long forced gay people into the closet. Freeing gay people from discrimination has helped them to come out of the closet. And the more gay people come out of the closet, the easier it is for others to do so. The result has been that while in 1983, only 24% of Americans surveyed said that they had gay friends or acquaintances, by 1998, the percentage had increased to 55%.

This openness has led to growing tolerance and acceptance, and the prediction that a majority of Delawareans would not change their minds about gay people in Aumiller’s lifetime has proven to be wrong. The University of Delaware now has a policy prohibiting discrimination on the basis of sexual orientation that is widely supported on campus: a 1994 survey of University of Delaware employees and graduate students found that 86% agreed that gay men and women should have the same employment opportunities as non-gays. The survey is in line with broader polls, which show that between 1977 and 1999, public support for equal employment opportunities for gays increased from 56% to 83%. Attitudes on the “hot button” issue of gay school teachers has shifted even more dramatically: between 1977 and 1999, the percentage of people who agreed that gays

should be allowed to teach elementary school increased from 27% to 54%. While a majority (56% in 1996) disapprove of homosexuality, that percentage has gone down by 20% in just one decade.

These gains have translated into political results. In 1997, the Delaware Legislature amended the definition of a hate crime to include a crime committed against a victim selected because of their sexual orientation. On December 15, 2000, as one of his last acts in office, Governor Carper signed an executive order prohibiting employment discrimination based on sexual orientation in the Cabinet and the state's executive branch. And on March 27, 2001, the Delaware House of Representatives narrowly passed a bill that would prohibit discrimination on the basis of sexual orientation in employment, housing, public works contracting, public accommodations and insurance. Governor Minner has said that she will sign the bill if it is passed by the Senate. Similar steps have been taken by authorities at the federal, state and local levels throughout the country, and are too numerous to catalogue.

### *The cultural war in the courts*

Broad shifts in majority views across the country have not insulated gay people from political defeats, however. In 1992, Coloradans voted 53% to 47% to amend the state's constitution to prohibit the state and its subdivisions from adopting any laws protecting gay people from discrimination. The amendment repealed anti-discrimination laws adopted in Denver, Boulder and Aspen. Once again, the courts stood in the way of a majority's imposition of its moral sense to uniquely disadvantage gay people. In *Romer v. Evans*, the Colorado Supreme Court, and then the United States Supreme Court, ruled that the amendment "defies" the Constitution's guarantee of equal protection to all Americans. Justice Scalia, in his spitting dissent joined in by Justices Rehnquist and Thomas, accused the majority of taking sides in a "culture war" and defended the amendment as "a modest attempt by seemingly tolerant Coloradans to preserve traditional sexual mores against the efforts of a politically powerful minority to revise those mores through use of the laws." Justice Scalia continued that since *Bowers* upheld the right of states to criminalize gay sex, Colorado should be able to deny "special protection" to a class of persons defined by their propensity to engage in "criminal" and "morally wrong" sex acts.

The majority did not even bother to respond to the dissent, resting upon its conclusion that the majority's action in amending the Colorado constitution was "born of animosity" towards gays. Implicit in the Court's decision was the view that government cannot legitimize this animosity towards gays by citing to either sodomy laws or majoritarian views of morality. It is hard to imagine that the Supreme Court that threw out the amendment to Colorado's constitution would decide *Bowers* the same way it was decided just 15 years ago.

The one thing in Justice Scalia's dissent that is undeniably true is that the Supreme Court had become enmeshed in a cultural war. But Justice Scalia was wrong when he faults the Court for having done so. Because the rule of law is so pervasive in our society, our courts inevitably get drawn into cultural wars. The Delaware courts were at the forefront of the battle over segregation. In 1952, they ordered the State Board of Education to desegregate two schools in New Castle County. The Delaware Supreme Court decision in the case, *Gebhart v. Belton*, was consolidated with three other cases and upheld by the United States Supreme Court in *Brown v. Board of Education*. In those decisions, the Delaware courts and, on appeal, the United States Supreme Court became enmeshed in a cultural war over whether America would be a segregated society. And when it decided *Roe v. Wade*, the Supreme Court became enmeshed in a cultural war over whether a woman's right to control her own body should prevail over the interest of the state in preserving potential life.

Justice Scalia's real complaint was not that the Supreme Court took sides in a cultural war, but that his side lost this battle in that war. And history shows that judicial opinions are one of the battlegrounds upon which the war is fought. White people rioted in the streets in the years after *Brown* was decided, and armed soldiers were called in to enforce the desegregation orders. Forty-six years later only a fringe element of our society endorses the idea of racial segregation. The very act of deciding *Brown* helped effect a sea change in public opinion. Even the controversy over *Roe v. Wade* has subsided, as a majority has become convinced that decisions regarding abortion should be the province of the individual, not the state, and as a minority opposed to abortion has come to accept that the prospect of a wholesale repudiation of *Roe v. Wade* is nil.

Gay rights advocates appreciate that through the courts, public opinion can be shifted. Stereotypes and assumptions are challenged and held up to scrutiny. By putting the views of the then-President and Trustees of the University of Delaware on trial, Richard Aumiller revealed members of its administration to be dissembling bigots. In defending the amendment to Colorado's constitution, the State presented an expert witness who testified that the world would be a better place if there were no gay people. That is not the kind of company that elected officials want to keep.

### *The marginalization of the Boy Scouts*

The most recent courtroom setback for gay rights litigants was the Supreme Court's decision in *Boy Scouts of America v. Dale*. The decision represents another courtroom loss that will ultimately move public opinion in favor of broader acceptance of gays. Indeed, the decision in many ways confirms that gay people have won the cultural war. Jim Dale was an Eagle Scout. At 19, he became an Assistant Scout Master. A year later, now in college, he became the President of a gay student group, and was interviewed in a newspaper covering a seminar on the psychological and health needs of gay teenagers. Two weeks later, Dale was informed by his local Boy Scout council that his adult membership in scouting had been revoked on the ground that the Boy Scouts "specifically forbid membership to homosexuals."

Dale filed suit in New Jersey state court, alleging that the Scouts had violated a New Jersey statute prohibiting discrimination on the basis of public accommodation. The Boy Scouts claimed that New Jersey's law unlawfully infringed upon its right under the freedom of association clause of the First Amendment to exclude gays. While the Boy Scout oath and handbook are silent on the subject, the Scouts claimed that homosexual conduct was inconsistent with the provision of the Scout oath in which scouts promise to be "morally straight" and "clean." And in an argument reminiscent of the arguments advanced by the University of Delaware twenty-five years ago, the Boy Scouts argued that because Dale was not in the closet, his presence as an Assistant Scout Master would send a message that the Boy Scouts accept homosexual conduct as a legitimate form of behavior. The New Jersey Supreme Court held that the Scouts' exclusion of Dale violated New Jersey's statute prohibiting discrimination in public accommodations. By a 5-4 vote, the Supreme Court reversed. The pivotal issue in the case was whether the application of the statute significantly burdened the Boy Scouts' freedom of expressive association. The New Jersey Supreme Court had found that the Scouts "overarching objective" was "to reach 'all eligible youth'" and that the Scouts were committed to a "diverse and 'representative' membership." Justice Stevens' dissent reviewed Scouting literature and concluded that the Scouts had not adopted any clear position on homosexuality and had "actively eschewed teaching any lesson on sexuality." "A State's antidiscrimination law does not impose a 'serious burden' or a 'substantial restraint' upon the group's 'shared goals' if the group itself is unable to identify its own stance with any clarity."

Justice Rehnquist, writing for the majority, took a simple position: if the Boy Scouts insist that they are a discriminatory organization, that the mere inclusion of a gay Scout in a troop will dilute the Boy Scout's

message that gay people are immoral, and that a gay man, whatever his qualities, can never be a desirable role model, then the courts should inquire no further. The Scouts are entitled to their opinions. Justice Rehnquist — who once analogized homosexuality to criminality and questioned whether the First Amendment protected the rights of a gay student group to exist — now acknowledged that “it appears that homosexuality has gained greater societal acceptance.” But he continued that social acceptance of gays “is scarcely an argument for denying First Amendment protection to those who refuse to accept these views.” For legal support of this proposition, Justice Rehnquist cited decisions protecting the First Amendment rights of a Ku Klux Klan leader and a flag burner.

What a remarkable reversal of fortunes. In *Aumiller*, Judge Schwartz protected the First Amendment rights of a teacher from a disapproving majority that believed that gay people are immoral. Twenty-five years later, the Supreme Court protected the First Amendment rights of the Boy Scouts from a disapproving majority that believed that gay people should be protected from discrimination. The First Amendment protects unpopular ideas so that, through their expression, the public can decide for itself whether the idea should be accepted or rejected. As a consequence, over a 25-year span, the prevailing majority views of gay people and their place in society have been transformed to the point that the Boy Scouts have to rely on decisions protecting the free speech rights of the Ku Klux Klan to invalidate a state anti-discrimination statute.

While the current leadership of the Scouts has won the right to perpetuate an organization that discriminates against gay people, that victory has come at a cost. Throughout the country, government and school officials, donors and parents are looking at whether they can continue to support the Scouts and remain true to their own values. Why should a company that forbids discrimination in its own workplace support an organization that discriminates in its membership? That is especially true when there are many organizations that do not discriminate against gays, including the Girl Scouts, 4-H Clubs, Camp Fire Girls and Boys, Big Brothers/Big Sisters, the YMCA and YWCA, and the Boys and Girls Clubs of America. Donors allocating scarce dollars can remain true to their own values by supporting other organizations.

The controversy has come to Delaware. Effective January 1, 2001, the United Way of Delaware adopted a policy prohibiting funding of organizations that discriminate on the basis of sexual orientation, putting its support for the Boy Scouts in jeopardy. In New York City, the local Boy Scout Council won a 120-day reprieve from a threatened funding cut-off by promising to use the time to convince the national leadership to drop its ban on gays. If the leadership does not change its stance, the Boy Scouts will become more and more marginalized as an organization.

*Marc Wolinsky is a lawyer and author of “Gays and the Military: Joseph Steffan versus the United States”. The full text of Marc's article, which deals with the history of changing opinion about gays and lesbians, is on the BGLAD website.*

BGLAD Newsletter June, 2001

Membership Update 6/12/01

A warm welcome to four new members who have joined at Troy, Michigan, Chambers Works, and Alphaville, Brasil since the last newsletter was published:

Total membership is now 322: 197 Allies and 125 BGLTs.

Remember that you can stay connected to BGLAD after you retire if you can receive email at home! Just send us your address!

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Want information on BGLT events in the Delaware Valley area? You should be on the Mid-Atlantic Chapter's mailing list. The contact is [Elizabeth.A.Oneal@usa.dupont.com](mailto:Elizabeth.A.Oneal@usa.dupont.com)