

Report on Meeting on Gay Marriage/Child Custody/No-Fault Divorce
Called by Gay Activists Alliance, November 7, 1975

The meeting opened at 1423 Whittier Street, N.W., with a review by Jim Zais of GAA/DC of the history of the bill introduced by Council member Arrington Dixon which would legalize same-sex marriages, prohibit discrimination against gay parents by courts in awarding child custody, and substitute a no-fault divorce system for the present divorce system. Mr. Dixon introduced a comprehensive revision of the marriage and divorce laws in March whose major feature was no-fault divorce. Although he had not consulted any members of the gay community, Mr. Dixon drafted the bill in such a way that it would implicitly, not explicitly, allow for same-sex marriages. Hearings on the bill were held by the Council Judiciary Committee, headed by Dave Clarke and whose only other member is Mr. Dixon, in early July. At these hearings representatives of several organizations endorsed legalization of gay marriages and urged that explicit language to this effect be included in the bill. These groups also called on a ban on discrimination by courts against gay parents in determining child custody; Mr. Dixon has proposed an amendment to the bill for this purpose. Despite considerable publicity in the press about these hearings, little if any opposition to the gay proposals came forward. Gay groups began to feel that the bill would be passed with our provisions without much trouble. However, by September heavy opposition did come forward, led by the Committee of 100, a coalition of fundamentalist ministers. This group attacked the gay marriage bill along with bills lessening penalties for marijuana possession and calling for studies of legalized gambling. The marijuana bill originally passed the Council on the first vote but was unexpectedly tabled two weeks later after Mayor Washington and Sterling Tucker indicated that the opposition was too strong following meetings with some of these clergy. GAA/DC felt that a similar fate may be in store for the Dixon bill unless the gay community as a whole organizes to fight for our civil rights.

Looking to the future, Mr. Zais estimated that the bill would apparently not be voted on in committee until January. The full Council would consider the legislation in late January and early February. If passed, the Mayor would have 10 days to sign or veto it. If there is no veto, the bill would go to Congress which would have 30 legislative days, or roughly from March through May, to veto it; unless both Houses vetoed it within that time, the bill would become law. Therefore, any fight on the bill would amount to at least a 6-month commitment. GAA/DC believes a struggle for this bill is vital, for if the ministers can get what they want so easily, our other recent political gains are in jeopardy. There are already signs that this is happening now.

Frank Robertson pointed out that the wording of the same-sex marriage clause was still vague as the bill stands. He said Mr. Dixon is highly concerned about the backlash from church elements, although the recent school board reelection victory of Hilda Mason has eased his worries somewhat. Mr. Dixon has indicated he wants to speak to a group of his Ward 4 gay constituents about this bill; so, we must find the gays who live in that ward (Upper Northwest, east of Rock Creek).

Eva Freund indicated that the National Organization for Women (NOW) wants the bill's wording on several key points clarified; for example, it is not clear whether same-sex couples can be legally divorced. NOW may be willing to compromise on the gay marriage provision but will not retreat on the child custody discrimination ban. It was generally agreed that we need to look at the Dixon bill in considerably more detail to find out what it would or would not do.

Consideration was given to a number of issues now facing the gay community on this bill. Mr. Zais said GAA/DC had called for a coalition to work for our interests, but the structure of that coalition was open. Ms. Freund pointed out that the Equal Rights Amendment had been successful in states where broad, loose coalitions were held together. Many women's groups like the League of Women Voters may be interested in the no-fault angle and might consider coalition with us. Others said liberal groups like the American Civil Liberties Union and Americans for Democratic Action might be interested in a coalition to offset the conservative power of the fundamentalists. Robert McGowan said we need to get clergy to come out in favor of us. Ms. Freund estimated that there are 6 solid votes on the Council for the no-fault provisions. Mr. Zais said we should work to get statements of support from prominent leaders and organizations, particularly those involved in marriage and child custody matters. Parents Without Partners might be sympathetic. Young people could be appealed to because of their resentment of the fundamentalist interference on the marijuana law. Although representatives from Dignity and MCC were not present at this meeting, they had indicated great interest and support. Capitol Hill NOW has voted to make this bill a major issue. Deacon Maccubbin of Lamda Rising has said he would be willing to help raise money for a lobbying and educational effort. Paul Kuntzler of ADA has also given his support. It was agreed that various non-gay groups should be invited to the next meeting on this topic to see where we can all mutually agree and where differences may arise.

It was pointed out that a formal coalition with official representation from various organizations would be unwieldy, as such representatives might be unable to do anything without formal authorization. An alternative suggested was an ad hoc coalition of interested people with support but not representatives from various organizations. Such a committee might have two co-chairs, one woman and one man. Frank Kameny warned that a coalition with people and groups primarily concerned with no-fault divorce would be risky, as that issue was too easily separable from our interests, unless we get their explicit commitment of support on our issues. Mayo Lee said that was precisely what we should try to get in such a coalition.

Various tasks were assigned to volunteers for action before the next meeting on the Dixon bill. Mayo Lee and Alan Lunin agreed to look over the bill carefully from a legal standpoint. Frank Kameny said he would poll the Council members for their positions, with a plug for our stance. Paul Kuntzler was nominated for outreach to non-gay groups, subject to his acceptance. Deacon Maccubbin was nominated for planning

a fund-raising campaign, again subject to his acceptance. Frank Robertson and Robert McGowan agreed to solicit support of the clergy. Diane Williamson would work to organize Ward 4 gay constituents. Jim Zais would draft position papers on the various gay aspects of the bill, since there was less understanding of the issues involved than on other issues such as anti-discrimination laws. Frank Kameny suggested we challenge the tax-exempt status of churches involved in lobbying against us, and Craig Howell agreed to work with him on this possibility. Frank Kameny also agreed to serve as this group's liaison with Mr. Dixon to inform him of our efforts. Jim Zais and Craig Howell would draw up a report on the meeting and send it to those present and other interested parties. Lou Chibbaro would handle publicity.

Diane Williamson wondered whether we might be jeopardizing the child custody discrimination ban by publicizing it highly. A low profile on this issue might let it get through regardless of what happens to other provisions. On the other hand, it was said that this strategy might also allow the provision to be deleted due to lack of popular support. Also, even if it were passed without publicity, those who most need to know about its protection would not find out about it.

The overall strategy on the Dixon bill remains open to discussion. A name for the ad hoc group that would fight for this bill should be decided at the next meeting.

The next meeting will be held at 8 p.m. on Friday, November 21, at a place to be announced later.

please note:

The first item of business at our November 21 meeting will be a discussion of this report. If you do not understand some part of this report, or if you do not agree that it is an accurate report of the November 7 meeting, please be prepared to discuss your reservations on the 21st.

List of Those Present at Meeting on Dixon Bill, November 7, 1975

Rev. Robert D. McGowan
777-34 Quince Orchard Cluster
Gaithersburg, Md.
(301) 662-8349

Lou Chibbaro
1121 E. Capitol St., SE
Washington, DC 20003
546-8907 (h)

Bob Carpenter
1809 20th St., NW, #357
Washington, DC 20009
332-1777 (h)

Eva Freund
849 N. Jacksonville
Arlington, Va. 22205
525-8045 (h)

Jim Zais
1545 18th St., NW
Washington, DC 20036
462-5879 (h)

Frank Robertson
1423 Whittier St., NW
Washington, DC 20012
772-0439 (h)
332-5266 (o)

Rick McDonald
1423 Whittier St., NW
Washington, DC 20012
772-0439 (h)

Craig Howell
2121 F St., NW, #403
Washington, DC 20037
331-1418 (h)

Patrick Steimle
1930 Columbia Road, NW, #604
Washington, DC 20009
234-4680

Dianne Williamson
808 Aspen St., NW
Washington, DC 20012
291-9036 (h)
576-3507 (o)

Franklin E. Kameny
5020 Cathedral Avenue, NW
Washington, DC 20016
362-2211 or 363-3881

Alan S. Lunin
1209 Eye St., SE
Washington, DC 20003
547-3013 (h)
343-6217 (o)

Rudolph S. Keith
824 Delafield Place, NW
Washington, DC 20011
726-5924 (h)

Mayo Lee
293-9490 (h)