

10-1-2002

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Recommended Citation

UB Law Forum (2002) "Gays in Government: Outlaw Dinner Notes Progress and Remaining Challenges," *UB Law Forum*: Vol. 15 : No. 1 , Article 23.

Available at: https://digitalcommons.law.buffalo.edu/ub_law_forum/vol15/iss1/23

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Law School Report

Gays in government

OUTLAW dinner notes progress and remaining challenges

“Gays in Government – Does It Make a Difference?” was the topic of the sixth annual “Dinner and Celebration” by OUTLAW, UB Law School’s student group supporting gay and lesbian equality in the legal field.

The dinner, held March 15 in Amherst’s University Inn, spotlighted the achievements of gays, lesbians and bisexuals, particularly in the arena of government. Co-sponsor was the Progressive Law Society.

OUTLAW Director Dennis Fish, in his opening remarks, noted that “Gays and lesbians are the last group of people to suffer from de jure discrimination. I do believe that gay men and

women have made great progress towards equality under the law, but we still have a long way to go. Gays still cannot marry, nor can they receive the same benefits to which married people are entitled. In many states, gays can still legally be discriminated against in employment, housing and so forth.

“Beyond legal discrimination,” Fish added, “gays and lesbians suffer from stereotypes, verbal abuse, physical violence and often just social exclusion. I feel confident in saying that every gay man or lesbian has, at some time, been victim of such discrimination. We live in a heterosexist society where almost everything is aimed at straight men and women. The needs and desires of homosexuals are often not considered.”



Despite those circumstances, gay men and lesbians have flourished in the public sphere, as exemplified by the night’s two keynote speakers, both UB Law School alumni: John Shields ’77, mayor of Nyack, N.Y., and Barbra A.



Far left, keynote speaker Barbra A. Kavanaugh ’83, chief of staff in Western New York for New York State Attorney General Eliot L. Spitzer.

Left, Thomas Maligno ’77, director of public interest at Touro College-Jacob D. Fuchberg Law Center, Barbra A. Kavanaugh and John Shields ’77.

BUFFALO of Law

**John Shields '77,
mayor of Nyack, N.Y.
was one of the
keynote speakers.**

Kavanaugh '83, former Buffalo Common Council member and currently chief of staff in Western New York for New York State Attorney General Eliot L. Spitzer.

Speaking first, Shields pointed to a

bitter irony: that because he is gay, he does not have the same rights as his Nyack constituents. South Africa's newly written constitution, he said, features a statement of non-discrimination that includes sexual orientation, but by contrast, in the United States, "we say that we are the guardians of freedom of the entire world, but we do exclude numbers of people from rights in this country."

One evidence of this, he said, is that gays cannot serve openly in the U.S. armed forces. Things have only gotten worse, he said, with the advent of President Bill Clinton's "don't ask, don't tell" policy on gays in the military.

Further complicating matters, Shields said, is a climate of harassment that leaves gays and lesbians in fear. "Students in school are harassed sometimes to the point of suicide," he said, "and this is tacitly ignored. Gay-bashing seems to be a part of the American psyche."

Shields also pointed to government and social forces that conspire to discriminate against gays. Noting that President Bush has described himself as a born-again Christian, Shields said, "Instead of being governed by elected officials, to me we are being governed by the religious right. By and large, this country is in the grip not only of the religious right, but of mainstream religion, which at best views gays with pity."

He urged his listeners not merely to "vote the party line" (which he said for gays has been overwhelmingly Democ-

atic), but to "hold officials' feet to the fire" in their stands on issues of importance to the homosexual community.

"In a certain way, a gay person comes out every day to everyone he meets," Shields said. "People make all sorts of assumptions about us. But the real issue is not gays. The real issue is the erosion of rights for all human beings."

Kavanaugh, who was a popular member of Buffalo's Common Council after being elected on an at-large basis, noted the unlikely circumstances of her election: "I was an openly lesbian poor persons' attorney who was anti-death penalty. Who was going to vote for me?"

But she defied the "old boys' network," she said, by building a coalition of supporters who knew her for her longstanding work on behalf of disadvantaged clients.

Kavanaugh cautioned her listeners against what she said was "a growing cynicism from people outside the political party structure. Now is the time for women, people of color, gays and lesbians to get involved on a grass-roots level. The time is now. The parties need you. Take advantage of that."

OUTLAW, which comprises gay, lesbian and bisexual law students and their supporters, has as its mission "to bring about further understanding and tolerance, and to build alliances within the Law School and the legal community as a whole."



Some of the many attendees at the dinner.