

problems common to all weapons systems. In addition to structural cracks, tumbling in space and clocks that stopped during phase 1, the cost predictions for both the limited and full-operation systems have ballooned. The present \$1.5 billion estimate for phase 3, for example, is more than twice the original figure. Schedules are another problem—delivery of much of the user equipment is overdue.

However, the costs and the setbacks seem to have no effect on military aspirations to commit genocide with precision. It is obvious, when all the facts are in, that Navstar supports a first-strike policy. Its accuracy is not needed for retaliation under the old policy of mutual deterrence. Moreover, the satellites would still be vulnerable if the "other side" shot first—damaging or jamming twenty-four navigation satellites is an easy job when compared to destroying 1,054 hard ICBM silos. On the other hand, with Navstar fixes the on-board navigation computers of Trident-2 and MX missiles will have the no-miss capability that is needed to disarm the opponent with a surprise attack. Navstar fits snugly into the Pentagon's emerging first-strike strategy. □

#### ■ SCAPEGOATING THE GAYS

## Proposition 6 And The Rights Of Us All

MICHAEL CASTLEMAN

Only last spring state Sen. John Briggs of Orange County, California ran a distant fifth in a five-way race for the Republican gubernatorial nomination. Today, his anti-gay initiative, the Briggs Initiative or Proposition 6, is given a good chance of becoming law. Proposition 6 may very well make John Briggs as recognizable a national figure as Proposition 13 made Howard Jarvis. But if it wins in November, Proposition 6 will do more than confirm the success with which conservative politicians can exploit *social issues*; this particular initiative will go far to restrict the civil liberties of every citizen—gay or straight.

Supporters of the measure—which would permit school boards to fire homosexual teachers or other homosexual employees—argue that what they perceive as an increasing public acceptance of gays threatens the stability of the American family. Biblical injunctions are cited to make the issue a matter of morality and pro-Briggs forces say the measure will prevent homosexuals from appearing as role models before "impressionable" children in the classroom.

Proposition 6 is the nation's first statewide electoral challenge to the civil rights of homosexuals. The breadth of its legal provisions will also be far

more sweeping than any previous anti-gay efforts. It will forbid school boards to hire, and require them to fire, any teacher, counselor or school administrator found "guilty" of either "public homosexual activity" or "public homosexual conduct." The initiative defines "activity" as oral or anal intercourse between members of the same sex that is not "discreet" or is "likely to come to the attention of schoolchildren or other school employees." But "public homosexual conduct" applies to all teachers, not just to gay teachers. This term is defined as "advocating, soliciting, imposing, encouraging or promoting private or public homosexual activity."

Opponents of the Briggs Initiative call it a Smith Act and warn that teachers could be fired for merely stating their views on the subject. Taking the language of the initiative to its logical conclusion, a teacher who opposed Proposition 6, or urged others to vote against it, might face dismissal because a school board could interpret such opposition as "encouraging or promoting" homosexuality. Raoul Teilhet, president of the California Federation of Teachers, has said the Briggs Initiative would subject teachers to witch hunts: "Initiative sponsors want to limit the freedom of speech of *all* educators, of any sexual preference. This proposal stifles the voices of those who believe in the right to privacy and to civil liberties. It legislates repression." Union officials also fear that school boards might use Proposition 6 to retaliate against teachers who are active in union affairs.

Meanwhile, Briggs is promoting his initiative with religious fervor: "God said to go forth and bear children. That's what heterosexual people do. I have never known a homosexual family to have children. The only way they can increase their flock is to take from ours."

The Senator inaugurated his initiative campaign after a bill with similar goals which he had sponsored was defeated in the California legislature last spring. Last fall, Briggs campaigned with Anita Bryant in Miami, Fla., supporting her successful drive to repeal the Dade County ordinance that prohibited discrimination on the basis of sexual preference. "By the time our campaign for morality is over," Briggs told the *San Francisco Examiner*, "I'll be a very well-known man in this state."

There have been rumors that, if Proposition 6 wins by a margin large enough to persuade him that he has a statewide political base, Briggs might attempt to unseat Democratic Sen. Alan Cranston in 1980. And if recent polls are right, the Briggs Initiative has already gained him a considerable following. A *Los Angeles Times* poll last June showed that voters opposed Proposition 6 by 55 to 35 percent, with 10 percent undecided, but as the campaign geared up in August, the California poll found voters in favor of the initiative by 2 to 1.

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Republicans are divided. The Republican California Assembly endorsed the initiative, but the state's Young Republicans voted to oppose it. The Republican gubernatorial candidate, state Atty. Gen. Evelle Younger, who officially neither supports nor opposes Proposition 6, said he thought it unnecessary, since existing laws already require the dismissal of teachers found guilty of moral turpitude, usually defined as immoral conduct toward or in the presence of students.

Gov. Edmund G. Brown, Jr. not only opposes the Briggs Initiative but earlier this year promised to lead the fight against it. So far he has not lived up to that pledge. Although Brown is expected to win reelection, and has been widening his lead on Younger, the Governor apparently believes that by actively opposing Proposition 6 he might lose more votes than he could afford. In addition, the bachelor Governor's own sexual preference has been a subject of rumors since he entered politics, and his recent well-publicized dates with singer Linda Ronstadt have not entirely stilled them.

Most gay activists say the outlook for defeating the Briggs Initiative is bleak. One important gay leader, David B. Goodstein, has already conceded defeat. Goodstein is the wealthy publisher of the nation's only mass-circulation gay newspaper, *The Advocate*, based in San Mateo, a suburb of San Francisco. He editorialized recently: "The bottom line is that it is most unlikely that the Briggs Initiative can be defeated. We shall have waged a good campaign if the ratio is less than the 2-to-1 margin against us that occurred in Miami. We may even lose in San Francisco."

A victory for the initiative in San Francisco would be a blow to gay activism around the country. In the last ten years, the city has become the gayest in the nation; 25 to 30 percent of its voters are estimated to be homosexual. Last July, the annual Gay Pride Parade attracted 250,000 marchers (San Francisco's population is 650,000), and parade organizers called it the largest public gathering of homosexuals in world history. Politicians openly court the "gay vote" and a member of the San Francisco Board of Supervisors is an avowed homosexual, one of only a handful who hold elective office in the country.

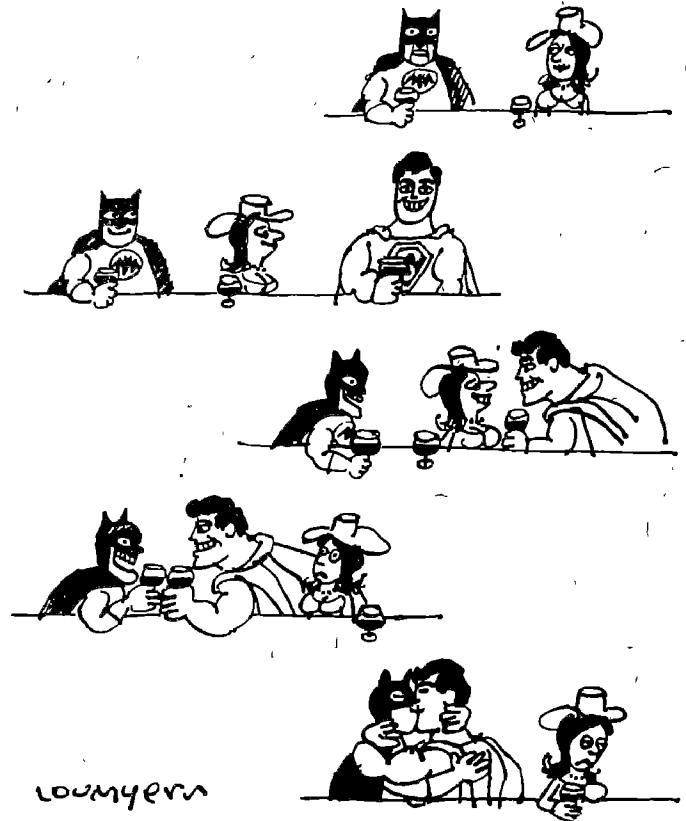
The grim mood among gay activists ~~this autumn~~ contrasts sharply with their buoyant spirits a few years ago. The movement began in the summer of 1969 when the patrons of homosexual bars in Greenwich Village spontaneously fought New York City police who, they charged, had been harassing them. The Stonewall Riots (named for the bar where they began) spurred the establishment of gay rights organizations around the country. Activists quickly built a movement that engineered the passage of anti-discrimination laws in about forty cities by the end of 1977. But the repeal last fall of the Dade County ordinance put a brake on the gays' political momentum. Since Miami, only San Francisco has passed a new gay rights law, whereas three other

cities have repealed theirs—Wichita, Kans. by 5 to 1, and St. Paul, Minn. and Eugene, Ore. by 2 to 1. The setback in Eugene was particularly humiliating, for the city is considered the most liberal in the Northwest. More disturbing, however, was the fact that pro-gay forces outspent repeal supporters 3 to 1 and still lost badly.

The pessimism of homosexuals is exacerbated by political divisions among the various organizations working to defeat the Briggs Initiative. David Goodstein favors a low-key, professional campaign with mass-media appearances by heterosexual mothers, police and clergy who would speak out in support of gay civil rights. But Rev. Troy Perry, head of the homosexual 20,000-member Metropolitan Community Church of Los Angeles thinks gays should spearhead a more active campaign. "Blacks," he said, "didn't make their gains by keeping a low profile."

Meanwhile, Left-oriented groups like the Bay Area Committee Against the Briggs Initiative are organizing a grass-roots campaign, with homosexuals staffing tables at supermarkets and shopping centers. Goodstein has criticized the leftists for being too flamboyant. They have called him elitist.

The disarray of the anti-Briggs forces has



generated some adverse publicity, and attempts are being made to reconcile various factions—at least publicly. But it remains to be seen whether a more unified effort can significantly affect the outcome on November 7.

Immediately after the Briggs Initiative was placed on the ballot, Gay Rights Advocates, a public

interest law firm in San Francisco, sued to have it removed as unconstitutional under the First and Fourteenth Amendments. But that suit and others similar to it were dismissed. Donald Solomon, an attorney with Gay Rights Advocates, said that California courts have always been reluctant to remove initiatives from the ballot. Since 1911, when California adopted the initiative process, the courts have removed only one of them from the ballot before Election Day.

"The initiative is an enshrined right of the people," Solomon said. "The courts go out of their way to let the people vote on initiatives, even if they are likely to be declared unconstitutional later, which is almost certainly the case with Briggs." If the Briggs Initiative passes, Gay Rights Advocates plan to challenge it in court on constitutional grounds.

In recent years, the New Right has won significant political victories by organizing around issues involving sexual politics. The appeal is not to voters' pocketbooks, the traditional conservative approach, but to their moral outrage at what conservatives call "the disintegration of the American family." According to Donald Sizemore, Briggs's administrative assistant, "You can see the demise of the family in societies that encourage homosexuality—like Rome."

For the last year, *The Advocate* has been documenting ties between anti-gay groups and The Conservative Caucus. TCC is attempting to use "protect the family" to score gains in state and Congressional elections in 1980. Many liberals would agree that the family has become less central to the American way of life in recent years, but the reasons for this change are as numerous as they are complex and interdependent. They include: the increased use of contraception, the falling birth rate, the soaring divorce rate, the women's movement, disenchantment with traditional religion, inflation and the increased pressure on wives to work to maintain a middle-class standard of living. Even the rise of fast-food chains plays a part.

The New Right, however, has persuaded many voters that the way to protect the ravaged family is to scapegoat the ERA, abortion and now homosexuals. "One of the most fundamental interests of the State," the preamble to the Briggs Initiative says, "is the preservation of the family. [It] is the State's duty to protect its impressionable youth from influences which are antithetical to this vital interest." Senator Briggs summed up the argument in favor of his initiative this way: "It makes a lot of people upset when homosexuals play role model in front of our children."

The most compelling evidence against the "role model" theory is the fact that, since for generations homosexuality has been grounds for dismissing a teacher, those who were gay tended to be extremely private about their sexuality. Many gay teachers have even resorted to heterosexual "show dates" to obscure their homosexuality. Accordingly, there are millions of gays throughout the country who never

knowingly encountered a homosexual teacher in school. A politically conservative man who graduated from high school in 1949 said he had fifty teachers in public school, none of whom was openly gay. "If, as Briggs contends, public school instructors present role models that are ultimately emulated, I would not be gay today." And a lesbian who attended Catholic schools from first grade through college said, "If teachers were role models for sexual preference, I'd be celibate."

Gay activists say that the role model issue is a smoke screen to cover fears that gay teachers are child molesters. They compare the Briggs Initiative to the busing controversy where the cry, "protect the neighborhood school," was often a smoke screen for racism.

Every study of child sexual abuse demonstrates that it is overwhelmingly a heterosexual problem, largely confined within the family. The typical victim is a 9-year-old girl; the typical molester is her father, stepfather, uncle or a family friend. In San Francisco, the gay mecca that Senator Briggs called "a moral garbage dump," police documented 107 cases of child sexual abuse in 1972—not one by a homosexual.

Barbara Holman, president of the San Francisco PTA, whose five sons have had several homosexual teachers, said she has never heard of a case where a gay school employee sexually molested a student. "We have a lot more trouble with male heterosexual teachers fondling little girls."

What would happen if the Briggs Initiative passed? Obviously homosexual and heterosexual teachers who supported gay rights could find their jobs in serious jeopardy. That could lead to the biggest anti-gay witch hunt since 5,000 homosexual federal government employees were dismissed in the early 1950s as part of Sen. Joseph McCarthy's attacks on Communists and "sexual perverts." But many civil liberties attorneys believe the Briggs Initiative would be declared unconstitutional, and recently some courts have seemed more kindly disposed to gay rights than the voters have been. Last spring, for example, a judge in Des Moines, Iowa ordered the reinstatement of two lesbian teachers who had been fired for holding hands and embracing.

Whether or not the Briggs Initiative is eventually declared unconstitutional, many homosexuals have expressed concern that its passage might set off a wave of physical assaults by "queer-bashers." Such attacks have long been a problem in the gay community, and last year in San Francisco, a homosexual gardener was brutally stabbed to death by a gang of teen-age toughs.

Of course, it is by no means certain that passage of the Briggs Initiative would lead to outbreaks of anti-gay violence—reports indicate that this has not occurred in Dade County. But one result would be unavoidable: the day-to-day bigotry homosexuals encounter would become grounded in the law. And when the law requires discrimination against one group in a heterogeneous society, can any other group remain certain of its safety? □

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