

FAMILY MATTERS

By PETER FREIBERG

On any list of politically liberal municipalities, Madison, Wis., ranks near the top, along with outposts like West Hollywood, Berkeley, and Santa Cruz, Calif. So chances looked good last November when an openly gay member of Madison's common council announced he would cosponsor a local "alternative families" bill similar to those in effect in those three towns.

But now, the outlook is poor for the Madison measure, introduced by Republican common council member Jim McFarland, who came out publicly when he announced the measure with his lover, Rick Villasenor, at his side. "I think that somehow these kinds of issues have fallen out of the definition of [what deserves] liberal support," he said, assessing the current state of the bill.

Initially the bill sought to provide both private- and public-sector gay employees with the same spousal benefits heterosexual employees receive in areas like health insurance and bereavement leave. It also would have outlawed antigay bias in public accommodations, requiring institutions like the YMCA to offer same-sex couples the same reduced rates they offer married heterosexual couples.

While the bill would have applied to unmarried heterosexual couples and extended families as well as gays and lesbians, no mass outpouring of support developed. Mayor Joseph Sensenbrenner said implementing the bill would be too costly and publicly opposed it. Several council members reported heavy constituent opposition, and liberals failed to make the bill's approval a priority.

A PARED-DOWN VERSION

Proponents tried to ease passage by limiting the measure to public-sector employees, but even then its chances did not improve much. McFarland said he believes many residents had a "homophobic reaction" to his coming out, creating "more opposition than I expected" to the legislation. Still, he is pressing for a vote. "We feel the people [in common council] should be put on record one way or the other," he said.

Madison's experience exemplifies two important roadblocks gay couples face in gaining political, social, and legal status equal to that of married heterosexual couples. Philosophical opposition remains strong not only from conservatives but also from moderates and liberals who think such equality takes gay rights too far. Their opposition is accentuated by a practical consideration: The budget problems that hit many cities during the Reagan years have made local politicians reluctant to provide costly new benefits to gay employees.

The view among many politicians that supporting legitimacy for gay couples carries the risk of political suicide was demonstrated by Massachusetts governor Michael Dukakis's opposition to allowing gay couples—or single gays, for that matter—to become foster parents in his state. New Hampshire went a step further last year by statutorily barring gays from adopting children or becoming foster parents.

Nevertheless, the Madison experience also points out the determination of gay activists to overcome obstacles to gain equality for gay relationships. "I've been telling people I don't expect the bill to go through [this year], but I do expect to see something [pass] within the next five years," said Jerri Linn Phillips, a Madison activist.

NEW LOCAL GAME PLANS

Across the country, meanwhile, political activists are taking a new look at gay couples' rights. Organizers in Los Angeles and Washington, D.C., aware of the potential opposition to domestic partners legislation, are developing consensus-based strategies for attaining equal benefits for gay couples.

In Los Angeles, where only about 22% of the households included in the 1980 census were traditional nuclear families, city councilman Michael Woo two years ago created a task force on family diversity to study a variety of alternative family arrangements that included gay and lesbian households.

"The concept was [to] create a large coalition . . . to work together on a broad spectrum of different family issues," said Thomas Coleman, a gay attorney involved with the task force. The group recommended allowing gay employees to take sick time and bereavement leave to assist their domestic partners but didn't propose full spousal health-care benefits for employees' domestic partners.

Washington, D.C., activists have taken a similar approach. The city's Gertrude Stein Democratic Club asked city councilman John Wilson to establish a committee on domestic partnership benefits. The panel would include women, the elderly, church leaders, and union officials along with gays and lesbians.

In San Francisco, Mayor Art Agnos has expressed support for a pending domestic partners bill, but activists said they will not push for a vote until public ill will surrounding gay demands for conditions on the city's unsuccessful bid to host the 1996 Olympic Games subsides.

Spousal benefit issues first received national attention when former San Francisco mayor Dianne Feinstein vetoed domestic partners legislation for the city in 1983. The issue has been a priority for San Francisco activists ever since.

LEGAL APPROACHES

In the courts, meanwhile, the country's two largest gay legal groups, Lambda Legal Defense and Education Fund (LLDEF) and National Gay Rights Advocates (NGRA), are devoting more energy to litigation involving gay families. Over the years, the groups have made gains on custody rights questions but found themselves losing spousal benefit cases.

NGRA recently sued a travel agency, alleging it awarded a California gay man a vacation package and then withdrew the offer, telling him only married or cohabitating heterosexual couples were eligible. LLDEF filed a \$1-million suit against the New York City Board of Education for its refusal to allow lesbian and gay employees to add domestic partners to their health and dental benefits.

Gay Domestic Partners Demand Equal Treatment

"It makes sense that . . . domestic partner relationships should be equally compensated," said LLDEF staff attorney Paula Ettlbrick. "Otherwise, my heterosexual married counterpart is getting paid more than I am."

New pressure for gay spousal benefit eligibility is coming from nontraditional sources too. Gay union members are pressing for inclusion of spousal benefits in new contracts, but both unions and employers said it is difficult to find insurers who will allow unmarried spouses to be named on health insurance plans.

Grass-roots protests are springing up as well. Manhattan gay rights supporters recently protested a landlord's attempt to evict the life partner of Charles Ludlam, an actor and director who died of AIDS last year, from the apartment they shared. Under present New York state law, a lover or roommate not named on a property's lease cannot remain in a rent-regulated apartment if the tenant of record dies.

Mainstream media also are showing new interest in gay couples and gay parents, both reflecting and fueling activism. A mass wedding ceremony for same-sex couples at last October's national march on Washington drew widespread and generally sympathetic news coverage.

Media accounts about Karen Thompson, a Minnesota lesbian barred from visiting her brain-injured lover, are multiplying. For the first time, gay couples and gay families are finding themselves interviewed on nationally-syndicated television talk shows.

PRO-FAMILY ELECTION TALK

While the articles and programs often play to emotion and generate heated debate, they help mainstream Americans see discrimination against gay couples as a legitimate topic of national political discussion rather than as a fringe issue only San Franciscans take seriously.

Despite the media attention, gays are nearly certain to be excluded from the "pro-family" campaign rhetoric expected to emanate from both national political parties this year, and activists are likely to turn their attention to the parties next.

"Lesbian and gay family issues are really . . . the next frontier, the next area of focus for this movement," predicted Sue Hyde, a staff member of the National Gay and Lesbian Task Force. As the first generation of post-Stonewall gay activists has aged, "we're beginning to feel in very personal ways . . . the negative effects of the lack of recognition of our relationships and the totally arbitrary ways that we're dealt with when we go into custody cases or battles . . . [lover] illness or death of our lovers," she said. ■