

themselves hypocrites when they ostracize gay pro-lifers.

If the gay movement is to win the struggle against bigotry and intolerance in mainstream American society, it must first eliminate bigotry and intolerance within its own ranks. We must not do the work of homophobes for them by stereotyping ourselves and enforcing a blanket of political correctness. Even worse, they hinder our entire march of civil rights. When gays and lesbians stereotype themselves with a uniform of political correctness, we make it easy for anti-gay fanatics to smear all of us.

The existence of the Pro-Life Alliance of Gays and Lesbians (PLAGAL) shreds both the stereotype which the lesbian and gay community has of pro-lifers as well as the stereotype which the straight community has of lesbian and gay Americans. The voices of lesbian and gay pro-lifers are testimony that gays and lesbians are, indeed, everywhere.

Twenty-five years ago others fought for our rights at Stonewall and we can best honor their memory by defending the rights of others today. Not only the rights of unborn Americans, but also the free speech rights of gay and lesbian Americans. After all, the fight at Stonewall was for our right to be different, not merely to replace the conformity demands of straight society with the conformity demands of certain elements of gay and lesbian society.

The freedom of gays and lesbians -- not the extermination of the unborn -- must be the benchmark for gay liberation.

Join Us

If you're part of the GLBT community or just an open minded individual who shares our Pro-life convictions, we invite you to join PLAGAL.

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Membership: \$20.00

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Salute the Rainbow Flag

**Human Rights Start
When
Human Life Begins**



**Pro-Life Alliance of
Gays and Lesbians**

***Educating the community
Serving the individual***

SALUTE THE RAINBOW FLAG

The most potent weapon against the lesbian and gay community has been the stereotypes that we have ourselves aided in creating. Our parades are videotaped, but only our campiest brethren are not edited out; our statements are recorded, but only the most extreme are heard; our disagreements are noted, but only the most politically correct are not filtered out. We find ourselves portrayed as an army of leather and feather clad politically correct hot-heads marching in lockstep (in heels??) to the beat of the same drummer.

And yet, when any group raises its head, not to denounce our more eccentrically coffered siblings, but to disagree with the community's self appointed coat-and-tie leadership, we are ostracized.

It is not too much to say that there is a concerted effort within the gay and lesbian community to suppress the pro-life message. If you come forth as a pro-life gay man or lesbian, you are likely to be accused of sedition. To speak in defense of the unborn is to violate the last taboo of the gay community. The argument that sexual privacy rights necessarily are dependent on abortion rights is specious. In the 1973 the Supreme Court ruled that abortion was a constitutionally protected privacy right: In 1986 the Supreme Court ruled that consensual homosexual relations were not. Therefore, for lesbians and gays this specific constitutional theory of privacy rights is irrelevant.

When was the last time that the Human Rights Campaign Fund or any local gay political action committees endorsed a pro-life candidate for office -- even if that candidate was also pro-gay? And what about the routine diversion of funds raised by AIDS walks to abortion providers -- and this in the name of compassion for people with AIDS? Pro-life gays and

lesbians -- even those who have lost loved ones to AIDS -- have actually found themselves excluded from AIDS walks because they objected to this practice. When any march or rally is proposed to seek redress of a grievance of the lesbian and gay community -- anti-gay violence, for example -- it must be joined in equal measure with a demand for reproductive freedom and abortion on demand. We are exhorted in our publications and e-mail to resist any restriction on abortion as if it intended to replace the daily execution of 4400 of the unborn with 4400 of our own.

Of all Americans, those of us in the sexual minority community have the most reason to be concerned about protecting human life. After all, we know what it is to have our lives and rights trampled on, especially the basic human right just to keep on living. Homophobia has placed our right to life in danger every day: ask anyone who has been bashed or someone whose insurance will not cover lifesaving medical care. We fight back in every way that we can: we organize, we lobby, we vote. We claim the same basic rights heterosexuals take for granted.

But lesbian and gay Americans are not the only ones whose rights are jeopardized. Everyday, the ugly face of prejudice shows itself when the rights of others are shortchanged because of gender, race, state of health, ethnicity, religion, politics, etc. The gay community has come to the realization that we cannot work for our own rights alone but must work to achieve basic human rights for all those who suffer discrimination.

Why? Because our rights and the rights of others are the same human rights. As gay men and lesbian women, we stay that all human life deserves dignity and respect. No human life should be considered expendable and the basic right to live should be guaranteed without threat or harassment. That includes the

unborn, a voiceless minority with no defense against the worst of all abuses: death. Some 4400 are wiped out every day. Why must we speak for unborn people? Simply because they are people. To be pro-life and pro-gay is to affirm that human rights are not discretionary.

America's abortion policy violates this basic concept of human rights. Just like homophobia, abortion denies people their status as members of human society. Just like homophobia, abortion tries to rid society of real human beings who are considered threatening or undesirable. Just like homophobia, abortion denies one's place as a member of human society and even one's right to be alive in it.

No, not all lesbians and gays are "pro-choice" and it is far past the time when the stereotype imposed on us by some of the "leaders" of our community attempt to force upon us is removed. No survey suggests that members of the sexual minority community are any more pro-choice than the average American. While equal rights have not yet been won, we have grown into a community as diverse as the nation. Closet doors have been abandoned by the thousands. Invisibility and fear are fading into history. Gays and lesbians come from many different backgrounds and hold widely differing belief on many issues. We represent a diversity and pluralism of beliefs at which the rainbow flag only hints. To attempt to enforce a "party line" on all members of our community is to betray the very cause we are fighting for: The right to be different.

For years, mainstream society has rightly been condemned for not letting lesbians and gays participate fully in the American dream. Now we, in turn, are not permitting our own to be fully active in gay society. We wave rainbow flags and envision multi-colored mosaics but somehow these colors fade away when gay pro-lifers attempt to join the parade. Gays and lesbians who tout ideological diversity prove

TIME LINE OF CHANGES

Abortion Rights

Roe v Wade 1973
legalizes abortion in all 50
states based on *right to privacy*

Hyde Amendment 1976
prevents expenditure of federal
funds for abortion

Ronald Reagan imposes 1984
"gag rule"

Webster permits states 1989
to forbid abortion at publicly
funded facilities

Hudgson upholds 1990
parental notification

Casey replaces Roe 1992
Upholds 24 hour waiting
period, counseling, an parental
consent. Replaces Roe's
"strict scrutiny" test with
weaker "undue burden" test.

George Bush 2001
reinstates gag rule

32 states require 2003
parental notification 18 states
require waiting periods and
counseling

Gay Rights

1961 All 50 States and
District of Columbia
outlaw sodomy

1962 Illinois becomes 1st
state to decriminalize
sodomy

1964 Stonewall Riots
begin modern gay rights
movement

1973 American Psychiatric
Association removes
homosexuality as "illness"

1976 Bowers v Hardwick
upholds anti-sodomy laws
fully 3 years after Roe v
Wade. Only 24 states and DC
have sodomy laws as of 1976.

1993 "Don't Ask, Don't Tell"
permits gays to serve in the
military.

1996 Romer strikes down
Colorado amendment denying
gays protection against
discrimination

2000 Vermont recognizes
civil unions

2003 Lawrence declares
remaining anti-sodomy laws
unconstitutional. Only 13
states remain with such laws.

2004 Massachusetts legalizes
same sex marriage

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PLAGAL is a 501(c)(3) non-profit organization
incorporated in Massachusetts.

GAY RIGHTS AND THE RIGHT TO PRIVACY



*Pro-Life Alliance of
Gays and Lesbians*

*Educating the Community
Serving the Individual*

Abortion proponents have targeted the LGBT community with a position paper to the effect that our rights are dependent on the judicially created "right to privacy" which is the foundation upon which *Roe v. Wade*, and hence abortion, is based. The parallel analysis of changes in abortion rights with changes in gay rights shows how specious this argument is.

Since the *Roe v. Wade* decision of 1973, there has been a slow and consistent erosion of abortion-on-demand with the imposition of mandatory counseling, waiting periods, and parental notification. Prohibitions against the expenditure of federal funds as well as state funds have been found constitutional. International family agencies receiving U.S. aid have been prevented from counseling for abortion. *Casey v. Planned Parenthood* replaced *Roe v. Wade* as the law of the land on abortion; it replaced the "strict scrutiny" test of state anti-abortion laws with a much weaker "undue burden" test, with four of the nine justices calling for an outright reversal of *Roe*. Thirty-two states now require parental notification and 18 states require waiting periods and counseling as to risks and fetal development. Both houses of Congress have voted to ban "partial birth" abortions. And the number of abortions has been steadily declining for at least a decade.

As abortion rights have been undergoing a consistent cutback, there has been a simultaneous expansion of gay rights. In 1961, all states and the District of Columbia had anti-sodomy laws. By the time of the infamous *Bowers v. Hardwick* decision in 1976, fully 50% of the states had already decriminalized sodomy. *Bowers* held anti-sodomy laws constitutional and stated that the fact that homosexual conduct occurs in the privacy of the home does not affect the result. *Bowers* was decided fully three years after *Roe v. Wade*, giving lie to the argument that the "right to privacy" had any application to the LGBT community:

"Respondent would have us announce . . . a fundamental right to engage in homosexual sodomy. This we are quite unwilling to do." This is the same court, which by a 7 to 2 holding, found a fundamental right in the abortion process.

When *Bowers* was specifically overruled by *Lawrence v. Texas* in 2003, the 25 states that had outlawed sodomy in *Bowers* had been reduced to only 13, of which only 4 enforced their laws against homosexual conduct. In dissent, Justice Scalia noted that the LGBT community had had considerable success in promoting their agenda to decriminalize sodomy through democratic means. To be sure, there is plenty of language in *Lawrence* as to "privacy," but it has little, if any, relevancy to the actual holding based on the due process clause of the 14th Amendment.

Gay marriage (civil unions, domestic partnerships) is currently a hot *public policy* issue, but it is the very antithesis of a privacy right because it *seeks* state action for the approval and sanction of LGBT relationships. Because the marriage contract is a three-party contract (the state is the third party) there can be no meaningful talk of a "right to privacy." The issue of marital equality is one which has just started, with a few states taking positive steps and several states taking negative ones. The LGBT community need not fear the competition in the marketplace of ideas.

Other than gay marriage (which does not concern the right to privacy) and sodomy (which has been won largely by the democratic process and not litigation) the Supreme Court's only other gay decision, *Romer v. Evans*, is based on equal protection of the laws and not the right to privacy. *Romer* disallowed a Colorado constitutional amendment which would have denied gays the protection of anti-discrimination laws.

The argument for the right to privacy ("get out of my bedroom") is an appealing one for the LGBT community but it has nothing to do with the advancement of gay rights since the movement began with the Stonewall Riots of 1964. The long fight to decriminalize gay sexual behavior was won state by state through the democratic process. The success was so absolute prior to the *Lawrence* decision that homosexual sodomy was outlawed in only 4 of the 50 states, and even in those states it was not enforced, leading Justice Thomas to call it an "uncommonly silly" law. The fight for marriage equality is a public policy issue outside any privacy concerns. Any other gay court decision has addressed equal protection of the laws, once again not sounding in any "right to privacy."

The position paper put forth by abortion advocates is a thinly veiled attempt to shore up rapidly fading support for abortion-on-demand. Gay Americans, much like their counterparts in straight America, have differing philosophical, religious, moral, ethical, and pragmatic attitudes toward abortion. This appeal to our self-interest will fail as will the attempt to divide and conquer. Abortion advocates have attempted to divide men from women, rich from poor, white from black, religious from secular but it appears all this hard work will come to naught.

Abortion rights will fail because, unlike gay rights, they are not the result of a democratic process but rather a brand new "constitutional right" created by a court impatient with democratic change.