

4-18-1990

## Hastings Law News Vol.23 No.10a

UC Hastings College of the Law

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### Recommended Citation

UC Hastings College of the Law, "Hastings Law News Vol.23 No.10a" (1990). *Hastings Law News*. Book 170.  
<http://repository.uchastings.edu/hln/170>

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# Hastings Law News

SPECIAL EDITION

San Francisco, California

April 18, 1990

Volume 23, Number 10.5

In light of the fact that the April 16th issues was the last issue of the year for the Law News, we are printing the following corrections in this Special Edition.

## Corrections

The addresses for Original Joe's, subject of the restaurant review, and The Cadillac Bar, subject of the bar review, were unintentionally left out. The corresponding addresses are as follows:

Original Joe's  
144 Taylor Street  
(between Turk & Eddy)

The Cadillac Bar  
325 Minna Street  
(between 4th, 5th, Mission, & Howard)

A portion of Dennis Saxman's letter to the Editor was inadvertently omitted from the April 16, 1990 issue of the Law News. Mr. Saxman's letter appears below, in its entirety.

### Letter to the Editor,

I was raised in a politically and socially conservative, fundamentalist Christian sect. Consequently, I am no stranger to Bruce Peotter's values or mindset. Actually, I am intimately acquainted with them. The initial conflict that my homosexuality appeared to have with those values brought about a long period of intense examination of myself and the traditional religious and psychiatric dogma on homosexuality. I was so hamstringing sexually by my religious beliefs that I was celibate for 9 years. When I finally acknowledged my homosexuality at age 25, I no longer had any conflicts. I have lived as an openly gay man for the last 15 years. In light of my experience and self-education, most of what Bruce had to say did not ring true. My overall impression is that Bruce is not well-informed on the subject.

For Bruce, apparently homosexuality is approved and discrimination disapproved. From my vantage point, antigay discrimination remains virulent, even in San Francisco, and the mainstream's lengthy neglect of AIDS and antigay violence is hardly consistent with the lessening of discrimination. As a person who came out when gays were making much greater headway towards being accorded their civil rights, and as someone who has been a personal witness to the ups and downs of the gay movement, I believe the position of gays and lesbians in this culture has dangerously deteriorated. Bruce's comments on the current state of gay America are ironic given his limited knowledge of it.

In Bruce's discussion of homosexuality as a chosen lifestyle, I found only one sentence I could agree with-

"[h]omosexuality's derivation is a red herring." Unlike a number of gay "leaders," I do not care if or whether my homosexuality was the product of genes or environment. I feel completely comfortable with my sexuality, and do not feel the need to justify it. I did not sit down one day and weigh the pros and cons of being homosexual or heterosexual. I simply acknowledged my homosexuality. The idea of being heterosexual never crossed my mind. Heterosexuals might be able to develop some appreciation for my viewpoint by imagining how they would feel if they were asked, "When did you decide you were heterosexual? Did you think you were the only one?"

I found the remainder of Bruce's discussion on homosexuality as a chosen lifestyle either incorrect or reprehensible. Bruce claims that many homosexuals have chosen to no longer live the homosexual lifestyle. This claim has no basis in fact. During the last 15 years, I have heard a number of straight and gay psychiatrists, psychologists and social workers testify that individual or group attempts to alter sexual orientation have enjoyed no significant success - even when clients were highly motivated to change. Many changes that did occur were only temporary. A recent article in the Chronicle about a Christian group that attempted to help gays leave the "chosen lifestyle," detailed that organization's lack of success. The organization's gay founders, who eventually resigned from the project, detailed the pain, turmoil and hypocrisy that it engendered in its clients' lives. One man committed suicide. Bruce's claim that homosexuality is a changeable behavior implies that it should be changed. He is wrong on both counts.

Bruce's discussion is reprehensible because homosexuality is discussed in the same breath as rape, pederasty and bestiality. His attempt to deride homosexuality by association is typical. Only a small percentage of individuals of any sexual persuasion engage in these practices and none of the practices mentioned are the exclusive province of homosexuals. As a matter of fact, the overwhelming majority of child molesters are heterosexual. The need to resort to such rhetorical tricks is indicative of the weakness of, and the ultimately irrational basis for his argument. In addition, his argument is larded with conclusory phrases. Bruce is trying to win a war by declaring victory.

Contrary to Bruce's view, discrimination has nothing to do with reason and moral conviction. The only bases for discrimination against gays and lesbians are irrational and unexamined religious and psychiatric clichés. For those who are interested in more rational and thorough treatment on these subjects, I suggest the following books: *The Church and the Homosexual* by John J. McNeill; *Christianity, Social Tolerance and Homosexuality* by John Boswell; *The Construction of Homosexuality* by David Greenberg; *The Psychoanalytic Theory of Male Homosexuality* by Kenneth Lewes.

In addition, Bruce assumes that because certain constitutional and legal safeguards exist, they are equally available to all. As a gay male who is subject to being murdered or beaten senseless in the street only because I am gay, I do not share Bruce's conclusory assumption

as to either their availability or sufficiency. It is still acceptable for private citizens to direct violence. One of the primary reasons for forming Society was to address the problem of individuals using force to solve private disputes. Given Bruce's concern for maintaining social order, I suggest a more appropriate focus for his energy would be antigay violence. Individuals who cannot cope with the reality of gays and lesbians represent a far greater threat to order than gays or lesbians who, as a group, are notoriously well-behaved. Bruce's religious and psychiatric views feed into this violence. He should meditate on the similarities between gays, lesbians and Christians. All have been members of groups that were reviled, hated and suspect. All have many martyrs to intolerance and bigotry.

If Bruce can accept limits on insider trading and chemical dumping, why can't he accept limits on the individual's right to discriminate? Discrimination against gays and lesbians is much more of a personal choice than homosexuality. Bruce has made the choice to discriminate against homosexuals. Should that choice be legally protected?

Bruce is hardly in a position to be a spokesperson for homosexual desires. I can tell Bruce what I would like. I want to be treated the same as any other human being, and to enjoy the legal rights of any other U.S. citizen. I don't want the human experience that I represent to be summarily discarded simply because I am gay. I want young gays and lesbians to realize that it is OK to be homosexual. Bruce concludes, but he never explains why, I cannot expect acceptance as well. Bruce notes that homosexuals have made many valuable contributions to society, yet how many more have been lost because of the attitude of individuals such as Bruce?

His extreme views emphasize the necessity for the protection of the civil rights of gay and lesbian America, and the need to insure that the political and social views of a segment of one of many faiths, based on one version of a particular book achieve no greater ascendancy in our government than they already have. Bruce's arguments may be sincere; I don't find them credible.

Dennis Saxman

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Published weekly by the Hastings Law Society

The Hastings Law Society was founded in 1914 and has since that time been engaged in the publication of this journal. The Society is composed of students of the Hastings Law School and is devoted to the advancement of legal knowledge and the promotion of the interests of the law. The journal is published weekly and contains articles on legal topics of interest to the students and the public. The articles are written by members of the Society and are of a high standard of quality. The journal is published by the Hastings Law Society, Hastings, California.

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