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just married!

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(after 28 years)

Here, she shares her views on politicizing the personal.

By Lorelei Laird



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BY LORELEI LAIRD

JACKIE GOLDBERG THOUGHT SHE WAS COMMITTING a mostly political act when she got married in San Francisco March 8.

After 28 years — and a shared experience raising a son — with her partner, Sharon Stricker, the state assemblymember from Echo Park figured marriage was more symbolic than practical for her.

"We decided that it would probably be a good thing for us to do, primarily because it would be advancing the politics of marriage and because it would be good to join all those other people who stepped out in the cold and

the rain and the heat," Goldberg said.

But when she and Stricker arrived at San Francisco City Hall and saw same-sex couples from around the state — and the world — lined up around the building to apply for marriage licenses, Goldberg says she found herself in tears.

"I don't think the people who decided to do this [in San Francisco] ever expected that in a very short time, 4,000 couples would come to get married. They expected activists," she said. "The thing that struck you the most was that these

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You CAN fight City Hall:
Above, the Goldberg-Stricker wedding party in San Francisco.

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(L to R): Post-nuptial journalistic frenzy; Assemblymember Goldberg glows; the newlyweds meet the press.



only attended a rally outside a Vons in the Fairfax District Feb. 19, but was arrested at the rally.

These days, she still sits on committees directly related to the same interests she dealt with as a teacher in the inner city: education, English as a second language, parks and environmentalism and the new budget, which she said is one thing that's guaranteed to hurt her district.

"Everything in that budget is against poor people and people of color and people who have not had an even shot, an even playing field in this society," she said.

While she has had her fair share of career embarrassments — including her

this year. When the state Supreme Court stopped San Francisco from marrying same-sex couples on March 11, it also promised to rule on the issue in late May or early June. The court is only deciding whether the city of San Francisco overstepped its authority — indeed, it seemed to invite new lawsuits addressing whether the state constitution requires same-sex marriage. But its decision is still expected to set a precedent for same-sex marriage decisions in California courts.

Goldberg said she'd be "overjoyed" if the state Supreme Court made her bill redundant by allowing same-sex marriages — but she's not holding her breath. For now,



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—Jackie Goldberg

They go and they get married," she said. "Here were Californians up and down the state saying 'I want to be married too.' So that was very, very moving. It was a very personally moving thing to be a part of. And I didn't expect that... I think it was far more personal than political."

Goldberg, whose district stretches from eastern Hollywood to Boyle Heights, is used to mixing the personal with the political. Her first foray into government politics, running for the LAUSD board in 1983, grew out of her experiences as a high school teacher at Centennial and Dominguez High Schools in Compton. From there, she moved to county government, to work under Supervisor Gloria Molina as her children's services deputy. In 1993, Goldberg became the first openly gay woman on the Los Angeles City Council, where she served until her election to the State Assembly in 2000.

Before that, she had already made a bit of a name for herself as student activist. She was one of the activists featured in the 1990 documentary "Berkeley in the Sixties," which featured interviews with former students, including Mario Savio, involved in the UC Berkeley free speech movement.

As an assemblywoman, she is one of the five openly gay members of the state legislature who make up the Legislative Lesbian, Gay, Bisexual and Transgender Caucus — the only such caucus in a state legislature anywhere in the country. She's also known for being one of the most liberal members of the Assembly.

And she's willing to put her money where her mouth is. During the Southern California grocery strike, Goldberg not

strong support of the now much-maligned decision by the city to fund the money-losing Hollywood & Highland complex — she has a good record of furthering important liberal causes.

Among her recent legislative achievements is one that might be made redundant by San Francisco's decision to start issuing marriage licenses — primary authorship of last year's AB 205, which greatly expanded the rights of registered domestic partners in the state of California. At the time, it was considered a landmark piece of legislation, the country's first comprehensive attempt by a state legislature to give domestic partners many of the same rights that married heterosexuals enjoy.

State Senator Sheila Kuehl of Santa Monica, a member of the LGBT caucus and a friend who officiated over Goldberg's wedding, said the bill was "a piece of legislation that I'm not sure that anyone else but her could have gotten through... It was the most encompassing domestic partner bill in the country. And if many advocates in the [LGBT] community wanted marriage, at that point when the bill was passed, there was no real glimmer of hope for gay marriage, and the domestic partner bill that Jackie authored was the very, very best of its kind."

"AB 205 was the comprehensive step forward," agreed Assemblyman Mark Leno of San Francisco, another member of the LGBT caucus. "We don't know when we will get to full marriage equality. But in the meantime, we definitely need protection under the law, and AB 205 gets us very, very close."

Full marriage equality might take place

she said, she'd be happy with any situation that gives same-sex couples the legal protections they need.

"If we had a national civil union law that gave me the same federal and state and interstate rights [that heterosexual couples enjoy], I would not give a damn [about marriage]. I just would not care," she said. "Because the only reason they don't want to call it marriage on the political level is that then it triggers federal and interstate recognition."

And, culturally, the country isn't ready to accept that, Goldberg says.

She sees the explosion of same-sex marriages around the country as a cultural revolution that Americans as a whole are not ready for right now.

"There is always a lag for people on great cultural changes," she said. "This is not a medium-sized culture change, this is not an average-sized cultural change, this is an enormous cultural change. Enormous. Deep-seated feelings that people are not even aware of. That is not a right-wing plot. That's because cultures change the slowest of anything."

Having raised a son, now 29, with Stricker in an era without many protections for same-sex couples, she knows firsthand how important the many small legal rights of marriage can be. She recalled an incident in which she was caught unprepared for all eventualities before having emergency back surgery.

"I was going under from the sedative and signing papers to give Sharon authority. And we thought we were above-average clever in having all this stuff done. So you don't think of everything, even when you're trying," she said. "No one should have to

go through that again."

So, she said, she'd rather focus on practicalities first and work for full marriage equality when she thinks it's more likely. "If there was someone who was going to say 'Let's have a national civil union bill that confers the same federal, state and interstate rights as marriage,' even though I agree separate will never be equal... frankly, I'd rather have equal protection under the law than acceptance right now."

However, she said, she's happy to take advantage of the feelings stirred up by the sudden explosion of same-sex marriages to make strides for the LGBT community. "Domestic partnerships and civil

still working on securing the rights of same-sex couples through legislation. A bill introduced by Leno on Feb. 12 — National Right to Marry Day as well as the day San Francisco Mayor Gavin Newsom started issuing marriage licenses — would make the language relating to marriage in the state's family law code gender-neutral, although it would not repeal Proposition 22, which prohibits the state from recognizing same-sex marriages from other states. Goldberg sees this as a natural extension of existing laws on mixed-race marriage, which was legalized by the California Supreme Court in 1948. "Here's an interesting irony: When the state of



Gray Davis signs AB 205 as Assemblymember Goldberg raises her fist in triumph.

unions are now the conservative position," she said, laughing. "Isn't that wonderful? There are people all around the country screaming 'Give them domestic partnerships! Give them civil unions!'"

"We should secure all the rights that we can, in this period that people are willing to say 'anything but marriage'—okay, fine, we'll take you up on that," she said. "And because kids under 30 support [same-sex marriage] overwhelmingly, we'll get there."

With the state Supreme Court set to consider same-sex marriage in early summer, gay couples could soon have both. Goldberg is doubtful about the chances of the lawsuits currently before the court, which concern the validity of the same-sex marriages that took place in San Francisco, but hopeful about eventually persuading the court that the state constitution's equal protection clause applies to marriage.

In the meantime, Goldberg and other liberal members of the state legislature are

California still had laws banning marriage between persons of different colors, when the Supreme Court declared those laws unconstitutional, it said that marriage should be racially neutral," she said. "And so... the definition was changed to a marriage between a man and a woman. Today, because of that decision, long before Pete Knight and his nonsense [Proposition 22], we already had a definition saying marriage is between a man and a woman."

She's referring to William J. "Pete" Knight, a Republican state senator from Palmdale. Knight spearheaded 2000's Proposition 22, which requires that same-sex marriages not be recognized as legal or valid in the state of California. (Ironically, Knight's son, David Knight, recently married his male partner in San Francisco.) Leno's bill would not make same-sex marriages from other states legal in California, but it would allow same-sex marriages to

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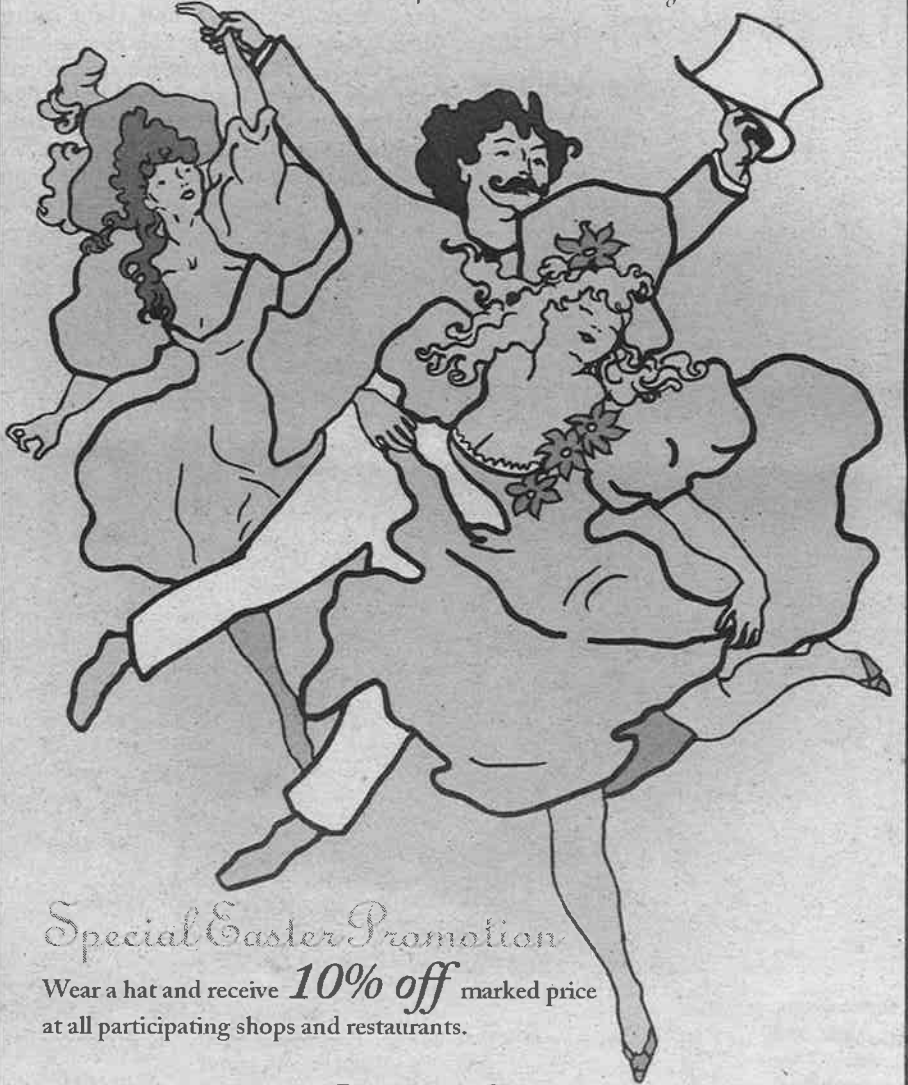
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take place within the state, clearing the way for court challenges from out-of-state same-sex couples. "Mark Leno's bill would change [state law] to say marriage is between two persons and would take out any reference to gender," she said. "And it kind of mirrors the notion of the Supreme Court taking out the notion of race."

She's also optimistic about the chance of securing Gov. Schwarzenegger's support for same-sex marriage, despite his cautious public stance on the issue. "I think that he's saying what he says about everything that's controversial — let the people decide, let the courts decide," she said. "However, he goes a little further than that, because he says if the people or the courts decide that equal protection means marriage for us in this state, he has no problem with that. What that means is he will not be a part of an effort to change the constitution in this state. That's not as good as we want, but not bad." And, she added, he's said publicly that he won't support an

effort to amend the federal constitution to outlaw same-sex marriage.

In the end, though, she seems thrilled that same-sex marriage has become an attainable goal at all, especially because it happened in large part from the bottom up.

"This is definitely coming from the grass roots," she said. "Look what's happening in Oregon—two counties are now issuing marriage licenses. They can't find any basis to order them to stop it. The Texas constitution doesn't mention gender."

"This is not something that someone who is a strategist is thinking up to make a political statement," she added with enthusiasm. "This is a bottom-up movement that people who are in [the LGBT community] are just making happen."

And it's not being led by me. And it's not being led by our caucus. It's not being led



Stricker and Goldberg emerge victorious from City Hall.

by the National Gay and Lesbian Task Force or by the national anything, or by gay and lesbian centers. It's not being led!"

"And that makes it a force much more difficult for the opponents to reckon with." ☐



Diane Olson, left, and Robin Tyler got tired of hearing "That's the way it is."

LOST IN THE HUBBUB OVER ALL THE SAME-SEX MARRIAGES that took place Feb. 12 is a story about two marriages that didn't.

On the same day, 380 miles south of San Francisco's city hall, comic and lesbian activist Robin Tyler and her partner Diane Olson, and Rev. Troy Perry and his partner Phillip DeBleck — along with civil rights attorney Gloria Allred — marched up to a clerk's window at the Beverly Hills courthouse and asked for marriage licenses. Presented instead with a flyer about the state's position on same-sex marriage, they filed a lawsuit Feb. 23 against the County of Los Angeles.

The lawsuit, later joined by activist group Equality California, asks the court to find that the section of the state's family law code that prohibits same-sex marriage, the result of Proposition 22, violates the state and federal constitutions.

Tyler, who instigated the couples' actions on

Down, But Not Out in Beverly Hills

A lawsuit against L.A. County is a new salvo in the same-sex marriage battle.

Feb. 12, said she had no idea what was happening in San Francisco that morning. As the executive director of DontAmend.com, a website for the movement against a Constitutional amendment banning same-sex marriage, she was helping to plan actions related to same-sex marriage all over the country on Valentine's Day. But because she and Olson were leaving for a vacation Feb. 13, they decided to try a little early.

"We looked at each other and said we were tired of being refused," she said. "We just got tired of hearing, 'That's the way it is.'"

It was only after they left the courthouse that they realized they had become a part of something much bigger.

"I went back to Gloria's office and Diane went to work," Tyler said. "Diane called and said Del [Martin] and Phyllis [Lyon] got married. I turned on the television and there they were getting married, and I just started to cry."

With the California Supreme Court set to decide in late May or early June on lawsuits arising from the San Francisco marriages, the Beverly Hills lawsuit might be seen as redundant. Indeed, the judge on the Los Angeles case granted the county's request to put the case on hold pending the state Supreme Court's ruling; the county

hopes that the ruling might establish a precedent, or at least give a direction for the court to follow, according to plaintiff's lawyer Michael Maroko. But Tyler said it doesn't matter who wins this battle, as long as it's won.

"Demanding our rights is like a one-two punch as far as we're concerned," she said. "If San Francisco wins, we win. It doesn't matter who gets it first."

Tyler is passionate about the ideological and legal reasons for same-sex marriage, but she's equally passionate about the practical dimensions of the issue. Without the ability to get married, she points out, even a progressive organization like the actors' guild she belongs to won't cover her partner on her health insurance; nor could Olson, as a mere domestic partner, collect Social Security benefits after Tyler's death. "People think that we're fighting for our lifestyle," she said. "We're not. We're fighting for our life. The fact that the radical right has made this about sexual expression is ridiculous."

"I've been working with Don't Amend since August," she added. "At some point I said 'OK, if we're trying to do this, we need to have the courage to step up to a courtroom.'" ☐

—Lorelei Laird