

A GAY-PROTECTION FORUM; [THIRD Edition]

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Abstract (Summary)

Sexual preference would be added to the list of categories and conditions specifically protected in Massachusetts, such as gender, race, religion, ethnic origin, handicapped persons and persons with AIDS. And, it should be noted, the MCAD provides a forum where complaints of discrimination can be refuted as well as proven.

Full Text (298 words)

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With the 17-year battle to win passage of a Massachusetts gay rights law apparently only a formality away from victory, it is sobering to realize how bitter a fight had to be waged to win so modest an array of rights.

No broad constitutional rights are conferred. The bill does not legalize "gay marriage" or confer any right on homosexual, lesbian or unmarried heterosexual couples to "domestic benefits." Nor does passage of the bill put Massachusetts on a "slippery slope" toward such rights.

All the bill does is give gays some protection from being discriminated against in credit, employment, insurance, public accommodation and housing -- and the right to file complaints with the Massachusetts Commission Against Discrimination. Before the MCAD board, plaintiffs would have to prove the alleged discrimination was because of their sexual preference.

Sexual preference would be added to the list of categories and conditions specifically protected in Massachusetts, such as gender, race, religion, ethnic origin, handicapped persons and persons with AIDS. And, it should be noted, the MCAD provides a forum where complaints of discrimination can be refuted as well as proven.

In past years, some opponents of this legislation felt that to award gays the same legal protections as members of racial or ethnic minorities trivialized the discrimination faced by blacks, Jews, women and other minorities because of the fact of their birth. But in the limited areas of activity addressed by the gay rights bill, there seems little reason not to extend some basic legal protections to them -- as a matter of justice.

As much as anything that it explicitly does, passage of the gay rights bill implicitly recognizes the change in public attitudes that have occurred over the past 17 years -- a change from opposition to acceptance.

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