TERM PAPER

SYMBIOSIS: THE RESPONSE TO HIV/AIDS AND THE LGBT CIVIL RIGHTS MOVEMENT IN AMERICA

(MLA Style)

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INTRODUCTION

When federal Judge Bernard A. Friedman struck down Michigan's law prohibiting same sex marriage on March 21, 2014, it marked the latest in a flurry of judicial victories for advocates of same sex marriage in the United States. The shift toward marriage equality has been swift and parallels a rapidly shifting social landscape that has seen the nation's lesbian, gay, bi-sexual and transgendered (LGBT) community emerge from society's fringe to the cusp of full legal and cultural recognition. Like other overnight sensations, the movement has grown to maturity behind a resilience born of small victories, crushing defeats, and relentless mobilization. In this case, the victory is all the more remarkable, born as it was when the American left had reached a low ebb and baptized by fire in the midst of a terrifying plague which struck with greatest ferocity in the gay community.

If marriage equality is one of the great stories to begin the new millennium, then perhaps it is all the more ironic that the preceding century ended as America's gay male subculture buckled, organized and fought back against the ravages of HIV/AIDS-- all as the population as a whole reacted with revulsion, horror, and panic. The global battle against AIDS continues, but it was the mobilization of America's gay community against the plague which headlined the last part of the 20th century and provided the grid on which the modern LGBT civil rights movement-- and today's marriage equality victories-- are based.

THE BIRTH OF A MONSTER

Somewhere a few years on either side of the beginning of the 20th century, European exploitation of the African continent, never an easy thing to look back on, quite accidentally gave birth to a monster. Washington Post reporter Craig Timberg and epidemiologist Daniel
Halperin, in their work *Tinderbox*, give insight into a race to riches by Belgium and Germany in a remote corner of Cameroon, in a rainy, sparsely populated jungle located where the continent's Atlantic coast bends sharply to the south, an area rich in ivory and rubber. French, Belgian and Dutch traders controlled the area and circumvented nominal German authority by moving steamships loaded with their cargo down the Ngoko and Sangha Rivers (49).

This enterprise required human labor, in the form of Africans put to work under harsh conditions, and porters, often dragged in chains, into a region which had been unimaginably remote. As Germans regained control of the area, the exploitation ramped up as did the requirements for food by the African work force. It was in this unfortunate atmosphere where some hungry worker, while butchering a chimpanzee, cut himself allowing the blood of the primate to enter his own bloodstream. In this history, reconstructed by Timberg, Halperin and other researchers, an ancient retrovirus mutated in its host and changed form from Simian Immunodeficiency Virus (SIV) into Human Immunodeficiency Virus (HIV).

This was likely not the first time the virus mutated to a human host. However, in prior instances the mutated killer evidently died in isolation with its victims. In the narrow corridor between the two rivers (and where SIV in chimpanzees bears an unmistakable genetic link to HIV-1, the retrovirus family responsible for 99 percent of HIV/AIDS deaths worldwide to date, according to the World Health Organization), the game had changed. Downstream in the area known by variant references as "The Congo", there sat Leopoldville, an improbable metropolis only European-style colonialism could have created. Europeans and the Africans they had subjugated swarmed the unlikely city along with sex workers drawn to prosperity. This provided the opportunistic virus a highway to greater African transmission as well as a superhighway outside the valley, down the Congo River and across oceans to other continents. This time, the
mutation spawned by an interspecial jump did not die a lonely death in an unknown corner of
deepest Africa. This time, it rode, along with the booty, out of Africa (63).

In their article for the *Morbidity and Mortality Weekly Report* titled “AIDS: The Early
Years and CDC’s Response”, James Curran and Harold Jaffe reported that seven decades or
more would pass in which people died inexplicably here and there, leaving little evidence of the
building pandemic, at least in the developed West (Curran, pp. 64-69). The acronym AIDS-- for
"Acquired Immune Deficiency Syndrome", a description for the effects of the retrovirus in its
horrendous final stages, still terrifies more than three decades into the pandemic. It is little
wonder, then, that as a strange new disease began to appear among homosexual men in San
Francisco and New York, the usual suspects wasted little time in assigning blame to a group of
people who were marginalized on a good day, subject to beatings or worse on a routine basis.

By 1983, conservative newspaper columnist (and future presidential candidate) Pat
Buchanan declared that gay men had "declared war on nature, and now nature is exacting an
awful retribution." Religious leaders went further, declaring the Judeo-Christian deity Jehovah to
be judging and appropriately punishing the oppressed minority and victims of the dreaded
disease in particular (Timberg, Halperin (79).

If the gay community was not yet in pariah status, fundamentalist Christians piled on.
Moral Majority leader Jerry Falwell followed Buchanan's broadside a short time later with his
infamous declaration that AIDS represented "a definite form of the judgment of God upon a
society." Just as infamously, in a decade when the disease wreaked havoc across the country,
U.S. President Ronald Reagan did not utter its name publicly until 1987 (Hirshman, 179).

In June of 1986, the United States Supreme Court, amid what can perhaps best be
described as a circus atmosphere, issued its 5-4 ruling in *Bowers vs. Hardwick*, upholding
Georgia's criminal sodomy law. Chief Justice Warren Burger went the extra mile, expressing a shocking degree of moral outrage and calling homosexual sex "a crime not fit to be named". In 1988, iconic conservative writer William Buckley proposed, in an editorial in *The New York Times*, that, notably, all gay men infected with HIV should be forcibly tattooed (193).

Very early in the American pandemic, gay writer and AIDS activist Larry Kramer, in the *New York Native*, issued a call to arms against inaction by the government, the medical establishment, the LGBT community and society at large with his seminal essay *1,112 and Counting*, the number lifted from what at the time was the official death toll of AIDS according to the Centers for Disease Control (Hirshman, 189). In all likelihood, none of these players fully understood, if they had any idea at all, that a full-blown AIDS epidemic had long been underway in Leopoldville, now known as Kinshasa, and was rapidly spreading among the larger heterosexual populations of the Congo region. Already, its victims numbered in the hundreds of thousands and soon, millions would fall before its onslaught (Timberg, Halperin, 80).

**THE 'GAY PLAGUE'**

What would become HIV/AIDS first surfaced in the American consciousness in 1981 when puzzled health officials in New York and San Francisco began reporting cases of pneumocystis pneumonia, normally a disease associated with severe immunosuppression, as well as Kaposi sarcoma, a rare cancer thought to occur mostly in certain genetic lines, to the Centers of Disease Control (Curran, 64-69). Suspiciously, both rare conditions were occurring in severely ill patients who happened to be homosexual men. By the end of 1981, 159 cases of the mystery disease had been reported in major urban centers, almost all of them among gay men.
By 1982, the media was regularly reporting on the mysterious "gay plague" or "gay cancer". In the absence of a viral agent, hypotheses abounded, most of them preposterous. Tanning beds, thought to be frequented by gay men, were suspect, as were bed bugs or combinations of recreational drugs said to be in common use at discotheques where, at least in the fevered public imagination, gay men participated in all sorts of behaviors deemed deviant, according to The Encyclopedia of AIDS, a work edited by Raymond A. Smith.

Researchers at the Pasteur Institute in Paris changed the game when they isolated the viral agent and identified it as a mutation of a retrovirus, a primitive life form it seems no one had considered before (Curran, 68). Within a year, there was a test for viral antibodies.

By 1984, Dr. Anthony Fauci, the ferociously driven intellectual at the head of the National Institute for Allergy and Infectious Diseases at the National Institutes of Health in Bethesda, Maryland and the titular American AIDS czar for more than three decades as of 2014, had launched early studies that would morph into clinical trials (Hirshman, 179-185). He infuriated a conservative American administration by placing HIV-positive gay community leaders in positions of authority on volunteer boards, giving them a critical platform from which to speak of the terror they felt and the response they expected from the federal government. Fauci was aware of the growing crisis in Africa and had dispatched researchers on fact-finding missions, mirroring efforts by the Pasteur Institute (Curran, 69).

THE AIDS COMMUNITY STRIKES BACK

The playwright Larry Kramer was so critical to the mobilization of those affected by HIV/AIDS that Fauci himself has said the clinical history of HIV study is defined by him. (Hirshman, 192). It was largely as a result of the efforts of Kramer that the group Coalition to
Unleash Power (ACT UP) was formed in New York in 1987. The gay male community reacted with a stunning show of strength and immediately began to make headlines with its demonstrations against the government, the Food and Drug Administration, and the Catholic Church. Within a year, there were more than 100 chapters around the globe. Other groups sprang up in the gay community as well, including the Lavender Hill Gang, ACT OUT, Queer Nation, The Treatment Action Group. America had not seen such mobilization at least since the rise of the political right in 1980 and likely not since the demonstrations for African-American civil rights and the youth-driven Vietnam War protests of the 1960s.

Such groups grabbed headlines throughout the plague years of the late 1980s and 1990s, advocating for release of experimental drugs by the FDA, approval of promising drugs and further aid to victims of AIDS by the federal government. Perhaps most importantly, they reached out to lesbians and heterosexuals, aware that worldwide, AIDS was overwhelmingly a disease affecting heterosexuals, widening the scope and strength of their movement.

Most of these groups had run their course by 1996, a watershed year which saw the arrival of triple-combination drug therapy as well as the introduction of protease inhibitors, a new class of drug which effectively slowed viral reproduction in affected white blood cells. Reduced viral loads and increases in CD4 cells, the disease-fighting blood cells invaded and destroyed by the retrovirus, gave hope that it might be possible to transform HIV into a treatable disease. In some cases, that optimism has translated into real results.

The AIDS crisis in the United States was (and is) far from over. No cure is in sight. But the hopelessness and panic of the 1980s has given way to acceptance and activism in the new millennium. Increasingly, HIV-positive people in the United States are seeing their lives prolonged and their quality of life improved by strict compliance with medication regimens.
There is much more to the story. Though the organized groups which worked with such diligence to bring about change in drug policy and perception of the LGBT community during the plague years are largely gone, their spirit is alive and well, both in the surviving war horses from the old days and in a rapidly shifting acceptance of the LGBT community in the greater American consciousness.

THE MODERN GAY RIGHTS MOVEMENT

Nowhere is the shift in attitude more apparent, according to repeated polls of public opinion, than in millennials, though over the past year opinion polls have shown a majority of the American public in total now favors same-sex marriage. The Encyclopedia of AIDS plainly stated the critical role of AIDS activism in moving the LGBT rights agenda forward, saying despite the high toll, "the HIV/AIDS epidemic has also mobilized and organized the gay community in ways unimaginable" before AIDS was first reported in 1981.

Kirsten Gillibrand, the New York senator behind the repeal of the U.S. military's onerous "Don't Ask, Don't Tell" policy and a powerful voice for the LGBT community, says gay rights is "a generational issue….It is the civil rights march of our generation…. We have lived very different lives from our older colleagues; we have friends who are gay throughout our entire educational life. We have friends of my generation who are now raising children, making a very different profile of gay families today." (Hirshman, 325)

Certainly, the LGBT community has not come so far so fast without setbacks. Acceptance is greater in some regions of the country (the Northeast, West coast, Midwest) than it is in more traditionally conservative and fundamentally religious areas (the South, the Plains). There have been important moments that tipped the scales.
Professor Eric Rofes, who teaches social activism at Humboldt State College in Arcata, California, says he was using the writings of Martin Luther King and the protest songs of Joan Baez in his class when a gay student asked if there wasn't more recent material pertaining to he and his contemporaries. It was then, Rofes says, that he began to research the matter himself and realized the organization that revolved around AIDS activism was the starting point for the modern LGBT movement (Hirshman, 198). Rofes is not the first to conclude that mobilization in response to AIDS was "the making of the gay revolution" (170).

Greg Bordowitz, an ACT UP organizer from 1987 to 1993, said it took awhile for him to realize the organization so central to his life had reawakened social consciousness in an era when the right was ascendant and verbal assaults against the LGBT community were a matter of course. In acting to save the lives of those he loved, he says he discovered "the independent rewards of an engaged life. "It was my life," he said. "It was all I did. Every meaningful relationship I had was with people who were in ACT UP. There was nothing else outside of it."

Sean Strub, who contracted HIV in the early 1980s and has lived to tell about it, founded POZ magazine in 1994. It was (and remains) a glossy, high-quality publication aimed squarely at people with HIV but meant to draw in readers from all demographics. "The urgency of the epidemic had forced an unprecedented level of honesty when talking about sex," Straub wrote in the January 2014 issue of POZ. "Activist rhetoric...created a language for people with HIV to identify with community, empowerment, resistance and pride."

**VICTORIES IN THE COURTS**

LGBT fortunes began to change in the 1990s. The AIDS panic subsided somewhat and the template AIDS activists had used was a platform for a new generation of activists to follow.
In 1996, 10 years after the chief justice of the U.S. Supreme Court had issued a statement and ruling dripping with contempt for homosexuals, the high court extended guarantees of equal protection to gays. Central to the Constitution's 14th amendment in *Romer vs. Evans*, the court struck down a draconian Colorado bill designed to exempt gays from any Constitutional rights. This echoed a scathing decision by Colorado's state Supreme Court and featured a statement from justice Anthony Kennedy which read, in part, that "a law declaring....it shall be more difficult for one group of citizens than for others to seek aid from the government is itself a denial of equal protection of the laws in the most literal sense" (Hirshman, 261).

As we have already observed, the movement forward is often accompanied by steps back. In the wake of *Romer vs. Evans*, there was serious talk of marriage equality as polls began to show an uptick in acceptance of the LGBT population by Americans as a whole. After the Massachusetts Supreme Court made that state the first to recognize same sex unions in 2004, Republican strategist Karl Rove saw an opportunity in what he sensed to be a public backlash.

Rove knew that President George W. Bush had earlier employed a whisper campaign to insinuate that Texas Gov. Ann Richards not only knew homosexuals but hired them in campaign positions as she faced off against a Bush challenge in 1994. Bush's resulting victory was partially attributed to the very idea that Richards merely had some homosexual friends (Kirk). Likewise, Rove, working as a Bush operative, used a photo of candidate John McCain shaking hands with a member of the Log Cabin Republicans, a conservative gay group, as ammunition against an early McCain lead in the 2000 Republican presidential primary.

In a tough re-election fight against Democrat John Kerry in 2004, Rove and Bush worked to place anti-gay amendments on the ballots in 11 states. The tactic appears to have worked, driving a powerful evangelical Christian vote. Bush won narrowly for the second time, and Kirk
is not the first to say the anti-gay backlash propelled Bush to four more years in the White House. In the wake of the election and Rove's attacks on the LGBT population, opposition to same sex marriage nationwide peaked at 65 percent, proof that anti-gay propaganda was still potent in the right hands and under the proper circumstances (Christopher). Still, the drive for marriage equality kicked into higher gear. In 2008, Connecticut became the second state to legalize same-sex marriage, and soon, Vermont, New Hampshire, and Iowa had followed suit.

In 2011, the New York State Legislature, stoked by relentless pressure from Governor Andrew Cuomo, Gillibrand, fellow New York Senator Chuck Schumer and state Democrats, narrowly passed a bill legalizing same-sex marriage after a bruising battle which stretched on for weeks. That large-state victory is credited with giving the marriage equality movement an enormous push, and it is true that other states soon followed.

In 2012, another sitting president in the midst of a tough campaign for re-election, Democrat Barack Obama, turned the tables and announced to the nation that his position on same-sex marriage had "evolved" and that he was personally in favor of it. He was re-elected, just eight years after an exactly opposite approach from a quite different head of state had produced record-high numbers of fervent opponents.

Certainly, it had been obvious for years that the question of marriage equality in the United States would very likely hinge on how the issue was interpreted by the courts in relation to the Fourteenth Amendment's Equal Protection Clause. The U.S. Supreme Court handed advocates a partial but enormous victory in its June 2013 United States vs. Windsor decision, seemingly providing a roadmap (as pointed out by in a dissenting opinion by justice Antonin Scalia) for future plaintiffs to make same sex marriage the law of the land. Scalia's dissent proved prescient.
Along with the Michigan decision referenced at the beginning of this paper, federal judges have since struck down prohibitions against same sex marriage in deeply conservative states such as Utah, Oklahoma and Texas. Attorneys general in more traditionally progressive states have announced they will no longer enforce bans against marriage equality in their states.

As of this writing, seventeen states and the District of Columbia now recognize same sex marriages. Nationwide victory for advocates of marriage equality seems within reach.

It is noteworthy that Karl Rove himself, in a March 13, 2013 interview with George Stephanopoulos on ABC News This Week, said that he could imagine a Republican candidate for president in 2016 endorsing marriage equality. For Rove, the tide had turned.

Opposition lives on. As reported by The Huffington Post, Susanne Atanus, a Chicago-area candidate who won a March 19, 2014 Republican primary for a seat in the U.S. House of Representatives, has warned that Jehovah has become angry again and is likely to punish the nation for its tolerance of homosexuals with a torrent of spring tornadoes.

**ADDENDUM**

While the point of this paper is to address the links between the political movements begun in response to HIV/AIDS with the successes of the modern LGBT civil rights mobilization, it is important not to diminish the horrendous toll exacted by AIDS in any way. In 2014, HIV remains a mortal threat to tens of millions of people. The pandemic has grown far distant from its perception as a "gay cancer" and today in America, is most prevalent in socially marginalized and disenfranchised communities (Pellowski).

This threat to the poor, to the uninsured, to communities of color, has been noted before. In the early years of the new millennium, it was reported that the American epidemic had
become centered not in large cities seen as gay male meccas but rather in rural areas of the Deep South, particularly among African Americans and Hispanics. In the states of the Old Confederacy stretching from South Carolina to Texas, cases of full-blown AIDS rose by a shocking 35.6 percent in a three-year period (Reif). These states have some of the highest rates of poverty and lowest rates of insured residents in the nation. Both of these factors complicate education aimed at HIV prevention and the treatment of HIV-positive people.

Most of the Deep South is controlled by conservative governors and legislatures opposed to the extension of healthcare or an outlay of funds necessary to address the problems of HIV and AIDS. Most maddeningly, the Georgia General Assembly in March of 2014 passed a bill which prohibits any state employee from even discussing Medicaid funding with needy patients.

Worldwide, the situation is worse. According to the World Health Organization, 75 million people have become infected with HIV, with 71 percent of those cases occurring in sub-Saharan Africa. Actor Jared Leto, in accepting an Academy Award in March of 2014 for his portrayal of a 1980s-era transvestite stricken with AIDS in *Dallas Buyers Club*, acknowledged the sobering toll of the disease, telling a global audience that 36 million people have lost their battles with the disease.

While remarkable pharmaceutical advances have been made against AIDS, fewer than six million of its victims have been the recipients of anti-HIV medications. In the United States, 1.1 million people have died of AIDS, according to the World Health Organization. While the marked improvement in the standing of the LGBT community in the United States can be applauded and the links between AIDS activism and gay rights are intriguing, at the same time we must remain aware that the work to stop the march of AIDS has barely begun. Now is the time for action; complacency is not an option.
Martin Register worked as an HIV/AIDS educator and lecturer for 17 years with the United States Department of Health and Human Services and The National Association of People With AIDS. Mike Kilitzian, reared in San Francisco, saw his own position on LGBT rights evolve when a friend contracted HIV and eventually succumbed to AIDS.
Works Cited:


