



# First Friday News & Views

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The Monthly Newsletter  
of the First Friday  
Breakfast Club, Inc.

## A Little History to Track Our Progress By Jonathan Wilson

In case after case in the federal courts, we are seeing state constitutional bans on gay marriage struck down as unconstitutional. The most recent has been the state of Virginia, the state that gave us *Loving v. Virginia* where the Supreme Court struck down all remaining misogyne laws and legalized interracial marriages throughout the United States.

The recent rash of pro-gay marriage cases is relatively easy for even non-legal scholars to comprehend; all it takes is a basic understanding that “equal” probably does mean “equal” (as in equal = equal) and, in order to have a “unified” United States of America, the various states must respect the lawful enactments of sister states. Both of those principles are enshrined in the United States Constitution thanks to the Equal Protection Clause and the Full Faith and Credit Clause. This is 5<sup>th</sup> grade government class stuff.

It’s interesting to reflect upon how we have gotten here from where we were forty-two years ago when I was 27 and same-gender intimacy was considered a mental illness and was a crime in every state in the Union. Among the advances since then, perhaps the most important was the case of *Lawrence v. Texas* ten years ago, in which the United States Supreme Court struck down all remaining laws criminalizing sodomy – an act supposedly unique to gay relationships (even though we all know that’s not true – which may have contributed to the outcome of the case).

One of the dissenting justices in the *Lawrence* case correctly predicted that the decision would lead inevitably to the legalization of gay marriage. And so it is.

The reason for that prediction was that there is essentially only one exception to the requirement under the Full Faith and Credit Clause that all states recognize the lawful acts of the sister states. States don’t have to do it if doing so would violate the public policy of the state as expressed in its criminal laws. So, for example, prostitution is legal in Nevada. It’s a crime in Iowa. If a pimp and prostitute are on a road trip across Iowa from Nevada and get into a dispute over the division of proceeds, they cannot resort to the Iowa courts to resolve the matter. Their underlying contract violates Iowa’s criminal laws, making it unenforceable in Iowa no matter what effect it would be given in Nevada. The same would be true of a lawful marriage of first cousins in Alabama; Iowa wouldn’t have to recognize that marriage because it would violate Iowa’s criminal laws against incest.

Once sodomy was decriminalized in all states thanks to *Lawrence*, the die was cast. No longer could a state rely upon its criminal laws as a basis for refusing to recognize lawful gay marriages taking place in sister states. At the time of *Lawrence*, of course, there were no lawful gay marriages in any state, so test cases were delayed until some state legalized gay marriage. The imminent prospect that Hawaii would be the first state to do so was the impetus for passage of the so-called Defense of Marriage Act (DOMA) that purported, by Congressional enactment, to give states

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### Calendar

▼ The next FFBC Meeting is 7:00am,  
Friday, March 7, 2014, at Hoyt  
Sherman Place, 15th & Woodland,  
Des Moines, IA

▼ RSVP by March 5 to  
[JonathanWilson@davisbrownlaw.com](mailto:JonathanWilson@davisbrownlaw.com),  
or phone 515-288-2500

## A Little History to Track Our Progress *Continued from p. 1*

Constitution. Again, 5<sup>th</sup> grade government stuff; Congress cannot amend the Constitution or carve out exemptions from its guarantees.

Against the backdrop of multiple state courts recognizing gay marriages, multiple state legislatures legalizing gay marriages, and state-level ballot initiatives supporting gay marriage from sea to shining sea, the US Supreme Court took up the *Windsor* case challenging DOMA. In that case, two women, citizens of New York whose Canadian marriage was recognized by the state of New York, were faced with huge tax liability when one of them died and the IRS refused to recognize their New York recognized marriage because of DOMA. The US Supreme Court held that DOMA was a federal infringement upon the right of the state of New York to decide who was and wasn't married among its citizens – a deference historically given to the individual states by the federal government. It also held that DOMA infringed upon the equal protection guarantees of the US Constitution. It did **not** decide how that ruling would play out in the context of Full Faith and Credit among the several states because that particular issue was not before the Court; the case did not involve any dispute between states or a refusal of any *state* to recognize the laws or lawful marriages of another state.

But the rationale in the *Windsor* case has proven to be inescapable when it has been tested in subsequent cases that do properly raise the Full Faith and Credit constitutional guarantee coupled with the guarantee of equal protection. Eighteen court decisions have since addressed the issue of equality based on sexual orientation and equality has won every time. It has been 5<sup>th</sup> grade government class, revisited. The Full faith and Credit Clause is still in the Constitution, and so is the guarantee of equality.

The interesting thing: Justice Kennedy wrote the decision in *Lawrence* that Justice Scalia, in dissent, predicted would lead to legalization of gay marriage, and Justice Kennedy also wrote the decision in *Windsor* that is making Scalia's prediction come true. Justice Scalia can take comfort that his prediction was right; Justice Kennedy can take comfort that he has been on the right side of history and also right on the cherished Constitutional principles of equal protection under the law for all law-abiding citizens.

## Is There Gay Culture After Homophobia? *Continued from p. 3*

movies. In many places bars are becoming less and less defined by being gay or straight. Traditionally gay neighborhoods are less like gay ghettos and more mixed. Gays have even moved into that enclave of middle class straight respectability -- the suburbs. Like all trends, these have good aspects as well as bad. However, I do hope that in the future, when someone struggles with coming out, there will be some sense of gay identity, support, and community. Most of us who have gone through the process know how important those things can be. It would be tragic if, amid the successes of the movement, that was lost as gay culture fades away.

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*Everything does NOT happen for a reason; how we cope with what does happen is the test of character.*

## Briefs & Shorts

Be sure to RSVP for the March 7 meeting no later than March 5. Our speaker will be Donna Red Wing, Executive Director of One Iowa.

Thanks to Scott Kleinfelter for introducing our February speaker, Brad Buck, Director of the Iowa Department of Education.

Be sure to peruse the front table for a book you might like to read. Book donations are always welcome.



Thanks to all who did so much to make the February 7 Red Party such a smashing success! Over \$20,000 was raised to support the FFBC scholarship program.

## Is There Gay Culture After Homophobia?

By Rev. Jonathan Page

“And you should watch some good gay movies,” I added. The college student across from me nodded. He was in the early stages of coming out, and we were grabbing some food at a local restaurant.

“Ok. Do you have any movie suggestions?” he asked.

“What have you seen so far?”

“I saw some *Queer As Folk*.”

“That’s a good start.” I replied. “It certainly has a lot of nice eye candy, which doesn’t hurt.” The student smiled. “Here are some other movies for your list: *Beautiful Thing*, *Get Real*, *Brokeback Mountain*, and I really like that Canadian movie *C.R.A.Z.Y.* Oh, and *Angels in America*. Definitely take the time to watch that.” The student dutifully typed these into his phone.

“Wait, isn’t *Angels in America* about AIDS?” he asked.

“Yes. It is a powerful play by Tony Kushner that won a Tony Award. The film version is excellent.”

“Yeah, but I don’t know if I want to see a movie about AIDS. It seems so depressing.” Good point, I thought to myself. Maybe an intense film about AIDS was a little too much for someone in the early stages of coming out. “Well, begin with the others.”

That brief exchange got me thinking. In my head I went over those titles and others - movies, shows, and plays that I thought were important cultural and personal expressions of what it meant to come out and be gay. As I contemplated it more, one realization kept coming back to me; every film had as its main theme rejection or homophobia. That experience of discrimination and the existential crisis that ensues drove the plots of each “gay classic” I had in my head. But what if this young man did not have that same experience? What if he grew up in a society that was not overtly homophobic or at least heterosexist? Would any of these movies speak to him?

It has long been noted by theorists of the African American experience that discrimination and racism are defining elements of what it has meant to be black in American society. African American cultural expression has, in large measure, been a response to that racism and a celebration of life in spite of it. There is a joy of living and spirit of defiance that underlies much of black art, film, and

music. A similar thing could be said about gay culture. The music, the films, and the art all revolve around suffering and the joyful and defiant response to it.

But what happens when things change? Today, some young gays grow up in places like New York City and come out in early high school to warmth and overwhelming acceptance. Others are still routinely disowned by their families for coming out. Levels of acceptance and rejection vary widely based on race, ethnicity, religious upbringing, and geographic location. This cannot help but shift what it means to be gay. Thirty years ago gay culture was defined in New York City and San Francisco and shaped by homophobia and, tragically, the AIDS crisis. Some may never have felt comfortable with the gay culture of the time, but they could at least tell you what it was. What about today?

It was with this in mind that I sat down to watch the new HBO show *Looking*. Focused on the lives of three gay men in San Francisco, *Looking* attempts to show a realistic portrait of gay life today for men from their late 20s to early 40s, in other words, the post AIDS-crisis generation. It is fascinating to compare *Looking* to *Queer As Folk*, the Showtime series about a group of gay men in Pittsburgh that aired starting in 2000. In the first season of *Queer As Folk*, every episode ends at Babylon, the local gay dance club. That club, and its celebration of dancing, the male body, and sex, was a place of communal reaffirmation in the face of discrimination and marginalization. *Looking* could not be more different. The series begins with a comical nod to the old gay practice of picking up guys in public parks. Its depiction of the Folsom Street Fair in San Francisco strikes a similarly comical tone. The focus on sex in *Queer as Folk* has been replaced in *Looking* with an obsession on gay relationships in the era of gay marriage and OkCupid. Is *Looking* that much different from *Sex in the City*?

It is hard to get a sense of what all this means for the future of gay culture in America. Clearly gay life is becoming more fractured and diverse as gay communities thrive in places that would have been unthinkable thirty years ago. The question is, will the decline of homophobia also mean the disappearance of a self-conscious gay culture? Probably. Non-stock gay characters are becoming more prevalent in mainstream television and

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## Iowa's Point Man Fighting Ignorance

By Bruce Carr

The First Friday Breakfast Club's guest speaker on February 7 was Dr. Brad Buck, appointed last August to be director of the Iowa Department of Education by Gov. Branstad, who called him a visionary leader with the right skills to implement the landmark education reform package passed by the 2013 Iowa Legislature.

Buck's main message was that employment and retention of the highest-quality classroom teachers is fundamental to the Department's mission. Indeed, Gov. Branstad had said in his announcement that "Dr. Buck's passion for giving all students a world-class education, and his knowledge of how to better utilize teacher leadership to accomplish that goal, played a critical role in his selection." Buck noted the vital necessity of altering the current standard career path which seems able to reward good teachers only by promoting them into administration -- and right out of the classroom. Better utilizing teacher leadership is the centerpiece of Iowa's 2013 education reform package, Buck said. Each of Iowa's 346 school districts now has the option to adopt a teacher leadership system that will use the expertise of top teachers to improve instruction and raise student achievement. Districts began applying for planning grants in September, and the teacher leadership systems will be phased in over the next several years. Dr. Buck arrived at his new post with a head start on understanding how to put a teacher leadership system in place: working closely with the Saydel Education Association during the 2012-13 school year, he helped secure a federal Teacher Incentive Fund grant that has allowed the Saydel District to start implementing its own teacher leadership system starting in the current year. Points raised by FFBC members in Q&A included how effective the new program might be in attracting the very best teachers to serve as mentors, and how the regent universities' teacher-training programs might play into the reform plans. Dr. Buck emphasized the urgency of bringing the entire teacher-training system into alignment, and he mentioned in particular that the Area Education Associations are no longer working independently, but are cooperating within Department plans.

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Brad Buck began his career in education in 1992 as a science teacher at Parkview Middle School in Ankeny. He taught for five years before taking on a number of administrative roles in the Waukee, Hudson, and North Mahaska school districts in Iowa. From July 2011 he served as superintendent of the Saydel Community School District in Des Moines. Buck is a former president of School Administrators of Iowa and has held positions on various state-level committees and initiatives, including Collaborating for Iowa's Kids. A native of Cedar Rapids, he earned his bachelor's degree in biology from UNI, and his master's and Ph.D. degrees from Iowa State University. He lives in Urbandale with his wife and six children. Dr. Brad Buck can be reached at the Iowa Department of Education at 515-281-5294.

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*"Don't cry because it's over. Smile because it happened."* Dr. Seuss

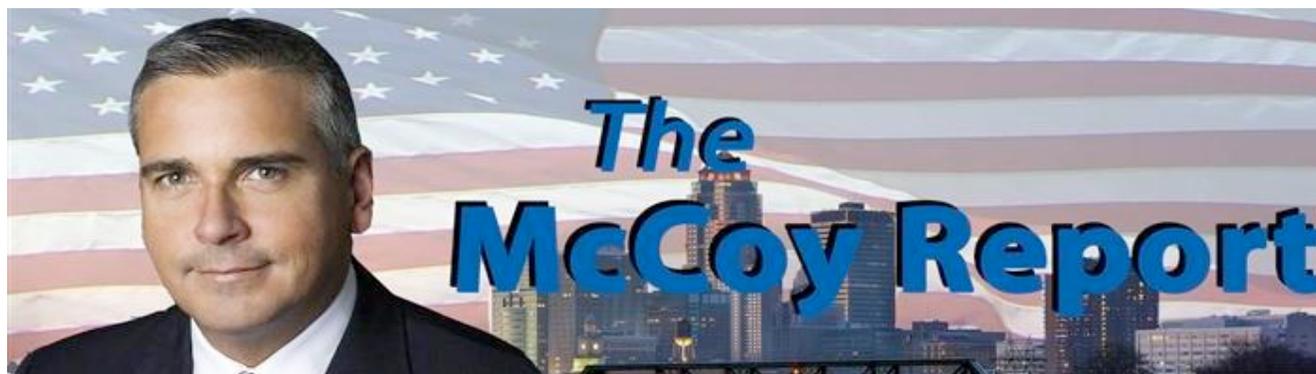
*"Twenty years from now you will be more disappointed by the things you didn't do than by the ones you did."* Mark Twain

Desperate times call for desperate measures -- but desperate measures are no guarantee of success.



Be **Strong** enough to stand alone, **Smart** enough to know when you need help, and **Brave** enough to ask for it. A modern-day take on the Prayer of Assisi.

Do what you **LOVE** what you do.



2-13-14

## **STOPPING BULLYING IN IOWA SCHOOLS**

Bullying can devastate children, families and communities, with effects on kids sometimes lasting into adulthood. It's a serious problem that warrants a thoughtful, informed, appropriate response from policymakers and other adults.

In 2007, the Legislature voted to require all school districts to have anti-harassment/anti-bullying policies, to make complaint forms available to the targets of bullying or harassment, to put investigative procedures into place, and to collect and report data regarding bullying and harassment. Seven years later, this policy has not been fully implemented in some schools, and across the state, inadequate resources have been invested in prevention and training.

In the last couple of years, reports have pointed out that the numbers of reported cases of bullying in Iowa are not consistent with the rest of the country. Iowa school districts, on average, reported fewer than 2 percent of their students have been bullied in any given year since the state passed its anti-bullying law in 2007. National averages are around 30 percent. To tackle that inconsistency, the Iowa Department of Education implemented a new anti-bullying policy in select schools during the 2011-12 school year, which it hopes to take statewide.

We must do more to eliminate bullying in schools, including enforcing anti-bullying policies, teacher training and parent involvement in reducing bullying behaviors. Simple solutions can go a long way to ensuring students feel safe and supported.

[Senate Study Bill 3149](#)\* is an effort to improve the environment for students at all Iowa schools. I look forward to working with the Governor and my colleagues in the House on the best ways to address bullying in schools and to provide assistance to school officials to effectively handle the problem.

If you know a child or family that is struggling with bullying, please encourage them to work with the school administration to help eliminate the problem of bullying. It's a team effort!

\* Full URL: <http://coolice.legis.iowa.gov/Cool-ICE/default.asp?Category=billinfo&Service=Billbook&frame=1&GA=85&hbill=SSB3149>

### **Additional information**

*This is a legislative update from Senator Matt McCoy, representing west part of Des Moines, portions of West Des Moines and Cumming in northwest Warren County. For newsletters, photos and further information, go to [www.senate.iowa.gov/senator/mccoy](http://www.senate.iowa.gov/senator/mccoy).*

*To contact Senator McCoy during the week, call the Senate Switchboard at 515-281-3371. Otherwise he can be reached at home at 515-274-0561. E-mail him at [matt.mccoy@legis.iowa.gov](mailto:matt.mccoy@legis.iowa.gov).*



# FFBC

First Friday  
News & Views  
Des Moines, Iowa

February 2014

First Friday  
Breakfast Club

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MADE ON A  MAC

## MY M.O. (MONTHLY OBSERVATIONS)

by Steve Person

### Bridget Dips in the Boy Toy Pool

Reading Helen Fielding's books *Bridget Jones's Diary* and *Bridget Jones: The Edge of Reason*, frequently had me literally rolling on the floor with laughter. She had a way of making the inanities of a young woman's life in her 30s, both fantasy and reality, so entertaining that the reader didn't want to put the book down and was fearful of finishing it because it would be a long wait until the next one came along. The first was published in 1996 and the latter in 1999.

Fifteen years passed, and Bridget is now 51 years old. She has grown up and into middle age. Fielding's latest tale, *Bridget Jones: Mad About the Boy*, has brought Bridget down to earth. She is a widow with two young children, a boy and a girl. Her husband, the Hugh Grant character in the movie of the first book, was killed while on a fact-finding trip to an African country for the charitable organization that employed him. A devastated Bridget is urged by her kooky friends, who have also grown into middle age, to get back into the dating game and to start to live again.

Reluctant at first and determined to be a good mother to her young children, Bridget bypasses all attempts to get her back in the dating world. Eventually, she wades into the absurd world of Twitter and chronicles the ups and downs of the number of Twitter followers she has. She meets a man who tweets to her who is totally disgusting, and she begins to wonder about this stage of her life.

Fielding, using the format that worked so well in the first two books, employs the same technique in this one. Bridget records times of day, calories consumed, drinks imbibed, tweets made, and twitter follower numbers. She eventually drops Twitter when she discovers the joys of texting.

She accidentally meets a gorgeous and well-hung young man, 29 years her junior. They hit it off. Terrific sex brings Bridget back into the world although she is reluctant to have her children meet her new man, Roxter. He loves Bridget very much and she him, but the age difference continues to bother her.

The children come first in her life, and the trips to school events and forays to the nearby park with them make for many funny side trips where she meets and makes friends with other people. Also, Bridget discovers her odd neighbor whose children are about the same ages as hers, and they strike up a mutual friendship.

The book, and the ending, are worth the read.