

USA: A History of Queer Direct Action

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Queer activists in the 1980s and 1990s connected the queer liberation struggle to a broader politics of liberation for all. Today's LGBTQ movement stands to learn from revisiting this history.

Last October, late one afternoon, I stood facing the locked iron doors of the U.S. Supreme Court building. I was there with hundreds of other protesters. We were screaming. Brett Kavanaugh had just been confirmed as a Supreme Court justice, despite the testimony of Dr. Christine Blasey Ford. People locked arms in front of the closed doors. Others pounded the outer walls. A short woman around my mother's age, who had sung "We Shall Overcome" to the crowd before we flooded the steps, danced next to me to the beat of a drum.

Cass Gilbert, the architect of the building, had meant for people to climb the marble steps and enter through the heavy doors at which we screamed that day. To get to the Great Hall where arguments are heard, visitors would pass the marble sculptures of Lady Justice and the Guardian of Law. In 2010, when the Court closed the main entrance, citing security concerns, Justice Stephen Breyer wrote in his dissent that Gilbert's design enlisted the visitor in a "choreography" that mimics the process of achieving justice: "Each of these elements does its part to encourage contemplation of the Court's central purpose: the administration of justice to all who seek it." It's a beautiful image: we progress towards justice, step by step. But what if, at top of the steps, the doors are locked?

For the past decade or so, a simple narrative of progress has dominated the popular telling of queer history in the United States: justice for LGBTQ people followed a line from the Stonewall riots through the trial of AIDS and up the steps of the Supreme Court building to marriage equality. But today, despite marriage equality and the broader culture's increasing acceptance, even cooptation, of the LGBTQ movement, serious threats to queer people remain. And President Trump's rhetoric and policies threaten not only queer people but also women, immigrants and asylum seekers, people of color, and other historically marginalized groups. With a conservative majority bloc at the Court and Trump in the White House, the doors to the Great Hall are both literally and metaphorically locked.

That gives the LGBTQ movement a choice. We can stick to guarding the rights we've won over the past decade and that have secured for some (mostly those who are white, cisgender, and college-educated) a respectable, middle-class status. Or we can commit to a broader and bolder vision that prioritizes collective liberation—for us, and for others—over individual rights. That would mean, to start, standing up as queer people against inhuman conditions at the southern border, putting our bodies on the line to protect trans women at risk of violence, working on sex-work decriminalization and harm reduction for drug users, and tackling the continuing crisis of HIV. It would mean using our long experience of fighting past injustices to fight injustice in the present.

Queer activists have held such broad emancipatory visions before. Those visions were based in a clear-eyed embrace of queer difference and not an attempt to assimilate into middle-class institutions. By combining commitment to queer liberation with direct action, radical queer activists

have throughout history brought emotional potency to the LGBTQ movement to which we owe many of our political gains today. This is the story of one such action: a 1987 civil disobedience on the steps of the U.S. Supreme Court building in response to the Court's decision to uphold statutes criminalizing consensual queer sex.

"The group was called LIPS, and no, that does not stand for anything," Mary Farmer told me, hitting the table hard on "not" with her palm and looking me straight in the eye. From 1974 to 1993, Farmer owned a beloved lesbian feminist bookstore and community space in DC called Lammas Women's Books & More. LIPS was one group that would organize direct action protests in the '80s and early '90s and of which Farmer was a member.

Another original member of LIPS was Urvashi Vaid, who, at that time, was also Communications Director for the National Gay and Lesbian Task Force, founded in 1973 as one of the first national, professionalized gay and lesbian rights lobbyist organizations. Vaid later became well known for her role as Executive Director of the Task Force and her book critiquing the assimilationist direction of LGBTQ politics in the 1990s, *Virtual Equality*.

"Can you tell me about LIPS?" I asked when I caught her on the phone. "That was my direct action group!" she said. "Reagan had been reelected and everybody was depressed. It was '84, and some friends were like, *what are we going to do?*"

Their answer was protest that confronted the injustices of a conservative administration from an explicitly lesbian point of view. Vaid gave an example. "Reagan had said something stupid about Central America and how we had never invaded anybody. LIPS made a flier. Eight-and-a-half by fourteen, with teeny-tiny print of every invasion that the U.S. committed in another country. You know, CIA interventions, covert actions. And we took that flier, with a Reagan quote on it and some cartoons, and leafleted people that were at the Air and Space Museum on a Saturday morning."

She laughed. "We made a banner that said, 'Lesbians Protesting Injustice.' And we did lots of participation in different marches, non-gay marches, too, so we would do lesbian visibility, queer visibility. And we always had leaflets. Our motto was, 'We believe in getting the word out.'"

They got the word out about more than a narrow set of queer issues. LIPS protested U.S. militarism and imperialism, opponents of reproductive justice, as well as the occasional right-wing leader speaking in Washington, all while centering their lesbian identity. LIPS transformed the task of "getting the word out" about individual identity ("coming out of the closet") into "getting the word out" about injustice here and abroad.

"It was the '80s," Vaid explained, "and we were very much on the outside." AIDS was killing queer people. The Reagan administration, with its inaction, was letting people die. Conservatism in all forms was rising. Homophobia was cruel and rampant. In response, almost as if understanding that any attempt to fit in was self-defeating, Vaid and her LIPS compatriots went in the opposite direction and took to the streets. Then the government tightened the screws. In its 1986 decision *Bowers v. Hardwick*, the Supreme Court upheld a Georgia statute that banned "sexual act[s] involving the sex organs of one person and the mouth or anus of another"—effectively criminalizing forms of queer sex.

Sue Hyde was a colleague of Urvashi's who had been hired to run the Task Force's Privacy Project in late 1986 after the decision, a job in which she organized people to oppose state anti-sodomy statutes. She would go on to co-found and run until 2018 the annual Creating Change conference for LGBTQ activists. "When the *Hardwick* decision came out," Hyde told me, "it was sort of a thunderclap for a lot of people." Sodomy laws were rarely enforced, and few people had previously

thought much of them. “‘Oh, what? It’s a felony for me to be having sex with my boyfriend or my girlfriend? What the heck is going on here?’ People didn’t know they were unconvicted felons.”

The decision had other but no less grave consequences for queers across the country, Hyde explained. With sodomy outlawed in twenty-five states and the District of Columbia, federal lawmakers had another excuse to oppose funding for sex education and LGBTQ community and campus organizations. Following the government’s cruel refusal to address the AIDS crisis, the Court’s decision was a deadly blow, one that national LGBTQ leaders understood required a response.

One response was offered by organizers of the Second March on Washington for Lesbian and Gay Rights, who planned a civil disobedience action at the Supreme Court for October 13, 1987 to protest the Court’s sodomy decision, two days after over 200,000 LGBTQ people and allies marched for LGBTQ rights and AIDS funding. The planning began in earnest eleven months earlier at a gathering where activists from groups across the country began to formulate explicit demands from a broad set of proposed themes. The demands would eventually include a national gay and lesbian rights bill, an end to discrimination against people with AIDS, the repeal of anti-sodomy laws, an end to discrimination against gays and lesbians in federal employment, legal recognition of same sex relationships, a massive increase of funding for AIDS education, research, and care (to be taken out of the defense budget), as well as an end to sexism and racism and a safeguarded “right to practice sexuality freely.”

Meanwhile, a new direct action group, the AIDS Coalition to Unleash Power (ACT UP), formed in March 1987 in New York City. It would become known for its bold, confrontational protests that provided an outlet for queer anger and forced the issue of AIDS into the public agenda. The group’s organizing was electric to many queers radicalized by the AIDS epidemic’s mounting deaths. As Deborah Gould writes in *Moving Politics*, ACT UP broke from previous AIDS groups that mainly cared for the sick and educated the community about safer sex. “Get angry and fight back,” the writer Larry Kramer said at the first meeting. Or else, he emphasized, two-thirds of the queer population would be dead in five years.

ACT UP later became famous, but it was built within a community that consisted of many groups that were mobilizing the community’s anger at the growing crisis. Members of a consciousness-raising collective called Silence = Death had in December 1986 designed and wheat pasted throughout the city a black poster marked by a fuchsia triangle, meant to evoke the patch Nazis required gay men to wear during the Holocaust. “Turn anger, fear, grief into action,” the poster implored. And in February 1987, the Lavender Hill Mob committed a “zap,” leafleting and interrupting a Center for Disease Control meeting that included major gay and lesbian groups (including the Task Force) that convened to discuss mandatory HIV testing. “Test drugs, not people,” their leaflets demanded. That kind of protest was a cousin of those Marty Robinson had been pulling off since the mid-1980s under the banner of the “Swift and Terrible Retribution Committee” of the Gay and Lesbian Alliance Against Defamation. This swirl of righteous anger and energy was the backdrop against which LGBTQ leaders organized the 1987 March on Washington.

Though direct action had a history in the LGBTQ community, the March on Washington leaders sought to mobilize people by declaring it a new strategy for a new, terrible moment. “This is the beginning of a new era of AIDS activism and an increase in direct actions for the lesbian and gay rights movement,” a flier distributed by the National March on Washington committee declared in the spring of 1987. The organizing committee urged supporters to attend the ACT UP and Lavender Hill Mob co-sponsored demonstration of the International Conference on AIDS held at the Washington Hilton on June 1 to demand government officials increase AIDS research funding. That direct action was a taste of what was to come if supporters came out *en masse* in October, the poster

promised: “Join us for these actions and on ... October 13 for massive nonviolent civil disobedience at the Supreme Court.”

John Maddux, a longtime activist whose first civil disobedience action was a blockade of nuclear weapons parts in Washington state in the seventies, was finishing his dissertation at the University of Cincinnati on gay and lesbian discrimination in public schools in 1987, when he heard about the march.

“I was involved in gay activism here in Cincinnati, and of course, everyone was going to the March on Washington,” Maddux told me. He was already on the board of a local group that was working to bring people to the march itself, making bus reservations and hotel accommodations. But when word came from organizers that there would be a direct action protest after the march and that they would risk arrest, he felt he had to be involved.

When the day came, turnout was huge. “I remember on Friday the 9th, I had to go down to Dupont Circle for something,” Urvashi Vaid recalled, referring to DC’s historically LGBTQ friendly neighborhood, “and I just thought, oh my god: there are all these people here!” She immediately returned to the office to pitch media outlets: “This is big—this is really big.”

And though “500,000 people were not going to participate in a civil disobedience at the Supreme Court,” Sue Hyde told me, “5,000 people did! And 840 people got arrested.” At the time, it was the largest mass arrest at the Court ever, and the largest in Washington D.C. since the Vietnam War.

Organizing that day built on more than just past gay rights protests. The March Committee’s civil disobedience coordinator was Michelle Crone, who had been involved in the anti-nuke movement, spending time at the Seneca Women’s Peace Encampment opposing militarism at a base in upstate New York. Hyde explained that organizers borrowed from the anti-nuclear movement the affinity group model—organizing and training small groups of protestors to provide support to one another before, during, and after arrest.

“Everybody who participated was supposed to be part of an affinity group, and the affinity groups were supposed to organize themselves before they arrived in DC,” Hyde said. The affinity groups would occupy the Court’s marble plaza in “waves,” each sitting down, raising clasped arms, singing and chanting, until the police came to take them away. At a mass meeting at All Souls Unitarian Church in the Columbia Heights neighborhood of DC, protestors and organizers gathered the night before to train.

That’s where Maddux found an affinity group of about eight, all fellow Midwesterners. But the next morning, “as we got closer and closer, the other six people faded away and decided not to do it,” Maddux recalled. He was undaunted, so he and a friend joined with a group of strangers and stepped up to cross the barricade between the sidewalk and the Supreme Court’s plaza. “Marching was one thing, but committing civil disobedience with the entire world watching? It was totally liberating,” he said.

What would it have been like to be there? The civil disobedience was the culmination of a long weekend in Washington during which those gathered there had been surrounded by more queer people than some had ever seen in one place.

“It was not only an act for the advancement of gay and lesbian rights, but on a *personal* level, it was just extremely liberating when we crossed those barriers the police had erected,” Maddux said.

I asked him why. “You’re not fearing arrest anymore. And you’re not fearing the discrimination that I

had experienced all my life, the disgust and hatred from other people,” he continued. He said he felt the power of taking on fear together, with others, in public.

Afterwards, even after they were bused away for processing, strangers cheered one another on. “People were chanting and cheering and buoying each other with, yeah, good for you, you did this!” Maddux remembered. “Most everybody was kind of in the same place as I was, like, Man I can’t believe I did this! Because I was really scared to death before.”

Those at the Court that day were clear-eyed about the fact that many in the federal government didn’t care whether they lived or died. By committing civil disobedience, they claimed and embodied through the ordeal of arrest their criminalized status, which had been reaffirmed in *Bowers v Hardwick*. As Pat Norman, one of the organizers, put it to the *Washington Post* that day, “This is not the first time gays have done civil disobedience. Every day we commit an act of civil disobedience by loving each other.”

The fear Maddux described, the liberation he felt in facing it, and the joy of community cheering him on was part of an emotional transformation felt on a personal level that reflected the transformation occurring in the LGBTQ movement more broadly. The Court action was different than much of the previous organizing that prioritized community responsibility for AIDS education and care. It was a confrontation. You think we’re criminals? Arrest us! That was powerful. Participants left DC and began organizing furiously on their home turf.

“People went home and got very busy,” Hyde told me. They started local direct action groups, including ACT UP chapters, as well as anti-violence projects, efforts to combat anti-sodomy laws and enact employment and housing protections and build new LGBT community centers. And like LIPS, the post-1987 wave of queer activism wasn’t bounded narrowly to “LGBT”; in the 1990s, groups established to fight AIDS deepened their organizing into arenas like housing, poverty, harm reduction for drug-users, and healthcare.

The emotional transformation of LGBTQ organizing in the late 1980s gave rise to a more expansive political vision and understanding of queer politics. The handbook distributed in advance of the Supreme Court action provides an example. “We are high school students and grandmothers, rabbis and bikers, prisoners and activists, drag-queens and secretaries, softball players and church-goers,” it read. “We are out and outraged. We are not going back.”

If in 1987 we were “prisoners and activists,” who do we imagine ourselves to be today? Reading the literature distributed by the most well-funded LGBTQ political organizations, the answer might be, “married couples,” “homeowners,” or something else resembling Pete and Chasten Buttigieg on the cover of *Time*. Those are images created and propagated by the assimilationist wing of our movement that believes progress is won by “winning hearts and minds” rather than building power.

But only a slim portion of the LGBTQ movement’s vision—for queer liberation, and for the liberation of all people—was realized at the top of the Supreme Court steps. As in 1987, today we contain multitudes. Many of us remain on the outside. Affirming that fact of our own difference and holding it as central will take us far from the simple story of LGBTQ progress that has become conventional wisdom over the past decade. It will also help us imagine a broader and bolder politics of collective liberation crucial for our victory in those to come.

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