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April 18, 2019

Law School News

'Hate and Bigotry Have No Place in America'

U.S. Congressman David Cicilline delivers RWU Law's 2nd Annual Stonewall Lecture, focusing on the importance of passing an LGBTQ-friendly Equality Act



Congressman David Cicilline during the Stonewall Lecture. Image Credit: Kaylee Pugliese/Hawk's Herald

April 18, 2019
Michael M. Bowden

BRISTOL, R.I., April 18, 2019 – RWU Law recently welcomed Congressman and former Providence mayor David Cicilline (D-R.I.), who delivered the school's 2nd Annual Stonewall Lecture, focusing on the importance of passing an LGBTQ-friendly Equality Act.

As the longest-serving “out” member of the U.S. House of Representatives and co-chair of its LGBT Equality Caucus (as well as chair of the Democratic Policy and Communications

Committee, and member of the House Judiciary Committee and House Foreign Affairs Committee), Cicilline brought a powerful and informed perspective to the event.

He opened his lecture with praise for President Barack Obama and a strong indictment of the current administration.

“We saw incredible progress in the fight for full LGBTQ equality during the eight years of President Obama,” he said. “I’m still really proud to have served in the United States Congress with a president who valued the dignity of the LGBTQ community.”

Under President Donald Trump, however, the situation has darkened, Cicilline noted.

“We find ourselves at a really critical moment in our nation's history,” he said. “It seems difficult sometimes to remember a time when the partisan divide was so serious and so vast. Rather than embracing the beauty that is the melting pot of America, that made us so strong for centuries, more people would rather wall themselves off from their neighbors – simply because of the color of their skin, the God they pray to, or who they love.”

Progress Undone

Cicilline related the current political moment to the Civil Rights Movement of the 1960s.

“While millions of Americans marched for civil rights across the south and right up to the Lincoln Memorial in Washington, hate groups and segregationists did everything they could stop long overdue progress from being made,” he said. “But they couldn't. Hate and bigotry have no place in America. It had no place in America then. It has no place in America today.”

Nobody gives you your rights. You have to fight for them, demand them, be persistent – and advance equality for our community all across this country.

Cicilline narrated several real-life stories of present-day discrimination against LGBTQ individuals, and bemoaned how much ground has been lost since the Supreme Court’s landmark 2015 decision in *Obergefell v. Hodges*, which established full marriage equality to same-sex couples.

“For the last two years, the right wing in this country has tried to return members of the LGBT community back to second-class status,” he said. “They found a president willing to help.”

Cicilline laid out the current situation on LGBTQ rights.

“Right here in our own country, in 2019, in a majority of states, you can still be fired from your job, or kicked out of your apartment, or denied service in a restaurant simply because of who you are and who you love,” he said. “This is dead wrong and un-American. While the efforts of the LGBT community and [its many] advocates helped to bring us so much progress over the past few decades, we've seen just how easily progress can be undone in such a short period of time.”

The Equality Act

One of the main problems, Cicilline explained, is that federal law does not provide consistent non-discrimination protections based on sexual orientation or gender identity. The need for these protections is clear, he said, noting that a majority of LGBTQ Americans report having experienced discrimination in their personal lives. The patchwork nature of current laws leaves millions of people subject to uncertainty and potential discrimination that impacts their safety, their families, and their day-to-day lives.

“The fact is that a majority of people in our country still live in states where this kind of discrimination is legal,” he said. “That reality really strikes at the very foundation of what it means to be American and what we mean in terms of equality.”

As a solution, Cicilline offered a detailed discussion of the Equality Act, legislation that he authored with 240 co-sponsors – “every single member of the Democratic Caucus with exception of one, and three Republicans,” he noted.

The Equality Act would provide consistent and explicit non-discrimination protections for LGBTQ people across key areas of life, including employment, housing, credit, education, public spaces and services, federally funded programs, and jury service.

The Act would amend existing civil rights law—including the Civil Rights Act of 1964, the Fair Housing Act, the Equal Credit Opportunity Act, the Jury Selection and Services Act, and several laws regarding employment with the federal government—to explicitly include sexual orientation and gender identity as protected characteristics. The legislation also amends the Civil Rights Act of 1964 to prohibit discrimination in public spaces and services and federally funded programs on the basis of sex.

“The passage of the Equality Act is really the only way to achieve full equality for the LGBTQ community and end discrimination once and for all,” Cicilline said. “We will bring that bill to the floor before June, so that it will pass the House in time for Pride Month, so that, all across America, we can celebrate the passage of the Equality Act out of the House. And then [we’ll] get to work in the Senate.”

Opposition Ahead

Getting the bill through the Senate, however – especially in its current form – is going to be a problem.

“Even as I speak, conservatives and the far-right of our political parties in this country are [doing] everything they can to kill this bill, and to block its passage,” Cicilline said.

The principal lines of attack involve conflicts with religious liberty, and assertions that transgender use of restrooms poses a threat to women and children.

“These are terrible arguments, they are intended to belittle the serious challenges that LGBTQ people face in this country,” Cicilline said. “But opponents of equality are going to pull out all the stops and do everything they can to stop progress on this issue, and they will use fear and these specious claims to really try and distract from the core issue: that every single American is entitled to full equality.”

The biggest obstacle to the bill’s passage, in fact, is the assumption that the Equality Act’s protections are already in place.

“Most Americans actually think this is already the law,” he said. “There’s wide support for this,” and “it’s a priority of the Democratic Caucus. Nobody gives you your rights. As we’ve learned through our history, you have to fight for them and demand them, and be persistent – and I’m really proud of the coalition we’ve built that’s going to advance equality for our community all across this country.”

The lecture was followed by an extended question-and-answer session that covered issues from the Mueller Report to the crowded field for the 2020 Democratic presidential nomination.

RWU Law’s 2nd Annual Stonewall Lecture took place on the 50th anniversary of the 1969 Stonewall Riots, which marked a critical turn in the fight for LGBTQ rights, serving as the impetus for the formation of several gay, lesbian and bisexual civil rights organizations. It is held in honor of the numerous individuals who have fought for LGBTQ equality and justice and the many contributions they have made to advance this modern day civil rights movement.