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In and Out Behind the Desk - In and Out of the Country

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In and Out Behind the Desk – In and Out of the Country

In the 15 plus years I've been a law librarian, I've been in and out of the closet. Or, more accurately, I've been out, back in, and back out again. That status could change at any time.

NOT Out In Front of the Desk – life as a library patron

I didn't really start coming out until I was in law school. Because I was raised in a fairly conservative household, I very consciously did not allow myself to think too much about my orientation. From middle school on, my pat answer to teasing and/or pointed questions about when I was going to get a boyfriend was "I'm very serious about school – I don't have time to be distracted by that." Amazingly enough, the pat answer pretty much worked. I didn't get near the pressure about dating and marriage that my two older sisters got. And, I actually was serious about school. Wanting to be a lawyer meant I had to get ready to do well in high school, to get into a good college, to get into law school. But, being "serious about my studies" meant that I was in libraries a lot, which gave me the opportunity to "research" issues of sexual orientation. Back in the early 70's, a joking comment from a friend's mom that it was fine to be such a tomboy, as long as I didn't go so far as to get a sex-change, started some clandestine research at the public library. I think the library staffer who came to shoo me back into the children's section was totally flustered to find me looking up "hermaphroditism" in the encyclopedia. Turning to books for answers became a lifelong pattern for me.

Years later in high school, on a freshmen year field trip to a major university library, using the venerable *Off Our Backs* as a resource for the politics surrounding the new "gay cancer" (later to be termed AIDS) was eye opening enough – accidentally getting a copy of the new magazine *On Our Backs* was a whole other ball game. Another memorable read was Gloria Anzaldúa's *Borderlands: the New Mestiza = La Frontera* for a political science class in college.

By law school I was ready to let myself think about my orientation. I'm not sure if it was law school itself that allowed me to see my coming out as a justice issue as opposed to a religious issue, or whether distance from my family's version of religion led me to other, more accepting theologies, or if it was simply that, since I was about to be finished with school, my personal excuse for avoiding the issue was about to run out. As always, research led the way for me: feminist jurisprudence texts and general human rights / civil rights texts for the justice implications and John McNeill's *The Church and the Homosexual* for more inclusive theologies.... I had no role models, and obviously totally missed the context early on (really, hermaphroditism?), but just having access to the books pointed me toward answers and perhaps other ways to frame the questions. Later, in library school, when we talked about biblio-therapy I realized that that's exactly what I had been doing for years. That experience as a questioning LGBTQ library patron has thoroughly convinced me as a librarian that building our collections – at every type and level of the library – is in itself an important act of leadership and advocacy.

Out Behind the Desk as a library employee

It may have taken me a while to come out personally, but in 1994 I started life as a library employee completely out of the closet. It wasn't so much a political or social statement but more a function of naiveté and good luck. By the time I was finishing up with library school, I'd already been lucky enough to meet my life partner. I was at the job search stage and she was at a point in her education where she could move fairly easily – we evaluated job prospects and possible locations together. For law librarians, especially entry level academic law librarians, the

annual conference of the American Association of Law Libraries is where the majority of initial interviews take place. California Western School of Law (CWSL) in San Diego was one of the law school libraries that offered me a second interview. In addition to the official invitation, a few of the librarians contacted me individually, one of whom let me know that CWSL offered domestic partnership benefits. The topic was not broached at the initial interview of course, but occasionally it does pay to look a tad stereotypical.

Knowing that, without knowing how rare it was, and just assuming that all partnered folks--whether straight or gay--made relocation decisions collaboratively, I asked for my partner to be brought out to the second interview with me. I just assumed that employers knew that both parties in a couple had to be able to evaluate a new location, especially one across the country. I think they were a little shocked at my audacity in asking, but with a 'Friends-Fly-Free' flight they agreed to my request. While I interviewed, my partner checked out the city, housing options, and opportunities for her to finish her education. Together we decided that if we got the offer we would accept. And we did.

The fact that my partner would be able to be on my health insurance at CWLS was appealing, but wasn't central to our decision in that first round of job searching. However, when she was diagnosed with cancer it became critical to our lives. CWSL was absolutely amazing in their support of both my partner and me. It was, of course, a good business practice. With my partner having chemotherapy and radiation treatment, I was a distracted employee for a while. But that distraction was nowhere near the level it would have been had we been trying to find affordable health coverage for her. With attitude being such a big component in fighting cancer, I'm certain that the support of my employer and coworkers was a major factor in my partner becoming a cancer survivor, instead of a cancer victim.

At CWSL, the commitment to the policy was more than just good business; it was also viewed as a justice issue. The CFO at the time was relentless in making sure that employees with domestic partners were given the same benefits as employees with spouses. At most places that offer DP benefits the employee is responsible for paying the extra tax that the government imposes on those benefits (ie the employer's contribution for the partner's insurance is attributable as income, and is therefore taxed by both the federal and local governments). But at CWSL, they adjusted our income so that our final take home pay was the same, whether married or partnered.

During that same time period (I called it the year of the bad bodies), when I needed to have a routine surgery, CWSL worked with me and the relevant insurance companies to assure that, in the unlikely event that something did happen to me, my partner would still be covered for as long as she was having cancer treatments. Finally, when I left CWSL to accept a fellowship overseas, they went above and beyond to make sure that all the COBRA benefits were given to her. Since COBRA is a federal law, the insurance company was not legally obligated by the legislation to provide those benefits to domestic partners. The law school administration made it clear to the insurance company that when they negotiated insurance coverage for domestic partners it included COBRA post-employment benefits. This is still an issue at many companies today, so CWSL was definitely ahead of the curve in treating LGBT employees fairly.

I have been mostly out in my library career so far, and most of the time the response has ranged from okay to actively supportive. CWSL was definitely the most supportive and the most thoroughly fair. Domestic partnership benefits have become more and more important to me. Initially, either the position had to offer DP benefits, OR the location had to be in a city large

enough for my partner to be reasonably confident that she would be able to quickly get a graphic design position that offered insurance benefits. She is very good, but a city needs to be a certain size before there is much of a market for graphic designers. There was a law school in Florida where I very much wanted to work, and they very much wanted to hire me. But, the school didn't offer DP benefits at that time, and the small college town didn't have many graphic design positions at all. We were all frustrated, but the library administration was very understanding about my decision to decline their offer.

The offer that I did accept was in Maryland, and in a city that was large enough to provide good job prospects for my partner. While the law school and library administration were certain that the university offered DP benefits, a call to the university human resources department revealed that the university did *not* offer such benefits. At that point in time, the administration didn't understand the importance of this issue to me. Because they hadn't discriminated in hiring me, they didn't think that the unavailability of a "perk" was such a big deal. Their conception of support and non-discrimination was very narrow. But, the city was large, so we did go ahead and move there. At both the Florida and the Maryland schools, the campus organizations that were fighting for domestic partnership benefits asked me to write a letter indicating that the DP issue was critical in my decision to either reject the offer or to move on to other employment. Both universities now offer DP benefits – many kudos to the organizations that painstakingly collect the evidence of impact and keep bringing home the importance of the issue.

On the flip side, one place I interviewed responded to the DP benefits question with a frustrated, "that would be nice, but no we don't." But, when I asked at the main HR department, they said "of course, and we have for years." Somehow that information hadn't gotten out to the library rank and file. Somebody had fought hard to earn these rights, but then dropped the ball in letting folks know they had, in fact, been won.

Out Behind the Desk and in front of law students

Just as it affects my ideas about collection development, my own coming out process shapes the way I interact with law students, faculty, and the public as a law librarian. In law school, before I had finished coming out even to myself, there was a straight faculty member that was a very vocal ally to gay folk and LGBTQ issues. Her support was appreciated, but a tad overwhelming – especially when she complained in a seminar class about students not coming out while looking pointedly at a few LGBTQ students in the class. This was during the ACT-UP/Queer Nation era and lots of outing was going on. I do think that she had the best intentions, but it felt pretty close to outing, and instead of being supportive it felt threatening. Like many in my generational cohort of female students, I resented the frequent assumption that as a woman I would be primarily interested in women's law issues. I did not want my gender to define my career. Similarly, I did not want my orientation to define my career. While I respected the work of Urvashi Vaid, Lambda Legal, and the Human Rights Campaign, I did not want to be a "professional lesbian." Regarding both my gender and my orientation, I probably took it too far to the other extreme. To keep from being typecast, so to speak, for a while I ignored issues in which I was actually interested. Everybody has to decide for themselves where to draw the line between who they are and what they do. And, that is probably never a *finished* process. I don't draw that line at the same place now as I did then. But, initially at least, I wanted to tightly focus on access to legal information, international law, and international legal development.

Given that, despite my brazenness at my first interview, I did not typically bring up the fact that I am gay. I never hid it if the topic came up – and I was more assertive when it came to healthcare for my partner – but I didn't stray anywhere near territory that could be considered activism. Law libraries tend to be small shops, so I was out to all of my co-workers, but not to the law school at large. One of my co-workers said that she liked that I would talk about my partner, but wasn't "all-in-your-face" about it. That one set off a small twinge that perhaps I wasn't doing enough, but for the most part I liked the comment.

It was a conversation with a student that really started the shift in my thinking. He had overheard a water-cooler conversation where a colleague and I were discussing some of the universal pitfalls of coupled life. Something along the lines of one partner squeezing the toothpaste from the middle while the other one wants the tube rolled up neatly, one wanting to watch TV in bed while the other just wants to sleep.... Afterwards, the student asked if he could ask a personal question. He couldn't understand why, as such a private person, I would talk about having a partner. He, of course, had no problems with homosexuals, but didn't think I would want people to know that about me. From his perspective, just mentioning the fact that I had a same-sex partner was sharing some deep dark bedroom secret, and totally non-analogous to him mentioning the fact that he had a girlfriend. That's when I started to better understand how being too quiet lets people keep their notions that homosexuality is some shameful secret that "otherwise nice" people should keep hidden.

I still won't just assume that a student is gay, and I won't denigrate any student or co-worker's decision not to be out. But, I display a rainbow sticker in my office; I serve on a diversity committee; and I participated in a student organized protest of a speaker associated with the Prop 8 case in California. Just from those steps, tiny really, a number of students have come to talk to me – straight and gay – about personal LGBTQ issues, about career implications of being LGBTQ, and about researching LGBTQ issues. It still hasn't been "in-your-face," but it has started a great number of conversations both with people that needed to hear me and with even more people that I needed to hear.

Not Out Behind the Desk

Despite my general and growing inclination toward being out at work (and my general inability to keep from talking about my partner), there have been three distinct situations when I have chosen NOT to be out, or to be only selectively out. Two of the times were when I was working outside of the United States, and one when I was working in a prison. All three of those positions were ones that let me contribute to providing access to legal information and to international legal development at a very fundamental level. As such, they were important opportunities for me to further the causes that had actually brought me to law school and then to library school. Each instance carried very different short and long term implications.

The time I ran a prison general library and law library service was probably the most neutral – both long term and short term. Being out could have *possibly* become a safety issue. Mostly, it was just easier not to mention anything and avoid possible hassles, whether from inmates or officers. As usual for me, civilians and officers with whom I worked closely quickly figured out that my partner was more than just a roommate. But none of the other officers knew, and you just don't give out any kind of personal information to inmates. I'm not sure I ever even mentioned my dog's name. Any concrete impact on the library from my being a lesbian was limited to some of the books I added to the collection. Perhaps a few astute correctional officers noticed some LGBTQ themes in some of the fiction we purchased – but I don't think so. At first

I worried that perhaps an inmate would be targeted if he or she were seen with such a book. That never materialized though. I think in that particular situation, not being out saved me a bit of harassment, and being out might not have hurt, but really wouldn't have served much purpose either.

My first international job was the first time I decided not to be out. Initially, it seemed that staying in the closet wouldn't have much impact. It was a chance in 1997 to work with the Parliament of Uganda under the auspices of an eight month American Libraries Association / United States Information Agency Fellows Program award. (Sadly this program was been discontinued as part of the USIA being folded into the State Department). The Fellows program did not cover spouses or significant others (no matter the orientation), so while being away from my partner for eight months was incredibly difficult, I didn't feel like I was being treated any differently than the Fellows who were married. Because of cultural differences, and because my partner wasn't with me, I didn't plan on being out. The opportunity to work with the Parliament as they set up their library and information service was nothing short of amazing. On the personal side, it did seem that the second or third question was always whether or not I was married. I treated this question pretty much like I had in my youth: I'd smile, say no, and then deflect the conversation back to work topics. Obviously, I was very serious about my career, which they considered typical of western women. For the most part my sexual orientation was a non-issue while I worked there. There were a few close friends (other ex-pats) who would commiserate with each other over missing our partners / spouses. But, I never talked about it with my Ugandan colleagues. As an outsider, I didn't think being out would really make much of an impact. And I did think it could possibly have a negative impact on my ability to do the work I came to do. At that point, in that job, I decided silence was the best option. But given what is going on now with the antigay legislation proposed in the Ugandan Parliament, I think my silence was a huge opportunity missed. Perhaps I should've dealt with it the same way I dealt with the issue of trousers.

In Uganda at the time, a woman wearing pants was considered immodest at best and most likely promiscuous. Just a cultural difference – a skirt above the knees was fine but trousers were not. Skirts, dresses, and I do not mix. So even before I left, I decided that I would still wear nice trousers and deal with any misperceptions as to my sexual availability. Truthfully, I don't think I got any more propositions at the taxi park than skirted western women. Of more concern to me were any ramifications to my effectiveness at Parliament – but since I was moving books, crawling under desks to set up computers ... I decided I would just have to let my actions over time reverse initial assumptions.

And they did. Initially, every morning I would be let into the Parliament building by the senior officer, who always gave me a fierce scowl. I'd say good morning and go about my work. Gradually, he started to return my greetings and smile a bit, which would then be followed by a puzzled frown. Finally, one morning he asked me: "Ms. Morris, you seem like a nice person and a respectable lady, WHY do you wear pants?" So I explained to him that I'm more comfortable in pants, that I'm often moving books, crawling under desks to set up computers, just sitting on the floor in front of the shelf I'm working on, and that I didn't want to have to deal with the restrictions of skirts or risk having it fly up, or.... He thought a minute, agreed that I did seem to be very active, and then said, "so you wear pants because you ARE modest."

Partially it was accepted of me because I was a foreigner, but still, by sticking to my decision and explaining it, I convinced a number of people that a woman in pants isn't necessarily promiscuous. After a couple of months, even at the taxi park the bus driver for my

regular route would shout down anyone he heard heckling me. If I had used the same strategy about being a lesbian, perhaps there would be a few more people in Uganda who would see through the growing propaganda claiming that all LGBTQ people are immoral, pedophilic prostitutes bent on destroying the country.

The legislation as proposed at this writing would potentially subject me to the death penalty if I were to return to Uganda. As a lesbian whose "victim" (my partner) is disabled, my offense would be that of aggravated homosexuality – for which the death penalty is declared. The legislation claims jurisdiction over extra-territorial acts – the offense does not even have to occur inside Uganda. The legislation also imposes jail time for those who fail to report. I have a colleague and friend here at Penn State who is from Uganda, and we used to discuss ideas for programs that would be both useful to Ugandans and attractive to funding organizations. Now we discuss how harmful this legislation could be if enacted, and in fact already is. If we decided to go ahead with such a program, and if she were the director of the program and, thus, a "person in authority" she would have 24 hours to report me as a homosexual or be herself subject to a fine and imprisonment of up three years. Any business or organization that "promotes" homosexuality – say, by recognizing same-sex marriages or providing domestic partner benefits – is subject to having its license revoked and its director imprisoned for up to seven years.

Obviously that has significant ramifications for NGOs and donor organizations operating in Uganda. There has been an international outcry against the bill, with statements that NGOs would no longer be able work in Uganda. Partially because of that, President Museveni is talking about softening the bill, and, as of this writing, it has been tabled for now. In truth, probably NGOs that continued to operate would be overlooked, with foreigners probably just made to leave the country. But the damage to Ugandans is already occurring – gay people are being outed in newspaper articles, straight people in the political opposition are being outed falsely for political purposes. There has been a fair amount of press about the role that Americans have played in stirring this up.¹ In hindsight, I regret the missed opportunity—as an American—to have shown, even to just a few Ugandan colleagues that, just as a woman in trousers can still be respectable, LGBTQ people can be respectable as well. I'm not sure it would even have amounted to a drop in the ocean, but I regret my silence in this case.

The third instance in which I made the decision to stay closeted was during another chance to work internationally. In February 2004, I was able to work with the International Human Rights Law Institute (IHRLI) of the DePaul University College of Law, as they assisted three law schools in Iraq. Beyond the obvious difficulties from the wars that Iraq had been in, the legal profession and access to legal information had been severely restricted during the Ba'ath era. Of the three law schools with which we worked, none had had a book budget since the 1980s. The chance to work with them as they re-established their libraries and collections was again nothing short of amazing.

Very early 2004 was also the time when the Human Rights Campaign, the ACLU, and Equality Maryland were seeking couples to be part of a lawsuit seeking the right to marry. By this point, my partner and I had been together for 10 years. We'd gone through her cancer

¹ See Gettleman, Jeffrey. "Americans' Role Seen in Uganda Anti-Gay Push." New York Times 4 Jan 2010, New York edition: A1. <http://www.nytimes.com/2010/01/04/world/africa/04uganda.html>, and Kaoma, Kapyia. "Globalizing the Culture Wars: US Conservatives, African Churches, & Homophobia." PublicEye.org. Political Research Associates, 2009. Web. 31 Mar 2010. <http://www.publiceye.org/publications/globalizing-the-culture-wars/>.

together; we'd moved across the country together, twice; we'd purchased a car together; and we'd bought a house together. We'd seen, firsthand, how incredibly difficult any of these events are for those who are not married. We'd rejected and accepted jobs that we would not have had to, had we been able to be married. We'd spent at least \$2,000 getting all the legal documentation needed to assure that our finances and medical wishes would be as secure as possible. And *still* our protections were not as good or as secure as those that straight couples enjoy just by the virtue of being married. We were incredibly interested in being part of that litigation.

We were selected as one of the finalist couples, but by that time I was already in Iraq. It may even be that my being in Iraq was part of why we made it to the final selection stages. Engaging back stories about the litigants are always sought, and, admittedly, a lesbian couple with one partner in Baghdad helping rebuild libraries makes a pretty interesting back story. All the required publicity that the case would engender however, would have serious implications for the work I and my colleagues were doing in Iraq. Although half a world away, my Iraqi colleagues would surely have read the news stories. (The day after I arrived in Baghdad, one of my colleagues showed me the ALA report from my work in Uganda. Once they had the name of who would be coming, they found virtually every scrap of information about me that existed on the internet.) Convincing law school deans, university presidents, and fathers and husbands to let their female librarians travel for training was going to be difficult enough as it was – if the accompanying sponsor was known to be a lesbian, it would become impossible. My being out would not only affect the library part of IHRLI's work, but all components. And realistically it could easily have trickle down effects on all academic US funded initiatives in Iraq. It would undoubtedly raise the personal risk involved in being in Iraq. And again, not just for me, but for all of my colleagues as well.

This was an incredibly difficult decision for me and my partner. The marriage equality issue was important to us, both as an intensely personal issue and as an issue of fundamental justice. But the work in Iraq was equally as important to both of us. Such a very small part of the rebuilding efforts were going toward education at all. And if we wanted to help the nation to establish the "rule of law," surely we had to start with getting access to the law for at least the attorneys. After much discussion and consideration, we decided to withdraw from the litigation process. I'm still not sure how to weigh one social justice effort against another one. But the US litigation actually emphasized the importance of the work with law libraries in Iraq. Without access to the law, lawyers in Iraq were ill-equipped to take action on human rights violations like lawyers for the ACLU and Equality Maryland were doing at home. Lawyers without access to even their own law, and to international standards on human rights, can't begin to explain those rights to the populace, or hold accountable those who violate those rights. That being said, in the end, for me it came down to the fact that while there were many couples ready and willing to press the issue of marriage equality, there just weren't many law librarians waiting in the wings to head off to Iraq.

Looking back, I would not change that decision if I had to make it again. My contribution in Iraq was miniscule in the grand scheme of things. But it was still an important contribution that I am glad I was able to make. As with most such projects, we end up getting more than we give and learning more than we teach. Ironically, it was my time in Iraq that has finally turned me into at least a moderate activist – it put the final touches on a process for me that started with the discussion with the law student at the water-cooler many years before. My experience in Iraq demonstrated clearly that librarians, just by doing the routine (and maybe even

mundane) task of deciding what materials to acquire, cataloging, or otherwise processing that material to make it accessible, and just by answering reference questions that lead patrons to that material, ARE activists. And by being an out, lesbian, librarian I can provide needed information and at least one context for that information. As I said earlier, the decision of whether to be in or out is probably never totally static, and while I'm completely out right now, that could well change in the future. But now, hopefully, I make that decision by considering the full spectrum of long and short term implications for myself, my law students, my colleagues, and for the anonymous library patron that I may never even see.