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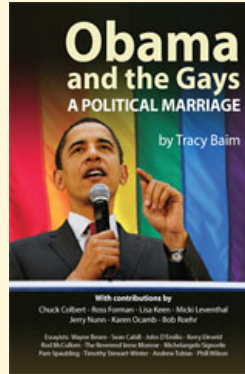
Obama and the Gays

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Obama and the Gays

by [Claude J. Summers](#)

At the "Visible Vote 2008 Presidential Forum" sponsored by the Human Rights Campaign and MTV's Logo cable television channel in August 2007, Melissa Etheridge recalled the euphoria many of us felt in 1992 at the election of President Bill Clinton: "It was a very hopeful time for the gay community. For the first time we were being recognized as American citizens. . . . We were very, very hopeful."



Tracy Baim's *Obama and the Gays* (2010) is available in paperback and Kindle formats. Baim also maintains a website at obamaandthegays.com.

But, she added, no doubt thinking of the Don't Ask, Don't Tell Act and the Defense of Marriage Act, both of which became law under Clinton's watch, "In the years that followed, our hearts were broken. We were thrown under the bus. We were pushed aside. All those great promises that were made to us were broken."

Two years into the Obama administration, many of us feel the same way about our experience with the current President in whom we similarly invested so much time, energy, fortune, and emotion.

On election night 2008, most of us believed that the gay movement had turned a significant corner with the election of an outspokenly glbtq-supportive President who was swept into office with large Democratic majorities in both Houses of Congress.

Our elation was significantly dampened by news of the passage of anti-gay constitutional amendments in California, Florida, Arizona, and Arkansas, but most of us were nevertheless convinced that the election results were evidence that the arc of history had bent decisively in the direction of justice.

At the mid-point of President Obama's term of office, however, many—perhaps most—glbtq activists and voters have now concluded that the President whose election we cheered so enthusiastically has squandered an historic opportunity to advance gay rights in the United States.

The Campaign

The disappointment is all the more acute because President Obama, like Bill Clinton, is significantly indebted to the gay and lesbian constituency for securing the Democratic nomination for president. Without early financial support from the Chicago and Los Angeles gay communities, Obama almost certainly could not have competed successfully in the Iowa primary, where he earned the victory that made him a serious contender to challenge favorite Hillary Clinton for the nomination.

As detailed in Chicago-based journalist Tracy Baim's useful and thorough chronicle, *Obama and the Gays: A Political Marriage*, key to Obama's success was the endorsement of former Clinton supporter David Geffen a few days after the Illinois senator announced his candidacy. The entertainment mogul organized a fundraiser in February 2007 that poured more than a million dollars in critical early money into the campaign.

Throughout the long primary season gay men and lesbians played significant roles in helping secure the nomination for Obama. He called upon members of the Chicago glbtq community, whom he had cultivated for years as allies in his campaigns for state senator, U. S. representative, and, then, U. S. senator, to vet his credentials as a supporter of gay rights for East and West coast activists to whom he was far less known than the other candidates, especially Senator Clinton, who had a much more extensive record, and for the national gay press.

During the primary season, the Democratic candidates made

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virtually the same promises to the glbtq community. The leading contenders—Clinton, Obama, and John Edwards—all declined to endorse same-sex marriage (which Obama had actually been in favor of in 1996 as a candidate for the Illinois state senate), but signed on to nearly every other item on the glbtq wish-list.

They endorsed increasing AIDS funding and strengthening both global and national responses to the AIDS pandemic. They pledged to enact hate crimes legislation, to pass a gender-inclusive Employment Nondiscrimination Act (ENDA), and to repeal the Don't Ask, Don't Tell Act (DADT) and the Defense of Marriage Act (DOMA).

In addition, Obama advocated extending federal recognition to civil unions and domestic partnerships and endorsed the United American Families Act (UAFA) to allow gay and lesbian citizens to sponsor the immigration of foreign-national partners on the same basis that married heterosexual citizens can sponsor foreign-national spouses.

The 2008 election was perhaps the first in which glbtq rights were a mainstream concern rather than a subject of intense interest only to a small constituency or a wedge issue with which to divide the country. Both in the Democratic primaries and in the general election, candidates were called upon to make clear their positions on issues ranging from DADT to same-sex marriage and adoption by gay and lesbian couples.

The mainstreaming of glbtq issues was itself a sign of increased support for gay rights across the country. In the 2008 election it became apparent that sexual minorities were not the only people interested in the movement for equality; our families, friends, and allies also made it clear that in deciding for whom to vote they would consider as one factor a candidate's support for gay rights.

Obama, Clinton, and Edwards were especially noted for the inclusiveness of their campaigns. Not only did they reach out to the glbtq communities, but all three campaigns included prominent openly gay staff members and the candidates nearly always included gay men and lesbians in their visions of a future in which all Americans were valued citizens. Obama earned particular credit for speaking in favor of gay rights before black church congregations and Evangelical Christian audiences.

As the Democratic primary campaign progressed, Obama steadily eroded the large lead that Clinton initially held among glbtq voters, though cumulatively she likely received a majority of gay votes. After Clinton conceded the race in June 2008, nearly all of her adherents rallied to Obama's banner.

In the general election, Obama garnered in excess of 70% of the gay vote, about the same percentage that Bill Clinton had won in 1996, but less than the 77% that John Kerry received in 2004, when he ran against the aggressively anti-gay George W. Bush.

Obama and the Culture Wars

The Bush administration's policy of excluding and demonizing gay people for political advantage had amounted to a long nightmare. During this period, progress in achieving equal rights advanced almost exclusively at the local and state level, through city councils, state legislatures, and courts rather than through the federal government. With Obama's election, and particularly with the large Congressional majorities that were swept into office with him, it was believed that there finally was an opportunity to achieve equal rights nationally.

There were warning signs that should have tempered the activists' optimism, however, most notably the decision to invite homophobic gospel singer Donnie McClurkin to headline an Obama rally during the South Carolina primary, where he launched into a bitterly anti-gay rant, and the invitation extended to Pastor Rick Warren to deliver the invocation at Obama's inauguration.

The Warren invitation was particularly galling since he had campaigned in favor of Proposition 8, which amended the California state constitution to ban same-sex marriage. Moreover, he had compared homosexuality to incest and pedophilia and had encouraged homophobia in Uganda.

Obama seems to have been startled by the outrage expressed by the glbtq community over the invitation to Warren. In response, he reiterated his support for gay rights, describing himself as our "fierce advocate," a phrase that has subsequently been repeated with a great deal of derision; and the inaugural committee hurriedly arranged an invitation to openly gay Bishop Gene Robinson to participate in the inauguration festivities, though in a much less visible role than that accorded Warren.

Obama's surprise at the reaction to the Warren invitation may be revealing not only of his insensitivity to glbtq political sensibilities in the aftermath of the passage of Proposition 8, but also of his ambivalence about identity politics. After all, even as Obama was

cultivating glbtq support for his campaign, he was also articulating a vision that bridged the many divides in American society, one in which labels such as straight and gay, black and white, Christian and Muslim, are subsumed within a larger concept of American citizenship.

In the mesmerizing speech that launched Obama's meteoric political ascent, his keynote at the 2004 Democratic Convention, he attempted to defuse the culture wars and soften the divide between blue states and red states, reminding his hearers that "We coach Little League in the blue states and yes, we've got some gay friends in the red states" and declaring that "We are one people, all of us pledging allegiance to the Stars and Stripes, all of us defending the United States of America."

Throughout the 2008 campaign, Obama similarly stressed the commonality shared by Americans even as he also acknowledged the numerous tribes into which the country is riven. He generally presented himself as "post-racial" (except when it was politically useful to emphasize his African-American ethnicity), and he also presented himself as beyond and above the culture wars, as anxious to soothe the anxieties of Evangelical Christians as those of glbtq Americans.

Hence, the invitation to Warren was almost certainly not intended as an insult to gay people, but rather as a means of reaching out to conservative Christians. It was probably meant to reassure those who had not supported him that Obama would be President of all Americans.

But in addition, the invitation may also have been intended, if not by Obama himself at least by his advisors, to serve another, related purpose: to make clear from the beginning of the administration that Obama was not going to be held hostage by "special interest" groups, among whom the President's advisors and detractors undoubtedly included his glbtq supporters.

Obama's vision of a post-culture war America is inspiring in its idealism and in its promise to transcend narrow partisanship and to unify our divided country. But such a vision presumes that glbtq Americans already have equal rights and are accorded equal respect in this country. Until those conditions have been achieved in reality, Obama's lofty rhetoric is not only impractical, it may also actually impede the advance of gay rights inasmuch as it reveals his distaste for and, perhaps, refusal to engage the battles that must be fought in order to secure equal protection under the law for glbtq Americans.

Obama's Passive Governing Style

The invitation to Warren was also a harbinger of Obama's repeated attempts during his first two years as President to placate groups who oppose him. As several bloggers have noted, Obama tends to reward his enemies and punish his friends.

For example, despite the strong support he received from pro-choice voters, Obama added redundant anti-abortion language to the Health Care Reform bill to appease pro-life legislators in both the Republican and Democratic parties. In an attempt to gain support from religious communities, he restored funding for discredited abstinence education and increased funding for Bush's faith-based initiatives, while failing to confront the question of whether faith-based groups that receive federal funds can discriminate on the basis of sexual orientation or religion.

In addition, he stripped sexual orientation and gender identity nondiscrimination language from the Health Care Reform bill, presumably to meet the demands of conservative legislators.

At almost every opportunity, Obama has, as *New York Times* columnist Paul Krugman recently noted, tended to negotiate "with himself even before he got around to negotiating with Congress." On issue after issue, he has advanced timid rather than bold solutions to problems. Despite the bitter hostility shown to him by Congressional Republicans, he has over and over again offered to compromise with them. Worse, even as he has repeatedly incorporated Republican ideas into his legislative proposals, he has exacted no quid pro quo from them.

Perhaps even more frustratingly, Obama seems to hold a view of the Presidency at odds with the activist rhetoric that so inspired voters in the 2008 campaign. His respect for the separation of powers is such that he fails to engage in the kind of persistent lobbying and arm-twisting and enforcement of party discipline that allows Presidents to accomplish great legislative victories.

He seems to believe that it is sufficient for the President to propose and endorse legislative goals, and then to back away and allow Congress to craft the actual legislation with minimal guidance or interference from the White House. While this view of the separation of powers may be appropriate for a professor of constitutional law, it is one that can also be construed as an abdication of leadership, particularly at a time of polarization, where the opposition party is simply impervious to persuasion.

Obama's refusal to become involved in the actual legislative process until very late contributed to his losing control of the health care debate. Because neither Obama's supporters nor his opponents were certain exactly what the President desired in his health care initiative beyond a bare outline, the Health Care Reform bill consumed most of his first year in office. The bill that resulted from this long and tortured process failed to satisfy his liberal base even as it infuriated his conservative detractors and mystified the general public, many of whom believe the lies and distortions spread by the bill's opponents.

In terms of advancing legislation, President Obama has seemed curiously passive and detached. He has not pushed the Democratic majorities in the House and the Senate to prioritize the glbtq-friendly legislation that he promised to enact during the campaign.

Obama's Appointments and His Inclusiveness

Any fair evaluation of Obama's achievement in his first two years in office must acknowledge that he has made a large number of glbtq appointments and has been the most gay-inclusive President in history in terms of his rhetoric and outreach.

Although he made no gay or lesbian cabinet-level appointments, President Obama has appointed some 150 openly gay, lesbian, or transgender individuals to posts in his administration, including 20 to positions that require Senate approval.

His highest ranking gay appointment is John Berry, Director of the Office of Personnel Management. Other significant appointments include Brian Bond as Deputy Director of the White House Office of Public Engagement; former Colonel in the Washington National Guard Margarethe Cammermeyer, who in a famous case in 1989 challenged the ban on gay and lesbian servicemembers, as a member of the Defense Advisory Committee on Women in the Services; Jeffrey Crowley as Director, White House Office of National AIDS Policy; Edward DuMont as Judge of the U. S. Court of Appeals for the Federal Circuit; Chai Feldblum as a member of the Equal Employment Opportunity Commission; Emily Hewitt as Chief Judge of the U. S. Court of Federal Claims; Fred Hochberg as President of the Export-Import Bank of the United States; David Huebner as Ambassador to New Zealand and Samoa; Kevin Jennings, founder of the Gay, Lesbian, and Straight Education Network, as Assistant Deputy Secretary of Education for the Office of Safe and Drug-Free Schools; Amanda Simpson as Senior Technical Adviser to the Department of Commerce, perhaps the first openly transgender appointee; and Nancy Sutley as Chair of the Council on Environmental Quality.

In addition, President Obama has routinely included glbtq people in his official proclamations, such as those issued for Mothers Day and Fathers Day, both of which have emphasized the diversity of American families. He has issued the first Gay Pride proclamations since the Clinton years, and has not only included gay families in such events as the annual Easter Egg hunt, but he has also hosted White House receptions to commemorate gay pride.

In the June 20, 2009 Pride Month reception, the first ever in the White House, President Obama addressed an audience that included former Ambassador James Hormel and the parents of slain college student Matthew Shepard, among many other glbtq leaders and allies, and specifically saluted gay rights pioneer Frank Kameny, who was fired from a government job in 1957 because of his homosexuality, and two veterans of the Stonewall Riots.

Obama has honored gay martyr Harvey Milk and lesbian tennis star and activist Billie Jean King with Presidential Medals of Freedom, and has spoken out against the bullying of glbtq youth, including in an "It Gets Better" video. He appeared at the Human Rights Campaign's annual gala in 2009 and dispatched his trusted advisor Valerie Jarrett to represent him at that event in 2010.

President Obama has repeatedly used his bully pulpit to support gay rights and to include gay issues in the national conversation. He has, for example, spoken out against the Ugandan "kill the gays" bill at the National Prayer Breakfast, telling the predominantly Evangelical Christian audience that "We may disagree about gay marriage, but surely we can agree that it is unconscionable to target gays and lesbians for who they are—whether it's here in the United States or . . . more extremely in odious laws that are being proposed most recently in Uganda."

Yet the President and the Democratic Party have also chosen to remain silent at crucial moments when their aid might well have made a difference, especially when the glbtq community faced anti-gay referenda in Washington state and Maine in 2009. In Maine, the referendum to overturn the newly enacted marriage equality law was narrowly passed in a bitterly fought campaign in which the opposition repeatedly quoted President Obama to the effect that marriage is a union between one man and one woman, while the Washington state referendum that attempted to repeal expanded domestic partnership rights only barely failed.

The White House and the Democratic Party's refusal to help defeat these anti-gay measures deeply disturbed many glbtq activists, including bloggers who urged their readers to refrain from donating to the party until progress had been made on fulfilling the promises of the 2008 campaign.

Activists have also noted the conspicuous silence of the Obama administration when there have been victories for marriage equality in state legislatures and in the courts.

Obama's Legislative Record

In his first two years in office, Obama has fulfilled some of his promises to his glbtq constituents, though they have been small gestures rather than large initiatives. He has ignored most of the specific legislative commitments he made during the campaign and pushed others to the back burner. Most spectacularly, he has badly bungled what should have been a relatively easy task, DADT repeal.

President Obama has fulfilled only two of his campaign promises to the glbtq community via legislation. One is the renewal and increased funding of the Ryan White Comprehensive AIDS Resources Emergency Act, which passed quietly and without the drama associated with many of his legislative attempts.

The other significant piece of glbtq legislation is the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, which was signed on October 28, 2009. Named for the white gay college student and the African-American Texan murdered within months of each other in 1998, the bill added sexual orientation and gender identity to national hate crimes legislation that allows for harsher penalties for crimes committed because of a person's actual or perceived membership in certain classes.

The Obama administration touts this bill as a major legislative triumph, but, notwithstanding the significance of the legislation itself, passing it was actually not difficult. The bill, which had repeatedly been introduced in Congresses, with some variations, since 1997, had passed both Houses in 2007, but had been withdrawn under threat of veto from President George W. Bush. While gay community leaders expressed gratitude that President Obama signed the legislation, which was passed with a small level of bipartisan support, they pointed out that more difficult work was yet to be done.

The hate crimes legislation enjoyed wide-spread public support and was expected to be passed easily by the large Democratic majorities in Congress. So were the gender-inclusive employment nondiscrimination act and the repeal of the ban on openly-gay servicemembers, both of which also enjoy the support of large majorities of the electorate. In the event, however, ENDA was never brought up for a vote during 2009 or 2010, when it almost certainly could have been passed with sufficient support from the White House, and DADT repeal was filibustered in September 2010 with little resistance from the White House.

Obama's promised repeal of DOMA was not even the subject of congressional hearings; neither was the promised extension of federal recognition of civil unions. There was talk of the administration's support of the Domestic Partners Benefits and Obligations Act, legislation that would extend spousal benefits to the domestic partners of federal employees, who are currently denied such benefits as health insurance ostensibly because of DOMA, but that bill also failed to come to a vote, as did UAFSA.

With the Republicans having taken control of the House of Representatives effective January 1, 2011, none of these legislative promises are now likely to be fulfilled or even debated during the remainder of the President's term in office. Although apologists for the President accuse gay activists and bloggers of impatience, pointing out that the President's term is only half over, the reality is that beginning January 1, 2011, it will no longer be possible to pass pro-gay legislation. The window for legislative action to advance gay rights is effectively closed.

Although the "shellacking" that the Democrats sustained in the November 2010 election was a larger reversal than anticipated, it was altogether predictable, based on the historical pattern, that the President's party would lose seats in the mid-term elections. Hence, the failure to advance gay-positive legislation when the President's party was in firm control of both houses of Congress was a strong signal that our "fierce advocate" was not willing to become mired in the culture wars or expend political capital on behalf of the promises he made to the glbtq community.

Ironically, had the President been more aggressive in advancing his promised legislation, the Democrats may not have suffered so large a defeat, since one explanation for the "shellacking" was the disillusionment of the Democratic base, including gay and lesbian voters, which was also entirely predictable.

In 2009, President Obama's failure to advance the legislation that he promised in his campaign created such frustration in the grassroots glbtq community that veteran activists David Mixner and Cleve Jones

called for a March on Washington to protest the administration's inaction. As Andrew Sullivan commented in a memorable phrase, Obama's "fierce urgency of now" had morphed into the "fierce urgency of whenever."

The National Equality March on October 11, 2009 was hastily organized by young activists Robin McGehee and Kip Williams of the direct action group GetEQUAL, who were stirred into activism by the passage of Proposition 8 and who were openly skeptical of the established gay rights organizations, such as the Human Rights Campaign, which they believed had been co-opted by the Democratic Party.

Promoted primarily through the Internet, the march attracted more than 250,000 participants and featured speeches by such new activists as Academy Award-winning screenwriter Dustin Lance Black, actress Cynthia Nixon, DADT protester Lt. Dan Choi, and pop singer Lady Gaga, as well as Jones and Mixner.

The message of the National Equality March was that the glbtq grassroots had grown thoroughly disillusioned with President Obama and the pace of the change accomplished by his administration.

Non-Legislative Achievements

Although President Obama's legislative record is sparse, he has used non-legislative means to accomplish some goals of the equal rights movement.

For example, he issued an executive order banning discrimination based on gender identity throughout the federal government.

In addition, he reversed the Bush administration's disgraceful refusal to sign the U. N. Declaration on Sexual Orientation and Gender Identity. The State Department has also supported glbtq rights internationally, speaking out against human rights violations in Uganda, Iraq, Iran, and other places.

The Obama administration has also extended some minor benefits to the same-sex partners of federal employees, though they have proceeded with an excess of caution to avoid anything that could be construed as a violation of DOMA. Hence, the same-sex domestic partners or spouses of federal employees continue to be ineligible for health insurance and many other benefits that the spouses of heterosexual federal employees enjoy as a matter of course.

President Obama has also used the regulatory powers of the government to ban discrimination in federal housing programs and to require that any hospital receiving Medicare or Medicaid funds respect powers of attorney and living wills and extend visitation rights to glbtq families on a non-discriminatory basis.

The hospital visitation regulation is a much-needed and appreciated initiative, especially in light of well publicized instances in which same-sex partners have been barred from visiting their loved ones or making medical decisions on their behalf, even when they had executed living wills and powers of attorney giving them that right. The new regulation will be especially useful for glbtq individuals and families who live in rural areas and in states that aggressively target sexual minorities for discrimination.

It must be pointed out, however, that had the nondiscrimination language in the Health Care Reform bill not been stripped, the new regulation would not have been necessary.

Obama's Justice Department

Although President Obama has used the executive branch to advance equal rights in some instances, in others he has used the government to oppose equal rights. More specifically, the Justice Department has frequently litigated against equal rights, sometimes in especially offensive ways.

Soon after President Obama assumed office, the Justice Department submitted a legal brief in a case that challenged the Defense of Marriage Act. The brief compared same-sex marriage to incest and defended the ban on recognition of same-sex marriage on the grounds that allowing gay men and lesbians to marry would cost taxpayers money. This kind of brief would have seemed unexceptional had it been filed by the Bush Justice Department (and indeed the author of the brief was a holdover from the Bush administration), but it sparked outrage coming from the newly inaugurated Obama Justice Department.

Although the language used in this particular brief was ultimately disavowed, Obama's Justice Department has been a fierce defender of DOMA and DADT even as the President has repeatedly denounced both laws.

The Justice Department claims that it is required to defend laws passed by Congress whether it agrees with those laws or not. However, several leading constitutional experts, including former Solicitors General, have questioned this notion, pointing out that past administrations have exercised discretion as to what laws they

defended and that they sometimes filed briefs indicating their belief that a particular law is unconstitutional.

Despite prodding from reporters and others, neither the President nor the Attorney General nor any other high ranking member of the Obama administration has been willing to say that either DADT or DOMA is unconstitutional.

The defense of the Don't Ask, Don't Tell Act has been especially problematic. When Judge Virginia Phillips declared DADT unconstitutional in *Log Cabin Republicans v. U. S. A.* and issued a worldwide injunction against its enforcement in October 2010, the Justice Department immediately announced its intention to appeal the decision and asked that the injunction be stayed.

When Judge Phillips refused to lift the injunction, the Justice Department appealed to the Ninth Circuit Court of Appeals, which, in a split decision, lifted the injunction. The Log Cabin Republicans appealed the Ninth Circuit's ruling to the Supreme Court, and the Justice Department answered the appeal with an elaborate brief, complete with affidavits from Secretaries of the services, declaring that failure to enforce DADT would cause "irreparable damage" to the military.

Hence, there has been a kind of schizophrenic quality to the administration's position in regard to Don't Ask, Don't Tell. On the one hand, the President has said that DADT harms military readiness and must be repealed; on the other hand, the Justice Department has argued that if DADT is not enforced, the military will suffer "irreparable damage."

The incoherence of these positions has contributed to the sense that the administration's approach to the repeal of DADT is deeply flawed.

Bungling DADT Repeal

During the campaign, Senator Obama said that if he were elected President he would work with the military to end Don't Ask, Don't Tell, under which more than 13,000 servicemembers had been discharged to that date. He added that the policy must be ended legislatively rather than through executive order.

Since President Obama has been in office, over 500 additional servicemembers have been discharged under the policy: 499 in 2009 and an unknown number in 2010. In a real measure, the President bears responsibility for these discharges, since he unquestionably has the authority to end them in his capacity as Commander-in-Chief and has refused to exercise that authority.

During his first year in office, President Obama apparently did little or nothing to address DADT. Finally, in response to growing pressure from the grassroots glbtq constituency, he committed to ending DADT in 2010.

In his State of the Union Address of January 27, 2010, the President announced that he would work with Congress and the military to "repeal the law that denies gay Americans the right to serve the country they love because of who they are."

In testimony before Congress on February 1, 2010, Secretary of Defense Gates and Admiral Mullen, chair of the Joint Chiefs of Staff, committed to ending the ban, though they insisted that more studies—including a survey of servicemembers—were needed in order to implement the repeal.

In the spring of 2010, activists became increasingly frustrated at the prospect of having to wait for yet another Pentagon study before the DADT policy was finally dismantled. In addition, many suspected that the President and Secretary Gates were not acting in good faith.

The suspicion was that Gates had agreed to support repeal only after exacting a promise from Obama to delay legislation until after the study scheduled for completion in December 2010. That in effect would mean that repeal would not be considered until 2011, by a Congress that would likely contain far more Republicans than the current Congress.

After several acts of civil disobedience, and even the heckling of President Obama at fundraising events, activists pleaded with the President to keep his promise to repeal DADT in 2010 and to exert control over the Department of Defense.

It is believed that Speaker of the House of Representatives Nancy Pelosi and Chair of the Senate Armed Services Committee Carl Levin in effect forced the President's hand. Allegedly, they told him that they were close to having sufficient votes to repeal DADT and were planning to proceed with legislation regardless of his support. If they succeeded without his support, he would get no credit. If they failed, he would be blamed.

In response, the President and Secretary Gates tepidly endorsed a compromise in which Congress would vote to authorize repeal of the ban subject to the December study and to assurances from the President, the Secretary of Defense, and the Chairman of the Joint

Chiefs that the repeal would not affect military readiness, unit cohesion, and recruitment and retention.

Even after agreeing to the compromise, however, Secretary Gates and some of the military leaders campaigned against it.

Nevertheless, on May 27, 2010 the Senate Armed Services Committee endorsed the compromise on a 16-12 vote and the House of Representatives voted in favor of the compromise on a vote of 234 to 194.

However, soon after these votes, Republican senators, led by John McCain of Arizona, vowed to filibuster the repeal of DADT when the Defense Appropriations bill came to the Senate, thus requiring 60 votes to allow the amendment authorizing repeal to be considered.

On September 21, 2010, Senate Majority Leader Reid moved to invoke cloture to kill the Republican filibuster. This motion received 57 votes, three short of the necessary 60 votes. All the Republicans and two Democrats (Senators Pryor and Lincoln of Arkansas) voted to sustain the filibuster, thus dooming the attempt to repeal DADT.

When it was revealed that President Obama had lobbied not a single senator to vote in favor of breaking the filibuster and that the day after the vote Vice President Biden flew to Arkansas to attend a fundraiser for Senator Lincoln, who had joined the filibuster, many gay activists came to the conclusion that the entire vote was a charade so that Democrats could pretend they were trying to repeal DADT even as they were not.

Three weeks after the filibuster of DADT, on October 12, 2010, Judge Phillips issued her final judgment in *Log Cabin Republicans v. U. S. A.* in which she declared DADT unconstitutional and enjoined its enforcement. She ordered the government to suspend and discontinue all pending discharge proceedings and investigations under the policy.

Dan Woods, the attorney who represented the Log Cabin Republicans in the landmark suit, released a statement declaring Don't Ask, Don't Tell dead.

However, as Rachel Maddow observed, the Obama administration refused to accept yes for an answer. They moved quickly to resurrect the policy, ultimately arguing before the Supreme Court that enforcing DADT was necessary to prevent "irreparable damage" to the military. In doing so, President Obama made the DADT policy his own.

Perhaps as a sop to the outcry against the decision to appeal the ruling, Secretary of Defense Gates announced that subsequently no discharges could take place without the approval of the Secretaries of the branches, all of whom are political appointees.

Although Gates said that the purpose of the change in protocol was not an attempt to end the discharges, the month after the change was the first month since the adoption of DADT in 1993 that there were no discharges under the policy. If, in fact, these changes have ended the discharges, one wonders why they were not effected as soon as Obama took office, thereby saving the jobs and careers of over 500 servicemembers.

DADT repeal will be considered again in the lame-duck session of Congress in December 2010. Senator Lieberman has announced that there are 60 votes in favor of repeal, while Senator McCain has once again vowed to lead a filibuster.

Whatever the outcome, President Obama has thoroughly bungled his handling of DADT repeal and in the process has appeared at once stubborn and indecisive, both weak and inept.

Conclusions

One of the virtues of Baim's *Obama and the Gays* is that it presents a multitude of viewpoints. The book features reporting and interviews by a number of outstanding glbtq journalists and essays by leading analysts and activists. In addition to the perspectives of journalists, political analysts, and activists, the book also includes first-hand accounts of the President by people who have known him personally for decades, some as friends and others as associates in his ascent in Chicago politics.

The friends and associates paint a warm picture of Obama as sincerely committed to justice and equality. Most of them maintain their faith in the President's ability to deliver on the promises he made in his historic campaign.

The analysts and activists paint a decidedly more mixed picture. For some, such as Andrew Tobias, Democratic National Committee Treasurer, the glass is half-full. He rattles off a long list of accomplishments of the Obama administration and asserts that steady progress will continue to be made. Other observers point out the difficulties the President faces in dealing with Republican obstructionism and give him at least a passing mark for keeping glbtq issues in the public conversation.

Others, however, are doubtful and some angry. Dan Savage, Michelangelo Signorile, Richard Socarides, and Pam Spaulding, for example, all assess the President's job performance negatively.

Writing before the midterm election, Savage warns, "Time is running out. The Democrats have the White House and Congress . . . if they can't do it now, they will never do it." Signorile mocks many of the symbolic gestures that Tobias counts as accomplishments of the Obama administration and emphasizes "how disappointing our 'fierce advocate' and his toothless party have been for the past two years." Socarides, one of Obama's harshest critics of his handling of DADT repeal, particularly condemns the President's failure to address the issue with any urgency early in his administration and his failure to lead the military rather than allowing himself to be outmaneuvered by Secretary Gates. Influential blogger Spaulding concludes succinctly, "The Obama presidency, as experienced by the LGBT community overall, has been one of opportunity lost and disappointment."

Obama and the Gays is a valuable compendium of information about President Obama and his interaction with the glbtq community, as well as his positions on gay issues. Featuring contributions from a number of journalists and activists, the book offers a wealth of insight into the President and his policies.

The book is available in both paperback and e-book formats. Unfortunately, in the e-book format its value as a reference book is limited by its difficulty of navigation. An e-book as complexly organized as this one needs at the very least a table of contents with embedded links that can be easily accessed.[On December 16, 2010, the publisher announced that the book is now available as an iPad e-book and can now be searched electronically on both iPad's version and the Kindle version].

Tracy Baim is publisher and executive editor of Windy City Media Group, which produces *Windy City Times* and other gay media. She is editor of *Out and Proud in Chicago: An Overview of the City's Gay Movement* (2008), the first comprehensive history of gay Chicago.

Obama and the Gays: A Political Marriage by Tracy Baim. With contributions by Chuck Colbert, Ross Forman, Lisa Keen, Micki Leventhal, Jerry Nunn, Karen Ocamb, Bob Roehr. Essayists: Wayne Besen, Sean Cahill, John D'Emilio, Kerry Eleveld, Rod McCullom, The Reverend Irene Monroe, Michelangelo Signorile, Pam Spaulding, Timothy Stewart-Winter, Andrew Tobias, Phill Wilson. Published by Prairie Avenue Productions, Chicago, Illinois. Available in paperback and in Kindle format from Amazon.com.

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[Claude J. Summers](#) is General Editor of [glbtq.com](#).

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