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The Wisconsin Light

Bigotry and Discrimination Win

Defense Secretary Aspin Says That Anyone Admitting To Being Gay or Lesbian Will Be Discharged From the Military

Community Reaction to Military Plan Is Swift and Largely Negative

[Milwaukee]- Reaction to President Clinton's acceptance of the "don't ask, don't tell, don't pursue" policy on the anti-Gay ban was immediate. Some condemned Clinton. Others, like Congressman Gerry Studds (D-MA) praised the President, saying that "He has stood for reason and decency" in a hostile environment." But all alike, found the policy falling short of the mark.

In Wisconsin

Wisconsin State Rep. Tammy Baldwin (D-Madison) reacted with disappointment. "While the compromise is politically pragmatic, it is a concession to bigotry," she said. "It shows how far we still have to go to eradicate irrational prejudice and homophobia."

Yet for many there was some optimism. For example, Baldwin said, "I think it is only a matter of time before the ban is totally lifted."

Ltjg Tracy Thorne agreed, saying, "One day we'll look back and wonder, what was the big deal about Gays and the military anyway?"

Baldwin added, "We can still be proud that this issue prompted a dialogue on Gay and Lesbian issues like we have never seen before, a dialogue that took place all over the country."



PRESIDENT CLINTON

State Rep. Tim Carpenter (D-Milwaukee), agreed with Baldwin, saying that "The only positive gained in this political donnybrook is the intense public debate raging about Gay and Lesbian injustice in our society."

TURN TO REACTIONS, PAGE 9

State's Anti-Gay Law Dealt Serious Blow By Colorado Supreme Court

[Denver, CO]- In an important affirmation of Lesbian and Gay civil rights, the Colorado Supreme Court on July 19, 1993, dealt a blow to the wave of anti-Gay initiatives around the country. The court ruled that "fundamental rights may not be submitted to a vote."

In this ruling, the court, in a 6 to 1 vote, upheld a preliminary injunction blocking the enforcement of Amendment 2, an anti-Gay initiative passed by Colorado voters last November. The amendment attempts to prohibit the State of Colorado and any of its agencies from passing laws and policies to protect Lesbians, Gay men and Bisexuals from discrimination.

Agreeing with the trial court — which was the first court to order Colorado's Governor and Attorney General not to enforce the Amendment after a four-day hearing last January — the Colorado Supreme Court found that Amendment 2 infringed upon the fundamental right of Lesbians, Gay men and Bisexuals to participate meaningfully in the political process.

"No other identifiable group faces such a burden," the ruling said. "No other group's ability to participate in the political process is restricted and encumbered in a like manner. Such a structuring of the political process is contrary to the notion that the concept of 'We the People' visualizes."

The state's High Court also indicated that unless the State shows a compelling justification at a trial, to be held in October, for Amendment 2's discriminatory classification, it will hold the Amendment unconstitutional.

"There is a fundamental right here," said Judge Jeff Bayless of Denver District Court, "and it is the right not have the state endorse and give effect to private biases."

Judge Bayless had issued the temporary injunction against enforcement of the Amendment and will preside over the trial on Amendment 2 in October.

Suzanne Goldberg, Staff Attorney for the Lambda Legal Defense and Education Fund and co-counsel on the litigation, praised the ruling and noted its effects in other states.

"Because the Colorado Supreme Court is the first state High Court to consider the constitutionality of an anti-Gay initiative, the decision deals an important legal and political blow to anti-Gay initiative efforts throughout the United States."

In campaigns organized, paid for and led by the Christian Right, petitions for measures similar to Amendment 2 are being circulated in Florida, Idaho, Maine and Michigan.

Reaction in Colorado

The reaction of Lesbians, Bisexuals and Gay men to the ruling was joyous.

"There's going to be a great big party," said Anne Gallagher, owner of Basil's Cafe in Denver.

Others, while equally pleased, cautioned that the fight wasn't over yet.

"The boycott continues until Amendment 2 is overturned or repealed," said Duncan Osborne, a spokesman for Boycott Colorado.

Will Perkins, a Colorado Springs car dealer who leads Colorado for Family Values (CFV), a Right-wing Christian group, insisted that the ruling "does not change our resolve." He said that CFV would continue with its attempts to educate people to the "threat of homosexual extremism and doing everything we can to keep that threat from coming to our state." CFV spokespeople indicated that they could carry the case to the U.S. Supreme Court.

"In a practical sense, (the Supreme Court's ruling) is probably a fatal blow to Amendment 2," said Gene Nicol, the Dean of the University of Colorado Law School. "It's very unlikely that the state can meet the strict standard set by the state Supreme Court."

President Clinton Breaks Promise And Gives in to Outside Pressures

By Bill Meunier

Despite stiff opposition from Gays and Lesbians, President Bill Clinton has issued a policy which many say breaks his promise to end the prohibition on Gays and Lesbians serving in the military.

In what he called "an honorable compromise" Clinton announced a plan that would continue the discharges of service members who engage in homosexual conduct even while off duty in the privacy of their homes. In addition according to Defense Secretary Les Aspin, Clinton's policy also has the practical effect of making any service member who publicly or privately says that he/she is Gay or Lesbian eligible for discharge.

Key Elements of the Clinton Plan

The man who was elected after promising to eliminate the ban on Gays and Lesbians serving in the military said he had ordered the military to continue with the Don't Ask, Don't Tell policy he implemented earlier this year.

Under this policy recruits will not be asked about their sexual orientation and those in the military will not be asked if they are Gay or Lesbian. Gays or Lesbians who tell the military of their sexual orientation will be dismissed from the service.

The President said that if a member of the military publicly or privately said they were Gay or Lesbian there would "be a presumption that they had engaged in homosexual conduct." They would thus be eligible for discharge.

Under the Clinton plan the practice of using military investigators to watch bars, clubs and other Gay and Lesbian activities to snare Gay and Lesbian service members would be ended.

The President also said that the Uniform Code of Military Justice which prohibits service people from engaging in sexual relations with anyone they are not married to and from engaging in homosexual conduct would be uniformly, evenly and fairly enforced. The military definition of homosexual conduct includes holding hands and same sex dancing.

According to Clinton Lesbian and Gay service members who can not prove they have not engaged in homosexual conduct will be dismissed from the service. Clinton did not outline any plans to investigate or dismiss heterosexual soldiers who can not prove they have not violated the code if they are observed holding hands or dancing with a member of the opposite sex.

Clinton asserted that admitted and discovered Gays and Lesbians would still have an opportunity to remain in the military. According to the President they would be given the opportunity to prove they had not and would not engage in homosexual conduct.

Clinton Claims Progress

Clinton said "The Don't Ask, Don't Tell, Don't Pursue Policy" he offered "substantial progress."

According to Clinton, the major element of progress was that under his plan admitted Lesbians and Gays could remain in the service if they could prove they had not and would not engage in "homosexual conduct."

The day after Clinton announced his proposal, Defense Secretary Les Aspin rebutted the President. Aspin told the Senate Armed Services committee that anyone who admitted publicly or privately to being Gay or Lesbian would be

discharged, because "it is not possible to prove they hadn't and wouldn't engage in homosexual conduct."

Clinton also said that his order to stop the "witch hunts" represented great progress. According to Clinton this means that Lesbian and Gay service personnel will be able to go bars, and participate in Gay and Lesbian activities without fear of being discharged.

Finally, Clinton says that service members will be investigated only if there is reason to believe that they are "homosexual." The decision on whether or not to launch an investigation will be left up to individual commanders.

Whether or not someone observed or reported to be going to a Gay or Lesbian Bar or participating in a Pride march would constitute sufficient reason to investigate has not yet been made clear.

Others Disagree

Activists dispute Clinton's assertions. They say it is unlikely that a Gay or Lesbian recruit would admit to their homosexuality. Therefore they contend his policy of not asking them about their orientation has no effect.

Activists also say that any Gay or Lesbian in the military who goes to a Gay bar does so at their own peril. The Clinton plan says the military will not be allowed to "Stake out" these and other gathering places but if the military discovers that one of its members has frequented them, an investigation will begin. Unless the individual can prove they have not engaged in "homosexual conduct" they will be discharged.

Activists also question Clinton's plan to allow individual commanding officers to decide when to launch an investigation. Jim English, Chairperson of the South East Wisconsin GLBVA chapter, said "This facet of the policy can and will lead to capricious and arbitrary use of authority. Investigations will be launched on the basis of personalities and politics. Once an investigation is launched the service member's career is effectively at an end."

TURN TO MILITARY, PAGE 8

David Mixner To Protest New Military Plan

[WASHINGTON D.C.]— As we go to Press, Wednesday evening July 21st, Wisconsin Light has learned that David Mixner, a friend and confidant of the President and member of Clinton's inner circle, is expected to publicly protest Clinton's "Don't Ask, Don't Tell, Don't Pursue" plan.

In an exclusive interview, sources within the Campaign for Military Service revealed to Wisconsin Light that Mixner has assured the organization that he will participate in a non-violent demonstration of civil disobedience planned to be held within the next week. All participants will be expecting to be arrested.

Mixner's presence will send a powerful message of Gay and Lesbian anger over the Clinton plan. Mixner is credited with raising millions of dollars for Clinton during his campaign for President and was also part of a small but influential group of Clinton advisers during the campaign.