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OP-ED COLUMNIST

40 Years Later, Still Second-Class Americans

By **FRANK RICH**

LIKE all students caught up in the civil rights and antiwar movements of the 1960s, I was riveted by the violent confrontations between the police and protestors in Selma, 1965, and Chicago, 1968. But I never heard about the several days of riots that rocked Greenwich Village after the police raided a gay bar called the Stonewall Inn in the wee hours of June 28, 1969 — 40 years ago today.

Then again, I didn't know a single person, student or teacher, male or female, in my entire Ivy League university who was openly identified as gay. And though my friends and I were obsessed with every iteration of the era's political tumult, we somehow missed the Stonewall story. Not hard to do, really. The Times — which would not even permit the use of the word gay until 1987 — covered the riots in tiny, bowdlerized articles, one of them but three paragraphs long, buried successively on pages 33, 22 and 19.

But if we had read them, would we have cared? It was typical of my generation, like others before and after, that the issue of gay civil rights wasn't on our radar screen. Not least because gay people, fearful of harassment, violence and arrest, were often forced into the shadows. As David Carter writes in his book "Stonewall," at the end of the 1960s homosexual sex was still illegal in every state but Illinois. It was a crime punishable by castration in seven states. No laws — federal, state or local — protected gay people from being denied jobs or housing. If a homosexual character appeared in a movie, his life ended with either murder or suicide.

The younger gay men — and scattered women — who acted up at the Stonewall on those early summer nights in 1969 had little in common with their contemporaries in the front-page political movements of the time. They often lived on the streets, having been thrown out of their blue-collar homes by their families before they finished high school. They migrated to the Village because they'd heard it was one American neighborhood where it was safe to be who they were.

Stonewall "wasn't a 1960s student riot," wrote one of them, Thomas Lanigan-Schmidt, in a poignant handwritten flier on display at the New York Public Library in the exhibition "1969:

The Year of Gay Liberation.” They had “no nice dorms for sleeping,” “no school cafeteria for certain food” and “no affluent parents” to send checks. They had no powerful allies of any kind, no rights, no future. But they were brave. They risked their necks to prove, as Lanigan-Schmidt put it, that “the mystery of history” could happen “in the least likely of places.”

After the gay liberation movement was born at Stonewall, this strand of history advanced haltingly until the 1980s. It took AIDS and the new wave of gay activism it engendered to fully awaken many, including me, to the gay people all around them. But that tardy and still embryonic national awareness did not save the lives of those whose abridged rights made them even more vulnerable during a rampaging plague.

On Monday, President Obama will commemorate Stonewall with an East Room reception for gay leaders. Some of the invitees have been fiercely critical of what they see as his failure, thus far, to redeem his promise to be a “fierce advocate” for their still unfulfilled cause. The rancor increased this month, after the Department of Justice filed a brief defending the Defense of Marriage Act (DOMA), the most ignominious civil rights betrayal under the last Democratic president, Bill Clinton.

The Obama White House has said that the Justice Department action was merely a bureaucratic speed bump on the way to repealing DOMA — which hardly mitigates the brief’s denigration of same-sex marriage, now legal in six states after many hard-fought battles. The White House has also asserted that its Stonewall ceremony was “long planned” — even though it sure looks like damage control. News of the event trickled out publicly only last Monday, after dozens of aggrieved, heavy-hitting gay donors dropped out of a Democratic National Committee fund-raiser with a top ticket of \$30,400.

In conversations with gay activists on both coasts last week, I heard several theories as to why Obama has seemed alternately clumsy and foot-dragging in honoring his campaign commitments to dismantle DOMA and Don’t Ask Don’t Tell. The most charitable take had it that he was following a deliberate strategy, given his habit of pursuing his goals through long-term game plans. After all, he’s only five months into his term and must first juggle two wars, the cratered economy, health care and Iran. Some speculated that the president is fearful of crossing preachers, especially black preachers, who are adamantly opposed to same-sex marriage. Still others said that the president was tone-deaf on the issue because his inner White House circle lacks any known gay people.

But the most prevalent theory is that Obama, surrounded by Clinton White House alumni with painful memories, doesn’t want to risk gay issues upending his presidency, as they did his predecessor’s in 1993. After having promised to lift the ban on gays in the military, Clinton beat a hasty retreat into Don’t Ask once Congress and the Pentagon rebelled. This early pratfall

became a lasting symbol of his chaotic management style — and a precursor to another fiasco, Hillarycare, that Obama is also working hard not to emulate.

But 2009 is not then, and if the current administration really is worried that it could repeat Clinton's history on Don't Ask, that's ludicrous. Clinton failed less because of the policy's substance than his fumbling of the politics. Even in 1992 a majority of the country (57 percent) supported an end to the military ban on gays. But Clinton blundered into the issue with no strategy at all and little or no advance consultation with the Joint Chiefs and Congress. That's never been Obama's way.

The cultural climate is far different today, besides. Now, roughly 75 percent of Americans support an end to Don't Ask, and gay issues are no longer a third rail in American politics. Gay civil rights history is moving faster in the country, including on the once-theoretical front of same-sex marriage, than it is in Washington. If the country needs any Defense of Marriage Act at this point, it would be to defend heterosexual marriage from the right-wing "family values" trinity of Sanford, Ensign and Vitter.

But full gay citizenship is far from complete. "There's a perception in Washington that you can throw little bits of partial equality to gay people and that gay people will be satisfied with that," said Dustin Lance Black, the screenwriter who won an Oscar for "Milk," last year's movie about Harvey Milk, the pioneering gay civil rights politician of the 1970s. Such "crumbs," Black added, cannot substitute for "full and equal rights in all matters of civil law in all 50 states."

As anger at White House missteps boiled over this month, the president abruptly staged a ceremony to offer some crumbs. The pretext was the signing of an executive memorandum bestowing benefits to the domestic partners of federal employees. But some of those benefits were already in force, and the most important of them all, health care, was not included because it is forbidden by DOMA.

One gay leader invited to the Oval Office that day was Jennifer Chrisler of the Family Equality Council, an advocacy organization for gay families based in Massachusetts. She showed a photo of her 7-year-old twin sons, Tom and Tim, to Obama. The president cooed. "I told him they're following in Sasha's footsteps, entering the second grade," she recounted to me last week. "It was a very human exchange between two parents."

Chrisler seized the moment to appeal to the president on behalf of her boys. "The worst thing you can experience as parents is to feel your children are discriminated against," she told him. "Imagine if you have to explain every day who your parents are and that they're as real as every family is." Chrisler said that she and her children "want a president who will make that go away," adding, "I believe in his heart he wants that to happen, his political mistakes

notwithstanding.”

No president possesses that magic wand, but Obama’s inaction on gay civil rights is striking. So is his utterly uncharacteristic inarticulateness. The Justice Department brief defending DOMA has spoken louder for this president than any of his own words on the subject. Chrisler noted that he has given major speeches on race, on abortion and to the Muslim world. “People are waiting for that passionate speech from him on equal rights,” she said, “and the time is now.”

Action would be even better. It’s a press cliché that “gay supporters” are disappointed with Obama, but we should all be. Gay Americans aren’t just another political special interest group. They are Americans who are actively discriminated against by federal laws. If the president is to properly honor the memory of Stonewall, he should get up to speed on what happened there 40 years ago, when courageous kids who had nothing, not even a public acknowledgment of their existence, stood up to make history happen in the least likely of places.

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