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### CANDIDATES STRUGGLE TO ARTICULATE POSITION ON GAY RIGHTS

Walking a Fine Line

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SANTA BARBARA, October 3, 2008 -- In the wake of last night's vice presidential debates, confusion lingers about the candidates' positions on gay rights. When asked whether they supported granting benefits to same-sex couples, Joe Biden said he did, and Sarah Palin said she would not "do anything to prohibit" hospital visits or the signing of contracts between gay partners. Biden interpreted Palin's remarks to mean she thought "there should be no civil rights distinction" between gay and straight couples, and Palin, given the opportunity to clarify, did not deny the interpretation. The Associated Press today reported that "the candidates both said they supported partnership rights for gay and lesbian partners."

But Nathaniel Frank, senior research fellow at the Palm Center, a think tank at University of California, Santa Barbara that studies gay issues, said that interpretation of Palin's position is mistaken, as she did not endorse partnership rights for gay couples. "Of course gay men and lesbians have the right to pay lawyers thousands of dollars to draw up contracts," said Frank, "and, when they're lucky, some hospitals respect their request to visit their partners or make critical decisions. But straight people enjoy these rights simply by saying, 'I do.'" Frank explained that "all Palin said was that she would not strip from gays the rights all Americans enjoy to enter into contracts; this does nothing to ensure that institutions like hospitals and insurance companies respect the partnership needs of gay couples."

McCain has taken the same position as Palin, suggesting that gay couples negotiate contracts with one another if they want to enjoy similar rights as straight couples. Yet many remain confused about his view on the matter. An opinion piece by a member of the Log Cabin Republicans, for instance, states that "it would be fair to say that McCain probably supports some form of a 'domestic partnership.'"

On "don't ask, don't tell," McCain said this week that he is willing to have the policy "reviewed" and that he would ultimately "defer to our military commanders" who, he says, believe the policy is working and should not be changed. Frank said McCain's position on gay troops has been erratic over the past fifteen years. In his forthcoming book, "Unfriendly Fire: How the Gay Ban Undermines the



Military," Frank offers the most detailed history to date of the formulation and impact of the gay exclusion rule, including John McCain's role in it as a senator on the Armed Services Committee. According to the book, the senator once said he knew who was gay in the Navy because of how they act: "I think we know by behavior and by attitudes. I think that it's clear to some of us when some people have that lifestyle." At the time, 1993, McCain said lifting the ban could lead to gay service members marching in parades with "bizarre" or "transvestite" clothing. "These are the kinds of rank stereotypes that were routine only fifteen years ago," said Frank, "but which are increasingly unpopular and are less and less tolerated now. In 2007, McCain called gay troops an 'intolerable risk' to morale, cohesion and discipline," but now says the policy should be reviewed.

Palin has recently taken fire for suggesting that being gay is a choice, a word she seemed to go out of her way to use in last night's debate. She said she is "tolerant of adults in America choosing their partners, choosing relationships that they deem best for themselves." In an interview with Katie Couric of CBS News, Palin said, "One of my absolute best friends for the last 30 years happens to be gay. She is one of my best friends, who happens to have made a choice that isn't a choice that I have made."

Barack Obama supports civil unions but, like all the major candidates, opposes marriage rights for gays. He supports repealing the "don't ask, don't tell" policy, but has said he will not be "out front" on the issue. Last month, he rattled some gay supporters by saying he believes universities should allow ROTC on campus. Many schools ban ROTC and military recruiters from campus because the "don't ask, don't tell" policy conflicts with their policy of nondiscrimination.

Jeanne Scheper, research director at the Palm Center, said politicians frequently shy away from taking forceful positions on gay issues, for fear they will be labeled as extremists or as tools of special interest groups. "Political strategists have used the 'divide and conquer' tactic very effectively in recent years with cultural issues," Scheper said, "and as a result, a strong defense of equal rights is not always seen as a winning strategy."

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