



## 2008: A year of change

From presidential politics, to same-sex marriage and gay protests, 2008 was unlike any year we've seen

By RYAN LEE

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Toward the end of October, about two weeks before California voters went to the polls to decide the future of same-sex marriage in the Golden State, lesbian activist Robin Tyler approached her lawyer about filing a lawsuit to challenge the results of the upcoming vote.

"I knew we were going to lose," said Tyler, who, along with her wife, Diane Olson, were the lead plaintiffs in the lawsuit that led to the most populated state in the country legalizing same-sex marriage beginning June 16.

On Nov. 4, by a margin of 52 to 48 percent, the gay marriage ban known as Proposition 8 became a part of California's constitution. **Despite it taking place in one of the most liberal states in the nation during one of the most progressive election seasons in memory, and despite raising more than \$37 million, the fight to defeat Prop. 8 lost in every demographic group except one, according to an upcoming report from the National Gay & Lesbian Task Force.**

**"The only demographic that we either won or came close to winning are people under the age of 35," said Rea Carey, executive director of the Task Force.**

Early analysis after the election attempted to blame passage of Prop. 8 on African-American voters who turned out in strong numbers to support U.S. Sen. Barack Obama (D-Ill.) in his presidential bid, and who voted for Prop 8 by a substantial majority. While more clearly needs to be done to persuade members of minority groups to support gay rights, Joe Solmonese, president of the Human Rights Campaign, believes proponents of Prop. 8 owed their success to other factors.

"They lied," Solmonese said. "I think that's really central. They just went out there and lied."

In the weeks leading up to the vote, supporters of Prop. 8 unleashed an arsenal of commercials and campaign materials which falsely claimed that preachers and other religious leaders who opposed homosexuality might be arrested and charged with hate crimes if gay marriage remained legal in California. They further played on voters' fears by suggesting that if Prop. 8 failed, elementary school children would be forced to learn about and celebrate same-sex marriage.

The lies were damaging and effective, but the response by gay activists fighting Prop. 8 is what ultimately allowed the measure to pass, Tyler said.

"They came with a sledgehammer and we fought back with a slingshot," Tyler said. "We never

disputed their commercials.”

Like many critics of the effort to defeat Prop 8, Tyler believes organizers didn't do enough outreach to minority and rural voters, “de-gayed” the campaign by not making homosexuality and gay rights the central issue, and opted to spend money hiring political consultants and pollsters instead of fully tapping into grassroots activists.

While Proposition 8's victory sparked anger and protest among many gay and lesbian people across the U.S., the leaders of the nation's two largest gay rights organizations also found inspiration in the outcome. When California residents voted on a ballot initiative related to same-sex unions in 2000, they outlawed gay marriage by a 22-point margin.

**“To come back from losing, [going] from a 22 to 4 [percent margin] is remarkable progress,” Carey said. “It's not the progress we hoped for, it's not the progress we wanted, but it's still progress.”**

Solmonese agreed, and believes “the measure of who we are as a community and who we are as a people has everything to do with how we move forward” from the Prop. 8 loss.

“We oftentimes compare ourselves to the Civil Rights struggle on the 1960s, and if we truly believe that, we have to remember that there were people involved in that struggle, there were people who took to those streets during that struggle, fully expecting that they were not going to survive, and that they certainly weren't going to ever see realized the issues they were out there fighting for,” Solmonese said. “As a community, we've got to ask ourselves if we've got the will and if we've got the commitment to keep up that fight.”

## **HISTORIC ELECTION**

When our country was engulfed in an embarrassing era of discrimination against blacks during the middle of last century, and, quite frankly, even as late as the last presidential election, it was hard to imagine American voters ever electing someone with African-American roots to the White House.

But from the first caucuses of 2008, Obama emerged as a frontrunner among what some consider the most gay-friendly group of candidates in the history of presidential campaigns. In order to ensure gay and lesbian voters were involved early in the primary campaign, HRC set up field offices in leadoff states like Iowa and New Hampshire.

“We were really just interested in making sure that no matter who you were for, members of our community were visible, and active and working in the process,” said Solmonese, who added that HRC provided gay voters with information on how to caucus and get involved in the various campaigns.

Obama's campaign also offered historic outreach to gay voters. The candidate frequently included gay people in general campaign stump speeches, and backed up the rhetoric with a strong slate of positions on gay and transgender issues that trumped even Democratic rival Sen. Hillary Clinton (D-N.Y.).

Among other issues, Obama supported including sexual orientation and gender identity in hate crimes and workplace non-discrimination laws; opposed restrictions on gay people adopting children; backed federal recognition for civil unions; and called for an end to the military's “Don't Ask, Don't Tell” policy. And while Clinton called only for partial repeal of the Defense of Marriage Act, the law that bans federal recognition of gay unions and allows states to ignore gay marriages performed beyond their borders, Obama supported its complete reversal.

Obama's pledge to avoid divisive issues during the 2008 campaign, along with his eventual

match-up against Republican nominee John McCain, who is considered to be relatively moderate on gay rights issues, helped this year's campaign avoid the widespread gay baiting that took place in 2004.

**“The tone of the campaign did not include the intensity of wedge issues that have been included in past elections,” said Carey, who noted that other social issues like abortion and immigration rights also failed to attract significant attention in 2008.**

It's possible that 2008 marked “the year we became just another member of the Democratic rainbow,” said gay blogger and activist Rex Wockner.

“I think we were more or less treated like any other minority group that is part of the base of the Democratic Party,” Wockner said.

The impact of Obama's victory on gay Americans “is immediate,” said Solmonese, noting the high number of gay and lesbian people working on Obama's transition team, and the incoming administration's support of a host of administrative proposals to increase gay rights.

Those proposals include instructing the Department of Health & Human Services to stop enforcing a travel ban on HIV-positive visitors to the U.S. that Congress repealed earlier this year, reinterpreting the Family Medical Leave Act so that it covers both parents in a same-sex relationship and revising Medicaid policies to make the system more helpful to transgender individuals.

“At almost every agency and every level of government, there are things, by virtue of executive order, that this president has the opportunity to do, and it's very much our belief, based on the kinds of meetings that we and others in the community have had, that they will in fact put those measures in place,” Solmonese said.

## **A CHANGED MOVEMENT?**

Even before Obama's victory was certified by the Electoral College, his impact on the gay rights movement was widely displayed.

**“I don't think it's a mistake that this year, when we had three anti-marriage measures on the ballot — albeit one [in California] that took away a fundamental right — that people became enraged when they haven't in the past,” said Carey, who noted that when 13 marriage bans passed in 2004, and seven in 2006, “people did not take to the streets.”**

When Wockner attended a San Diego rally protesting Prop. 8 after the election, he saw “tons” of “Yes We Can” signs among the crowd of 25,000 people.

“There was apparently some kind of synergy between the grassroots nature of much of the Obama campaign and the grassroots protests we saw after the passage of Prop. 8,” Wockner said.

Wockner was one of the first commentators to dub the Prop. 8 backlash as “Stonewall 2.0,” since all of the rallies were organized by everyday activists using the internet, and not by national gay rights organizations with multi-million dollar budgets.

“I definitely think people are sick and tired of HRC and all of these organizations,” said Jeff Schade, who helped organize a Prop. 8 protest in Atlanta Nov. 15. “They don't represent me, and I don't see that they've been out there getting their hands dirty.”

Some have speculated that the post-Prop. 8 protests were a rejection of the corporate, behind-the-scenes strategy often employed by gay rights organizations, and that the success of these

rallies are pushing organizations like HRC and the Task Force to the brink of irrelevance. But Tyler disagrees.

"It's not a matter of if this will make them irrelevant," Tyler says. "If they haven't gotten us any rights, they are irrelevant. HRC is an organization that runs on a \$40 million budget, and we don't have any federal rights. These people make incredible salaries and don't produce anything.

"It's like Enron — great logo, no product," continued Tyler, who considers the success of Prop. 8 bittersweet.

"The upside to this is our side will never do this to us again," Tyler said. "Had we won, then No on 8 and HRC would've been right when they say stay quiet, be invisible and we'll win your rights for you.

"No civil rights movement has been successful without being militant and being in the streets," Tyler said. "People are getting on the streets because they realize we don't have anything. We need to get militant instead of just spending \$200 at a fancy dinner where we all feel better."

Leaders at the **Task Force** and HRC lauded the spontaneous protests that erupted after Prop. 8, but disagreed that they represented a threat to established gay rights organizations.

**"There is no one way to achieve change," Carey said. "I feel the [grassroots and organized] tactics are connected. Policy is still set in the same way, elected officials still vote on our rights and we need to make our voices hear, and there's many ways to do that."**

While inspiring, the Prop. 8 protests were also a case of too little, too late, Solmonese said. "I only wish that that sort of grassroots uprising and that kind of attention was being paid to the Proposition 8 fight before election day," he said. "I think if it had been, maybe we would have seen a different election outcome.

"We need institutions and organizations like HRC who are out there everyday lobbying Congress on issues of importance to our community, working with corporate America, and communities of faith, and schools and hospitals on changing the experience for members of the LGBT community," Solmonese said. "But we also need grassroots activism and people in the streets, and going door-to-door, and spreading the message, and speaking truth to the lies and misinformation that are put out there against us.

"But we need that in a constant and sustained way," he added. "The question really remains, for me, whether or not that will be the case."

Despite the stunning success of protests across the nation on Nov. 15, other efforts during the so-called "Stonewall 2.0" era have fallen flat. A campaign to convince people to "Call in Gay" and take off the day from work became a hopeless punch-line even among gay folks, and only a couple dozen protestors showed up for a Dec. 13 rally in Atlanta, compared to the 1,500 who came out Nov. 15.

"It wasn't as many people as we were hoping for," said Schade, one of the organizers. "Already I'm seeing people kind of die down, saying that [Prop. 8] has passed, there's nothing we can do. We have to keep the momentum up, but it's tough.

"We didn't have 1,500 people, but we're not going to let that stop us," Schade added. Join the Impact's "Light Up the Night for Equality" silent candlelight vigils around the country on Dec. 20 also drew much smaller crowds.

Regardless of whether the grassroots protests signal a new era in gay rights politics, Wockner

believes it's vital that members of the "Stonewall 2.0" age become decision-makers in the movement.

"There are younger people who have never lived their lives in the closet who we need to step into leadership positions," Wockner said.

**The Task Force's Carey also is excited about the infusion of fresh blood into the gay rights movement, and hopes that newcomers aren't discouraged when they realize a successful rally on Saturday does not lead to same-sex marriage being legalized on Monday.**

**"Change doesn't happen in one year, it happens over a period of years," Rea said.**