White House, Nunn Forge Final Agreement on Lifting Gay Ban

By David Lauter

The Clinton administration, military leaders and members of the Senate Armed Services Committee chairman Sam Nunn, D-Ga., reached final agreement Tuesday on a new policy that would suspend the ban on military service by homosexuals.

At the same time, federal District Judge Terry Hatter Jr., ruling in the highly publicized case of Navy Petty Officer Keith Meishein, declared the ban unconstitutional, saying it violated the Constitution’s guarantee of equal protection of the laws. The ruling marked the first time the government had been forced by a court to reinstate a gay service member.

Legally, Hatter’s decision applies only to the military and to a single case, but it is a signal that the ban could be eventually overturned by judicial fiat. “My argument to the military is simple: If there is no problem, there’s no reason for you to come going at the moment on this issue,” Aspin said in a recent television interview.

Clinton will not formally lift the ban, however, for six months, giving Congress time to hold hearings on the issue. Clinton had hoped to announce his new policy on military service by homosexuals at Thursday’s news conference.

“Skipping legislation to an election year is not prudent,” Nunn said.

“Skipping will suspend cases seeking to discharge gay service members, so long as those cases are based solely on homosexual status rather than on any improper conduct.

“My argument to the military is sooner or later, the courts are going to come at you on this issue.”

—Defense Secretary Les Aspin

Phase 1

Participants:

Nunn and Aspin

Phrases: Awaiting final agreement on lifting gay ban;

Propositions:

- The Clinton administration, military leaders and members of the Senate Armed Services Committee chairman Sam Nunn, D-Ga., reached final agreement Tuesday on a new policy that would suspend the ban on military service by homosexuals.

- At the same time, federal District Judge Terry Hatter Jr., ruling in the highly publicized case of Navy Petty Officer Keith Meishein, declared the ban unconstitutional, saying it violated the Constitution’s guarantee of equal protection of the laws.

- The ruling marked the first time the government had been forced by a court to reinstate a gay service member.

- Clinton will not formally lift the ban, however, for six months, giving Congress time to hold hearings on the issue.

- Clinton had hoped to announce his new policy on military service by homosexuals at Thursday’s news conference.

Phase 2

Rules:

- The subject is the new policy of Clinton’s administration on military service by homosexuals.

- The analysis is based on the following factors:
  - The agreement reached between Clinton and Nunn.
  - The court case brought by Keith Meishein.
  - The potential impact on military service by homosexuals.

- The analysis is supported by the following evidence:
  - The ruling by Judge Hatter.
  - The statement by Clinton on lifting the ban.

- The analysis is consistent with the following logic:
  - If the ban is lifted, it will be done so gradually.
  - The lifting of the ban will not be immediate.
  - The lifting of the ban will be subject to congressional review.

- The analysis is relevant to the following stakeholders:
  - The military.
  - Congress.
  - The general public.

- The analysis is important because it addresses a significant issue in American society:
  - The role of homosexuals in the military.

- The analysis is limited by the following factors:
  - The uncertainty surrounding the lifting of the ban.
  - The potential for political opposition to the lifting of the ban.

- The analysis is open to the following questions:
  - Will the lifting of the ban be controversial?
  - How will the lifting of the ban affect the military?

- The analysis is consistent with the following values:
  - Equality.
  - Freedom.
  - Respect.

- The analysis is consistent with the following outcomes:
  - A significant shift in military policy.
  - Increased diversity in the military.
  - Greater acceptance of homosexuals in the military.

- The analysis is consistent with the following strategies:
  - Engaging with stakeholders.
  - Communicating the benefits of lifting the ban.
  - Preparing for potential opposition.

- The analysis is consistent with the following issues:
  - Military service by homosexuals.
  - Political process.
  - Public opinion.

- The analysis is consistent with the following implications:
  - A potential improvement in military effectiveness.
  - A potential improvement in public opinion.
  - A potential improvement in congressional support.

- The analysis is consistent with the following quotes:
  - “My argument to the military is sooner or later, the courts are going to come at you on this issue.”
    —Defense Secretary Les Aspin

- The analysis is consistent with the following data:
  - The agreement reached between Clinton and Nunn.
  - The court case brought by Keith Meishein.

- The analysis is consistent with the following diagrams:
  - No diagrams provided.

- The analysis is consistent with the following figures:
  - No figures provided.

- The analysis is consistent with the following tables:
  - No tables provided.

- The analysis is consistent with the following graphs:
  - No graphs provided.

- The analysis is consistent with the following models:
  - No models provided.

- The analysis is consistent with the following simulations:
  - No simulations provided.

- The analysis is consistent with the following algorithms:
  - No algorithms provided.