

When Otter put conscience ahead of politics

Marty Trillhaase/Lewiston Tribune

Remember when C.L. (Butch) Otter acted on his own conscience?

It was Oct. 24, 2001 - in the shadow of the Sept. 11 attacks. Otter, then a newly minted member of the U.S House of Representatives, told Republican House Majority Leader Dick Arney he intended to vote against the Patriot Act.

He considered it a breach of Americans' privacy and civil liberties.

Arney counseled Otter to play it safe.

"Oh, Butch, you can't do that," Arney said. "If you speak against this, your people in Idaho won't send you back here again."

Replied Otter: "Mr. Arney, if this vote will cause me to lose the election, then I don't belong here."

Otter wound up among only three Republicans to cast a no vote.

Now in his second term as governor and seeking his third, Otter is facing another moment of conscience.

Madelynn Lee Taylor is a 74-year-old Navy veteran. She served from 1958 to 1964.

Separated from the service for being gay, she successfully petitioned to have her discharge amended to an honorable one.

In 1995, Taylor married Jean Mixner at an Oregon church retreat. Six years ago, the marriage was formalized in California. Mixner died about 18 months ago.

When she dies, Taylor wants the two of them buried at the Idaho State Veterans Cemetery in Boise.

Were this Arlington National Cemetery, the request would be honored. The U.S. Supreme Court struck down the federal provisions of the Defense of Marriage Act and recognized California's same-sex marriage law. The couple's marriage license and Taylor's military service are the pertinent facts.

But in Idaho, Taylor has collided with the state's 2006 constitutional amendment defining marriage as between one man and one woman at one time.

Her request was denied.

"I don't see where the ashes of a couple old lesbians is going to hurt anyone," Taylor told the Associated Press recently.

Earlier this week, the small army of people who have protested Idaho's discriminatory treatment of gays, lesbians, bisexuals and transgender people stood outside the state Capitol and rallied on behalf of Taylor.

Otter responded with a prepared statement:

"The veterans cemetery rules require a valid marriage certificate in order for a spouse to be buried with a veteran. Idaho's Constitution does not recognize same-sex marriage. The voters spoke in 2006 by passing an amendment to our Constitution defining marriage as between a man and a woman. I am defending their decision and the Idaho Constitution in federal court, so I'm not going to comment any further."

That sounds more like a clerk hiding behind some technicality than the Butch Otter who boldly served in Congress during the darkest days of 2001.

That Otter - the one who stood up to Armev and virtually the entire Republican Party - would have said something else.

Something like:

The uniform Madelynn Lee Taylor wore in 1958 said United States Navy.

It did not say the Idaho navy.

Idaho has no second-class military veterans.

There is no cut-rate obligation to honor the service of those who defend our country.

Nobody forced Madelynn Lee Taylor to join the service. She did so honorably - at a time when many chose not to.

Idaho owes Taylor and all its veterans its full gratitude and respect.

If the Idaho Constitution stands in the way of Idahoans meeting their obligations to our military families, then there is something wrong with Idaho's Constitution.

It needs to be fixed.

And if admitting that gets in the way of my re-election, then I don't belong here.

Makes you wonder whatever happened to that fellow, doesn't it? - M.T.