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Same-sex marriage bill packs the halls

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Journal State House Bureau



Those opposing same-sex marriage Wednesday included Austin R. Nimocks, legal counsel for the Alliance Defense Fund, left; Dr. Jennifer Roback Morse, with The Ruth Institute; and Christopher Plante, executive director of the National Organization for Marriage-Rhode Island.

PROVIDENCE — The same-sex marriage debate played out at high volume at the State House on Wednesday, with advocates waving “vote for love” signs, and opponents arguing that nothing less than the soul of Rhode Island, the well-being of its children and the “sanctity of marriage” are at stake in a year when the state’s new governor and openly gay House speaker are enthusiastically backing gay nuptials.

From a news conference to a rally to a lengthy House Judiciary Committee hearing, the arguments for and against same-sex marriage raged with so many people packing the marble stairs and hallways, the Capitol Police, in a rare but not unprecedented move, temporarily closed off the Smith Street entrance to the State House.

“We’re more hopeful than ever,” said Kim Stowell, spokeswoman for Marriage Equality Rhode Island, as more than 200 people crowded into the rotunda, and a crowd of equal size was restrained outside. “Times are changing. Everyone knows a gay person today. It’s harder to say gay people can’t get married when you are talking about someone you know.”

A smaller group of people opposed to gay marriage took up their own posts in the crowd, with small blue signs that showed a math equation of “1 man + 1 woman = marriage.”

Among them was Adam Jaquith, 28, of Woonsocket, who said he was here because “I’m a Christian man. I believe that God loves everyone. I have gay friends, but I believe that God has made it one man for one woman for marriage.”

Same-gender marriage is already legal in Massachusetts, Connecticut, New Hampshire and Vermont, and was allowed in Maine until voters overturned the state Legislature’s approval of same-sex nuptials. In Rhode Island, it has been proposed every year since former state Rep. Michael Pisaturo, D-Cranston, introduced the first same-sex marriage bill in 1997.

While no vote was taken, Wednesday night’s hours-long hearing may have set the stage for Rhode Island’s own lawmakers to finally decide where they stand.

In a written statement to the committee, Governor Chafee said: “I support the Marriage Equality Act as a matter of fundamental fairness.

“In 1967, the United States Supreme Court held that ‘the freedom to marry has long been recognized as one of the vital personal rights essential to the orderly pursuit of happiness by free men.’ Today, same-sex couples — loving, productive and valued members of our community — are not free to exercise this right in Rhode Island. They are not free to form a public social contract that all agree promotes family stability and provides social, financial and legal benefits to its participants.

“This is not acceptable to me and should not be acceptable to anyone else. When we deprive gay and lesbian Rhode Islanders of the freedom to marry, we not only deny them a fundamental right guaranteed by our Constitution, we also diminish the freedom and liberty of all Rhode Islanders,” Chafee wrote. Lt. Governor Elizabeth H. Roberts conveyed her own support in person.

In her turn at the microphone, Rhode Island Bar Association President Lise M. Iwon recited a sampling of the legal obstacles that, she said, the same-sex couples who are her clients face, despite her efforts to craft legal agreements that cover every financial and medical possibility.

“Clients spend thousands of dollars on wills, estate planning, relationship agreements, powers of attorney, adoptions and other documents trying to plan for every eventuality, every tragedy, every mundane circumstance,” she said. “But no matter how many or what safety nets I try to help them put in place, there is simply no way to provide them with the full scope of protections they would automatically receive if we were able to marry.”

And “because we cannot marry,” she said, gay and lesbian couples who conceive a child via artificial insemination “must incur enormous financial expense and emotional stress of having the second parent adopt the child,” including “criminal background checks, a six-month waiting period, a home study and

adoption hearing.”

Mark Goldberg, who led the 2009 battle for a law allowing same-sex partners to make funeral decisions for each other, came to the hearing with a very different argument for allowing gays and lesbians to marry. “In addition to being the right thing to do, passing this law could have an economic benefit to the state,” he argued in written testimony.

He explained: “Being a gay man, which often equates to good taste, I am going to hire only the finest caterers, florists, venue and entertainment. I can easily find the best of the best, right here in R.I. Imagine a whole new set of prospective clients to the many businesses here in our state pumping money into the economy.”

But opponents from as far away as California, and as near as the Catholic Diocese of Providence and the Congdon Street Baptist Church, disputed the contention that the fight for same-sex marriage is akin to the battle by blacks for civil rights.

Leading off their news conference was state Sen. Harold Metts, D-Providence, a black man, who said “many in my community do not think that what people do in the bedroom, the privacy of their bedroom, is civil rights.”

Later, the Rev. Bernard Healey, speaking on behalf of the Catholic diocese, said advocates wrongly reduce marriage to a “bundle” of social benefits to be attained rather than an institution to be preserved.

Maggie Gallagher, the chairwoman and founder of the National Organization for Marriage, said her group would prefer same-sex marriage be put to a popular vote. But “we do not believe that our marriage laws are discriminatory,” she said. “We think that marriage is the union of husband and wife for a reason ... [because] the unions really are unique. They are the only ones that can make [new] lives and connect those children in love to their mother and father.”

Local lawyer Joseph V. Cavanagh went further, telling the lawmakers that “by leaping into this abyss, we will undermine forever the ideal that marriage between a man and woman is the preferred family — which it should be and always has been in human history.”

“It doesn’t mean that same-sex couples can’t have relationships,” he said. “But let’s not redefine marriage. The difference is the difference. It’s a man and a woman who only themselves, uniquely coming together, can perform this act of love between themselves, to have a child, children, and raise them. That’s what we’re talking about. That’s what marriage is.”

“Same-sex marriage with all due respect, is an oxymoron,” he said.

NOM also flew in Dr. Jennifer Roback Morse, the president of a NOM offshoot known as The Ruth Institute, who drew comparisons between the fight against abortion and the fight for the principle that children “need a mother and father,” and lawyer Austin R. Nimocks, of the Alliance Defense Fund, while Christopher Plante, executive director of the local chapter, asserted: “The ball is slowing down, if not going backwards.”

with reports from Philip Marcelo

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