

Measure to prohibit same-sex marriage to go to California voters

SAN FRANCISCO – An initiative to ban same-sex marriage in California has qualified for the Nov. 4 ballot.

Secretary of State Debra Bowen qualified the measure June 2 after a county-by-county check of voter signatures gathered by the sponsors verified they had more than the 694,354 names required to make the ballot.

The initiative, proposed by a coalition of 150 organizations called ProtectMarriage.com, seeks to overturn the state Supreme Court's 4-3 ruling May 15 that same-sex couples have the right to have the state designate their civil unions as marriages.

Ms. Bowen's action came two weeks before county clerks were to begin issuing marriage licenses to same-sex couples to comply with a new ruling by the court denying requests it delay its decision from taking effect until after the initiative is decided.

The initiative's sponsors maintain that the issue should be decided politically, not judicially, and that polls show that a majority of Californians favors restricting marriage to couples of the opposite sex.

The measure would amend the state constitution to define marriage as a union between a man and a woman. Twenty-six states have constitutional amendments or similar prohibitions on same-sex marriage.

If enacted, the amendment could be canceled only by another initiative and not by judicial or legislative action, according to the coalition.

"Passing this amendment is the only way for the people to override the four Supreme Court judges who want to redefine marriage for our entire society," said Ron Prentice, CEO of the California Family Council and chairman of ProtectMarriage.com, in a statement posted on the council's Web site.

Said Brian Brown, executive director of the National Organization for Marriage California, an organization that supports the initiative: "This is a profound transformation in American law and it's going to affect states across the country."

Proponents are confident their initiative will win and feel that the majority that voted against same-sex marriage with the passage of Proposition 22 eight years ago is still intact, despite some new polling results to the contrary. But they note that the question could be close and that their initiative faces well-financed opposition.

The campaign to override the court will require \$10 million to \$15 million in funds, Mr. Brown said. The coalition member confirmed the higher number.

"We're doing a major grass-roots push," Mr. Brown said. "We'll have millions of e-mails going out this week asking people to get their friends and family to sign on. We're focusing on getting thousands of smaller contributions immediately in order to start a media campaign."

Mr. Brown said his organization plans to rally the Catholic laity.

"This is not about the private activity of two people - this is about fundamentally redefining a core social institution," Brown said. "This is what we want to make clear to people. It will affect you when your son is taught in kindergarten that it's the same for a boy to marry a boy as (to) marry a girl.

"Catholics and other people of faith have to understand this is a direct attack on our religious liberties," he said.

Bill May, chairman of Catholics for the Common Good, a lay organization based in San Francisco, said the success of the initiative is "absolutely essential."

"First of all it's important to recognize that the advocates of redefining marriage have unlimited financial resources and the side of protecting marriage will be outspent," he said. "In order to protect marriage it is going to take all of the financial and volunteer resources of Catholics and other people who support the common interest of children and having married mothers and fathers."

Marianne Duddy-Burke, executive director of Dignity USA, maintained that civil

recognition of same-sex marriage is a matter of individual rights and does not affect the church.

“Voters who are going to the polls need to be not confused about that, and we call on church officials to be clear about that in their campaigning,” she said. “It’s also important to note Catholics are increasingly supportive of lesbian and gay couples.”

On June 4, the California Supreme Court denied requests to delay its decision from taking effect until after the initiative is decided. In a 4-3 vote, the court ordered the ruling to become final June 16 at 5 p.m. The decision means that county clerks can begin issuing marriage licenses to same-sex couples the next day.

The requests for delay were made in court papers filed May 29 by the attorneys general of Alaska, Colorado, Florida, Idaho, Michigan, Nebraska, New Hampshire, South Carolina, South Dakota and Utah.

The state attorneys predicted that a torrent of litigation would result if the ruling were to take effect before the election. For example, the status of any marriage licenses issued between June 17 and Election Day could be contested if the initiative were to pass.

San Francisco City Attorney Dennis Herrera opposed the move to delay, saying it would be “unprecedented and inhumane” to further delay constitutional rights to gay and lesbian partners based on political conjecture.