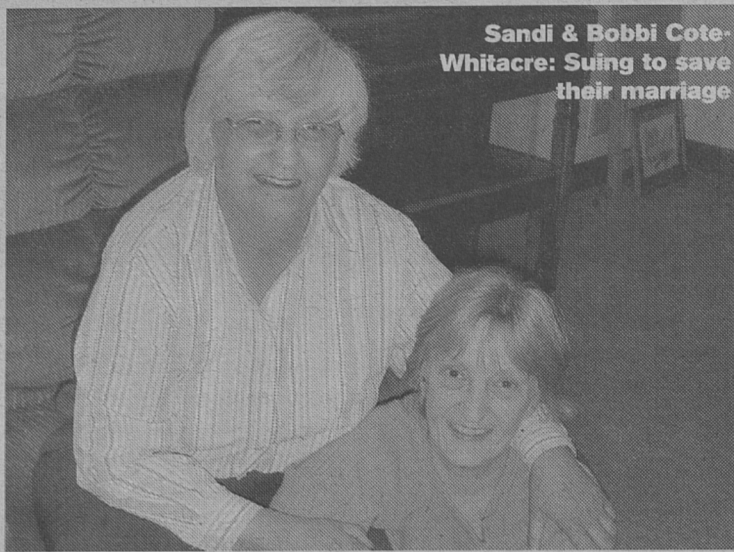


news



Sandi & Bobbi Cote-Whitacre: Suing to save their marriage

Exclusion Appeal in Mass. High Court

BOSTON, MA – Bobbi and Sandi Cote-Whitacre were back in court last month trying to save their marriage – from state officials who wanted to exclude them from the marriage equality granted to Massachusetts residents by the Supreme Judicial Court, effective May 17, 2004.

Nineteen months after it was filed, the high court was hearing arguments on an “emergency” appeal filed by Gay & Lesbian Advocates & Defenders (GLAD) on behalf of eight out-of-state same-sex couples whose Massachusetts marriages were nullified by the state. The state relied on the application of a 1913 law preventing out-of-state couples from marrying in Massachusetts if they were unable to legally marry in their home states.

There were actually two petitions, one from the couples and one from a group of town clerks who claimed the state was requiring them to discriminate against such couples.

“It was a long hour, I’ll tell you,” said Bobbi Cote-Whitacre, referring to the time in the courtroom. “But at least I feel like we had a fair hearing.” Bobbi said the couples’ attorney, Michele

Granda of GLAD, had 10 minutes to make their case and answer questions, the clerks’ attorney had 10 minutes, and the Massachusetts Attorney General had 20 minutes for its side of the argument.

The Vermont couple, whose name is first among the list of appellants, agreed that they were surprised the case came up so quickly. “This has moved remarkably fast,” said Sandi.

The attorney general’s argument, she reported, focused on the potential backlash against the state if out-of-state same-sex couples were allowed to marry under Massachusetts law. He presented only two examples of cases to which the exclusionary law had been applied, one in 1936 and another in 1973. “That bodes well for us, and we’re in the same court that ruled on *Goodridge*,” Sandi added.

The two women traveled to Massachusetts a day ahead of the hearing and stayed the weekend in the same hotel, in the same room they had when they were married in Provincetown.

A ruling, which at best would return the case to a lower court, is expected in three to four months. ▼

Marrying Mayor at St. Mike's

New Paltz's Jason West Speaks on Equal Marriage

COLCHESTER – The Green Party mayor of the village of New Paltz, New York (population about 6,000) gained notoriety when he agreed to marry same-sex couples, following the example of San Francisco’s Mayor Gavin Newsome and officials in Sandoval County, New Mexico.

Now he’s using that notoriety to continue speaking out as a straight ally in support of marriage equality. His mission is in part inspired by the quote from Dante with which he opened his talk: The hottest parts of hell are reserved for those who in times of crisis do nothing.

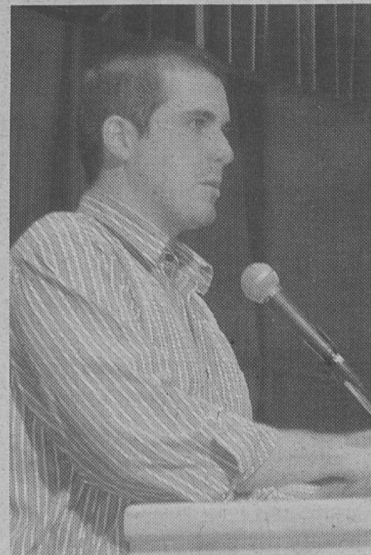
West’s wide-ranging talk started with the fact that marriage has been a sacrament in the Roman Catholic Church only since the 11th century, and ranged through the nature of marriage, Mosaic law, the bankruptcy of current political issues between the two major parties, aspiring to boredom for gay couples’ wedding videos, the better marriage system of the Netherlands, why it is appropriate to compare the gay rights/marriage-equality struggles to the Black Civil Rights movement of the 1950s and ’60s, and the importance of coming out if you’re gay and supporting those who come out if you’re straight.

Although there were a few questions of the “If you were asked to marry two brothers who were gay, would you?” ilk, for the most part the mostly student audience was courteous. West’s response to that question: “Why, are you interested?” He then admitted that was a cheap shot, apologized, and explained why incest laws would prohibit such a ceremony.

The argument that giving legal recognition to same-sex marriage is a “slippery slope” potentially leading to legalization of incest,

pedophilia, and bestiality is, he said, “mostly irrelevant.” Besides, “No one is asking” for those things.

West supports the common European system, which he identified with the Netherlands. Everyone is first married by a magistrate in a civil ceremony, and all legal rights, benefits, privileges and responsibilities stem



New Paltz Mayor Jason West

from that action. Any couple who so wishes can then participate in a religious wedding ceremony of their choice.

“If you remove the legal power to marry from the religious arena, you leave the spiritual power, and it allows every denomination to have that conversation” about who should marry within the particular faith tradition.

In an aside, he said that “Marrying straights is not nearly as much fun as marrying gays.”

Like abortion, he said, gay marriage is a political issue only because the issues that really have an impact on people’s daily lives are not on the table for discussion. Some of those issues include war, resources, jobs moving to other countries through the NAFTA and

CAFTA trade treaties, health care, and social security.

But the real problem conservatives have with marriage equality isn’t whether gays can marry, West argued. “It’s about equality. Equal marriage undermines the dominance of men.”

He professed to being “appalled” when the natural allies of marriage equality, including the Human Rights Campaign, “melted away” in order to support John Kerry’s candidacy in the last presidential election. “John Kerry’s and George Bush’s positions on marriage were identical: ‘I’m not personally in favor of gay marriage, but the states should decide.’ From Bush that was remarkable. From Kerry, that was abhorrent.”

When asked why he as a straight man was putting himself out there as a speaker on marriage equality for same-sex couples when there are plenty of gay men and lesbians who could speak on their own behalf, West said, “I was asked to. There’s somehow more of a hook when I do it. If you’re gay, you’re supposed to believe in your own equality. If you’re straight and you believe in marriage equality, it’s more unexpected.”

To those who object to “conflating” the gay rights movement with the Black Civil Rights movement, West had this to say: “The scale is different, but the struggle is the same. People get redlined, fired, lynched. The patterns are the same. And that’s why Coretta Scott King and John L. Lewis and other leaders have supported marriage equality.”

His final bit of political advice was that the Democrats should neutralize conservative religious influence by working with faith groups who embrace and support equality. ▼

One Step Back

NH Panel Votes to Ban Same-Sex Marriage

CONCORD, NH – A commission originally appointed by then-Governor Craig Benson, a Republican who was defeated after one term, voted in early October to support a constitutional amendment to ban same-sex marriages in the

state, even though its final report is not due for another month.

The commission had been holding hearings in different regions of the state on the issue. Its mission was to consider various civil-union-type arrangements

other states have enacted or are considering.

According to an AP report, state Sen. Jack Barnes (R-Raymond) short-circuited that process by proposing a motion that the commission back a consti-

tutional amendment that would define marriage as between one man and one woman. The motion passed 7-4. There were two abstentions reported, and two commissioners were absent.

Such a bill has not yet been introduced in the legislature, though Barnes has reportedly agreed to sponsor it. To amend the state constitution, a measure would have to garner a three-fifths majority in both houses of the

New Hampshire legislature and pass by a two-thirds majority of votes cast in a public election.

A report in the Boston Globe suggests that current Governor John Lynch, a Democrat, is opposed to a constitutional amendment on the issue of marriage, although the gist of his remarks is that he doesn’t have time for the issue when the state is facing a large deficit and other economic and policy issues. ▼