

Vermont Party Platforms Split on Gay Marriage Issue

by Paul Olsen

MONTPELIER -- The politically contentious issue of gay marriage and differing positions on the matter are reflected in the platforms of Vermont's Republican and Democratic parties.

The 1996 Republican Party platform calls for a legislature and Governor that will "protect the traditional Judeo-Christian definition of family." The platform further pledges support for "the federal Defense of Marriage Act so that a relationship between persons of the same sex will not be treated as a marriage under the laws of Vermont and that the word 'marriage' will only mean a legal union between one man and one woman as a husband and wife, and the word 'spouse' refers to a person of the opposite sex who is a husband or wife."

The new anti-gay marriage plank was proposed by Craig Benson of Cambridge. "Within the party there is a range of differences on social issues...I wanted to clarify

the issue for the Party," Benson said when contacted by *OITM*.

While not calling for gay marriage, the 1996 Democratic Party platform supports "individual rights and equality under the law, regardless of race, religion, national origin, gender, age, marital status, health status, sexual orientation, or disability." The platform opposes "any initiative, such as the Defense of Marriage Act, which attempts to deny the full and equal rights of any group of American citizens."

The platform further supports "the State of Vermont's giving full faith and credit to domestic partnership contracts recognized in other states" and "domestic partner benefits for all Americans who would qualify for such benefits through legally recognized domestic partner contracts."

Vermont Democratic Party Deputy Director Lisa Kelley indicated that support for domestic partnerships and opposition to DOMA was passed by majority vote. "Our platform does not oppose or support

gay marriage," she said. "However, the platform opposes the Defense of Marriage Act." Kelley noted that the platform committee was chaired by openly gay Vermont State Auditor Edward Flanagan.

After a recent meeting with representatives from the Vermont Coalition for Lesbian and Gay Rights and the Freedom to Marry Task Force, Governor Howard Dean said that he saw no reason for the Vermont

legislature to consider an anti-marriage bill in the upcoming session.

While the 1996 Republican and Democratic Party platforms reflect the national split over the issue of gay marriage, further divisions most likely exist in the Party ranks. When, or if, the Vermont legislature addresses the issue of gay marriage, the Party platforms will most likely remain only one piece of the political equation. ▼

Election Results

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Gays and lesbians throughout the state wielded a great deal of influence in a number of Democratic re-election campaigns. Early on in the races, Statewide Campaign Coordinator Marty Rouse had worked closely with the gay, lesbian, bisexual, and transgendered communities to assure that their voices were heard on all levels, from the Presidential race on down the list. Local winners such as Jean Ankeney of Chittenden County and Elizabeth Ready from Addison County counted a large number of strong gay and lesbian allies among their campaign workers.

Independent candidate Bernie Sanders also had a strong g/l/b/t contingent at work on his campaign. His coffeehouse-style meeting at Samsara Cafe in Burlington with visiting lesbian activist Torie Osborn was a highlight of the campaign for some of his supporters and symbolized his intent to continue a meaningful dialogue with our various communities.

Not all candidates had cause to celebrate on Election Night, however. David Curtis, an HIV+ candidate for the State Senate, was edged out of his race late in the evening despite a strong show of support throughout Chittenden County. Curtis had received national recognition for his valiant campaign in magazines such as the *Advocate* and *POZ*.

As Howard Dean returns to the Governor's office with newly-elected Democrat Doug Racine as Lieutenant Governor, Vermont's g/l/b/t community looks forward to continuing strong relations through the efforts of VCLGR's liaisons to the government, Keith Goslant and Virginia Renfrew. Democratic majorities in both the state House and Senate also led to Vermont's designation as the "most progressive state in the nation."

That label will most likely be put to the test early in the legislative season as the

state grapples with the question of recognizing same-sex marriages performed in Hawaii (or here in Vermont, if they choose to be *really* progressive about the issue).

On the national level, the return of Bill Clinton to the Presidency provoked mixed reactions within the gay, lesbian, bisexual, and transgendered communities, though it left many with a hopeful optimism based on his established willingness to hear us out on our issues. Exit polls taken across the country showed a sharp decline in self-declared gay and lesbian voters. National groups attribute this statistic to a sense of disappointment over Clinton's record on issues such as gays in the military and the so-called "Defense of Marriage Act."

The Victory Fund reported that nearly three quarters of the openly gay candidates they supported had won their races. Many other gay and lesbian groups such as the Human Rights Campaign Fund were pleased to report that the Radical Right's threats against legislators opposing DOMA (and thereby affirming equal rights to marriage) held little sway with voters, who re-elected a number of incumbents despite their pro-gay voting records.

And though Jesse Helms was returned to the Senate by voters in North Carolina, the eventual unseating of hostile gay-basher Bob Dornan by Latina challenger Loretta Sanchez in a tense down-to-the-last-minute count of votes was greeted with cheers from the queer community.

In remarks following the election, Dornan laid blame for his fall on both the immigrant and g/l/b/t communities, and seemed unwilling and unable to recognize either group as a valid voting contingent. He was quoted in the *Wall Street Journal* as criticizing Sanchez for receiving "more homosexual money than in any race in history, including from a group called 'Lesbians for Motherhood.'" ▼

Lesbian Co-Parent Seeks Visitation Rights After "Divorce"

State Supreme Court Hears Arguments

MONTPELIER -- The Vermont Supreme Court heard oral arguments during early November in a case concerning what happens to the children if their mothers — a lesbian couple — separate.

According to Christine Titchenal, she and Diane Dexter were in a committed relationship for several years and tried to have a child together through donor insemination. When those attempts failed, they adopted a baby, with Diane assuming the role of "adoptive parent."

Vermont law at that time did not permit adoption by two people of the same gender.

Together, the couple raised Sarah from the time she was seven days old, and each acknowledged the other was a mother. The couple separated when Sarah was three and a half. Chris pursued legal action when Diane severely curtailed her visitation with Sarah and it became clear how damaging this was to Sarah.

Although Chris sought a court order requiring Diane to allow visitation, a Superior Court judge ruled the court

was without the power to hear and resolve this kind of dispute. The appeal to the Vermont Supreme Court followed.

Julie Frame of Burlington, Ms. Titchenal's attorney, commented that the case is in large part "a child's rights issue," and that "no parent should be able unilaterally to destroy a child's relationship with the other parent with no redress in the courts."

Mary L. Bonauto, an attorney with Gay & Lesbian Advocates & Defenders (GLAD), which submitted a friend of the court brief in the case, stated that these cases are becoming more and more common. "Here, Chris is being forced to seek legal recognition of her now-dissolved relationship of family because Diane is denying the parent-child relationship of the other mother. This is the classic case of what we have been arguing to the courts for years: that birth, marriage, and adoption are not the sole markers of what constitutes a legal family, and that agreements coupled with an ongoing course of conduct are important evidence of the intent to create a family." ▼

Lesbian Parenting: A Humorous View

by Leah Wittenberg

