

editorial

What's Comfort Got to do With It?

Governor Howard Dean has some thinking to do – and then some apologies to make.

For years, he has refused to state his opinion on the subject of same-sex marriage, saying that it was the business of the court system and not his to influence. Word on the street was that Dean was sympathetic to the cause, but advisors from his administration and the leadership of Vermont's GLBT community had encouraged him to remain silent and let the Court do its job.

It is also common knowledge that Dean likes to shoot from the hip. Put a microphone or a camera in front of him, and the best-laid plans of his coaches, handlers, and advisors can disappear in a puff of sound-byte smoke. Following the Vermont Supreme Court's decision on *Baker vs. Vermont*, Dean finally went public with his feelings, and in the process, he fell victim to the proverbial foot-in-mouth disease.

Many of the most vocal supporters of same-sex marriage have said that they think a domestic partnership bill will be the path of least resistance; Dean's prediction along those lines was no shock.

He didn't stop there, though.

Where was his mind when he said same-sex marriage "makes me uncomfortable, the same as anybody else?" We can only hope that it was merely a poor choice of words under the pressure of the spotlight. Who amongst us hasn't stepped in a big pile of smelly stuff on an occasion when we know there are many eyes and ears paying close attention?

Wasn't this the same man who stood in the well of the Vermont House of Representatives last January waxing eloquent about the state's need for diversity in his inaugural address? Didn't he say, "It is extraordinarily

important that we begin now to set a tone which condemns racism and makes sure that all citizens are equal and accorded the respect they deserve." He sure didn't say anything about comfort then. His message was never, "Do the right thing, when you are comfortable with it."

Now, given the freedom to speak his mind, Dean has told the world – and the world is quoting him everywhere – that neither he nor anyone else is comfortable with the idea of same-sex marriage.

We beg to differ. Certainly Supreme Court Justice Denise Johnson was comfortable with the idea when she wrote, "We should simply enjoin the State from denying marriage licenses to plaintiffs based on sex or sexual orientation." Speaker of the Vermont House Michael Obuchowski has publicly stated his comfort with the issue, as has Lieutenant Governor Doug Racine.

As for the general public, results of a poll commissioned last fall right here in Vermont by the Rutland *Herald* and the *Times Argus* indicated that there are actually nearly as many people who are comfortable with the idea of same-gender marriage as there are who are not.

The "same as anybody else" comment was so obviously a misstep, it really isn't worth belaboring the point further. It could happen to any of us in a pressure situation. The test of leadership here will be Governor Dean's willingness to admit he screwed up and issue a public apology.

The comfort thing is another story.

Since when has any civil rights issue been comfortable? Certainly the slave owners of the antebellum south were comfortable treating other human beings as chattel and animals. Women and men had

different comfort levels when it came to allowing women to vote. Many people were comfortable with the idea of separate but equal when the US Supreme Court handed down its decision in *Plessy v. Ferguson*.

But our society has changed and now wouldn't dream of legislating separate accommodations for different groups of people...or would they?

Cornered on the separate but equal issue, Governor Dean said domestic partnership legislation would be "different but equal." What's the difference? Marriage by any other name isn't marriage, which means it doesn't confer the same status and benefits, which means it will not satisfy the ruling of the Court. It certainly won't smell as sweet.

Among the rights and privileges afforded by legal marriage is cultural understanding of the relationship. When you introduce someone as your wife, it is understood. "This is my domestic partner" just doesn't do it.

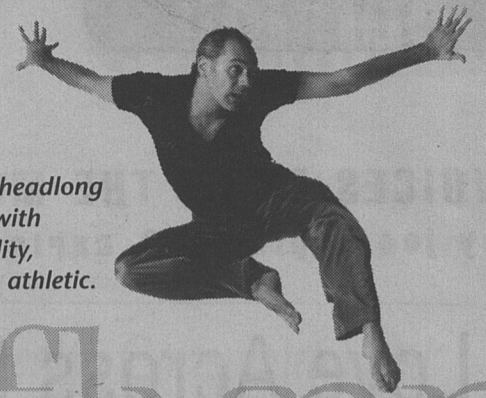
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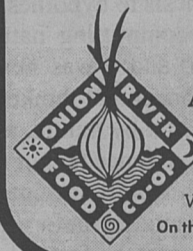
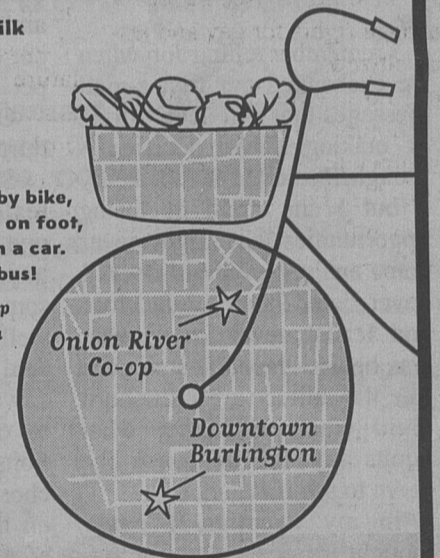
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