

# Toward Equality

BY SUSAN MURRAY AND BETH ROBINSON

The ground continues to shift in the ongoing march toward full equality for gay and lesbian Vermonters, and the legislature needs to hear from you right away. After weeks of compelling testimony, including two nights of public hearings at the Statehouse, the House Judiciary Committee recently began to draft a comprehensive domestic partnership or "civil union" bill to provide legal protections for same-sex couples in Vermont.

The Committee's unanimous decision to draft a strong civil union bill is an enormous victory for gay and lesbian Vermonters. The Committee was under tremendous pressure, not only from the Roman Catholic Bishop but also from some legislators, to ignore the Supreme Court's *Baker v State* decision and instead to amend the Vermont Constitution to prohibit gays and lesbians from marrying, thereby enshrining discrimination into our state constitution. Rather than bow to this pressure, the Committee determined that gays and lesbians are valued members of the community who deserve respect and the protections of the law.

The Committee's decision not to draft a bill to simply include gays and lesbians in the current marriage laws was very disappointing; their decision to avoid amending the marriage laws did not match their powerful and emotional rhetoric in favor of equality for gays and lesbians. Instead, their decision was based on political compromise; many Committee members perceived that there simply are not enough votes in the

House to pass a law to include gay and lesbian couples in the existing marriage laws. Thus, the Committee members voted to propose a more modest bill (i.e., domestic partnership) in the hope of providing some improvement in the legal status of same-sex couples in Vermont.

The Vermont Freedom to Marry Task Force and the Vermont Freedom to Marry Action Committee continue to advocate for genuine equality for same-sex couples through inclusion in the marriage laws. However, recognizing that this Legislature is unwilling to make that happen this session, we will support a strong domestic partnership or "civil union" bill if that bill truly represents a step toward genuine equality. In particular, the legislation must give same-sex partners access to all of the state law rights and responsibilities that flow from civil marriage for heterosexual couples.

However, the bill must not be corrupted by amendments that water down the advance toward equality that it represents. For example, we will not accept a so-called "mini-DOMA" provision or amendment, opponents of equality for same-sex couples are advocating, not because it is legally significant, but because it would be a slap in the face to the gay and lesbian community.

Further, although we support laws providing social and economic supports to a broader range of families, this bill cannot define domestic partners to include not only committed lifetime same-sex partners, but other categories of people such as brothers and sisters, nieces and aunts, and other blood relatives. The bill as it is

currently written tracks the marriage statutes, including provisions for licenses, solemnization (i.e., ceremonies), and divorces upon break up of the relationship. It simply doesn't make sense to include blood relatives in the same category as same-sex partners who are making a commitment to one another as a couple.

Finally, we strongly support the use of term "civil union" as opposed to "domestic partnership" or any other term; "civil union" is an accurate and dignified description of what this new legal status represents.

Because the first six weeks of the legislative debate focused on the choice between domestic partnership and civil marriage, and because our focus during that period was on the ways in which domestic partnership falls short of the goal of genuine equality, many legislators perceive little public support for domestic partnership. Please, call your legislator

right away to let him or her know that you urge the Legislature to take an affirmative step in the direction of genuine equality for same-sex couples this session by passing a strong domestic partnership or "civil union" law. Tell them that you don't want them to pass up this historic opportunity to codify strong legal protections for same-sex couples.

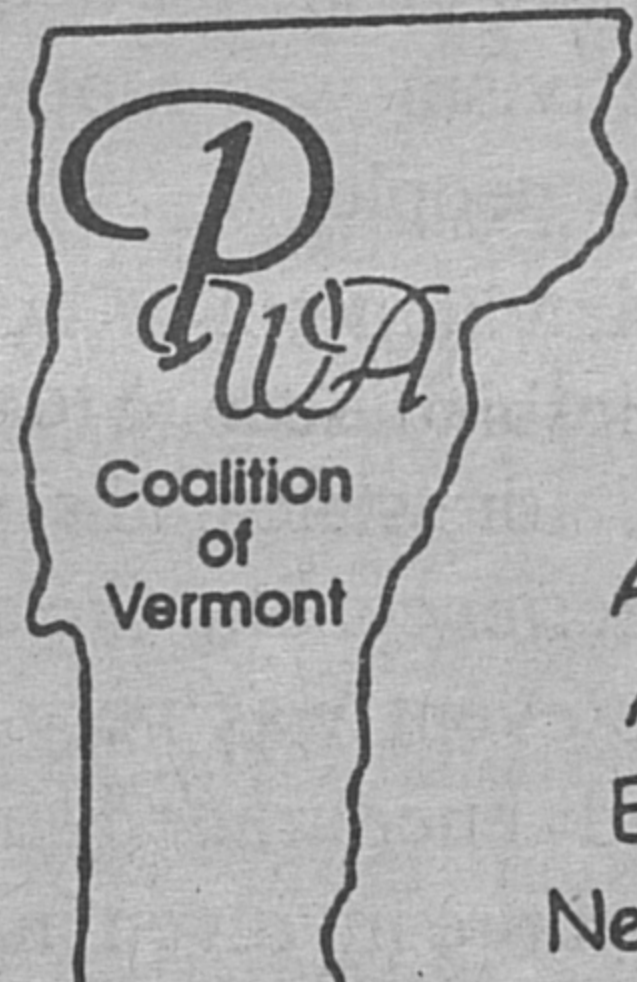
The toll free number to leave a message for your Representatives and Senators is 800-322-5616. You can also fax a letter to them at (802) 828-2424. If you don't know the names of your elected officials, just go to [www.state.vt.us](http://www.state.vt.us) and click on the Legislative Directory.

One other thing: there are going to be polls about this issue at Town Meetings all over the state. It is very important that every person reading this article should attend their Town Meeting on March 7. If your town has a formal vote or poll on the issue, you should be sure to vote, and to make sure your friends do the same. Even if your town is not holding a formal vote, look for a copy of the so-called "Doyle Poll," and

answer the marriage question on the poll. (Sometimes the Doyle poll is hard to find; in one town, it was buried under some coats thrown on top of a card table!). Please, make your voice heard.

We've still got a long way to go before the Legislature adjourns, and certainly a long road ahead even after that. The work is exhausting, and it's tempting to simply retreat to our everyday lives. But we don't often get a chance to be part of history-making, and to make the world a better place in a significant way. Please, don't let this opportunity pass us all by. ▼

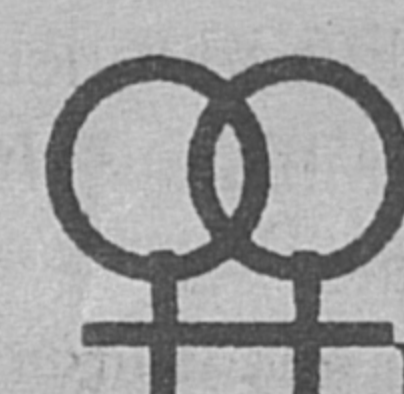
*Susan Murray and Beth Robinson are Chairs of the Vermont Freedom to Marry Action Committee and the Vermont Freedom to Marry Task Force, respectively. For more information about how you can get involved, contact the Vermont Freedom to Marry Task Force and Action Committee at 388-2633, or [coord@vtfreetomarry.org](mailto:coord@vtfreetomarry.org)*



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