



Western PA Freedom to Marry Coalition

Marriage Announcements

June-July, 1997

Volume 2 Issue 3

Final Briefs Filed in Hawaii

Court deluged with *friend-of-the-court* briefs; final pro-marriage brief filed a week early

Lawyers representing 3 Hawaiian same-sex couples filed their final brief before the Hawaiian Supreme Court on May 30, one week ahead of schedule. The state has 15 days to file its final response, but has already asked for a one week delay. After the final briefs are filed, the Hawaiian Supreme Court may ask for more briefs on specific points of law, may request oral arguments before the court, or may issue an opinion based on the briefs already filed.

Hawaii has dropped its focus on children as a compelling reason to ban same-sex marriage. In its opening brief, the Hawaii Attorney General cites tradition, moral values, propagation and recognition of the state's marriage law by other governments as reasons to limit marriage to a man and a woman. It again tells the court that it was wrong in 1993 when it ruled that Hawaii's marriage law discriminates on the basis of sex. In the past, the Hawaii Supreme Court has ruled on each of these claims, and rejected them.

In their brief filed on May 30, Dan Foley, who represents the couples, and Evan Wolfson of Lambda Legal Defense and Education Fund, respond to the states contentions and argue that the state has no compelling interest to limit marriage to opposite-sex couples. One observer who has read the brief calls it "brilliant". A more modest Foley responds, "You'd have to be a lawyer to appreciate it."

Baehr v Miike has generated more friend of the court briefs than any other

case in Hawaii Supreme Court history. Many groups opposed to the marriage of same-sex couples have already filed briefs, while those who support equal civil rights will soon make their case. Groups opposed to the marriage of same-sex couples include: Coral Ridge Ministries Media, Inc., Concerned Women for America, American Family Association Law Center, Specialty Research Associates, Alaskans Opposed to Pro-homosexual Policies, Christian Family Network, Citizens for Community Values, Colorado for Family Values, Equal Rights Not Special Rights, Family First, National Campaign to Protect Marriage, National Association for Research and Therapy for Homosexuality, Rutherford Institute, Stop Promoting Homosexuality America, Traditional Values Coalition, Free Congress Research & Education Foundation, Coalitions for America (Coors Foundation), the Christian Legal Society, Agudath Israel of America, Hawaii's Catholic Conference and the Church of Jesus Christ of Latter Day Saints. Some of the arguments advanced by these groups are:

"Conferring society's blessings upon same-sex unions by according them the legal and social status of marriage would convey an unmistakable imprimatur of acceptability and legitimacy upon the practice of homosexuality." Agudath Israel of America (Orthodox Jewish)

"The virtues of marriage are that it aims to create an exclusive, permanent bond between persons whose sexual ac-

WPaFtMC seeks Volunteers

The Western Pennsylvania Freedom to Marry Coalition has immediate need for volunteers to help with these specific tasks:

Outreach Coordinator: responsible for writing to and following up with community groups and asking them to sign the Marriage Resolution. The National Freedom to Marry Coalition has asked us to contact at least five groups each month to help build grass-roots support for marriage rights.

Pride Volunteers: People to work our table at the Pride Fest on June 21.

Legal Research: research into Pennsylvania and Federal marriage law to prepare for legal cases to defend the marriages of gays and lesbians.

Organizing in Communities of Faith: people are urgently needed to undertake the task of outreach to communities of faith, and bring this vital community into the marriage coalition.

Media contacts: Couples in long-term committed relationships are needed to act as media contacts and to appear at press conferences when Hawaii legalizes marriage for same-sex couples later this year.

If you can help with any of these tasks, please come to our meeting on June 10 or July 8 at 7 PM at the Gay and Lesbian Community Center in Squirrel Hill, call us at 441-0356, or speak with us at the Pride Fest on June 21.

Upcoming Meetings Tuesday June 10 at 7 PM and Tuesday July 8 at 7 PM at the Gay and Lesbian Community Center, Forward Ave., Squirrel Hill.

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Your donation to the Western PA Freedom to Marry Coalition

helps us educate our community about the marriage for same-sex couples! Please help by sending donations to WPaFtMC, PO Box 81253, Pittsburgh PA 15217-4253. Donations are not tax deductible

Name: _____

Address: _____

City: _____, Pennsylvania Zip: _____

Phone: _____

___ Check if you would like more information about volunteer opportunities

Amicus Briefs Filed in Hawaii

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tivity may result in conception and birth.” Independent Women’s Forum

“The traditional family is under assault on many fronts, but none so direct and none so potentially devastating as in this case. The very definition of family is in peril here, a fact which leading homosexual rights activists fully understand, and even apparently advocate.” Church of Jesus Christ of Latter Day Saints

“Thus, our government was not founded to be a law unto itself, but was intended to operate within narrow limits imposed by a higher law of nature and nature’s God. Indeed, the idea of a higher law ‘is profoundly embedded in American constitutional law.’ Furthermore, this new government was not to enact whatever laws were expedient, but only those which conformed to the higher law. Thus, to be consistent with the principles of the Declaration (of In-

dependence)..., Hawaii’s laws must conform to the laws of nature and of nature’s God. A nonconforming law is not legitimately within the power of the state to enact.” Coral Ridge Ministries, et al.

Briefs from groups who support the right to marry for same-sex couples are also being filed. For example, the Madison Society of Hawaii, a multi-denominational group of clergy and laity, argues that the state and others make “no showing of the necessity of vindicating moral values based, for example, on a passage of the Old Testament, rather than moral values that place a premium on equal rights and non-discrimination. For these reasons, (their) argument is unsound and the evidence is wholly lacking.”

By the end of June, we expect the court to have all the briefs from all sides. After that, it is up to the Justices in Hawaii to decide the next step. The Marriage Coalitions believe that it is now only a matter of a few months before gay and lesbian couples will be permitted to legally marry in Hawaii.

THANKS to Duane, and Rebecca and Mary for their contributions to support our newsletter. Thanks to Christine and Michael for speaking at the First Unitarian Church’s round table on marriage rights.

Future Plans

June 10, 7 PM Meeting at GLCC: We will discuss our continued need for volunteers, and short-term tasks we need to accomplish. We will also discuss our plans for Pride.

June 21, 11 AM Pride Parade and Festival. We will meet beginning at 11 AM at Westminster Place in Shadyside, march with the parade to the Festival at Mellon Park, then have an information table. Please march with us and visit us at the Festival.

July 8, 7 PM Meeting at GLCC: We will discuss changing our meeting day and time. We will also discuss the best ways we can support couples who get married in Hawaii, including: should the coalition seek to help couples travel to Hawaii by taking advantage of group discounts? What resources will be needed by couples returning from Hawaii?

July 19, 8 PM Prom, The Irish Centre 6886 Forward Ave., Squirrel Hill. Tickets \$15 in advance, \$17 at the door, \$25 Prom Patrons. Tickets available at A Pleasant Present, Common Grounds Coffeehouse, and St Elmo’s Bookstore. Proceeds benefit G/L/B/T organizations including the marriage coalition.

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