

Church lobbying effective in NJ same-sex marriage debate

Chuck Colbert | Jan. 19, 2010



Steven Goldstein of Garden State Equality addresses a rally in Trenton, N.J., Jan. 7 after the state senate defeated a same-sex marriage bill. (Chuck Colbert)

TRENTON, N.J. -- Even before the final vote tally, backers of a same-sex marriage bill in the New Jersey Senate knew it would fall short, cosponsor Sen. Loretta Weingberg, D-Teaneck, said following the Jan. 7 vote.

The bill needed 21 votes to pass; it garnered only 14, with a lone Republican supporter. Twenty senators voted against the measure, including six Democrats.

Key to the defeat of the measure, opponents and supporters agreed, was the lobbying effort mounted by the Catholic church.

"[The bishops] were critical," said Sen. Raymond J. Lesniak, D-Union, a Catholic and a lead sponsor of the bill. "They defeated it," he added. "The bishops lobbied lawmakers directly, getting people to make phone calls, send e-mails, arrange meetings with legislators. It was the most intensive lobbying by the Catholic church that I have ever seen."

For months the New Jersey bishops and their lobbying arm, the New Jersey Catholic Conference, spoke out against the same-sex marriage legislation — from the pulpit, in press releases, in statehouse testimony, and through more than 150,000 signatories on a petition against the measure.

The bishops also designated Sunday, Nov. 29, 2009, as a "day of prayer for the vocation and sacrament of marriage," saying that "society faces serious challenges" from proposed same-sex marriage legislation "that would change the definition of marriage as a union of one man and one woman."

But the battle is not yet over, as gay marriage advocates vowed to fight on in state court.

"We're not waiting out the term of any new administration to bring equality to same-sex couples," Steven Goldstein, chairperson of the pro-gay marriage advocacy group Garden State Equality, told reporters following the vote. Goldstein was referring to incoming Republican Gov.-elect Chris Christie, who was to take office Jan. 19. Christie has made clear he opposes same-sex marriage and will "not sign a bill if it came to my desk."

In 2006, the New Jersey Supreme Court ruled unanimously that same-sex couples must be treated equally under the state constitution. Lawmakers enacted civil unions to comply with the court ruling. Supporters of same-sex marriage argue that civil unions fall far short of the court's requirement.

"The requirement to ensure equality for same-sex couples, established by the New Jersey Supreme Court in its decision in our marriage lawsuit in 2006 [*Lewis v. Harris*], has not been met," Kevin Cathcart, executive director of the Lambda Legal Defense and Education Fund, a national gay-rights legal advocacy group, said in a statement. "There is enormous, heartbreaking evidence that civil unions are not equal to marriage, and we will be going back to the courts in New Jersey to fight for equality."

But Patrick Brannigan, executive director of the New Jersey Catholic Conference, believes a legal challenge will be unsuccessful. Rather, he said, the civil unions statute should be properly implemented. "It is a basic principle of public policy that when laws are violated, they should be enforced and penalties imposed," he said.

Meanwhile, same-sex marriage supporters won a victory in December when the District of Columbia City Council passed a same-sex marriage act that makes the nation's capital the first jurisdiction below the Mason-Dixon line to allow same-sex couples to wed. Under the District's home rule charter, however, all laws passed by city council are subject to approval or rejection by the House and Senate. The bill was transmitted to Capitol Hill on Jan. 11 for the required 30-day review period. If Congress does not contest the city's action, the act could take effect March 2, according to the Human Rights Campaign, the nation's largest gay-rights advocacy organization.

In San Francisco, a federal court begun hearing evidence on the issue of whether California's Proposition 8 banning same-sex marriages violates the U.S. Constitution's equal protection provisions. That suit could eventually go before the U.S. Supreme Court.

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