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Hawaii civil unions bill awaits governor's action

by Patrick Downes by Catholic News Service

HONOLULU -- Hawaii Gov. Linda Lingle has until July 6 to sign or veto a bill that would permit same-sex couples to receive all the rights and benefits of marriage in Hawaii under the designation "civil union."

The Diocese of Honolulu had joined Hawaii evangelical Protestant churches and others in a vigorous fight against the passage of the bill.

But the bill's last-minute approval by the Hawaii state House of Representatives on April 29, the last day of this year's legislative session, caught its opponents off guard. The bill had been considered dead after the House tabled it by unanimous voice vote Jan. 29.

The state Senate had approved the civil unions bill, HB 444, in January.

Lingle, a Republican, has not yet indicated what she will do. She is required to send the Legislature a list of bills she might veto by June 22; any bills not on that list would automatically become law.

HB 444 would allow homosexual couples to gain a status identical, except in name, to marriage in Hawaii. It would not affect any federal rights or benefits. The law would also allow a heterosexual couple to have a civil union.

Opponents of the bill argued that, because it gives a civil union the same rights and privileges of a marriage, it legally paves the way for same-sex marriage in Hawaii. Opinion polls have consistently shown Hawaii residents to be against same-sex marriage.

The Hawaii Catholic Conference, public policy arm of the Diocese of Honolulu, and Hawaii Family Forum, an organization representing many Hawaii evangelical Protestant churches, worked together in coordinating letter, phone and e-mail campaigns against the bill.

They also organized what they claim was the largest rally ever to gather at the state Capitol, a demonstration of about 15,000 people. Those efforts resulted in the initial tabling of the legislation in January.

They are now urging their congregations to press the governor for a veto. The House -- which passed the measure by a 31-20 vote -- would need 34 votes to override a veto.

In an April 26 letter to state senators and representatives, Bishop Larry Silva of Honolulu prematurely thanked them for not passing HB 444.

He said the so-called "right" to same-sex marriage is "a manufactured claim that should not be allowed to take hold of our society."

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"Other manufactured 'civil rights' will soon follow and lead to a serious dissolution of the common good that binds us all together in a civic community," he said.

The bishop also warned that the bill would lead to the erosion of religious freedom and "would ultimately cast those who hold long-cherished cultural beliefs as people whose ideas are simply anachronistic and dangerous."

Bishop Silva did not issue a statement after the House vote approving the bill.

HB 444 is the latest development in a same-sex marriage battle that started in 1993 when the Hawaii Supreme Court ruled that the state Constitution did not prohibit same-sex marriage.

That decision prompted Hawaii voters in 1998 to pass, with 70 percent in favor, a constitutional amendment that gave state lawmakers the power to define marriage as being between one man and one woman, which the state Legislature subsequently did.

At the same time, as a compromise measure favored by the Catholic diocese, the Legislature also passed a "reciprocal beneficiaries" law that gave some of the rights of married couples to any two people who are in a special relationship but cannot get married. This included same-sex partners, but also blood relations or close friends.

Civil union advocates had argued that the reciprocal beneficiaries law was inadequate.

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