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Yahoo Watch: Jonathan Capehart

Michael Sean Winters | Jul. 9, 2010 Distinctly Catholic

Jonathan Capehart, writing in this morning?s Washington Post [1], argues that the Hawaii state legislature should override Gov. Linda Lingle?s veto of a civil unions bill recently passed, by a large margin, in both chambers of the Hawaii legislature. You can agree or not with his argument. But then he writes this: ?And then Lingle did the unthinkable. She advocated putting the rights of a minority up for a popular vote.? Unthinkable? Is a referendum any more unthinkable than putting those rights before a court or a legislature? Capehart's phrasing rigs the argument, of course. Those who are opposed to same-sex civil unions would argue that what is being put up to a vote is the definition of an institution that predates the existence of the Hawaii legislature by at least a couple of millennia. But, why this distaste for a democratic solution? Capehart essentially argues that the issue should not go before the voters because it doesn?t win before the voters. That is an argument about strategy, not merits.

I am no fan of plebiscites. They have made California?s state government the most dysfunctional in the Union. And, as Capehart points out, making tough decisions is what we elect legislators to do. But, the issue of same-sex unions is, as the Governor said, one that has uniquely touched the body politic. Why not consult the people?

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[1] http://voices.washingtonpost.com/postpartisan/2010/07/override_hawaii_gov_lingles_ve.html