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## All eyes on California's high-stakes gay marriage fight

by Adelle M. Banks by Religion News Service



Pastor Jim Garlow is fasting and praying at his megachurch in La

Mesa, Calif., to encourage fellow California evangelicals to vote for Proposition 8, which would amend the state constitution to ban same-sex marriage.

Jan Garbosky, meanwhile, married her lesbian partner of 20 years on Oct. 4 at their Unitarian Universalist church in San Diego and has been coordinating interfaith clergy phone banks to encourage state residents to vote against the measure and preserve gay marriage in the nation's most populous state.

For both sides in the fight over same-sex marriage, all eyes are on California because what's decided by Golden State voters on Nov. 4 could have ripple effects from coast to coast.

As the theme of an upcoming 12-hour anti-gay marriage rally in San Diego bills it, "As California goes, so goes the nation."

The high-stakes battle pits traditionalists who consider marriage to be for heterosexuals only against gays and their supporters who see gay marriage as a key civil rights struggle. And it raises political concerns stemming from other 4-3 court rulings -- in Massachusetts in 2004 and in Connecticut on Oct. 10 -- that permitted gay marriage.

"Should this kind of issue be decided by courts or should it be decided by the vote of the people?" asked David Popenoe, co-director of the National Marriage Project at Rutgers University in New Jersey.

"That's especially of concern because where it's been decided by courts, it's been by one vote. ... On the other hand, the courts take the position that this is not the kind of issue that ... should be decided by popular vote any more than slavery would have been."

California voters already decided, in a 2000 referendum, to limit marriage to one man and one woman. But in May, the state supreme court said that vote discriminated against same-sex couples and was unconstitutional.

Proposition 8 would overturn that ruling and amend the state constitution to define marriage as between one man and one woman only. It's the first time that voters would have the chance to overrule, or sustain, a state supreme court decision that allows gay marriage.

State constitutional amendments effectively banning same-sex marriage are on the November ballot in Arizona, which defeated a ban in 2004, and in Florida, where a 60-percent majority is needed for passage.

While opponents of Proposition 8 speak mostly of the importance of securing marriage rights for gay and lesbian couples, supporters say larger issues are at stake on Election Day.

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At a satellite simulcast rally hosted by Garlow's church on Sunday (Oct. 19) and downlinked to 170 church auditoriums across the state, speakers cited instances where people have been arrested or fined because of their views on homosexuality. The program featured a Swedish pastor who was sentenced to a month in prison for a sermon that was critical of homosexuality, a New Mexico photographer who was fined for not shooting a lesbian wedding and the father of a Massachusetts kindergartner who was arrested when he protested his child being taught about homosexuality in a public school.

"When same-sex marriage is legal, they (gay marriage supporters) become indescribably intolerant towards anybody who has a different view," Garlow said.

Garbosky, a retired educator who says parents in the state have the option to remove their children from family- and sex-related education, thinks people should focus on what's happening in California, not elsewhere.

"Proposition 8 is not about schools," she said. "It is not about ministers. It's not about churches. It's about taking away rights from a group of people."

The battle on both sides has already attracted millions of dollars from across the country. The Protect Marriage Coalition has raised more than \$25 million, including a \$1 million contribution from the Knights of Columbus. The No on 8 Campaign has raised at least \$20 million.

"We are concerned that the consequences of same-gender marriage, which are difficult to predict with exactness, will be unhappy ones," said Elder L. Whitney Clayton, who supervises Mormons on the West Coast and urged Mormons across California to make calls supporting the proposition.

Some atheists who've objected to the strong stance of Mormons and other religious groups in favor of the

measure intend to protest in front of the Mormon temple in Oakland, Calif., on Saturday.

Episcopal Bishop Mark Andrus of San Francisco said supporters of the amendment are using fear as a tactic for their cause.

"A lot of these arguments that are being forwarded for Proposition 8 are what would be called fearmongering," he said Monday at a news conference convened by the National Gay and Lesbian Task Force. "What's going to happen in your schools? What's going to happen for these photographers? ... I trust Californians. I don't think that they are going to succumb to fearmongering."

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