

Referendum could dispute Maryland's new same-sex marriage law

Jerry Filteau | Feb. 27, 2012



Alexander McKay of the American Society for the Defense of Tradition, Family and Property sings during a rally protesting Gov. Martin J. O'Malley's stance on same-sex marriage in Annapolis, Md., Jan. 30. (CNS photo/Peter Lockley)

ANNAPOLIS, Md. -- Maryland effectively became the eighth U.S. state to approve same-sex marriage Feb. 23, when the state Senate approved the measure 25-22.

The House of Delegates approved the bill the previous week. Maryland Gov. Martin O'Malley, a Democrat and Catholic, who previously announced his intention to sign the bill into law, is slated to do so Thursday.

Opponents, however, are expected to gather the almost 56,000 signatures needed to put the issue to a statewide referendum in November.

In a state that in most of its political districts -- and in most years statewide -- is overwhelmingly Democratic, chief opposition to the measure came from minority Republicans, the Catholic church and, perhaps most notably in terms of state demographics, from evangelical black Protestant churches.

The Washington Post described the passage of the bill as a major challenge to the Obama administration in the upcoming presidential election.

Obama has expressed support for gay civil unions but not yet embraced same-sex marriage, though he has described his position on those issues as "evolving."

A same-sex marriage referendum in Maryland in November, however, will confront him with pressure on one side from gay activists demanding that he endorse the Maryland legislation and on the other side from a potential coalition of Democratically leaning religious and other moderates and independents whose votes may depend on his public opposition to the new law, or at least neutrality on it.

All these are potential turning points not in Maryland itself -- where Obama is expected to win this fall in any case -- but in other states, where the Democratic president's stance on same-sex marriage could be a decisive factor for many swing voters, including many politically moderate to liberal Catholics who might accept his support for same-sex civil unions but not for calling those unions marriages.

In a statement Feb. 23, the Maryland Catholic Conference said, "By the narrowest of margins, legislation to redefine marriage was forced through the House with extraordinary political pressures and legislative maneuvers. The Maryland Senate has now rushed through deliberations on the bill in a mere 48 hours. Despite the momentous impact that redefining marriage will have on our society, despite grave concerns about the bill's ambiguous and limited religious freedom protections, the Senate regrettably voted in favor of the legislation this evening.

"Stripping marriage of its unique connection to parenthood erases from civil law the right of a child to a mother and father, and ignores an essential question of why government favors marriage between one man and one woman over all other relationships," the conference statement added. "That right was consistently ignored by proponents of the bill to redefine marriage, in favor of the claim that we must redefine marriage in order to provide legal protections to any two people who love each other. There are many ways to provide such protections; redefining marriage is not one of them."

The Maryland Catholic Conference is formed by the bishops whose jurisdictions cover parts of the state: the Archdiocese of Baltimore, the first diocese and archdiocese in the United States, which covers most of the state; the Archdiocese of Washington, which includes six Maryland counties in the Washington suburbs and southern Maryland; and the Diocese of Wilmington, Del., which includes Maryland's Eastern Shore, the part of the state that lies between the Chesapeake Bay and the Atlantic Ocean.

While the Catholic conference opposed the legislation, Loreto Sr. Jeannine Gramick testified in favor of it. Gramick, a nationally known figure who has been engaged in gay and lesbian ministry for more than 40 years, said recent surveys show that a majority of U.S. Catholics "favor legal marriage for same-sex couples."

Also testifying on behalf of the bill was Francis DeBernardo, executive director of New Ways Ministry, an unofficial Catholic ministry to gays and lesbians nationwide.

"Marriage equality for gay and lesbian couples is, in the end, about honoring the love and commitment shared between two people and supporting their families," he said.

[Jerry Filteau is *NCR*'s Washington correspondent.]

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