



Activists process dual legal losses on marriage equality

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Although the fight for marriage equality was dealt two massive blows Thursday when both New York's and Georgia's highest courts voted against same-sex marriage, gay-rights activists are still optimistic that momentum is on their side. They said that despite the legal losses, there are more battles to be fought both in the courts and the legislative arena.

"This is something that is going to work itself out over the next 10 or 15 years, ultimately through the U.S. Supreme Court or an act of Congress," Matt Foreman, executive director of the National Gay and Lesbian Task Force, told the Associated Press. He conceded that the New York court of appeals decision upholding the exclusion of same-sex couples from marriage rights was particularly painful.

"It's hard to read the decision as anything other than a rebuff of gay and lesbian couples," Ohio State University law professor Marc Spindelman, who studies LGBT legal issues, told AP. "Clearly, in bringing the case and pushing it as hard as they did, it's pretty good evidence that they thought they had a substantial chance of victory."

Less certain were the chances for victory in Georgia, but the state supreme court's unanimous ruling that a constitutional ban on same-sex marriage did not violate the single-subject rule governing such ballot measures was still something of a surprise. Earlier this year a lower court had ruled that the ban, approved by voters in 2004, did violate the single-subject proviso because it encompassed both same-sex marriage and civil unions.

Other same-sex marriage cases are currently pending in the highest courts in both Washington state and New Jersey, but back in New York, activists are now hoping to pass a bill in the state legislature that would legalize same-sex marriage. The state's Democratic attorney general and gubernatorial candidate, Eliot Spitzer, is currently leading in the polls and has said he would work to create such legislation if elected governor this fall, and New York City mayor Michael Bloomberg is an ally also. (*The Advocate*)