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## New Jersey gives OK to civil unions, not marriage

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By Ellen Barry

**NEW YORK** - Ordered by the state Supreme Court to allow gay marriage or create a legal equivalent, New Jersey lawmakers on Thursday chose to allow civil unions, making New Jersey the third state to do so.

Vermont and Connecticut allow civil unions, which include all the legal rights of marriage. Massachusetts is the only state that allows gay couples to marry.

Seven weeks ago, New Jersey's Supreme Court ruled by a 4 to 3 margin that gay couples are constitutionally guaranteed the benefits of marriage. But the majority ruling left it to legislators to resolve the thorny question of whether to call their unions "marriage," reasoning that "the great engine for social change in this country has always been the democratic process."

The ruling gave legislators six months to resolve the matter.

The bill was hurried through the process in 10 days, giving marriage advocates little ability to argue their case, said Lambda Legal Defense Fund attorney David Buckel.

"The irony is that the court referred this matter to the legislature because it did not want to short-circuit the democratic process," he said. "The legislature is doing just that."

Others saw Thursday's vote as a victory for gay rights. By guaranteeing same-sex couples rights equivalent to marriage, lawmakers "have told the world that marriage no longer matters," said Robert Knight of the Media Research Center, who opposes gay marriage. "This is a social wrecking ball."

Steven Goldstein, chair of Garden State Equality, said he was "jubilant for the future," because so many elected officials had committed to press for marriage rights later. A marriage equality law would expand the legal definition of marriage to include same-sex couples.

"Mark my words, New Jersey will see the marriage equality law passed by this legislature within the next year or two," he said.

In the days after the New Jersey Supreme Court's long-awaited ruling, one thing became clear: Voters in New Jersey were at ease with the notion of civil unions. A Quinnipiac University poll taken in early December found that 60 percent of respondents supported civil unions, and 35 percent opposed them. Asked whether gays should be able to marry, 50 percent said no, while 44 percent said yes.

There was little backing for a constitutional ban on gay marriage. Fifty-eight percent of voters opposed that idea; 37 percent supported it.

"We need to take a deep breath and a hard look at political reality at this point in time in New Jersey," wrote Democratic state Sen. Loretta Weinberg, who sponsored the civil union bill, in an editorial last week in the Record in Bergen County.

"I have no doubt personally that we eventually will have gay marriages in New Jersey without any word symbols to diminish the beauty of two committed people of the same sex who love each

other," she continued. "It would be wrong to delay providing the needed rights of marriage that will come with enactment of this legislation because of a dispute over words."

**Matt Foreman, executive director of the Washington, D.C.-based National Gay and Lesbian Task Force, said he was greatly encouraged by New Jersey's embrace of civil unions. Six years ago, when Vermont legislators passed a similar bill, it was only after a debate "that took months and nearly tore the state apart," he said.**

**"What I think is remarkable is that civil unions is now widely seen by almost everyone as a fallback position, not a huge leap forward," he said.**

The civil unions bill passed the state Assembly by 59-19 and the state Senate by a vote of 23-12. Corzine has said he will sign it. The law will create a 13-member Civil Union Review Commission, which will study how well the unions work, evaluate similar statutes in other states, and make changes to improve the law.

Legal challenges by gay couples seeking to marry are still pending in Maryland, Connecticut and California. Twenty-six states have sought to pre-empt rulings by explicitly banning the practice in their constitutions. Supreme Courts in Washington and New York last July upheld state laws limiting marriage to one man and one woman.