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## Changing hearts, minds: Gay community reaches out as marriage ruling nears

By MARY STEGMEIR, Courier Staff Writer

WATERLOO --- This summer, Cynthia Goatley brought home a special souvenir from her trip out West --- a marriage license.

The Waterloo woman, along with her partner, Rebecca Burkhardt, were one of roughly 18,000 same-sex couples to legally wed in California before a ballot initiative banned the practice in November. The measure put the legality of the Cedar Valley couple's union in limbo, and took an emotional toll on the two women. Still, Goatley cherishes the memory of their ceremony.

"I never thought I would be able to get married," said Goatley, a theater professor at the University of Northern Iowa. "It didn't become real until I was actually in San Francisco, getting dressed and getting flowers ? I was as happy as any person getting married could be."

Depending on the outcome of a state Supreme Court case, more same-sex couples in Iowa may soon get the chance to have their unions sanctioned by the state. Justices heard oral arguments in *Varnum v. Brien* in December. The court is weighing whether the state's 10-year-old law defining a "valid" marriage as only "between a male and female" violates the equal treatment and due process clauses of the Iowa Constitution.

A decision is expected by the end of the year.

But gays and their allies across the state are not idly awaiting the court's ruling. Advocacy groups like One Iowa are reaching out to their neighbors through forums, phone calls and house parties. No matter what the court decides, activists hope to use the next few months to bolster support for their cause. Even if the case prevails, same-sex marriage proponents know the ruling can be challenged through legislative action.

"We really think that it's going to be important, no matter how the court rules, to have people around the state speak up in support of marriage equality," said Justin Uebelhor, communications director of the Des Moines-based One Iowa. "We saw what happened in California --- the court ruled in favor of marriage equality and then Proposition 8 overturned that ruling. We don't want to see the same thing happen here."

Hot-button issue

When Uebelhor talks about *Varnum v. Brien*, he tends to sound a bit wonkish. He has memorized the details of the case, including the arguments from both sides, and even has studied previous legal actions that might play a role in the justices' decision.

Nonetheless, he knows his message comes across most clearly when he talks about people, not precedents. Accordingly, One Iowa has built its educational campaign around the stories of committed couples. Gay and lesbian partners take center stage at the group's community forums, and the agency has produced a short documentary highlighting a handful of Iowa's more than 5,800 same-sex couples.

"I've talked to gay and lesbian people across the state who have been together for decades," Uebelhor said. "They are doing the same hard work of building strong families that other couples are doing. Many of them have kids, and they deserve to have equal protections like everybody else."

Individuals in same-sex unions, unlike their heterosexual counterparts, cannot file joint tax returns, make medical decisions for their partner, or file for step-parent or joint adoption rights. In 2004, Massachusetts became the first state in the union to bestow full marriage rights to same-sex couples, followed by California

last year. Connecticut, New Hampshire, New Jersey and Vermont allow civil unions. Domestic partnerships have been approved in Hawaii, Maine, Oregon, Washington, Maryland and the District of Columbia.

Still, same-sex marriage remains a hot-button issue, eliciting legal and moral arguments from activists on both ends of the spectrum. While marriage equality advocates claim current laws limit the rights of gay, lesbian, bisexual and transgender people, opponents decry what they see as an attempt to legislate through the judiciary system. Other common arguments against same-sex marriage are that it would weaken the nuclear family, harm children and open the door for other unions, such as group marriage. Both sides have cited Biblical passages that support their positions.

"Traditional marriage is the bedrock of society," said Norm Pawlewski, lobbyist for the Iowa Christian Alliance. "To change it after 5,000 years would be ridiculous when there's no basis for change. Marriage between a man and a woman, for the purpose of creating a family and raising up children that will be moral, law-abiding citizens of the country, that's what it's all about."

In fact, most Americans --- 55 percent --- oppose same-sex marriages, according to a 2007 survey by the Pew Forum on Religion & Public Life. And since gay marriage first sparked national debate in the 1990s, the federal government and 41 states, including Iowa, have passed laws defining marriage solely as a union between a woman and a man.

Spurring social change

All the same, Iowa gay rights proponents are cautiously optimistic that the court will rule in their favor. They compare the issue to *Loving v. Virginia*, a 1967 U.S. Supreme Court case that invalidated a law banning interracial marriage on the grounds that the 14th Amendment's due process clause guarantees a fundamental right to marry.

"The arguments on both sides are strikingly similar to the *Loving* case," said Ruth Chananie-Hill, an assistant sociology professor at the University of Northern Iowa. "In the interracial case, they weren't talking about sex or gender, but advocates will take on a similar argument that the Constitution is saying that America was meant to be a place where everyone is free to live their life and love who they wish."

Most U.S. citizens were opposed interracial marriage at the time of the landmark *Loving* case, said Chananie-Hill, who has studied civil rights movements.

"Sometimes, social change can follow legal change," she said.

Marriage equality isn't the last fight in the GLBT battle for civil rights, but many gays agree that it is one of the most crucial. Stereotypes and discrimination won't disappear overnight, but state recognition of same-sex marriages will validate the unions of committed life-partners, they say.

Until that time, gay and lesbian couples like Goatley and Burkhardt strive to show others that their relationship is just as full, functional (and, at times, frustrating) as heterosexual unions.

"People are very afraid that if our marriage were to be recognized, it means that something would be taken away from their marriage," Goatley said. "That's not the case, but the only way to make that visible is to meet people, to talk to them and to continue to work on these issues."

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