

**From legal rights
to EQUAL rights**



Frequently Asked Questions about the Marriage Equality Bill

1. What would this bill do?

The bill would eliminate discrimination against gay and lesbian couples in Vermont's marriage laws, while protecting the right of clergy and religious organizations to refuse to perform same-sex marriages contrary to their faith.

2. Why are you pressing for civil marriage when you already have civil unions?

The civil union law was an important step forward. It was also a compromise. We knew at the time it passed that it left us short of recognizing all Vermonters as fully equal. VFMTF is determined to continue the march toward full marriage equality for several reasons.

First, legal marriage is important. A marriage license isn't just a piece of paper; to many people, both gay and straight, it represents full inclusion among Vermont families. Under existing law, gay and lesbian couples can't be legally married no matter how long they've been together, no matter how committed they are, and no matter how much they value and want to participate in the institution of civil marriage.

Second, it's a matter of civil rights. The civil union law was an important step, but it still left Vermont in the untenable position of endorsing legalized separation of its gay and lesbian citizens. Gay and lesbian Vermonters work hard at our jobs, strive to contribute to our communities, and struggle with the same challenges as our heterosexual neighbors. We deserve the same legal rights. Our marriage laws are the only remaining place in Vermont where official discrimination against gay people is sanctioned. That kind of exclusion sends an unacceptable message to every Vermonter. In short, we don't need separate lines at our town clerk's office."

Third, even gay couples joined in civil union are far more legally vulnerable than married, heterosexual couples. Until we can marry, in Vermont and every other state, and until the federal government recognizes our marriages, our families will be less secure, and will face greater obstacles. Financially interdependent gay couples still cannot rely on social security survivor benefits; federal tax law protections that apply to married couples are still out of reach for same-sex couples in Vermont; and long term binational gay couples still cannot access the protections federal immigration law provides to married heterosexual couples. An end to discrimination in marriage in Vermont is an essential step toward genuinely equal security for our families.

3. What impact would the bill have on the civil union law?

The bill is focused solely on ending discrimination in Vermont's marriage laws and protecting religious freedom. It does not address the civil union law, and does not seek any changes in that law. The impact of marriage equality on the civil union law is another question for another day.

4. Is there a concern that the bill will generate a political backlash?

The politics of this issue are with us, not against us. To our north, Canada has eliminated discrimination in marriage. To our south, Massachusetts has eliminated discrimination in marriage. Most Vermonters support legal marriage for gay and lesbian couples, or are leaning that way.

That's not surprising. The compromise civil union law has been in place nearly five years. The sky hasn't fallen, nobody's been hurt, some families are a little better off, and the vast majority of Vermonters have overcome their concerns about recognizing gay relationships. Vermont is ready to take the next step to genuine marriage equality for same-sex couples.

Plus, this bill will appeal to fair-minded Vermonters because it strives to balance competing concerns. On the one hand, it makes it clear that clergy and religious communities can apply their own rules in deciding what marriages to sanctify, while also making it clear that in issuing civil marriage licenses, the State of Vermont will not discriminate.

5. Would same-sex marriages in Vermont be recognized by the federal government?

Probably not right away, but it's a question of when, not whether. Vermont can't make the federal government stop discriminating tomorrow. What we can do is make sure that we're not an accomplice to the federal discrimination because our own laws separate gay and straight people; and we can make a clear statement that Vermont does not endorse discrimination against families formed by gay and lesbian citizens. We can do our part to help build a national consensus in favor of full and genuine equality

7. What are VFMTF's plans in connection with this bill?

We expect to advocate for action on the bill in 2007. In the meantime, we're continuing to organize and to connect with our fellow Vermonters throughout the state. We've learned that as heterosexual Vermonters get to know their gay and lesbian neighbors and our families, they come to appreciate that we work hard at our jobs, struggle with many of the same challenges they face, and strive to nurture our families and contribute to our communities.

8. How does this fit into the national debate about gay marriage?

Vermont isn't alone. Gay and lesbian citizens are everywhere, and our families need the law's protections throughout the world. Massachusetts has eliminated discrimination in marriage. A Maryland court ruled that marriage discrimination is unconstitutional. Courts in several other states are considering the constitutionality of discrimination in marriage. Gay couples can marry in countries around the world, including Canada and Spain. And the California legislature passed a marriage equality bill in September, 2005—although Governor Schwarzenegger vetoed it. The same conversations we're having in Vermont are playing out in states throughout this country.

Vermont has something valuable to contribute to this growing national dialogue. Our state has long been a leader in matters of civil rights. When we passed the then-groundbreaking civil union law, we showed our fellow Americans that recognizing gay couples, and providing them some legal protections, doesn't cause the sky to fall. To the contrary, some families are better off than they were, and nobody's lost anything. We can join Massachusetts in demonstrating, by example, that affording full civil rights to gay citizens and our families makes our communities stronger, and hurts no one.

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