



Hawaii: It's a go!

Judge Chang's decision blazes ahead down the aisle toward same-sex matrimony, while some Oregon couples went ahead this year and tied the knot in their own, not yet legal, way

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Larry Whitson and Patrick Alexander were wed on New Year's Eve 1995

It's history in the making, pure and simple. "This decision is the first major step toward recognizing that it's fundamentally unfair to exclude lesbians and gay men from marriage," says Matt Coles, director of the American Civil Liberties Union's Lesbian and Gay Rights Project.

Coles, of course, is referring to Hawaii Circuit

Judge Kevin Chang's Dec. 3 ruling that the state's denial of marriage licenses to same-sex couples violates Hawaii's constitution.

In that landmark ruling, the judge issued an injunction prohibiting the state Department of Health, which regulates marriage licenses, from denying licenses to couples simply because they are of the same gender.

Chang ruled that the ban violated the state constitution's equal protection clause.

The ruling is not expected to take immediate effect because attorneys for the State of Hawaii quickly sought a stay pending their state Supreme Court appeal, which could take most of next year.

During a trial in September, the state attempted to convince Chang that it had sufficient reason to

deny marriage licenses to one gay and two lesbian couples in 1990. The couples in turn sued the state, claiming sex discrimination and a violation of the state's guarantee of equal protection.

In May 1993, the state Supreme Court agreed, and declared as unconstitutional the state's refusal to issue marriage licenses to same-sex couples. It ordered Hawaii to show a compelling

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