

# LOUISIANA AND THE REFERENDUM DOMINOS

Several other states to vote on same-sex marriage bans this fall by Bob Roehr

Louisiana voters went to the polls Sept. 18 and by 78 percent to 22 percent opted to amend their state constitution to prohibit same-sex marriage.

Gay and lesbian leaders acknowledged that similar measures on the November ballot likely will pass in 11 other states, but a handful of states look less grim than others. They discussed those plans with reporters in a Sept. 19 teleconference arranged by the National Gay and Lesbian Task Force.

"All across the country, our community is very much the underdog," said Matt Foreman, executive director of NGLTF. "In every one of those instances, we are the underdog in terms of people and resources. We believe strongly that if we have the time and the resources to talk to people about this issue that we could win these."

Louisianan Tim Hornback, executive director of the Forum for Equality PAC and Foundation, said: "We're in the Deep South, the Bible Belt. Once you step out of New Orleans, things become rapidly different."

He acknowledged: "We took it on the chin and we lost, but we also won. We have a stronger infrastructure now. We now have groups throughout the state" where none existed before.

The pro-gay forces in Louisiana ran their campaign on less than \$50,000, which Foreman called "not even a drop in the bucket." Most of that money funded legal moves that tried to keep the measure off the ballot.

Louisiana law says that a constitutional

amendment can only address a single issue, and opponents have argued that the measure that passed addressed two issues and therefore should be declared void. That lawsuit will be filed shortly.

Foreman said the state amendments are being pushed by social conservatives as a way to turn out the vote to support their candidates.

"By that measure they failed" in Louisiana, he argued. "This hot-button issue did not turn out the electorate in the way they thought."

Only 28 percent of registered voters showed up at the polls, compared with 49.5 percent last year, when more issues and contested races were on the ballot.

Dave Fleischer, NGLTF's director of organizing and training, said Louisiana and the earlier losing battle in Missouri "tell us where we start on the issue of same-sex marriage with the American public. But they don't tell us where we are going to finish" if the queer community runs strong campaigns to change those attitudes, he said.

"It is clear that a majority of states are going to vote on this issue by 2007. This is really the first national referendum our country has ever had on any issue," Fleischer said. "Turning back even one of these anti-gay ballot measures illustrates our potential to change hearts and minds and votes on this issue."

He cautioned against relying exclusively on the courts on this issue. Historically, the courts do not like to get too far ahead of public opinion as reflected at the ballot box. The community must show at least some popular support for same-sex marriage.

Oregon is shaping up as the strongest hope to defeat an anti-gay amendment. Aisling Coghlan, manager of the No on Constitutional Amendment 36 campaign, said Oregon is different because "we have fought four anti-gay ballot measures" dating from 1988.



Aisling Coghlan, manager of the No on 36 campaign, cites Oregon's history of defeating anti-gay ballot measures

The community lost that first fight but came back to win the subsequent battles.

That first campaign "really started a conversation with Oregon voters about GLBT issues," Coghlan said. The three later victories demonstrated that Oregon voters "don't want to treat gay and lesbian Oregonians unequally."

She is especially optimistic because of the legacy of 16,000 donors and more than 5,000 volunteers from the earlier struggles. The campaign has raised \$1.3 million so far and began broadcasting commercials in September. But the key to it all is one-on-one conversations with voters about what the constitutional amendment means.

Kentucky, which is facing its first statewide campaign on a gay issue, falls between the two extremes in terms of its resources and organization. Sarah Reece, No on the Amendment campaign manager, said the language "forever bans access to legal recognition to all unmarried partners, both straight and gay. When folks find

out how far-reaching part two of this amendment is, they are planning to overwhelmingly stand with us and vote no in November."

The trick is to reach enough voters to explain this. The emphasis is on walking door to door in eight communities.

Earlier campaigns to try to block anti-gay marriage efforts in Hawaii, California and the U.S. Congress often avoided even using the words "gay" or "marriage," choosing instead to talk about fairness and not amending constitutions.

"That is not persuasive to voters," Fleischer said. "Our fear in dealing with the issue in a direct way was obvious. We were not even engaging in a conversation with voters."

Foreman said that earlier messages were developed from the summation of a long process with focus groups. "But we really haven't had the resources to go through the different levels" of grappling with the complex issues surrounding same-sex marriage with the larger public.

The Oregon campaign is taking at least a half-step away from this toward greater honesty, and an even larger step with greater resources.

"One of the components is asking people to take a look at marriage and appreciate that it is not as simple as people think. Not allowing people to marry causes real harm to real families," Fleischer explained.

He said that Michigan offers potentially fertile political ground to defeat its amendment but that the sheer size of the state means it would require three times the financial and volunteer resources as Oregon. That practical concern makes it a lower priority for national resources.

Utah offers another surprising ray of hope. The three candidates for state attorney general have come out against its amendment because

of flaws in the language that make it overly broad. And the Mormon Church, a dominant force in the state, has so far kept quiet on the issue. Local organizing is proceeding.

Foreman urged the community to "define our own victories and not have victory defined solely at the ballot box." That means using the state campaigns to better organize the community, build alliances and educate the broader public.

"That is victory, and we should not minimize those victories," he said. □

BOB ROEHR is a free-lance reporter based in Washington, D.C.



Matt Foreman, executive director of the National Gay and Lesbian Task Force, says more pro-gay campaigns could be won if more money was available

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—Matt Foreman

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