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Wednesday, March 3, 2004

Give gays equal rights

We believe there is no sound legal reason for the government to prohibit gay couples from having the same rights and liberties as straight couples.

They must be given equal protection under the law. Allowing them to marry should be part of that protection.

For a moment in time, New Paltz has become a focal point of the gay rights debate -- with village Mayor Jason West performing these marriages.

Whether West has gone about this the right way will be up to the courts to decide. On Tuesday, he was charged with solemnizing marriages without a license, a misdemeanor, and could face jail time for his actions.

But it's clear that, one by one, the couples seeking marriage in New Paltz and also in San Francisco are making the case for change. The rights they seek run the gamut from deciding medical care for each other when one is incapacitated to making it easier for them to share property.

West seems prepared to answer the charges against him. But the mayor isn't as prepared to deal with some of the other ramifications of his decision -- the disruption to the small village, the impact on police and traffic control. In his zeal to perform these marriages, the mayor is in danger of losing sight of his primary responsibility: governing the Village of New Paltz.

A larger discussion takes place

The larger matter about gay rights is properly being debated in state houses, the courts and private homes throughout the country. New Paltz is now part of that national discussion. The position taken by

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many religious groups regarding same-sex marriages should be part of the debate. Their right to speak out also must be protected.

Massachusetts is under a court mandate to begin issuing licenses to gay couples. And, in the past two weeks, more than 3,000 gay couples have been married in San Francisco by Mayor Gavin Newsom. West followed suit, officiating at the marriage ceremonies of 25 same-sex couples last week.

Marriage is a serious commitment -- and gay couples shouldn't rush to New Paltz or San Francisco just because there may be a window of opportunity to do so. These couples also should realize the courts may deem their marriages illegal.

Still, it should be noted that some of those married in New Paltz last week have been partners for decades. Some drove from other states just to take part in the ceremonies, knowing they would be greeted by some protests.

Some opponents to gay marriages use the "slippery slope" argument -- that is, if you legalize same-sex unions, polygamy will be next. But that ignores the fact that marriages serve, in part, to affirm monogamy.

There is an understandable uneasiness about this issue. For centuries, it was understood that marriage meant a union between a man and a woman. But every generation of Americans is responsible for reviewing the individual rights afforded in this country, to see how the Founding Fathers' intent can work in a changing society. At one point, societal enlightenment led to an end of slavery. In another era, women received the right to vote.

Seen through this lens, equality for gay partners cannot be denied. It does, however, face a bumpy road. Aside from the legal challenges, there will be hate-filled words and recriminations by some individuals on both sides of the issue. But the country has weathered many difficult, divisive issues before -- and it will weather this one as well.

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