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Civil Unions: the Way to Go for Gay Nuptials

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"The first bond of society is marriage; the next, children; then the family."

Cicero, the Roman statesman and orator, said that in 78 BC. Whether or not you agree with it, there's no doubt of the statement's historicity: Marriage has been seen as the mortar that bonds civilization together for well over 2,000 years. To tinker with marriage is to tinker with a foundation of life as we know it.

Hence, the passion aroused by the issue of same-sex marriages. While world leaders as disparate as President George W. Bush and Pope John Paul II were speaking out against gay marriage last week, men were marrying men and women were marrying women in British Columbia and Ontario, Canada, and lesbians and gays were legalizing civil unions in New Hampshire. Gays have sued for the right to marry in New Jersey and Massachusetts. It's all happening so fast.

Our feeling is that gays should be entitled to seal their relationships legally and publicly. They should be able to do so via a contract of civil union that guarantees the partners legal rights and is seen as establishing true families. In other words, preserve marriage in its historic sense for the union of one man and one woman, but create virtually the same legal structure for same-sex partners through civil union.

Why? Because the formation of stable, loving family units is a good unto itself. Because gays deprived of a legal relationship are often denied familial benefits, such as the right to visit their dying loved ones in family-only hospital units, or the right to gain custody of their late partner's children, or the right to be covered by their partner's health insurance. Civil unions can provide this important legal underpinning.

Why not call it marriage? Because there's no need to mess with the history and tradition of marriage. And, because marriage is the soundest environment for the rearing of children - who come into this world as a consequence of the union of a man and woman. That's how humankind procreates, and the legalization and celebration of the conjugal union of a man and a woman is entitled to its own word - marriage - and its own status, as it has been for thousands of years.

The Vatican's rhetoric on this issue last week was over the top. Of course, the Roman Catholic Church is within its rights to see same-sex unions as a violation of what it sees as natural law and unacceptable within the church. Not only Catholics but other Christian denominations are struggling with issues raised by the increasing public acceptance and visibility of homosexuality. But the issue here is one of law, not religion.

We doubt that the United States needs any new legislation to "codify" marriage, as President Bush suggested Wednesday. The Defense of Marriage Act already limits marriage to men and women. President Bill Clinton signed it in 1996.

What would be helpful to gays and beneficial to society would be more widespread enactment by states of laws sealing and celebrating civil unions.

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