

Christian Groups Continue to Fight Gay Marriage in D.C.

✖ Traditional marriage supporters in the District of Columbia are challenging a Monday elections board decision that blocks a proposal to let voters decide whether the nation's capital will recognize same-sex marriages performed elsewhere.

Bishop Harry Jackson, chairman of the newly formed Stand 4 Marriage DC Coalition, said attorney Brian Raum, senior legal counsel for the Alliance Defense Fund, will file an appeal Tuesday or Wednesday in D.C. Superior Court challenging the Board of Elections and Ethics decision not to allow a referendum on same-sex marriage.

The referendum is an attempt to overturn a measure the D.C. City Council passed in May to recognize same-sex marriages performed outside Washington.

In its opinion on Monday, the board cited the 1977 Human Rights Act (HRA), which prohibits discrimination based on sexual orientation. The board said city officials would authorize discrimination if they allowed a referendum on same-sex marriage.

"The Referendum's proposers would, in contravention of the [Human Rights Act], strip same-sex couples of the rights and responsibilities of marriage that they were afforded by virtue of entering into valid marriages elsewhere," the board said in its decision. "Because the Referendum would authorize discrimination prohibited by the HRA, it is not a proper subject for referendum, and may not be accepted by the Board."

Jackson, who is also pastor of Hope Christian Church in suburban Maryland, called the ruling "absurd."

"The real human rights issue at stake in this decision is

whether the people of D.C. will be given their right to vote," Jackson said, noting that 30 states have passed constitutional amendments prohibiting gay marriage. "We are not going to sit still for allowing an unelected board of bureaucrats to deny voters their rightful say on this issue and, by their action, allow the institution of marriage to be radically redefined. We will appeal this decision immediately."

Family Research Council President Tony Perkins, who supports Jackson in his campaign to oppose gay marriage in the District, said the decision is "a blow against both community values and self-rule."

"Representative government can't be a one-way street," Perkins said. "If the D.C. City Council has the right to amend or not amend the law, the rights of the people to do so can be no less."

Jackson and other traditional marriage supporters say the D.C. Council bill is a direct challenge to the federal Defense of Marriage Act (DOMA), which protects states from having to recognize same-sex marriages performed elsewhere.

Although the Obama administration on Thursday filed a brief defending DOMA against a same-sex marriage lawsuit, Jackson believes a battle over the statute is imminent.

"Obama didn't allow the case challenging DOMA to be considered ... [because] they have no legal grounds to challenge it legitimately," Jackson said. "All they can do is overturn it by an act of Congress. Since we know that battle is coming, there ought to be [a grass-roots movement] letting [lawmakers] know this is an issue for Christians in 2010."

Unless Congress or the courts intervene, the D.C. bill will become law in early July. D.C. Councilmember David A. Catania also said he plans to introduce a bill this fall to allow same-sex marriages to originate in the District, the *Washington Post* reported.

In May a Republican-led group of lawmakers introduced a bill in the House that aims to define marriage in the District of Columbia as between a man and a woman.

Connecticut, Iowa, Maine, Massachusetts, Vermont and New Hampshire currently allow same-sex marriage. But Jackson said D.C. is “the Armageddon of marriage” because of the precedence gay marriage would set nationally if it became law in the District.

“In any kind of military action, when opposing force takes your capital city it typically is a signal of the end,” Jackson said. “Where we are ... is very concerning.”

Jackson said he believes Christians will win the war over marriage. “But wars have battles and battles sometimes involve setbacks,” he said, “and that’s how I view this initial ruling by the D.C. Board of Elections. But we’re in this for the long haul.”