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1) A Note from Evan Wolfson  
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After a succession of blows, Queen Elizabeth II referred to 1992 as her "annus horribilis."  
I'm just guessing at the Latin for horrible week -- hebdomas horribilis? -- but there is no question we've just had one. Any struggle for social justice goes through good patches and bad patches, and we have certainly now weathered more than our share of adverse (and appalling) court decisions of differing degrees of finality and brands of badness.

Although these decisions were not all related or all equally determinative, there are some common threads, and they hurt, cumulatively and individually.

Amidst all this frustrating and disappointing news in one week, there were a few bright spots that might have escaped your attention for the moment, which we compiled below.

Our turn will come again.

Evan

Follow developments in the movement for marriage equality on our website ([www.freedomtomarry.org](http://www.freedomtomarry.org)), and in future issues of Freedom to Marry's bi-monthly E-Update.

LINKS:

- \* The full text of Evan's note - <http://www.freedomtomarry.org/document.asp?id=4607>

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2) The Bad News  
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NY - In an ill-reasoned 4-2 ruling, the NY Court of Appeals refused to overturn the unconstitutional exclusion of same-sex couples from marriage.  
[http://www.advocate.com/exclusive\\_detail\\_ektid33556.asp](http://www.advocate.com/exclusive_detail_ektid33556.asp)

GA - With a less surprising, though still woefully deficient decision, the state supreme court failed to apply the "single-subject" rule to the anti-gay amendment.  
[http://www.gaycitynews.com/gcn\\_528/islegalanalysisgoing.html](http://www.gaycitynews.com/gcn_528/islegalanalysisgoing.html)

MA - The Supreme Judicial Court declined to block yet another proposed anti-gay amendment from potentially going to a vote, thereby leaving married couples and their kids still exposed to potential attack and uncertainty in their lives.  
<http://www.glad.org/marriage/Schulman/statement.pdf>

CT - In a strikingly ahistorical and willfully obtuse lower court opinion in GLAD's marriage case, the judge held that committed couples excluded from marriage are not harmed because the separate civil union status recently created in CT somehow negates their aspiration to, and claim for equality in, the freedom to marry itself.  
<http://www.lmfct.org/site/PageServer?pagename=kerri-gan>

NY - In Lambda Legal's case of a couple married in Canada and fighting to have their marriage honored back home like any other, a lower court hastily read the Court of Appeals marriage ruling as essentially creating a "gay exception" to any meaningful analysis or application of New York State's tradition and basic rule, acknowledged by Attorney General Spitzer, that the state will honor lawful marriages from elsewhere, even if the couple could not have married in NY.  
[http://www.nytimes.com/2006/07/13/nyregion/13nassau.html?\\_r=1&oref=slogin](http://www.nytimes.com/2006/07/13/nyregion/13nassau.html?_r=1&oref=slogin) |  
<http://www.freedomtomarry.org/document.asp?id=4606>

NE - The federal 8th Circuit appellate court reinstated the sweeping anti-gay state constitutional amendment, reaching beyond the claims made by plaintiffs against their exclusion from the political process and the breadth of the denial of family protections to also opine that the denial of marriage could be "rational" and thus constitutional.  
<http://www.washingtonpost.com/wp-dyn/content/article/2006/07/14/AR2006071401421.html>

TN - Ruling on technical standing grounds in an ACLU challenge, the Tennessee high court declined to enforce the rules regarding the timing of the looming anti-gay ballot measure, allowing the vote to go forward in November.  
[http://www.chattanooga.com/articles/article\\_89189.asp](http://www.chattanooga.com/articles/article_89189.asp)

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3) The Good News  
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The post-decision response in New York was strong and empowering, as non-gay and gay people alike seemed to heed the New York Times editorial's call to get energized and fight ([http://www.nytimes.com/2006/07/07/opinion/07fri3.html?\\_r=1&oref=slogin](http://www.nytimes.com/2006/07/07/opinion/07fri3.html?_r=1&oref=slogin)). Rather than feeling defeated by the court's failure, it's clear that the Pride Agenda and many other organizations and individuals are moving this battle to Albany with the expectation that legislators and a new governor will take up their responsibility to end the pointless exclusion from marriage.  
<http://www.nytimes.com/2006/07/07/nyregion/07albany.html>

In Massachusetts, the legislature refused to advance the anti-gay amendment, postponing the next vote until November and giving our colleagues there, including MassEquality and GLAD, a chance to further demonstrate that ending marriage discrimination helped families while hurting no one and it's time to stop playing right-wing Russian roulette with families' lives.  
<http://www.massequality.org/>

The Pennsylvania legislature refused to proceed with an anti-gay constitutional amendment proposed by right-wing forces as part of their ongoing state-by-state assaults on gay families and American values of fairness and equality under the law.  
[http://www.center4civilrights.org/news/news\\_view.php?news\\_id=23](http://www.center4civilrights.org/news/news_view.php?news_id=23)

In a ruling upholding the best interests of kids and the fitness of gay parents, the Arkansas Supreme Court unanimously rejected the very "rationales" pointed to by the NY Court of Appeals plurality a few days later.  
<http://www.aclu.org/lgbt/parenting/26050prs20060629.html>

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California's intermediate appellate court heard arguments in the promising case brought by same-sex couples and their kids challenging their exclusion from marriage, and it was again apparent that the state had no good justification for perpetuating discrimination.

<http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2006/07/10/MNGBGJSNIR4.DTL>

The American Academy of Pediatrics -- our nation's kids' doctors -- again strongly reaffirmed the fitness of gay parents, and made clear that ending the denial of the freedom to marry is in the best interests of children.

<http://pediatrics.aappublications.org/cgi/content/full/118/1/349>

We crossed the threshold and now have a majority of the nation's Fortune 500 companies offering partnership benefits and acknowledging our families. Government may be lagging, but people are getting it...

<http://msnbc.msn.com/id/13841205/>

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4) Fast Facts

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In 1967, the U.S. Supreme Court overturned all state bans on interracial marriage, despite 70% opposition in the polls.

In 1971, just two years after Stonewall, gay and lesbian couples in several states sought marriage licenses.

In 1984, the NY Court of Appeals struck down the "marital rape exemption," part of the traditional "definition" of marriage that said wives were the chattel of their husbands.

In 1987, a unanimous Supreme Court said that even prisoners have the freedom to marry, without regard to their lack of ability to procreate or even be together with their spouse.

In 2004, Massachusetts became the first state in America to end the exclusion of committed gay couples from marriage.

In 2006, we are working to eliminate marriage discrimination in the next state, and then the next, and until all are free, equal, secure, and fairly treated.

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5) Freedom to Marry Welcomes Jason Joseph Almodóvar!

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Read his bio here: <http://www.freedomtomarry.org/document.asp?id=4550>

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GET ENGAGED: Freedom to Marry a job opening

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We are interviewing applicants for the newly expanded Executive Assistant position.

These exciting positions are based in our New York City office. Read the full job descriptions on our website.

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QUOTE:

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"It's had no effect on my marriage except we get invited to more weddings."

-- Representative Jim McGovern, Democrat of Massachusetts, on impact of marriage equality

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OTHER POINTS OF INTEREST:

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Most visited pages last week:

- TOM PAINE: Legislating hate -- [http://www.tompaine.com/articles/2006/05/31/legislating\\_hate.php](http://www.tompaine.com/articles/2006/05/31/legislating_hate.php)
- Returning to the Well -- <http://www.freedomtomarry.org/document.asp?id=4442>
- Executive Assistant Position Notice -- <http://www.freedomtomarry.org/node.asp?id=3695>

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Lambda Legal, National Black Justice Coalition, Asian Equality, National Latina/o Coalition for Justice, and Freedom to Marry have teamed up to spearhead a campaign featuring a diverse array of people of color depicting the wide-ranging support marriage equality has across the country.  
To view the banner ad and mini poster, visit Lambda Legal.

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GET ENGAGED: Write to friends and family and help them understand why marriage matters to you

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There are many ways you can get involved by helping win and defend marriage equality nationwide.

To read a sample letter you can write and send to family and friends, visit: <http://www.freedomtomarry.org/document.asp?id=3171&view=page=280>

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SPEECH: Winning Marriage Equality: The Road Ahead  
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