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No Compromise in Missouri—A Landslide Win for Marriage

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The scope of the Missouri victory surprised both sides of the debate. In the end, 71 percent of those voting supported the amendment, while only 29 percent opposed the measure. Polls had indicated a 60-40 split in the electorate, and few observers were prepared for the scale of the landslide.

Furthermore, 41 percent of registered voters participated in the primary election, when most primaries draw only 15 to 25 percent of the electorate.

The amendment passed in every county of the state, except the City of St. Louis, where the measure came only 3,500 votes short out of approximately 60,000 cast. This was no cliff-hanger.

Cheryl Jacques, president of the Human Rights Campaign, told The Washington Post: "Sadly, I do think a lot of these state ballot initiatives will succeed despite our best efforts to stop them." Of course, those pushing for homosexual marriage did mount a massive effort to defeat the amendment. Homosexual advocacy groups raised and spent over \$400,000 to defeat the proposal. The amendment's sponsors spent only \$19,000 in their effort.

So, why did the amendment pass by such a large margin? The answer is found in Missouri's churches, which mobilized an educational effort that produced massive voter turnout and the landslide voting result. Observing the Missouri vote, Phil Burress, chairman of the Ohio Campaign to Protect Marriage, noted: "What this has done is brought the people of faith to the table like I have never seen before."

In the weeks leading up to the election, both sides formed organizations intended to mobilize voters. Supporters of traditional marriage formed the Coalition to Protect Marriage in Missouri. Coalition spokesperson Vicky Hartzler, a Republican state legislator, celebrated her group's victory. "I'm very gratified and encouraged and thankful that the people of this state understand our current policy's a wise public policy and they want to see it protected from a legal challenge." She credited the voting margin to both prayer and deep concern about the future of marriage.

On the other side, supporters of same-sex marriage formed the Constitution Defense League, raising far more funds than the amendment's sponsors, but falling short in the effort to win voters. Seth Kilbourn, national field director for the Human Rights Campaign, told an on-line gay news site, "We need to find out why so many more people than expected turned out to vote. Was it because of the amendment or because of the primary for governor?"

Missouri Democrats did face a contested gubernatorial primary, with the state auditor defeating the incumbent governor for the party's nomination. Nevertheless, both sides concede that it was the marriage amendment that brought out the vote. As Kilbourn told the media: "Still, we were just a bit out-organized. We can't let that happen again."

National observers saw the Missouri vote as a bellwether for the future. Writing in *The Washington Post*, reporter Alan Cooperman offered this analysis: "After an overwhelming vote to ban gay marriage in Missouri on Tuesday, both sides said yesterday that an issue that has gained little traction in Congress appears to be resonating with the American people and could play a growing role in this year's congressional and presidential elections." He is undoubtedly right.

The Missouri vote was watched closely because it is the first time since the Massachusetts Supreme Court judicially imposed homosexual marriage in that state, that voters have confronted the question of a constitutional amendment to protect marriage. The national implications of the Missouri vote are clear. If the "Show Me" state is indicative of a trend, similar constitutional amendments are likely to appear in states across the nation. Louisiana voters will face the same question in a special-election ballot scheduled for September 18. Eight other states, including Arkansas, Georgia, Kentucky, Mississippi, Montana, Oklahoma, Oregon, and Utah, will vote on constitutional amendments on November 2. Several other states—Michigan, Ohio, and North Dakota—have amendments in process, and the states of Alaska, Hawaii, Nebraska, and Nevada have already adopted constitutional amendments defining marriage as a relationship between a man and a woman.

The need for constitutional amendments was made graphically clear just one day after the Missouri vote, when King County Superior Court Judge William L. Downing in the state of Washington ruled that denying same-sex couples the right to marry is unconstitutional. Washington, like 36 other states, has statutory provisions outlawing homosexual marriage. In this ruling, a single judge has invalidated the will of the people of that state.

Judge Downing pledged to break what he called the "wedlock deadlock" through his decision. While noting that "people of the highest intellect, the deepest morality and the broadest public vision maintain divergent opinions, strongly held in good faith and all worthy of great respect," this judge cast a decisive vote in favor of same-sex marriage. His decision was automatically stayed pending review by the state's Supreme Court. Nevertheless, proponents of same-sex marriage have good reason for confidence that their state—like Massachusetts—will face a judicially mandated decision for homosexual marriage.

The juxtaposition of these two developments—coming together in less than 48 hours—presents a convincing argument for why the nation must adopt a Federal Marriage Amendment. Even as the states amend their constitutions to defend marriage, federal judges are poised to usurp the authority of the people, ruling in favor of gay marriage and nullifying measures to protect marriage at the state and national levels. The federal Defense of Marriage Act [DOMA], signed into law by President Clinton in 1996, can be invalidated by a single federal judge. Though such a decision would surely be appealed to the United States Supreme Court, that court's recent decisions indicate an eagerness to follow the lead of Massachusetts. Associate Justice Antonin Scalia, writing his scathing dissent in last year's case, *Lawrence v. Texas*, warned the nation that his colleagues had already adopted logic leading to that conclusion.

In light of these developments, intellectual integrity demands that anyone who would claim to oppose same-sex marriage must support the Federal Marriage Amendment. Those, like Senator John Kerry, who claim to oppose same-sex marriage but argue that an amendment to the Constitution is unnecessary or extreme, must now face the dishonesty of their shallow and hollow argument. Judge Downing has seen to that.

There can now be no question that this issue will be decided by the courts or for the courts. There are only two options. The United States Constitution will be amended to define marriage as the union of a man and a woman, or we will allow judges to redefine marriage to mean whatever they may want it to mean.

In every generation, some great moral question frames the future of humanity. For this generation, that great question is the integrity of marriage, which also means the future of the family and the moral character of our civilization. The stakes could not be higher, the risk could not be clearer, and time is running short. Congress must follow the lead of Missouri and pass the Federal Marriage Amendment, sending it on to the states for ratification—or face the verdict of history.

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