

Dear Long Beach City Council members,

I am writing to voice my concern about the city taking an official "NO" stance on Prop 8.

This is not a civil rights issue as a letter to the Mayor and some Council members infers. Proposition 8 will not take away rights, protections or benefits already guaranteed by the California Family Code. "Marriage is not primarily a contract between individuals to ratify their affections and provide for mutual obligations. Rather, marriage and family are vital instruments for rearing children and teaching them to become responsible adults." 1

"While governments did not invent marriage, throughout the ages governments of all types have recognized and affirmed marriage as an essential institution in preserving social stability and perpetuating life itself. Hence, regardless of whether marriages were performed as a religious rite or a civil ceremony, married couples in almost every culture have been granted special benefits aimed primarily at sustaining their relationship and promoting the environment in which children are reared." 1

"A husband and a wife do not receive these benefits to elevate them above any other two people who may share a residence or social tie, but rather in order to preserve, protect, and defend the all-important institutions of marriage and family." 1

The civil rights of the past was about expanding rights to others. "No" on Prop 8 will take away rights for all Americans, but especially innocent children.

"Marriage is a fundamentally unselfish act. It is legally protected because only a male and female together can create new life. Rearing of children requires life-long commitment, which marriage is intended to provide. Societal recognition of same-sex marriage cannot be justified simply on the grounds that it provides self-fulfillment to its partners, for it is not the purpose of government to provide legal protection to every possible way in which individuals may pursue fulfillment." 1

"By definition, all same-sex unions are infertile, and two individuals of the same gender, whatever their affections, can never from a marriage devoted to raising their own mutual offspring. Sure same-sex couples can obtain guardianship over children in other ways--but the question of public policy must be: what environment is best for the child? Traditional marriage provides a solid and well-established social identity to children. It increases the likelihood that they will be able to form a clear gender identity, with sexuality closely linked to both love and procreation. By contrast, the legalization of same-sex marriage likely will erode the social identity, gender development, and moral character of children." 1

"Is it really wise for society to pursue such a radical experiment without taking into account its long-term consequences for children?"

Your letter claims to stand for justice and equality and talks of a free society. And yet what you propose to support will be one of the most unjust and unequal acts to threaten America and her children yet.

Let me explain:

"Yes, we allow people their "liberties", whether to smoke or to engage in private consensual, adult sexual acts, but we should not stand by the attempt to deinstitutionalize, and cast down, the man-woman institution and replace it with any-two-person marriage regime that powerfully teaches (1) men and women are interchangeable, (2) a child does not need a mother and a father, and (3) those who believe otherwise are bigots."2

"Legalizing genderless marriage is a radical change forcing us all to endorse and recognize genderless marriage instead of allowing society to tolerate or accept private, consensual sexual behavior between adults. Church and state will be on a collision course with the legalization of genderless marriage."1

In Conclusion

Yes on Prop 8 will:

-do what is best for children who have the basic human right of being raised by his or her biological mother and biological father. If that is not possible, then it defaults to what is best for the child, not for any adult!

(Popenoe, a prominent sociologist said that the male and female parenting styles are complimentary and are of enormous importance to a child's overall development. Extensive studies have shown that a husband and wife, united in love and commitment, provide the optimal environment for children that a genderless marriage simply can not provide. This is mother nature talking...and one can not stand in mother nature's way for long.1)

-preserve religious liberty for all people.

-sustain the ennobling and righteous identities and status of husband and wife that every culture since pre-history have realized as necessary for society.

No on prop 8 will:

-deny children their basic human right of being raised by his or her biological mother and biological father, and when that is not possible, to default what is best for the child, not any adult.

-destroy religious liberty cherished by Americans from the very beginning, by branding everyone who does not believe in the rightness of any-two-persons marriage regime as bigots and treating their beliefs as unlawful discrimination to be punished and otherwise suppressed. Take for example, the photographer in Arizona. The photographer's religious beliefs did not agree with genderless marriage and the photographer was sued for such beliefs when the photographer acted on those beliefs by not photographing a genderless marriage. There are many more examples.

-teach that men and women are interchangeable. Fathers and mothers by virtue of gender, bring differing strengths to the task of raising a child. The contribution of a father to a child is unique and irreplaceable. The contribution of a mother to a child is unique and irreplaceable. Children need BOTH contributions. There's a reason nature requires a male and female to reproduce. The natural world will not submit to legislation demanding it extend equal rights to two males or females desiring offspring. Nature is ruled by a higher law.

Vote NO on 8? No on 8 says "NO" to California's children. No on 8 says "NO" to religious liberty. No on 8 says "NO" to the future of California. Protect California's future by voting "YES" on Proposition 8.

Thank you for your time,

Janet Hodnett

1 "The Divine Institution of Marriage,"

<http://www.newsroom.lds.org/ldsnewsroom/eng/commentary/the-divine-institution-of-marriage>.

2 Stewart, "A Message to "My" Young Adults", 30 June, 2008

## SAME-SEX MARRIAGE: A BRAVE NEW WORLD?

It is no exaggeration to suggest that when California voters go to the polls in November to select a new president, they will also decide an issue of even greater importance. A “yes” vote on Proposition 8 will create a state constitutional amendment allowing marriage only between one man and one woman. A “no” vote will allow same-sex couples to marry.

What is the benefit and what is the harm of recognizing same-sex marriage? Aside from being able to call themselves “married,” there appears to be no benefit to same-sex couples that did not exist immediately prior to the 4-3 California Supreme Court decision of May 15, 2008 legalizing same-sex marriage, or that the congress and legislature were poised to provide. However, the harm of recognizing such marriages may be irreparable.

Although we cannot foretell the future with certainty, now that a same-sex marriage is lawful, then so must a polygamous marriage be. The California Supreme Court effectively changed the traditional definition of marriage by holding that an individual must be allowed to establish a marriage with a person of either sex with whom the individual has chosen to share his or her life. If the person chosen is already married to another and all parties agree, in light of the court’s language, how can the state refuse to recognize a three-party marriage, or indeed place any limit on the number of marriage partners? We have recently seen in Texas and elsewhere that there are many people who want such a marriage, and it appears that choice now trumps tradition.

Many personal freedoms, including the free exercise of religion, may well be diminished or lost if the amendment is not adopted. Although the free exercise right is provided in both the U.S. and California Constitutions, because same-sex marriage has now been held to be another constitutional right, who can doubt that there are judges who will decide that the marriage right must prevail over the religious one? Consider the following:

In Boston, the Catholic Charities recently closed down its adoption program because the state of Massachusetts insisted that every adoption agency must allow same-sex couples to adopt. Thereafter, an affiliated agency in San Francisco did the same.

A Methodist group in New Jersey lost part of its tax-exempt status because it refused to allow two lesbian couples to use its facility for a civil union ceremony.

In Albuquerque, a wedding photographer was ordered by the state's Human Rights Commission to pay \$6,637 to the attorney for a gay couple because she declined to photograph the couple's commitment ceremony. She had explained to them that because of her religious beliefs she photographed only traditional marriages.

What of the effect on education? The state's position that same-sex couples are equivalent to opposite-sex couples will in all likelihood require changes in school instruction to ensure that a homosexual relationship is not treated differently from a heterosexual one. We can anticipate that the princess in a children's story will be as likely to marry another princess as a prince. Differences between sexes will be minimized or ignored. What confusion will that create in the minds of young boys and girls?

In England, a Catholic school has been prohibited from firing an openly gay headmaster. In Quebec, a Mennonite school was informed by the Ministry of Education that it must conform to the official provincial curriculum, including teaching that homosexuality is an acceptable alternative lifestyle, or be shut down. The Mennonites say they will leave the province. A similar government position can be anticipated here.

A loss of free speech rights is likely. In Canada, the Alberta Human Rights Commission issued a ruling forbidding a Christian pastor from making "disparaging" remarks about homosexuality. Expect the same in California.

Opponents of Proposition 8 ask the public to discard the wisdom of centuries by giving official approval to same-sex marriage. But at what price? The mere fact that a practice is old may not make it right but neither does it make it wrong. We have already witnessed the loss of important rights, and recent history suggests that defeat of the proposition will bring others.

Let us hope for the triumph of reason over emotion.

William T. Garner

Judge of the Los Angeles County Superior Court, Retired