

COALITION TO SAVE MARRIAGE IN NEW YORK

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Civil Unions: Myth v. Reality

Myth: Civil unions are similar to marriages, but not exactly the same.

Reality: A civil union is a legal mechanism by which same-sex couples receive rights and benefits identical to the rights and benefits given married couples under state law. For state law purposes, the only difference between a civil union and a marriage--aside from the name--is that one involves same-sex couples and the other involves opposite-sex couples.

Myth: Here in New York, civil unions would be an effective compromise; they would confer rights and obligations upon same-sex couples without offending certain segments of society by using the term "marriage" to describe same-sex relationships.

Reality: Civil unions are not a compromise. Simply put, civil unions are a thinly veiled attempt to gain public acceptance of same-sex "marriage" through calling it by a different name. New Yorkers who believe in the sanctity of marriage will not fall for this strategy.

Myth: Passing a civil unions law in New York will appease advocates of same-sex "marriage" and will resolve a hot-button issue once and for all.

Reality: The experiences of other states indicate that even if civil unions are legalized, advocates of same-sex "marriage" will likely continue their attempts to redefine marriage. Connecticut passed a civil unions law in 2005. As of this writing, a same-sex "marriage" bill is pending in the Connecticut legislature, and advocates of same-sex "marriage" have filed a lawsuit claiming that Connecticut's civil unions law is unconstitutional. California's domestic partnership law provides the rights and benefits of marriage to same-sex couples; there, too, advocates of same-sex "marriage" have sued the state over alleged constitutional violations in the domestic partnership statute.

Myth: Same-sex couples' civil rights would be violated if civil unions were not legalized.

Reality: In 2006, New York's Court of Appeals ruled that New York's marriage laws did not violate the Constitution, and that there was a rational basis for the state to define marriage as the union of one woman and one man. Furthermore, the Court of Appeals did not find that the State of New York was constitutionally required to provide a marriage-equivalent status for same-sex partners.

Myth: Civil unions are the wave of the future, and are being legalized all over the United States. New York is behind the times.

Reality: As of this writing, only five states have legalized same-sex "marriage" and/or civil unions, while a handful of others have domestic partnership laws that are similar to civil unions. On the other hand, more than 40 states have passed laws or state constitutional amendments limiting marriage to opposite-sex couples. There is nothing inevitable about the proposed legalization of same-sex "marriage" or civil unions here in New York.

Myth: Civil unions should be allowed in New York; legalizing such unions will do no harm.

Reality: Civil unions should not be legalized. The passage of civil unions legislation could lead to a host of negative consequences, including:

- **Infringement upon the rights and freedoms of religious organizations and employers, who would be forced to recognize civil unions even if doing so would violate their core values;**
- **Infringement upon the rights and freedoms of judges and justices of the peace, who could be required to solemnize civil unions regardless of their personal beliefs;**
- **Efforts to obtain legal recognition for polygamous and/or polyamorous relationships;**
- **Efforts to eradicate the institution of marriage altogether and replace it with a flexible statutory scheme that would allow couples to select from a menu of rights and responsibilities; and**
- **The use of civil unions as an incremental step toward full legal recognition of same-sex "marriage."**

Most importantly, civil unions represent the affirmative governmental endorsement and approval of family structures that, by their very nature, deprive children of either a mother or a father. Children need both mothers and fathers. The preferences of adults and the agendas of special interest groups must never take priority over the best interests of children.

The following organizations and individuals have endorsed the Statement of Position issued by the Coalition to Save Marriage in New York: The Rt. Rev. William H. Love, Bishop, Episcopal Diocese of Albany; The Conservative Party of New York State; New Yorkers for Constitutional Freedoms; The American Family Association of New York; Caucus for America; Concerned Women for America of New York; New York Christian Coalition; New York Family Policy Council; Marriage & Family Savers Institute; Nassau County Civic Association; National Traditionalist Caucus; The Association of Politically Active Christians.