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Putting Marriage in the Constitution

Government policy ought not to discount marriage by offering a substitute relationship that demands much less - and provides much less than is needed both by the children of such relationships, and ultimately much less than is needed by society. --Pete Wilson, former Governor of California

Move over Jessie. The “civil rights” movement has been hijacked by Gavin Newsom, the charismatic and brazen 36 year-old mayor of San Francisco. Calling homosexual “marriage” a basic human right, Newsom recently directed city clerks to begin issuing marriage licenses to same-sex applicants. In the first few days, more than 3,000 couples accepted his invitation to be publicly solemnized.

San Francisco Chronicle columnist Phil Matier scoffs at the suggestion that Newsom could face political fallout for violating his oath to uphold the law—reminding readers that the mayor rules a city where President Bush received only 16 percent of the vote in 2000.

Closer to home, Multnomah County Executive Diane Linn joined those who seek to redefine marriage, and inevitably, the family. Last week, she too ordered subordinates in the Portland area to begin issuing marriage licenses to same-sex couples.

So what’s going on here? According to Hank Hanegraaff, Christian radio’s “Bible Answer Man,” what is happening in the culture is merely the result of pagans exercising “their job description.”¹

While Newsom and Linn may not appreciate being described as “pagans,” they have certainly become cult heroes among media for standing down President Bush and the “Governator” of California. The errant pair has even earned grudging respect from one of their opponents. Family activist Gary Bauer admits, “As repugnant as I find what they are doing, I am in awe of their boldness on behalf of a bad cause...” (Ibid)

On the flip-side, many of Bauer’s colleagues are perplexed that conservative leaders are so timid in the defense of virtue—an indictment, they say, that goes all the way to the top.

Although President Bush issued a statement last week in support of a federal marriage amendment, Christian activists believe it was much too long in coming. Sandy Rios with *Concerned Women for America* worries further that the President’s approach opens wide, the doors to civil unions—which she maintains is marriage by another name.

In a prepared statement, President Bush said, “The amendment should fully protect marriage, while leaving the state legislatures free to make their own choices in defining legal arrangements other than marriage.” Question: What legal arrangements could be granted to unmarried couples that would not necessitate uniformity from state to state?

It is believed the President favors The Federal Marriage Amendment (FMA) sponsored by Rep. Marilyn Musgrave (R-CO), as do many, though not all, Christian activists. It states:

“Marriage in the United States shall consist only of the union of a man and a woman. Neither this constitution or the constitution of any state, nor state or federal law, shall be construed to require that marital status or the legal incidents thereof be conferred upon unmarried couples or groups.”

Critics contend, however, that legal incidents of marriage have already been conferred upon unmarried couples in Vermont, New Jersey, and California—and after all—isn’t that what this skirmish and the FMA is all about?

In 2000, California voters overwhelmingly passed Proposition 22, thinking they were banning same-sex marriage. But Governor Gray Davis and majority Democrats quickly subverted the new law by making same-sex couples spouses in “domestic partnerships”—California’s version of civil unions. The legal incidents of marriage are now also the legal incidents of domestic partnerships.

Mike Farris, President of *Patrick Henry College* and legal council for the *Home School Legal Defense Association*, believes his approach to a marriage amendment would prevent such legislative shenanigans. He has drafted a more narrowly tailored version that he calls the Institution of Marriage Amendment (IMA). It provides that:

“Marriage in the United States shall consist only of the union of a man and a woman. Neither the United States nor any State shall recognize or grant to any unmarried person the legal rights or status of a spouse.”

Farris says the difference between the FMA and his IMA is this: The FMA protects the “word” marriage; the IMA protects the “institution” of marriage.

That marriage as we know it needs to be protected can be demonstrated by the unraveling and decline of that institution throughout Scandinavia. *World Magazine* notes that Sweden was the first country in Europe to legalize homosexual unions nearly 15 years ago—soon followed by Denmark and Norway. Today, fewer and fewer young couples are choosing to marry, largely because it is so out of the norm they feel embarrassed to do so. As a result, the majority of children in those countries are now born out of wedlock.

Another revealing finding is how few homosexuals in Scandinavia are choosing to enter into civil unions now that they have the right to do so. Says *World*, “A study published by Yale’s William Eskridge in 2000 showed that after nine years, only 2,373 homosexual couples took advantage of the Danish law allowing gay unions. After four years, only 749 gay Swedes and only 674 gay Norwegians bothered to ‘get married.’”²

Conclusion? The homosexual “marriage” movement is not about monogamy and it’s not about equality. It’s about rejecting God and His divine order. It’s also about the Church which ultimately bears the responsibility to engage the pagan culture. Christians must share the truth; not only with kindness and respect, but also with boldness and purpose—while it is yet light.

Rabbi Daniel Lapin quips, “I don’t know what that says to you Christians. To me it says somebody is drilling a hole in the bottom of our boat and we better do something very quickly!”³

Rick Forcier

Executive Director

¹ American Family Association, AgapePress news, 3/4/2004, pg. 3

² *World Magazine*, “The Nordic Track,” 3/6/2004, pg. 22

³ Rabbi Daniel Lapin, What people of faith can do regarding same-sex issue, TBN, 3/5/2004 [paraphrased]