

New Hampshire signs gay marriage bill: Bill makes space for conscientious objection

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New Hampshire became the sixth state to legalize same-sex marriage as Governor John Lynch signed a bill rewritten slightly by lawmakers to ensure that religious organizations and their employees would not be forced to participate in same-sex wedding ceremonies.

Lynch, a Democrat, who called for the exemption, said after the signing June 3 that the state was “standing up for the liberties of same-sex couples.” The law will become effective January 1, two years after the Granite State began recognizing civil unions.

V. Gene Robinson, New Hampshire’s openly gay Episcopal bishop, said that credible clergy advocating for change held “a lot of sway with legislators in terms of giving them cover.”

Massachusetts, Connecticut, Maine, Vermont and Iowa already allow gay marriage.

The California Supreme Court upheld on May 26 a statewide ban on gay marriage but preserved the estimated 18,000 gay marriages that were performed before 52 percent of voters approved the ban last November. By a 6-to-1 majority, the court said that by approving Proposition 8, which amended the state constitution to ban gay marriage, California voters clearly affirmed that marriage should be reserved for heterosexual couples.

The California ruling was a bad omen for gay-rights advocates in the 29 states that have passed constitutional amendments banning gay marriage, said Robert Tuttle of the George Washington University Law School. If other state courts take similar approaches, the only way to overturn the bans is through costly voter referendums, which have not been effective to date. “You’re going to quickly run out of states

where you can do anything through the legislature,” as advocates in New England have done in recent months, Tuttle said.

Gay rights groups acknowledged the setback but said momentum and poll numbers are increasingly on their side. For the first time, a *Washington Post/ABC News* poll in April found more Americans supporting gay marriage than opposing it (49 to 47 percent).