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Liberals Find Rays of Hope on Ballot Measures

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By MONICA DAVEY

Liberal supporters of social issues said yesterday that they were heartened by the outcome of several ballot initiatives around the nation: the first rejection of an amendment restricting marriage to a man and a woman, the success of a much-debated measure to allow stem cell research and the firm defeat of what would have been the nation's strictest abortion ban.

In Arizona, voters turned down an amendment defining marriage in the state Constitution as between a man and woman, the first rejection in 28 statewide votes on similar measures since 1998.

"We've been waiting for a breakthrough state, and this is it," said Matt Foreman, the executive director of the National Gay and Lesbian Task Force. "It shows the country is moving."

Opponents of the measure in Arizona had focused attention on what they said would be its effects on all unmarried couples, not just same-sex ones. They warned that unmarried couples might lose health care coverage or hospital visitation privileges.

But voters in seven other states approved measures barring same-sex marriage, and Chris Stovall, a lawyer with the Alliance Defense Fund, which has supported such amendments, said Arizona's was a unique case, not a trend.

"To count this as a sea change or the beginning of the end is really to twist the facts," Mr. Stovall said, adding that he believed the opponents in Arizona had deliberately changed their tactics following the string of earlier losses, focusing on peripheral and sometimes misleading issues instead of the central matter of marriage. "Marriage is now 27 and 1."

Opponents, though, said the margins by which some of the seven amendments had passed — in places like South Dakota, for instance — were narrower than they were in 2004, when voters approved 11 such amendments, in some cases by gaping margins.

As in six of the other seven states that voted on Tuesday on constitutional amendments on same-sex marriage, Arizona already bars such unions by statute, so the vote there will not allow gay marriage.

In a blow to social conservatives, Missouri voters narrowly approved a measure guaranteeing that the state will allow any stem cell research that is legal under federal law. Although polls had suggested that a majority of voters supported such research, the ballot question became entangled in the state's contentious United States Senate race.

Abortion rights advocates in South Dakota enjoyed a far wider margin of victory when voters there defeated a ban on nearly all abortions. The split of 55.6 percent to 44.4 percent was a greater-than-expected rejection of the ban — whose only exceptions were cases in which a mother was likely to die — which had been approved by the State Legislature and signed by Gov. Mike Rounds.

Opponents of the ban said they viewed the decision as an end to a fight that had threatened South Dakota with costly litigation and national embarrassment. But its supporters said they would press on with related work. "We're not going to quit," said Leslee Unruh, who led supporters in Sioux Falls.

In ballot measures elsewhere, voters in Arizona, Nevada and Ohio approved tough restrictions on smoking, while simultaneously rejecting weaker versions that the tobacco industry had in some cases supported.

Michael Hackett, who led efforts for the successful measure in Nevada, called the state, with its relatively high smoking rates and Las Vegas's partying image, a crucial test ground for possible future efforts. "I think it shows that if we can do it here, we can do it anywhere," Mr. Hackett said.

Voters in six states approved raising the minimum wage above the current federal rate of \$5.15 an hour.

In nine states, voters approved restrictions on the government's eminent domain powers, and three states in the West rejected other property rights provisions.

In other, more unusual measures, voters in Arizona rejected the idea of giving some lucky, randomly chosen voter there a chance to win \$1 million, but approved making English the state's official language.

Wisconsin voters approved a proposal to bring back the death penalty, although the resolution is only advisory and does not change state law.

Voters in Rhode Island narrowly passed a measure giving voting rights to former prisoners who are on probation or parole.

Libby Sander contributed reporting.