The first thing to recognize is that LGBT (lesbian, gay, bisexual, transgender) people are in every demographic group – including African-Americans.

If the proposed marriage amendment passes it will hurt members of the African-American community and their families.

The marriage amendment targets a specific group (same-sex couples) for continued discrimination under civil law. This amendment reverses equality's expansion by encoding exclusion into Minnesota's constitution. As such, the marriage amendment imitates past legal exclusions, like barring women from particular jobs and serving on juries or racial segregation. Since many amendment supporters cite religion or "morality," the First Amendment must be examined. It states, "Congress shall make no law respecting *the establishment* of religion or *the free expression*
thereof ..." (emphasis added). Like the rest of the country, it appears that the African-American community is in-flux, with a variety of positions on gay rights and marriage equality, ranging from indifferent to supportive, with opponents being those with conservative religious beliefs (like their white counterparts). Percentages of who holds what stances are unclear, but, appear to be almost equally divided. Human rights and the First Amendment are vital lenses to examine the marriage amendment through.

First is religion.

Same-sex marriage advocates have not emphasized enough that *no church, mosque or synagogue will be forced to marry same-sex couples.*
Currently, religious institutions only marry who they choose to, and that would not change with marriage equality. Some examples are churches only marrying members of the congregation, refusing to marry inter-faith couples or requiring couples attend pastoral pre-marital counseling. State law does not interfere with these decisions.

However, church weddings are not sufficient. Heterosexual couples must also get a marriage license from the State. Currently, liberal Christian denominations and Reform Judaism are already marrying same-sex couples, but these couples *have no legal rights*. These liberal churches' religious freedom is being violated when the law will not recognize the same-sex marriages their religious beliefs honor. The proposed marriage amendment violates the establishment of religion by making a conservative religious view the law, while excluding liberal religious views.

Another argument is that Americans' roughly 50 percent divorce rate makes the amendment necessary. It's more logical that the opposite is true. Allowing same-sex marriage would reinforce marriage as a social good. American society is 40 years into social changes around sexuality, gender roles and expectations, plus, economic changes begun 30 years ago – all are impacting marriage and divorce. The proposed marriage amendment addresses none of this.

A statistic that 70 percent of Afircan-American children are born outside marriage is cited as another reason to pass the marriage amendment. Heterosexual couples already have marriage rights, so, how will refusing gay men and lesbian women equality under the law encourage

African-American parents to marry? Wouldn't African-American children and families be better served by taking action on the huge stresses of poverty, mass incarceration of African-American men and other social problems assaulting African-American families?

In July, the Coalition of African-American Pastors (CAAP) protested the NAACP's supporting marriage equality and at the National Press Club, denounced President Obama's support for marriage equality. CAAP claims 6,000 members. All I found was a website with minimal content and a Memphis post office box. Responding to Obama's change of position, resentment was expressed that the president supported gay rights, and that he should be working on issues of deep concern to the African-American community, like high rates of unemployment and incarceration. Robert Owen, Sr., CAAP president, asserted that neither the NAACP nor President Obama were expressing the will of the African-American community.

On a regular basis I do hear or read comments from African-Americans who echo CAAP's position and express resentment that LGBT people would in any way equate their struggle for human rights to the Civil Rights Movement. Owen exemplified this by angrily rejecting the NAACP's support for gay rights by saying, "This is a Black organization for Black people who were beaten, mistreated and enslaved,"

The histories of African-Americans and LGBT people are not the same – most obviously, in terms of slavery, but violence and mistreatment also hound LGBT people. In 2012, the people most likely to be targeted for hate crimes (including murder) are LGBT people and Latinos who are or perceived to be undocumented immigrants. In every state LGBT people are fired from their jobs for their sexual orientation, though some cities have non-discrimination ordinances. With no proof of abuse or neglect, LGBT parents lose custody of their children. Over 1,000 legal rights and protections heterosexual couples have in marriage are denied to gay and lesbian couples – even after being together for decades.

In July, NAACP Executive Director Ben Jealous urged people actually stop and think about marriage equality in clear terms about what are the rights of religions versus the responsibilities of government.

The United States is often cited as the most religious among industrialized nations. That no single religious view is embedded in civil law makes possible freedom of religion for all. Resentment over gay rights gains or scapegoating the fight for marriage equality is to see justice as a zero-sum game – a view that if another group wins equality or human rights, there will be less rights for African-Americans. The tragic irony is that these are the same kind of views perpetrated by right-wing, white racists as to gains made by African-Americans. History shows that when *any* group gains more equality, unexpected gains are made for us *all*. The African-American struggle for civil rights has inspired every oppressed group here and around the world for more than 50 years. It's unthinkable that African-Americans would oppose equal protection under the law for anyone when they've fought so hard to get it for themselves.

Minnesotans should vote a resounding no on the proposed marriage amendment in the service of "making a more perfect union" that allows both individual religious conscience and human hearts to prevail.

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