

Why We Cannot Wait:

A Response to “Prepare to Prevail: Why We Must Wait in Order to Win”

Proposition 8 passes every day, until it’s repealed.

That’s right. When you woke up this morning, Prop 8 passed, and tomorrow morning it will pass again. Until Prop 8 is repealed by a new ballot initiative, each day will be a day in which the precious right to marry is stolen from millions of Californians – just as though Prop 8 were voted on again.

Given the pain that Prop 8 inflicts on Californians each day, it’s not surprising that every political group that has polled its members on the question has shown a resounding majority support repealing Prop 8 at the next possible opportunity, which is the statewide general election in November 2010.

Nonetheless, a few voices – most of them activists – continue to urge that we wait until at least 2012, and maybe longer, to try to repeal Prop 8. They say there’s not enough money or energy or support to assure a victory in 2010, and they’re scared we could lose.

However, as Martin Luther King, Jr., said, “A right delayed is a right denied.” In the two years – that is, 730 days – between 2010 and 2012, Prop 8 will pass 730 more times. Lives will be forever altered, and especially so for the young and the elderly. Consider, for example, the following facts:

▶ Kids. At any given time, more than 1.5 million children in California are of high school age – that is, between 15 and 17 years old. Of those 150,000 are lesbian, gay, bisexual or transgendered. If Prop 8 is repealed in 2010, a generation of teenagers, and their straight peers, will spend their high school years knowing they can marry someday. If we wait until 2012, they will spend those years knowing that they can’t.

▶ Parents. About 1 million children in California are being raised by LGBT parents. Repealing Prop 8 in 2010 instead of 2012 will give these children a chance to have two more years of the stability that comes with marriage, while they’re still children. If we wait, they’ll never recover those lost years.

▶ Seniors. There are about 4.5 million Californians over 65 years old. Of these, 450,000 are gay or lesbian. In any two-year period, more than 13,000 of those people will die. Thus, if Prop 8 is repealed in 2010, there will be 13,000 more elderly gays and lesbians who will have lived to see their right to marry affirmed by a vote of the people. If we wait until 2012, these men and women will never experience that affirmation.

▶ Relatives and Friends. Another 1.5 million Californians over 65 have a relative or close friend who is gay or lesbian. Between 2010 and 2012, more than 45,000 of these Californians will die. By waiting until 2012 to repeal Prop 8, we will forever deprive these elderly Californians of the chance to go to their friend’s or relative’s wedding.

It is not only the old and the young who are affected. Every day that Prop 8 remains part of the California Constitution, we each lose something. And for activists in particular, in whose hands rests the decision whether or not we go forward in 2010, the choice to not go forward – to not even try – entails an enormous cost in terms of our collective dignity and self-respect. This is not a cost we are willing to bear.

The “Prepare to Prevail” Letter.

Recently, a letter was circulated in the activist community entitled “Prepare to Prevail: Why We Must Wait in Order to Win.” This letter, which was signed by about 30 organizations, some small and some large, argued that 2010 is too soon to seek the repeal of Prop 8. It gave eight reasons. Here are the reasons, and the response to each:

Point 1: Winning requires full LGBT community support and a broad coalition of allies.

Response: There already is a broad coalition of allies in support of repealing Prop 8 in 2010. Over 30 groups, including Stonewall Democrats, Love Honor Cherish, the Latino Equality Alliance, the Mexican-American Bar Association and the National Council of Jewish Women/California have signed a letter favoring repeal of Prop 8 in 2010. In addition, several activist groups with large memberships, including Equality California (EQCA) and the Courage Campaign have polled their memberships on the issue, and more than two-thirds of each of their respective memberships favor going forward in 2010. Numerous other organizations and individuals also support 2010, and we are all dedicated to building a broad coalition supporting repeal. With that said, there will never be “full LGBT community support” to move forward in 2010, or 2012, or any year. In any political movement, there will always be voices urging delay, and the effort to repeal Prop 8 is no exception. Some activists don’t consider marriage to be as important as others do. Some believe that money and energy should be diverted to other causes they believe are more worthy. Others are fearful that another loss at the ballot box would be a major setback for the movement, or that it would be embarrassing to them personally. Indeed, when the litigation was filed that achieved the right to marry for same-sex couples in California, many people objected to filing the case for all of these reasons. And yet, once the case was filed, the community fell in line behind it. This time, too, we must respect these voices, but we cannot be derailed by them and we cannot allow them a veto power over the aspirations of millions of Californians. We must move forward.

Point 2: We need to build strong majority support before placing the issue before voters.

Response: We already have strong majority support. Proposition 8 passed last November with 52% of the vote, and we lost by fewer than 300,000 votes. However, a statewide poll performed recently by the respected polling firms David Binder Research

and Goodwin Simon Victoria Research showed that if a vote were taken in November 2010 on an initiative to repeal Prop 8, and if the initiative included a provision assuring that it would not require any church or other religious group to perform a same-sex marriage, the initiative would pass 50% to 42%, or by a 13-point margin. In addition, an ABC News/Washington Post poll taken in April of this year shows that in the last three years, support for legalizing same-sex marriage in the nation generally has increased by about 15 points, or by about 5% per year. If this rate of change were applied to California, in the year and a half between now and the November election, another 7% of voters would support same-sex marriage, increasing the margin from 50% to 57%. And none of these polls takes into account the hundreds of thousands of minds that will be changed by a strong campaign.

Point 3: Campaign donors will be constrained given the current unprecedented economic downturn.

Response: The money to run an affirmative campaign can be raised. The last campaign raised tens of millions of dollars from small donors, many of whom will give once again. Further, early fundraising by EQCA, Courage Campaign and Love Honor Cherish in recent months demonstrates that donors are already stepping forward to fund the efforts needed to change hearts and minds. Moreover, although the No on 8 Campaign spent about \$43 million, the next campaign is likely to cost much less. This is due in part to reductions in the cost of TV and other advertising in the present economy, the fact that the campaign will not be competing for space with a presidential campaign, and the intense level of grassroots interest in repealing Prop 8, which will translate into unparalleled volunteer effort. Meanwhile, though the economic downturn makes fundraising a challenge, it also presents us with an opportunity. The proponents of Prop 8 raised much of their money from middle-class religiously motivated donors (especially Mormons). In a future campaign, these donors may be hard pressed to match the kind of contributions they made to support Prop 8 last year. Meanwhile, major pro-LGBT institutional donors, as well as smaller donors, although undoubtedly affected by the downturn, will undoubtedly support the campaign once the proposition has been placed on the ballot. Before there is an actual ballot proposition, most of them don't have any reason to even focus on the effort, much less commit to it.

Point 4: Educational, voter-ID (not electoral) campaigns with specific goals should begin immediately.

Response: Voter-ID canvassing is already being undertaken by several activist groups, and they will continue on a separate track over the course of the next year, while signatures are gathered and counted to place the measure on the ballot. We don't need three years of voter ID in order to reach the necessary support to begin an electoral campaign; we simply need enough people to do the work, and those people are mobilized and energized now. Telling volunteer canvassers that their efforts won't pay dividends

until 2012 will simply discourage them from acting at all. And, canvassing voters about a vote they won't take for three more years isn't particularly productive anyway.

Point 5: We need time to build a coordinated data infrastructure that can support a winning campaign.

Response: There's plenty of time in the next year to build a get-out-the-vote data system and an online voter contact database. Groups who haven't worked together on these efforts until now will come together when it's urgent for them to do so, and that urgency isn't going to be there until we know that the initiative is heading for the ballot.

Point 6: Time and greater effort is needed to build trust and relationships in communities that represent the full diversity of California voters, including limited-English-speaking voters and voters of diverse racial and ethnic backgrounds.

Response: Trust and relationship building, especially within minority communities, is an important part of any campaign to repeal Prop 8, and these efforts should help to build the margin of victory that we need. However, while some activists may prefer to do this work in the absence of any particular ballot proposition, the general public does not necessarily have the same intensity of interest in the issue. The fact is that until there's a specific ballot initiative on the horizon, it's not going to be a priority for the average person to revisit their position on same-sex marriage. On the other hand, an actual ballot proposition will create the necessary urgency, and will be the reason to have the discussions we need to have. As the expression goes, work will expand to fill the time allotted. Conversely, a deadline will force us to do the work that needs to be done. With more than 15 months until the November 2010 election, and with the grassroots energy that's available to be harnessed, we should be able to make enormous inroads in these overlooked communities – even if we may not be able to achieve majority support in every community.

Point 7: Labor, religious allies and communities of color are indispensable to winning.

Response: Collaboration with supportive groups and individuals is important to the future campaign to repeal Prop 8. Importantly, many labor organizations, religious allies and groups within communities of color already support 2010, and we will work hard to enlist others in the effort to repeal Prop 8. However, regardless of how our allies may feel about timing, it is important for them to understand that for many LGBT Californians, the restoration of equal marriage rights at the earliest possible time is essential and non-negotiable. It is this understanding that will form the basis for a lasting and meaningful collaboration with our allies and will translate into support for the other issues they champion.

Point 8: More time means more “yes” votes for marriage equality.

Response: Over time, the replacement of older voters with younger voters in the electorate does appear to increase support for marriage equality. However, this is not a good reason to wait years to present the issue to the voters. Rather, it is an excellent reason why we shouldn't wait at all. Already, 50% of likely voters in 2010 support a ballot initiative to repeal Prop 8. In the next 15 months leading up to November 2010, that number will only increase. Then, even assuming the worst – that we were to lose the election in 2010 and had to place another initiative on the ballot in 2012 – the mere passage of time in the intervening two years, and the replacement of still more older voters, would make prospects for a successful vote in 2012 that much brighter. In the meantime, the pain inflicted by Prop 8 on LGBT Californians would be softened somewhat by the knowledge that every effort had been made to remove this stain from our state Constitution as soon as possible. And we will have sent a clear message to the public that the issue is vitally important to us.

It's Time to Move.

Prop 8 was a heartbreaking loss. Some believe that by not voting again in 2010, they will insulate themselves and others from the heartbreak they felt last November.

But others feel the pain of last November as if it were yesterday, each morning. These people know they will feel that pain each morning until Prop 8 is erased. They say it's time to move ... now.

The first group is in the minority, and is welcome to encourage the others to wait. However, the first group is not entitled to set the schedule on which the second group will seek to regain its equal rights. This is especially so since the second group, by all accounts, represents the vast majority of people affected by Prop 8.

-- Love Honor Cherish

[OTHER SIGNATURES PENDING]