

## THE LEAGUE OF WOMEN VOTERS ® OF THE FAIRFAX AREA

# BULLETIN

Founded in 1925

Meeting Continuously Since 1946

September 2006

4026 Hummer Road #214 Annandale, Virginia 22003

Volume 59 Issue 1

An Invitation to All Unit Officers & Board Members to attend...

LWVFA Units "Fall Kick-off" & Program Briefing

Saturday, September 09, 2006, 10:00 am

George Mason Government Center,



6507 Columbia Pike, Annandale

Facilitators, join us for the program briefing immediately following (approx. 11:00 a.m.)

September's Program is "Marriage and Virginia's Proposed Amendment."

The LWVFA 2006-07 Calendar is on both sides of one of the center pages. Remove both center pages from the staples that hold the *Bulletin* together and then separate the pages, if you wish, and retain for future reference.

#### Calendar

Septen	nber					
04	Labor Day					
05	October Bulletin Deadline					
09	Unit Officers. Kick-off 10:00 am at the					
	Mason District Govt. Center — Briefing following					
09-10	Burke Conservancy Days					
11 - 14	Unit Meetings - Marriage & VA's Amendment					
12	Board Agenda Deadline					
16	LWWA Workshop (Charlottesville)/Centerville Days					
	Reston Multicultural Festival					
17	FCAC Election/Citizenship Day/ Reston Festival					
19	LWVFA/Federation 11th District Cand. Forum					
20	Board Meeting/Oct UC Letter Deadline					
21	GMU Service Day (Outreach)					
30	Fall for Fairfax at Govt. Center					
Octobe	r (Important Dates)					
01	Kingstowne Library Day (Outreach)					
02	Yom Kippur					
03	03 November Bulletin Deadline					
07	Briefing Jury System Follow-up/ Upper Conf. Room					
9-12	Unit Meetings					
10	Voter Registration (Last Day)					
17	LWVLC/LWVFA 10th Dist. Forum/Condo Election					
18	Board Meeting/Nov. UC Letter Deadline					

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#### **President's Letter**

Hello again! Here it is September and the beginning of a new

LWVFA year. During the summer we have been busy making plans for another successful season.

We have some exciting opportunities in store. First, the units will get together on September 9<sup>th</sup> for "Kick-off" – a new name and new format for what used to be called Unit Officers' Workshops. At Mary Field's suggestion, the board agreed to revamp a somewhat tired tradition, and we are hoping it will revitalize the units as well. We were very sorry to receive Mary's resignation as Unit Coordinator over the summer. At this writing, we have not found anyone to replace Mary. Her energy and organizational skills are missed by the board and by the unit leaders.

A highlight of this summer was the Re-dedication of the Occoquan Workhouse Roadside Marker on Saturday July 15, 2006, at the site of the new Fairfax Water property on Route 123 in Lorton.. The Hon. Leslie Byrne represented LWVFA at the ceremonies, as she had been president when we originally erected the marker in 1982. (See p 6 for details.)

September's topic for unit discussion centers on the proposed "marriage amendment." that will appear on the November 7, statewide ballot. Start your League year off right - join in the discussion!

## Sherry

#### The League is back in the "debate business!"

LWVFA is co-sponsoring two candidates' events this Fall. On **September 19**<sup>th</sup> at the Fairfax County Government Center, the candidates for the 11<sup>th</sup> Congressional District (Tom Davis-R, Andrew Hurst-D & Ferdinando Greco-IG) will participate in a Debate hosted by the Federation of Citizens Associations and LWVFA. Then on **October 17**<sup>th</sup>, the Loudoun Co. LWV and LWVFA will hold the 10<sup>th</sup> Congressional District Candidates' Forum at the Dulles Hyatt on Route 28. Both events are in the evening, and we are excited that **all** invited candidates will participate! Also, the state League is sponsoring a U. S. Senate candidates' debate that will be taped at the PBS studio in Richmond in October (exact date TBD). It will include George Allen - (R) and Jim Webb - (D).

#### LWVVA Fall Workshops

LWVVA will hold its annual fall workshops at Doubletree Hotel, Hilton Heights Road, Charlottesville on Saturday, September 16, 2006. A choice of Redistricting & Reapportionment or Membership Promotion workshops will be held in the morning session and a choice of Voters Service and proposed constitutional amendments or an Action workshop will be offered in the afternoon session. Cost for lunch, materials and refreshments will be \$25.00. Registration & coffee begins at 9:00 am, meeting beginning at 9:45 am. Anyone interested in attending, please call 703-658-9150 and leave your name and phone number. Car pools will be arranged.



#### **Phone Cards**

The government doesn't pay for Long Distance phone charges. The wounded troops that are being cared

for in our area need an endless supply of phone cards—to keep in touch with their families all over the U.S. Show your support for our troops. Send phone cards in any amount to: Medical Family Assistance Center, Walter Reed Medical Center, 6900 Georgia Ave. NW, Building 2, Third Floor, Room 3E01, Washington, D.C. 20307-5001. (Check Cosco's 700 minute phone card for less than \$20.)

If you find yourself in a hole, stop digging.

Will Rogers

#### LWVFA Bulletin © 2006

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#### **Board Notes**

Lavinia Voss

Following is a summation of the May 17, June 21, and July 19, 2006, board

meetings. Appointments: **Angela Booker** as observer to the Prince William BOCS, **Lois Page** to fill the unexpired term of Program Co-Director on the Board, **Judy Anderson** to Fairfax County Airports Authority Advisory for a new term. **Diane Hardcastle** has agreed to chair, **Winnie Shapiro** and **Kay Mcquie** will serve on the Audit Committee. **Leslie Vandivere** was elected 1st VP and **Baba Freeman** 2nd VP respectively. Other appointments: all the off-board administrative persons (see board list).

The board accepted the Treasurer's 4th quarter report and end-of-year statements. Approved pursuing requests to co-sponsor candidates' forums in the Fall. The calendar and program for 2006-07 were adopted. Plans for the Unit Officers Kick-off meeting on September 9 were approved. The Unit Officer's Wrap-Up meeting on June 17 was discussed a full discussion was postponed until the Board Retreat on August 2, 2006. Program Co-Director Rona Ackerman reported on a grant from LWVUS for a program on the United Nations. She set several deadlines and stated that if things were not in place by those dates, the program would be cancelled. Membership Director Leslie Vandivere reported a total membership of 427 as of June 16, 2006; it was 439 one year ago. Pres. Zachry signed the renewal of the lease for 06-07 on June 28 for the office space at the Packard Center. The rent doubled from \$4 per sq ft. to \$8 per sq

Pres. Zachry noted that Congress did renew the Voting Rights Act and said she had contacted the offices of U.S. Reps. for 8<sup>th</sup>, 10<sup>th</sup>, & 11<sup>th</sup> Districts to express LWVFA's interest in, and support, of the renewal, and again in late June to thank Reps. Wolf and Davis for their votes without amendment. She also thanks all members who responded to the action alerts from LWVUS.

#### Seen and Heard Around Fairfax and Beyond-

For a copy of any testimony or action taken by LWVFA, contact the office 703-658-9150 or <a href="www.lwvfa.org/lwwf

1. Sherry Zachry and Olga Hernandez attended Larry Sabato's Virginia Women & Politics conference at the Jefferson Hotel in Richmond on July 20, 2006.

#### **Action Faction**

Jane Hilder

The General Assembly did finally pass a biennial budget for Virginia. Ultimately, it did not include substantial new funding for transportation which the governor had requested.

There were some good aspects of the new state budget, which totals nearly \$74 billion. It includes additional funding for Chesapeake Bay clean up, and for community mental health and mental retardation care. It provides for increases in teacher salaries, funding increases for higher education research and capital projects. and for early childhood programs such as the At-Risk Four Year Old Program.

Governor Kaine proposed a series of 36 amendments to deal with some of the omissions in the budget. Sixteen of these amendments were defeated in a block by the General Assembly. Thus the new budget allows funding for correcting Richmond's problem with sewer overflow in storms but not for the City of Lynchburg. Consequently, raw sewage will continue to be a problem in the James River.

Another amendment proposed by the governor would have bridged a six million dollar funding gap in Fairfax County's child care assistance program for low income working parents. The program had been funded by a combination of federal, state, and local money. In May, Fairfax County officials were notified there would not be federal funding this year. In one of the sixteen amendments defeated in a block the governor had proposed state funding to fill this gap.

The resulting lack of funding for the day care program has put the care of almost 2000 Fairfax County children in jeopardy. County Executive, Anthony Griffin, explained to the Board of Supervisors that effective October 15, the county would be removing children from the child care subsidies. Many of the parents are part of the welfare-to-work program who may no longer be able to work without day care assistance. These parents may fall back on welfare, or possibly place the children in less supervised day care situations in order to continue working.

Board of Supervisors Chair Gerry Connolly was particularly incensed that a Fairfax County Delegate had introduced the bid to kill the group of sixteen budget amendments as a block, even though it included funding for the Fairfax County child care shortfall.



## **Community Election Projects**

Una White 703-922-8721 unawhite@earthlink.net

We are gearing-up for the fall community election season with Fairfax Cable on September 17, 2006, a nice way to spend a Sunday afternoon, food provided. RCC is next, an all day event on Saturday, October 21; lunch is available, if desired. Then Woodlake Towers in mid October and Sequoyah on November 14, 2006, both elections are evening events. If you would like to volunteer for any of these projects and haven't signed-up, please contact me to see if help is still needed. Thanks go to all those who worked at the Skyline Plaza election in June; you did a great job! This is where the money comes from to cover League efforts in the community. Without help we cannot keep doing these projects. It is time for newer self-starters to step up to the plate as the Directors and Co-Directors, training and support will be provided.



### Membership Update

Les lie Vandivere - 703-222-4173 LVandivere@cox.net

If you pay your dues directly to LWVFA and have forgotten to renew your membership, the October Bulletin will be the

last one you receive. Fill in the form on the back of this *Bulletin* and send it along with your dues check to the office. If you have a question about when your membership expires, please contact the Membership Director, as above.

Please welcome these new members who joined at the local level during June & July: Norma Doskey (RE), John Jenkins, Supervisor with PWBOCS, Nancy Pell (RE), and Charlie Zachry (FXS), and the following new national members: Richard Buckley; Margaret Chatham; Bart Cooley; Doug Costle; Peter Fontneau; Jane Grayson; Janet Neuhaus; Carrel Tod and Beth Troutman (FXS). Welcome also Kelly and Stephen Stratman (VE), who recently moved to Vienna and transferred their membership to LWVFA.

Nothing fixes a thing so intensely in the memory as the wish to forget it.

Michel de Montaigne

### A Living Wage in Fairfax County

Mary Cocker 703-591-4526

The annual meeting of the Alliance for Human Services was held on June 15, 2006. The program was a panel discussion on "A Living Wage in Fairfax County"? Currently, Alexandria, and the County of Arlington in Virginia, Montgomery and Prince Georges in Maryland as well as The Metropolitan Airports Authority have a living wage ordinance.

Panelists included persons involved in the Alexandria and Arlington campaigns and Clayton Sinyai, Chair of the "Fairfax County Living Wage Campaign." They explained that a living wage requirement applies to employees of contractors who provide services for a jurisdiction and employees of the jurisdiction. Certain contractors are exempted by some jurisdictions. Examples include contracts less that 15 to 1000 dollars and nonprofits.

An employee covered by the ordinance can't be paid less than the jurisdiction's living wage so as to be able to live just above the poverty line. There is no standard formula for determining a living wage, but most are in the \$11 an hour range.

The panelists consider that the Fairfax County Board of Supervisors has the authority to require all private contractors to pay their employees a living wage for work performed under county government contracts. It was pointed out that passing a living wage ordinance results in contractors being able to provide a better and more stable workforce. That in turn provides higher quality services. Fairfax would have little control over employees of companies who do not contract with Fairfax County.

It was a very interesting, informative evening on a very important topic. There was a lot of discussion between attendees and the panel regarding the limited progress in Fairfax County toward the adoption of a Living Wage Ordinance. A job should keep you out of poverty, not in it! Call Clayton Sinyai, 703-476-7381 or <a href="mailto:csinyai@malaborers.org">csinyai@malaborers.org</a> for more information.

## **Three Ships**

The Susan Constant, the Godspeed and the Discovery are the three vessels that transported the founders of what would become America's first permanent English settlement at Jamestown in 1607. The 400th anniversary is this coming year. (See center page).



### FINANCE WRAP-UP REPORT

Bernice Colvard

The units did their usual super job on last year's unit projects to underwrite League operations (the nuts-and-bolts of any organization). Some of us have, obviously, made a habit of adding our personal donations to our units' projects:

AB	165	MCL	1,100
CHD	140	PWA	246
GSV		RD	525
DU	25	RE	125
FXD	288	SPF	380
FXS	345	VID	1,100
HHD	850	VE	225
HHE	465	TOTAL	\$5,979-

We are now starting a new fiscal year with a clean slate for all. This fall (Sept. or Oct. unit meeting) is the time to decide on your unit's fundraiser. Please send proceeds to the office, note your unit's designation and amount enclosed, as usual. Most units have settled on their project of choice (pass-the-hat seems to be a favorite). Whatever choice your unit makes, your efforts are appreciated.

**Thank you** to Anne Kanter and Mary Elizabeth Gordon, **also to these recent donors:** Johna Gagnon, Frances Kieffer, Shirley Olson, Doris James, Shirley White, Fran Richardson, Leslie Vandivere, Judy Anderson, Rita Weden, Anne Andrews, Nancy Miller, Kristie Zappie-Ferradino, Norma Hoffman, and Elizabeth Mc Manus. We applaud all of you, who have given to LWVFA.

#### **FRANKENFIELDS**

A two year audit by the Department of Agriculture's investigative office found their own agency had failed to adequately monitor test plots of genetically engineered crops. Investigators charged with keeping tabs on the biotech experiments didn't inspect planting sites or ensure that the crops were destroyed when the tests were over. In some cases, investigators didn't know the location of the plots they were supposed to be monitoring. The report warned that lax oversight could result in experimental crops spreading "before they are deemed safe to grow." Sierra. May/Jun 06

#### NCA



**NEWS** 

The Annual President's Brunch will be held on Friday, October 6, 2006, at 11:00 am in the LWVUS Board Room at 1730 M Street, Washington DC.

All interested League members are invited to a reception on Friday, October 27, 2006, to meet the new LWVUS Board at the Sumner School, 17th & M St. from 6:30pm to 8:30pm. Additional information will follow.

A DVD of the March 25, 2006, Homeland Security program is now available. It provides an excellent overview of the current issues associated with homeland security and civil liberties and runs about an hour. Contact Andrea Gruhl at <a href="mailto:andreagruhl@aol.com">andreagruhl@aol.com</a> or 301-596-5460.

The family of Frances Gemmill has designated LWVDC to be the recipient of memorial gifts. Those Leaguers that would like to make a gift in memory of Francis should make the check out to LWVDC, mark it Gemmill Memorial Fund and mail it to them.

## Annual Meeting Players "Promiscuous Rampant Women"

Lavinia Voss, Producer & Director. Cast L to R: Charlie



Zachry, Bill Thomas, Tin Tai, Barbara Ewalt, O.G. Harper, and John Hart.





Aerodynamically, the bumblebee shouldn't be able to fly, but the bumblebee doesn't know it so it goes on flying anyway. – Mary Kay Ash



### **Program Report**

Rona Ackerman

Please join me in welcoming Lois Page to her new position as program director. She has fully immersed herself in our first two

programs, and I look forward to her thoughtful and provocative ideas for future LWVFA programs!

### **Topics for 2006-2007**

Sept. Marriage & Virginia's Proposed Amendment

Oct. Jury System Follow-up

Nov. Redistricting Part II - Consensus.

Dec. Program Planning - LWVVA and LWVNCA

Jan. Gen. Meet. - Congressman Tom Davis, speaker

Feb. Land Use

Mar. Airports NCA update

Apr. Annual Meeting (Speaker on Immigration)

May Immigration Part I

Jun. Education Concurrence Part I

I am pleased to announce that we received a \$750 grant from The People Speak and the LWVUS Education Fund. We will use this to sponsor a program which will be part of the LWVNCA United Nations Week Celebration. A panel of international experts will discuss "Working Together Towards Peace, Security & Human Rights; What's in it for the U.S.?" The program will be held on Sunday, October 22, at 2:00 pm. at the Sherwood Library, 2501 Sherwood Hall Lane, Alexandria. It will be free and open to the public, call 703-765-3645 to reserve your seat.

In June, we participated in the American Bar Association (ABA) program, "Reaching A Verdict." Eighty-nine of our members returned their questionnaires to the ABA. More than 80% of our members responding agreed or strongly agreed with the following (abbreviated) statements:

Miscarriages of justice are the exception. Schools should include a unit on the importance of the jury system. Jurors should be allowed to take notes. The legal profession should counter misconceptions about the jury system. We should use more alternative dispute resolution processes. We should defend the American jury system.

Two thirds <u>agreed</u> that: The jury system is overly complicated and adversarial; winning is more important than justice. We should minimize the number of peremptory

challenges allowed.

Just over a majority felt that juries are hampered by rules that prevent them from being most effective..

Two-thirds of the respondents <u>disagreed</u> with the following statements: Juries are no longer as effective as we need. We should not tamper with the system. The right to a jury trial is a hollow promise. We should include experts on juries. Jurors should become more actively involved in the trial. The system should include professional experts.

Last year, we looked at later start times for FCPS high schools. Management Partnership Services (MPS), the consultant hired by the School Board, is expected to submit its Phase II report in October 2006. We will keep you informed.

Anne Thomas will chair a committee to look at Affordable Housing in Fairfax and Prince William Counties. She expects to begin meetings in December 2006 and have a report ready for the 2007-2008 program year. Anyone interested in joining this committee call Anne at 703-938-7304. If you are interested in the Immigration committee, please call Leslie Vandivere at 703-222-4173. Or if the Education Committee appeals to you, call Therese Martin at 703-471-6364. We are hoping for an exciting year.

#### Do You Want a Piece of the Action?

Do you want a piece of the action to oppose the Marshall-Newman (Marriage) Amendment? The League of Women Voters of Virginia has joined the Commonwealth Coalition, a bipartisan group of citizens and organizations opposing passage of the amendment discussed in this month's program. Check out the Commonwealth Coalition website at <a href="http://www.votenova.org">http://www.votenova.org</a> to see what is happening. They have chosen "Vote No Virginia" as their slogan, and you can purchase polo shirts, bumper stickers, etc. from a link on the website. The phone number of the Richmond office is 804-643-2050.

Those who want to do more will find the Commonwealth Coalition local office at 1651 Old Meadow Rd, Suite B300 (downstairs), McLean. This is very close to the intersection of the Beltway and Route 123. Laura Robertson is the local coordinator. Every Tuesday and Thursday from 6 to 8 pm they do phone canvassing from the McLean office. Call Jane Hilder, Action Director 703-960-6820 for more information.

#### VIRGINIA HAPPENINGS

Rescuing the American Chestnut Bernice Colvard, League Historian

Until the accidental introduction of the chestnut blight in 1904, the American chestnut had been the dominant tree of the Appalachian range. This magnificent species had been highly valued for the desirability and versatility of its wood as well as its nut meat, seen as "a free subsistence crop." The blight (an Asian fungus) altered the vistas, livelihoods, and futures of a population dependent on the trees. In one generation this biological disaster denuded forests from Maine to Alabama of 3.5 billion trees.

Currently, there is concern that more species are at risk. This includes pine, hemlock, dogwood, and American elm which are dead or dying. And, the oak that has been one of the primary trees to fill the void left by the chestnut appears to be susceptible to a pathogen and/or stress. The potential exists for a repetition of the devastation of the previous century.

Crossing the blight-resistant Chinese chestnut with the more desirable American chestnut has been one workable but slowly evolving solution for orchardists in the Blue Ridge region. However, orchard-sized Chinese-cross trees rarely achieve heights above 25 feet. Before the blight, the American chestnut in its native habitat often reached 120 foot heights with seven foot diameters.

The academic scientific community continues to strive for a blight resistant American chestnut that could re-establish itself as a giant in the eastern forests. The American Chestnut Cooperators Foundation (TACE), in conjunction with Virginia Tech and WVA's Concord College, has expanded these efforts to every state in the continental U.S. with the exception of the three bordering the Pacific, where importation is banned. Another approach by TACE supported by the National Forest Foundation is backcrossing the American chestnut with the Chinese. Their "ideal," a tree 94% American chestnut with, scientists believe, no Chinese characteristics other than blight resistance has been achieved.

Work continues at TACE's research farms in Meadowview, VA (near Abingdon) in conjunction with Penn State U. and the U.S. Forest Service with its vast resources. On Arbor Day, April 30, 2005, a 16-foot, seven-year old Meadowview-grown chestnut was planted on the North Lawn of the White House. The future of the American chestnut appears to be much

brighter than it has in a century. (See Trivia on P.11)

**Source:** Clarke, Gwen S. "An Awakening Giant: The American Chestnut." "Blue Ridge Country, Oct. 2005.

#### Tribute to a Remarkable Woman

Bernice Colvard, League Historian

We honor the memory of former League Presid -ent Alice Park, who died on May 21, 2006, in Washington, D.C. at the age of 104. Following in the footsteps of a distant cousin, Elizabeth Cady Stanton, who, with Lucretia Mott, called the first American Woman's Rights Convention in July 1848 at Seneca Falls, New York, Alice Park helped organize a Local League in Fairfax County. In 1947, she served as president of our provisional League before it was chartered by the National League of Women Voters in 1948, one hundred years after the Seneca Falls meeting. Provisional leagues were required to spend two years familiarizing their members with their local government structure and operations. In 1946, under Jane Wellemeyer, we created a furor by comparing the local registrar's books with the poll tax lists and notifying those on the poll tax lists but not the registration records to check on their voting status. This led to a revision of Fairfax County registration procedures. In her own words, Alice Park describes League's primary achievement during her one-year tenure:"We mapped out the precinct boundaries by using the original descriptions of precincts in the old order books at the Court House. The BOS was advised they should have a precinct map. Since there wasn't one, we offered ours with the condition that LWVFC be given credit for the preparation." Alice Park was another remarkable League leader, prominent in those heady years when Fairfax was transitioning from rural to urban.

The American Dream is not to own your own home but to get your kids out of it.

Dick Armey

## Two Reports From the LWVUS Convention

Shirley Olson & Melpi Jeffries

From Shirley, LWVFA Liaison to NCA: I was surprised and pleased to be asked to be a last minute delegate to the LWVUS Convention. I had been cochair of the local volunteer committee for the last two DC conventions, working behind the scenes, so it was especially enjoyable to be an active participant as a delegate. I could appreciate the hard work the local arrangements committee had done; the hotel layout was well suited for our meetings.

It was my first visit to Minneapolis, we were blessed by being there in pleasant weather, not always the case, I'm sure. I was struck by the variety of striking contemporary architecture, city sculpture, use of water and fountains in attractive parks as well as many unusual and good restaurants within walking distance of the Hilton, an overall good experience.

From Melpi, President, LWV-NCA: Over 700 delegates, representing 49 states plus the District of Columbia, gathered at the League of Women Voters national convention. They celebrated the League's accomplishments on civil liberties, election reform, judicial independence and global democracy and discussed public policy issues.

Delegates heard Dr. Thomas Mann's keynote speech, "American Democracy in a Partisan Era," as well as a panel discussion: "Merit Selection? Elections? Appointments?: Understanding the System to Defend the Courts," both emphasized the importance of having three strong branches of government.

The LWVIL death penalty abolition position was adopted by concurrence. A three year study of immigration policies for national program for the 2006 - 2008 Biennium was adopted. All existing positions were retained. Support for a strong and vibrant system of checks and balances and separation of powers for the ongoing LWVUS Democracy Agenda. The delegation passed a resolution requiring a voter-verified paper ballot or paper record with electronic voting systems. And supported the concept of Internet neutrality.

Several minor bylaws changes were adopted, and there was much discussion about changing the manner in which the League Board is elected. The proposed LWVUS budgets were adopted, with a PMP of \$26.30 for FY2006-2007 and \$26.80 for FY 2007-2008 to

support the immigration study. The treasurer reported that LWVUS has been in the black for the last four years, but decreasing membership necessitated the increase in the PMP rate.

Mary G. Wilson of Albuquerque, New Mexico, was elected President for two years. The National Nominating slate was also elected. A final highlight was Garrison Keillor's intelligent and accomplished monologue based upon a fifteen dollar prize awarded to him by the local League of Women Voters when he was young. And, yes, the Mall of America is large.

### **Voters Service**



Carol Hawn (703) 266-6872 or cahawn@att.net

The upcoming November 7, 2006, election will offer the opportunity for voters to elect a United States Senator and members of the House of Representatives, vote on three proposed constitutional amendments and two Fairfax County bond referenda. There will be a variety of campaigns and issues to bring voters to the polls. Voters Service wants to ensure that the educational materials are in place for everyone to make informed decisions prior to going to the polls.

With regard to What's on the Ballot, there will be a change in its distribution. We are working with Fairfax County Public Schools to disseminate this valuable document via the internet, and will not be passing copies out to the individual schools this year. This should permit any instructor to obtain as many copies as they need for their students and fellow faculty members. I hope you will volunteer to assist with the distribution of What's on the Ballot, as we will still have 15,000 copies to spread throughout the county. Our Fall 2006 Voters' Guide will again be published in all editions of The Connection Newspapers the week of October 23, 2006. The Connection reaches most households in Fairfax County.

We are also looking for volunteers to staff the LWVFA telephone ten days leading up to the November 7th election. This is done from your home; you receive instructions prior to your service day. In October, we will begin review and proofreading of our signature voter education effort, the 2007 Facts for Voters. Please look for both these sign-up sheets at your September unit meeting.

#### **Justice Committee Visits ADAPT**

Judy Leader, 703-524-0991 or jleader@cox.net

On June 14<sup>th</sup>, a group of Justice Committee members visited ADAPT, an anger management and domestic abuse intervention program offered by the Fairfax-Falls Church Community Services Board. Defendants in domestic violence cases handled by the Fairfax County Juvenile and Domestic Relations court are often ordered into these programs.

In many cases, the judge agrees to defer a conviction or sentence of domestic abuse for one or two years and orders the defendant to complete an anger management program. At the end of that time period, the defendant's file is reviewed. If there is no certification of successful completion of a program, the judge orders a conviction and a sentence. If evidence of completion is in the file, and there have been no further instances of abuse addressed by the court, the case is closed.

We learned from Sam Bachman, Director of ADA-PT, that his program is aimed at adult residents of Fairfax County and the Cities of Falls Church and Fairfax, who have difficulty regulating their anger or who have been physically, emotionally or sexually abusive to a spouse, partner, child or parent. The goal is to prevent abusive behavior by helping program participants:

- Regulate anger and shame
- Take responsibility for behavior and feelings
- Let go of harmful blame
- Accept not being in control of another person or situation
- Develop compassionate strategies of family solution finding and empowerment
- Assess the role of substances on thoughts, feelings and behavior.

ADAPT is one of several anger management programs fully certified by the Virginia Batterer Certification Review Board. Groups are held at three sites: Alexandria, Annandale, or Chantilly. Its program services include:

- Initial evaluation for voluntary and court referred individuals, which costs \$60; and
- Group Intervention, an 18 week curriculum (one night

per week), including anger management, substance abuse education and affect regulation skills training to prevent future acts of abuse. That cost is \$20 per session.

The Justice Committee will meet on Monday, September 11, to discuss the Court Watch Survey findings and proposals for Safeguarding Democracy grants for a Law

Day program. New members are welcome.

#### Women and the War

This is the first time in U. S History that women are allowed to shoot back. It is

also the first time they are suffering substantial casualties. In today's Army, a woman is expected to carry as much and shoot as well as a man. The common dangers facing service members in Iraq have helped close the gender gap.

Women troops make up nearly 15% of active-service members. By February 2006, three hundred and fifty women had been wounded and 48 had died in Iraq—just 2% of the total number of U.S. troops killed but far more than the 8 nurses of 7,500 servicewomen killed in the Vietnam War. Few female troops are out of the line of fire so more casualties are to be expected. contrast to their roles in past wars, women are serving in a widening variety of ground units-from logistics to military police, intelligence and civil affairs—where they routinely face the same risks as all-male combat units such as infantry and armor. As women in uniform patrol bomb-ridden highways or stand duty at checkpoints, shouldering M-l6s, many have come to believe this war has rendered obsolete a decade-old Pentagon policy barring them from serving with ground combat battalions.

As insurgents attack, they strike military supply convoys, checkpoints and camps where women are often present. As a result, hostile fire has taken a proportionally larger toll on service women than in any prior US conflict. Many commanders in Iraq see a widening gap between war-zone realities and policies designed to limit women's exposure to combat.

Although the Army is barred from **assigning** women to ground combat battalions, it skirts the ban with a twist in terminology. Instead of being "assigned," women are "attached" in direct support of the battalions.

**Sources**: Tyson, Ann Scott. *The Washington Post*, 2/27/06 A 1. McGirk, Tim, TIME 2/27/06.



## Marker Rededicated July 15, 2006

Lavinia Voss

About 30 LWVFA members attended the dedication of the Frederick P. Griffith, Jr. Water Treatment Plant ceremony on July 15, 2006, and the rededication of LWVFA's Historic

Roadside Marker.

The marker was first dedicated in March 1982, near the Occoquan Workhouse site. The Fairfax Water property on Route 123 in Lorton now incorporates the old workhouse site. The marker was placed there to recognize the Suffragists, who had been imprisoned at the workhouse for picketing the White House for their right to vote in 1917.

A picture of the historic marker and a black and white photograph of the original Occoquan Workhouse was framed for the occasion with money from the Dottie Ganahl Memorial fund. This framed picture will be presented to the Fairfax BOS to be hung in the Government Center for all to see.

The marker is now located on the west side of the road just outside the main gate entry to the Griffith facility. It is in a well-lit, landscaped area, there is room for a bench to be put there. A brass plaque, attached to the back of the bench, will be inscribed to honor League members who are no longer with us.

Some of our units have already collected money to honor members such as Carol Steere and Janet Hays. If you or your unit would like to contribute to this bench, please send your check to the office, specify it is for the bench and list any member's name that you would like recognized on the plaque. Please do this in the next month or so. We would like to get the bench installed before winter. Thank you.

## Recycle

Nonprofit groups in the United States and Europe are giving struggling people around the world access to convenient, inexpensive transportation with programs that give new life to secondhand bicycles. Groups like Re-Cycle in the UK and Bikes Not Bombs in Boston collect used bicycles, refurbish them, then ship them off to Africa, Central America and other regions where affordable transportation is difficult to come by.

Source: March/April 2006 WORLD ARK

## Election Officers Needed for November 7, 2006

The Fairfax County Electoral Board is looking for election officers to work at polling sites for the Tuesday, November 7, 2006, General Election. The County requires over 3,000 citizens to serve in its 225 precincts. The greater the shortage of officers, the longer it takes to vote at the polls. If you would be interested in working on Election Day, and would like an application, or need more information, please contact the Fairfax County Electoral Board at (703) 324-4735 or visit www.fairfaxcounty.gov/eb/.

Applicants must be registered to vote in the Commonwealth of Virginia and cannot hold elective office or be an employee of an elected official. Election officers must be available to work the entire day on November 7th, beginning at 5:00 a.m., until all tallies have been completed and all voting equipment secured. All officers are required to attend a training class, lasting about two hours, prior to the election. The full-day pay ranges from \$100 to \$200, depending on responsibilities. Working only one-half day (Split-shift) is available for those meeting t h e requirements (www.fairfaxcounty.gov/eb/splitshift requirements.pdf for information).

## Want To Know Your County Better?

Have you ever attended a Board of Supervisors (BOS) Meeting? How about School Board meeting? We do not have as many observers as LWVFA once had. Jane Hilder, Action Chair, tries to attend as many meetings of the BOS as possible. Sometimes the meetings can last from 9 or 9:30 am until 10 or 11 at night with only short breaks. Clearly we need an expanded observer corps in Fairfax to join our excellent Court Watch, the new Prince William observer program, and those who monitor other boards.

Many Fairfax County government meetings can be watched on cable channel 16 for those with cable TV service. If you've never been to a BOS meeting, it is interesting to watch in person. Anyone interested in observing the BOS, the School Board or other county boards, or part of a meeting, on a regular rotating basis, should contact Jane Hilder at 703-960-6820 or jc.hilder@verizon.net. Observer training will be given.

17 18 LWVLC/LWVFA 10<sup>th</sup> District Forum Board Meeting/Nov. UC Letter Deadline

### Adopted LWVFA Calendar 2006-2007

	Auopieu Lwwa Ca	iciidai 2	2000-2007
As of 8/0		21	DCC Election
2006		21	RCC Election
July		22	LWVFA UN Program: "Working Together
01	Canada Day		Towards Peace, Security and Human
04	Independence Day		Rights: What's in it for the U.S.?" at
08-09			Sherwood Library 2 pm
		23	Fall 06 Voters Guide Published
14	Board Agenda Deadline/Minutes sent NCA		
	Board Meeting	24	United Nations Day
15	Re-dedication of Historical Marker		on the 29 <sup>th</sup> )
19	<b>Board Meeting</b>	30- No	ov 7 Voter Service Phones
		31	Halloween
Augus		<b>N</b> T	1
02	Board Retreat at Rona's House	Novei	
80	September Bulletin Deadline	01	Dec. Bulletin Deadline
11	Board Agenda Deadline/Minutes sent.	1-7	V.S. Phones (Turn on Oct 29)
16	Board Meeting/Sept. UC Letter Deadline	03	NCA Board Meeting
22	NOVA Day - Annandale	04**	<b>Briefing</b> /Redistricting II - Consensus/ Room
26	Women's Equality Day (86th Anniv. of		TBD
20		6-7	School Closed
	ratification of 19 <sup>th</sup> Amendment)	07	ELECTION DAY
Septe:	mber		3, 14 Units topic - Redistricting Concensus
$04^{-}$	Labor Day	10	Veteran's Day/Board Agenda Deadline/
05	October Bulletin Deadline/School Opens		Minutes sent
08	NCA Board Meeting	14	Sequoyah Condo Election.
09**	Units Fall Kick Off - 10 a.m.	15	Board Meeting/ Briefing for Dec. Units
09			by Board/Dec. UC Letter Deadline
	Briefing(Sept.) Marriage Amendment -	22	School Closes 2 Hrs Early
	immediately following Kick-off meeting at		
	Mason District Govt Center	23-24	Thanksgiving- School Closed
9-10	Burke Conservancy Days		
	Units Marriage & VA's Amendment	Decer	nber
15	Board Agenda Deadline/Minutes sent.	01	NCA Board Meeting
16	LWVVA Workshops Charlottesville/	05	January Bulletin Deadline
10		06	WRT Pre-session Richmond
	Centerville Days/Reston Multicultural		Unit Meetings: Program Planning (LWVVA
	Festival	11-14	
17	FCAC Election/Citizenship Day		& LWVNCA) facilitated by Board
19	LWVFA/Federation 11 <sup>th</sup> District Debate		Members-
20	Board Meeting/Oct. UC Letter	15	Board Agenda Deadline/Minutes sent.
21	GMU Service Fair	16	First Day of Hanukkah
30	Fall for Fairfax	20	Board Meeting/Jan. UC Letter Deadline
50	1 au joi 1 au jan	23	Last Day of Hanukkah
Octob	O.M.		1. 2 School Vacation/Office Closed
		25	Christmas Day
01	Kingstowne Library (Membership		•
	Outreach)	26	Kwanzaa/Boxing Day
02	Yom Kippur		
03	November Bulletin Deadline	Notes:	
06	NCA Board Meeting	All Bo	ard Meetings & Briefings are held at the
07	Briefing/Jury System Follow up/ Upper	Pack ar	rd Center (room indicated by date) **
07			where noted**
00	Conference Room	-	
09	Columbus Day/School Closed	Dates	in bold: - All board members should
10	Voter Registration. (Last Day)	attend	
9 -12	Unit Meetings - Jury System Follow up	accnu	•
13	Board Agenda Deadline/Minutes sent	All Co	unty school closings are not shown on this
17	Woodlake Condo Election		unty school closings are not shown on this
- '	comme condo Lietuon	calend	a1.

All Outreach Events Dates Not Included

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Jani	uary (no unit meetings)
01	New Year's Day
02	SCHOOL/LWVFA

- 02 SCHOOL/LWVFA Office REOPEN
- 62 February Bulletin Deadline
- 05 NCA Board Meeting
- 06 NVA Delegation Pre-session Hearing
- 10 GEN. ASSEMBLY CONVENES(30 days)
- 12 Board Agenda Deadline/Minutes sent
- 15 Martin Luther King Day- Reston Celebration/ School Closed
- 17 Board Meeting/February UC Letter
- 20 General Meeting Tom Davis, Speaker
- WRT begins in Richmond
- 25-26 School Closed
- 30 March Bulletin Deadline

#### **February**

- 01 FCPS Budget Public Hearing
- 02 Ground Hog Day/NCA Board Meeting
- O3 Briefing Land Use Upper Conference Room
- 03 Mt. Vernon Town Mtg outreach
- 08 League Day in Richmond
- 8, 12, 13, 14 Units Land Use
- 14 St. Valentines Day/(League Founded 1920)
- 21 Board Meeting/March UC Letter Deadline
- 15 Susan B. Anthony Day
- 16 Board Agenda Deadline/Minutes sent
- **19** Annual Meeting Kit Due/Presidents Day/School Closed
- 27 April Bulletin Deadline

#### March (Women's History Month)

- 02 NCA Board Meeting
- 03 **Briefing**/NCA Airports Update/Upper Conference Room
- 08 International Women's Day
- **8, 12, 13, 14 Units** Airports Update NCA
- 16 Board Agenda Deadline/Minutes sent
- 17 St Patrick's Day
- 21 Board Meeting for Fairfax County Budget Presentation/Apr. UC Ltr. Deadline
- 23 Board Agenda Deadline
- 28 Board Meeting regular
- 30 School Closed

#### **April** (no unit meetings)

- 01 April Fools Day/Palm Sunday
- 01 Daylight Saving Begins
- 2,3,4. FFX BOS Budget Testimony
- O2 School Closed Spring Vacation/ Last Day to Register for City & Town Elec.
- May Bulletin Deadline/Passover Begins
- 06 Good Friday/NCA Board Meeting
- 08 Easter Sunday
- 09 School Reopens
- Board Agenda Deadline/Minutes sent
- 18 Board Meeting/May UC Letter Deadline
- **59**<sup>th</sup> **Annual Meeting Speaker** on Immigration (?) /Earth Day
- 19 Spring 07 Cities & Towns V.G. Published
- 27 Arbor Day
- 28-29 LWVVA Convention Richmond

#### May

- O1 June Bulletin Deadline/Cities and Towns Elections
- 01 Law Day
- 04 NCA Board Meeting
- 05\*\* **Briefing** Immigration/ LWVFA Room TBD

#### **8,9,10,14 Units** - Immigration/LWVFA

- Board Agenda Deadline/Minutes sent
- 12 NCA Annual Meeting
- 13 Mothers Day
- **Board Meeting/June UC Letter Deadline**
- 19 Armed Forces Day
- 28 Memorial Day/SCHOOL CLOSED

#### June

- 01 NCA Board Meeting
- 06? Skyline Plaza Condo Election
- 09-11 LWVUS Council
- 09 **Briefing** LWVFA Schools Update Large Conference Room
- 11-14 Units LWVFA Schools Positions Update
- 14 Flag Day
- Board Agenda Deadline/Minutes sent
- 17 Fathers Day
- 18 LAST DAY OF SCHOOL
- 20 Board Meeting/New Board Orientation
- 23 Unit Officers Wrap-up
- 21 Summer Begins
- 30 Membership Renewal Due



Jamestown VIRGINIA 1607-2007

## **America's 400th Anniversary**





#### **GARDEN FLAGS**

#JTFL1 (12"W x 18"H)
Duraknit material with digital graphics.
Single reverse print with pole sleeve.

QUAN <sup>-</sup>	ΓΙΤΥ	PRICE (each)			
1-1	6	\$33.50			
17-4	8	\$29.50			
49-1	00	\$24.00			



#### STANDARD FLAGS

#JTFL2 (5'W x 3'H)

Duraknit material with digital graphics. Single reverse print (right reading on one side of flag / reverse on opposite); canvas header with grommets.

QUANTITY	PRICE (each)				
1-10	\$235.00				
11-30	\$190.00				
31-50	\$130.00				
51-75	\$105.00				
76-100	\$99.00				



#### SINGLE SIDED VINYL BANNERS

#JTFL3 (6'W x 3'H)

Vinyl banner, digital graphics, single sided. 6 metal grommets.

QUANTITY	PRICE (each)		
1-10	\$172.00		
11-30	\$140.00		
31-50	\$120.00		
51-75	\$103.00		
76-100	\$78.00		





#### **DOUBLE SIDED VINYL BANNERS**

#JTFL4 (30"W x 72"H)

Vinyl banner, screen printed graphics on both sides. Pole pockets, top and bottom; standard position grommets.

QUANTITY	PRICE (each)				
1-10	\$210.00				
11-30	\$200.00				
31-50	\$147.00				
51-75	\$114.00				
76-100	\$100.50				

Contact: Eileen Wells • Toll free 1-888-377-7177 • Fax 757-220-4665 • ei125@cox.net

#### MARRIAGE AND VIRGINIA'S PROPOSED AMENDMENT

By Rona Ackerman, Bernice Colvard and Lois Page

#### HISTORICAL BACKGROUND IN BRIEF

Marriage in the Western World has its roots in several cultures, principally Hebrew, Roman, and Germanic. It was further shaped by the doctrines of the medieval Christian church, the demands of the Protestant Reformation, and the social impact of the Industrial Revolution. During all this time, the status of women was the same as that of other property.

Ancient Hebrew society was patriarchal. The main purpose of marriage was procreation. The patriarch selected a bride for his son and paid a "bride price" to her father or family. The father "gave the bride away" to the buyer, who, on his wedding day, lifted her veil to see her face for the first time. After the ceremony the bride took up residence with her husband's family.

Ancient Roman marriage and divorce were essentially private affairs which did not require governmental or religious involvement. Wedding pledges were exchanged between the groom and his father-in-law. A husband could punish, sell, or even kill his family as he saw fit. In its decline, (300-500 AD), the Roman state was forced to come to terms with Christianity. The synthesis of the two evolved into the Roman Catholic church which profoundly changed the history of marriage politics in the West.

The early marriage practices of Northern Europe were rather barbaric. Women were treated little better than domestic slaves. Under Germanic laws, marriage was a business deal with the setting of a "bride price" between the bridegroom and the bride's father. The word wedd derives from an Anglo-Saxon root that meant to gamble or wager. So a wedding was literally the purchase of a woman for breeding purposes, involving an element of risk. Wedd referred to the groom's pledge to marry, but also to the purchase with money or its equivalent in horses, cattle, or other property paid to the bride's father.

The 16<sup>th</sup> century Protestant Reformation rejected many Catholic concepts of marriage. Protestants elevated marriage over celibacy and viewed marriage as a lifelong covenant rather than a sacrament. Divorce was permitted under certain circumstances but it was so

cumbersome and expensive that it was out of reach for most couples. In the 1600s, the Puritans brought this concept of marriage to America, where it survived.

The social invention of marriage evolved over centuries to serve many economic, political, and communal functions, which had to do primarily with acquiring or maintaining wealth, power, and property. These goals were far too important to be based on something as irrational as love between individuals, and through the ages arranged marriages were generally accepted. From expanding family ties into cooperative relations to meet the needs of the larger group, marriage became an avenue through which elites could hoard or accumulate resources and shut out those not related or even "illegitimate" family members. The common folk could be as selective in their choices and tended to the more immediate: for example, could marriage join contiguous plots of land? Running a farm or a trade could rarely be accomplished by one person and required the skills, resources, and tools of a couple to succeed and pass on to their posterity. For most of the past it was well understood that marriage was an economic and political institution with rigid rules.

Modern notions of romantic love and intimacy originated, surprisingly, with the strait-laced Victorians and the Industrial Revolution, which produced a middle class in which women and men had the time and means to become educated and devote themselves toward bettering society. This included the American Woman's Movement, sparked in 1848 by Elizabeth Cady Stanton and Lucretia Mott. Although attaining the vote appears to have been their primary aim, the suffragists were actually much more focused on attaining married women's property rights, including rights to their own property and/or earnings, their children, and their own bodies and sexuality. Essentially, they were fighting the legal concept of "coverture," which held sway in the Western World for centuries. This was the concept that decreed that a married couple became one and that one was the husband. As long as the concept of the husband's legal responsibility to support his wife and family prevailed, the courts took very conservative views of laws asserting a wife's right to her property and earnings. Yet legislatures did feel empowered to pass new laws related to marriage. In doing so, they showed that marriage was a political creation.

If the past teaches us anything, it is how few precedents are relevant today. For thousands of years, there was little choice about whether and whom to marry and no choice in whether or not to have children. Life was short and death ended many marriages sooner than divorce does today. Marriage made the husband owner of his wife's property, earnings, and sexuality, and he had the final word on all family decisions.

In the twenty-first century, we are entering uncharted territory with no definitive guide to the new marital landscape. Most of what we used to take for granted is in flux. After half a century of passionate debate among professionals, there is still no universally accepted definition of marriage.

#### MARRIAGE IN THE UNITED STATES

The founders of this country saw a distinct analogy between the required mutual **consent** of a man and woman to marriage and that of the people to be governed by their elected leaders, the hallmark of representative government. Authority was delegated to elected representatives by the consent of citizens just as husbands were granted authority by the consent of wives. The model of lifelong, faithful monogamy bore the impress of the Christian religion and the English common law with its expectations of the husband as family head and provider and the wife as the dependent partner. Positive and punitive laws and government policy choices have endorsed and perpetuated nationally this particular marriage model.

In the form of the law and state enforcement, the public sets the terms of marriage which are regulated by states' authority over local health, safety, and welfare. State sanction of marriage is required and provided through the license and ceremony, hence the officiating cleric's words, "By the authority vested in me by the state of.... I now pronounce you husband and wife." Public policy has always found prohibiting divergent marriage as important as sustaining the chosen model. States say who can and cannot marry, who can officiate, what obligations and rights the marriage involves, and why and how it can be ended.

Even though state governments have the power to regulate marriage and divorce, a 1996 U.S. General Accounting Office (GAO) report found 1,049 places in the body of federal law where legal marriage conferred a distinctive status, right, or benefit. The U.S. government has packed into marriage many benefits and obligations, from immigration and citizenship to military service, tax policy, and property rules.

Privileges that go to legally married spouses include Social Security, Supplemental Security Income and Medicaid; Veterans' pensions, disability, medical care, housing and burial benefits; intestate succession rights; employer sponsored health benefits; and jail visitation privileges Other rights conferred by marriage include next of kin status for medical situations; granting postmortem anatomical gifts; custodial rights to children; child support and alimony; domestic violence intervention and protection orders; inheritance; and the right not to testify against a spouse.

As recently as 1967, sixteen states, including Virginia, still considered marriage across the color line void or criminal. Until overruled by the U.S. Supreme Court, state marriage laws punished or refused to legitimize "race mixtures." The focus has now turned to gender.

#### ON THE FEDERAL LEVEL

The issue of same-sex marriage was brought to national attention when, in 1993, the Hawaii Supreme Court ruled that laws denying the right of same-sex couples to marry violated the state's equal protection rights. The Court ruled that the state must show a "compelling reason" to ban same-sex marriage and ordered a lower court to hear a case seeking the right of same-sex couples to marry. Legislative action ultimately pre-empted this case. Then, in 1995, Utah passed the first Defense of Marriage statute, which stipulated that Utah did not have to recognize out-of state marriages that violated state public policy.<sup>2</sup>

In September 1996, President Bill Clinton signed the federal Defense of Marriage Act (DOMA) It explicitly defines the words "marriage" and "spouse" in federal law as involving one man and one woman. It also provides that no state be required to give effect to a same-sex marriage contracted in another state. Marriage is not addressed in the U.S. Constitution, but the constitutional doctrine of comity, which requires the

states to respect one another's laws, has always applied. This constitutional rule requires that each state must give "full faith and credit" to the public acts of others, which certainly makes this portion of DOMA constitutionally questionable. Clearly, the intent was to strike preemptively against perceived threats from individual states. Advocates of the Defense of Marriage Act contended that Congress has the power to prescribe how "full faith and credit" should be effected. They declared traditional marriage the bedrock of our civilization, necessary to preserve our way of life. Opponents of the Defense of Marriage Act also marshaled American values, reasoning that marriage was a basic right that should not discriminate on the basis of gender but be sustained by American values of liberty and the pursuit of happiness.

The passage of DOMA paved the way for state constitutional amendments banning same sex marriage. As a result, "A national debate over same-sex marriage has raged in courtrooms, in state legislatures and at ballot boxes across the country since Massachusetts began marrying same-sex couples on May 17, 2004." 3

In 2004, opponents of same-sex marriage proposed a Federal Marriage Amendment which stated, "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." Passage would have ensured that DOMA amendments could not be challenged under the full faith and credit clause, the equal protection clause or the due process clause of the Constitution. Although debated in the United States Senate in 2004, it never faced a full Senate vote in that session

The Federal Marriage Amendment was again brought before the Senate in 2006. The League of Women Voters of the United States, along with 58 other organizations comprising the Leadership Conference on Civil Rights, sent a letter to every Senator stating, "The proposed amendment is antithetical to one of the Constitution's most fundamental guiding principles, that of the guarantee of equal protection for all. For the first time in history, the Constitution would be altered to be used as a tool of exclusion, restricting the rights of a group of Americans. It is so far-reaching that it would not only prohibit states from granting equal

marriage rights to same-sex couples, but also may deprive same-sex couples and their families of fundamental protections such as hospital visitation, inheritance rights, and health care benefits, whether conveyed through marriage or other legally recognized relationships. Such a proposal runs afoul of basic principles of fairness and will do little but harm real children and real families in the process." On June 7, 2006, the measure was debated by the Senate, and defeated in a 49-48 vote.

#### ON THE STATE LEVEL

The first state law defining marriage as a union between a man and woman was adopted by Maryland in 1973; there are currently 41 states that have statutes which prohibit same-sex marriage<sup>6</sup> "Twenty states have written prohibitions on same-sex marriage into their state constitutions. The latest was Alabama on June 6, when 80 percent of voters approved the measure in a statewide referendum. At least seven more states will hold statewide votes on same-sex marriage bans in November 2006: Arizona, Idaho, South Carolina, South Dakota, Tennessee, Virginia and Wisconsin. And more are in line with seven other states considering similar amendments." 7

Dale Carpenter of the University of Minnesota Law School categorized these "marriage amendments" into three classes: 8

<u>Procedural Amendments</u> do not define marriage or limit relationships. Instead they focus on where the authority to define marriage is assigned. For example, in Hawaii the amendment states "The legislature shall have the power to reserve marriage to opposite-sex couples." After adoption, the Hawaii legislature passed a law providing that marriage is valid only between a man and a woman.

Status Amendments define marriage as the union of one man and one woman. This leaves legislatures in these states free to consider and adopt legislation authorizing civil unions, domestic partnerships or other unmarried relationships. Alaska, Mississippi, Missouri, Montana, Nevada, Oklahoma, Oregon have passed these amendments.

Restrictive Amendments define marriage as between one man and one woman and prohibit creation or recognition of civil unions, domestic partnerships or other unmarried relationships. In Alabama, Georgia and Nebraska, these amendments ban civil unions, etc., only for same-sex relationships. Other states

impose restrictions on the legal recognition of unmarried relationships regardless of the gender of the couples involved. These include Arkansas, Kansas, Kentucky, Louisiana, Michigan, North Dakota, Ohio, Oklahoma, Texas and Utah. If passed, Virginia's marriage amendment would fall into this last category.

In Massachusetts, the only state where same-sex marriage is legal, same-sex couples have the same benefits and protections as opposite sex couples. Vermont grants the same state benefits, civil rights, and protections to same-sex couples as to married couples, but calls their status a "civil union" instead of "marriage." In 2005, Connecticut became the second state to legalize civil unions. With all the legal protections that marriage confers in both federal and state law, it is easy to see why same-sex partners would want to claim some of those protections. Some of the states have developed limited provisions for them. California, the District of Columbia, Hawaii, Maine, and New Jersey have created domestic partnerships. None provide equality with the rights and privileges of married couples on a state level. Typical benefits include hospital visitation rights, health coverage, and family or bereavement leave. domestic partnership law applies to all heterosexual couples as well; California and New Jersey laws also apply to heterosexual couples over the age of 62.

"In the United States, domestic partnership [or civil union] is a state or employer-recognized status similar to marriage that may be available to same-sex couples and, sometimes, opposite-sex couples. Although similar to marriage, a state-recognized legal domestic partnership does not confer many of the 1,049 [federal] rights afforded to a civil marriage. Domestic partnerships in the United States are determined on a state-by-state basis, and sometimes on a city-by-city or county-by-county basis. In many other countries, the same legal status is referred to as registered partnership, and "Domestic partnership" refers to cohabitation, rather than a legal status.

"In some states without domestic partnership legislation, sometimes a "domestic partnership" status is granted by an employer for the granting of health, family and insurance benefits. This practice is more common among U.S. colleges, universities and Fortune 500-listed companies than at small businesses. Employer-recognized domestic partnership qualifications and status varies in scope from employer to

employer as to what benefits are offered and whether or not same-sex or different-sex couples (or both) qualify."9

"In July [2006], New York's and Washington's highest courts upheld state law limiting marriage to one man and one woman, and judges also in July in Nebraska and Georgia reinstated those states' constitutional bans against same-sex marriage that had been thrown out by lower courts. A decision is pending from New Jersey's highest court on whether to legalize gay marriage.

"New York's and Washington's high courts were the first in the nation to find no state constitutional guarantee for same-sex couples to receive equal access to the rights of marriage Besides Massachusetts, the high court of Vermont and lower courts in Hawaii and Alaska also found it unconstitutional to deny same-sex couples the right to marry. However, Vermont's court allowed the Legislature to create civil union as an alternative to gay marriage, and lawmakers and voters in Alaska and Hawaii nullified their court rulings by adopting constitutional bans against same-sex marriage." <sup>0</sup>1

#### IN VIRGINIA

Same-sex marriage has been outlawed in Virginia since 1975, when the legislature enacted: § 20-45.2. Marriage between persons of same sex: A marriage between persons of same sex is prohibited. Any marriage entered into by persons of the same sex in another state or jurisdiction shall be void in all respects in Virginia and any contractual rights created by such marriage shall be void and unenforceable.

In 2004, the following section was added to the code: § 20-45.3. Civil Unions between persons of same sex: A civil union, partnership contract or other arrangement between persons of the same sex purporting to bestow the privileges or obligations of marriage is prohibited. Any such civil union, partnership contract or other arrangement entered into by persons of the same sex in another state or jurisdiction shall be void in all respects in Virginia and any contractual rights created thereby shall be void and unenforceable.

Supporters of Virginia's proposed constitutional amendment believe that these laws are not sufficient and could be overturned by the courts. It would be much harder to overturn the Virginia Constitution.

Virginia's proposed constitutional amendment is modeled on Ohio's which states, "This state...shall not create or recognize...relationships of unmarried individuals that intends to approximate the design, qualities, significance or effect of marriage." Ohio Constitution, Art XV, Section 11 (2004). Since adoption, there has been an explosion of litigation in Ohio. It has been argued in multiple cases that the amendment bars domestic violence prosecutions against unmarried people; this issue will be heard by the Ohio Supreme Court. Miami University of Ohio is being sued because it offers "unconstitutional" domestic partner benefits and the amendment is also being used to argue against a custody order. Litigation on domestic partner benefits is also pending in Michigan and Utah. Legal precedents in these states will be used by their highest courts to settle these issues, and the result may differ accordingly in each of the states.

Virginia's amendment barring all legal recognition for unmarried relationships is one of the most broadly written and most restrictive of the relationship recognition amendments in effect or now under consideration in the 50 states. Virginia and Vermont are already in conflict over this issue. Two women were joined in a civil union in Vermont and subsequently, one of the women had a baby by artificial insemination. When the birth mother returned to Virginia, she denied her now ex-partner's demands for visitation and filed for sole custody which a Virginia judge awarded to her in 2004. On August 4, 2006, the Vermont Supreme Court ruled that Vermont has "exclusive jurisdiction over [the] case involving two women battling for custody of a child they had while they were in a lesbian relationship. The unanimous ruling conflicts with a series of decisions in Virginia, where courts ruled the state's laws against same-sex marriage controlled the case."11

"Opponents [of the amendment], who include Gov. Timothy M. Kaine (D), have argued that the language of the amendment -- that the state will "not create or recognize a legal status for relationships of unmarried individuals" -- is so broad that it also would affect contracts between unwed heterosexual couples...

"The amendment "in my view disenfranchises . . . unmarried people, both same-sex or heterosexual couples," Kaine said. But he took his criticism one step further, saying that the proposed amendment was discriminatory:

"There's nothing else in the [Virginia] Bill of Rights that takes away rights of people. We're equal citizens in the state; we ought to be treated equally."

"Supporters of the amendment believe that the amendment is necessary to preserve traditional marriage. They also say that current law -- Virginia's Marriage Affirmation Act of 2004 -- mirrors the language in the proposed constitutional amendment and has not invalidated contracts between unwed couples.

"There is a law on the books right now that does the same thing as the amendment and that has never been challenged in court," said Del. Robert G. Marshall (R-Prince William), sponsor of the legislative resolution creating the proposed amendment. "The argument is nothing but a red herring." <sup>2</sup>1

"Many gay people in Virginia and some family-law attorneys say they worry that the state law and proposed amendment are more far-reaching than simple bans on gay marriage—that the measures could threaten the legal viability of the contracts used by gay couples to share ownership of property and businesses.

"The exact effects are unclear, and the 2004 law remains untested, but some gays say they fear the laws could affect their ability to own homes together; to draft powers of attorney, adoption papers or wills; or to arrange for hospital visitation or health surrogacy.

"Married people get these rights automatically through long-established common law; gay people use legal documents to ensure they can leave their property at death to their partner or allow their partner, rather than the patient's birth family, to make end-of-life decisions for them. Some gay people worry that hostile family members could use the language in the laws to seize their possessions or take custody of their children if they could prove the couple has a relationship that illegally approximated a marriage." <sup>3</sup>1

"The ability to enter into a contract about anything isn't exclusive to marriage," said David Johnson, a deputy for Virginia Attorney General Robert F. McDonnell (R), a supporter of the amendment. "The overall, overarching principle here is that this amendment is very clear in defining marriage and to prevent any rhetorical sleights of hand that create marriage by another name. A contract to buy a house or to sell property . . . or write a will, [is] not exclusive to marriage." <sup>4</sup>1

According to Michael Schewel, Virginia's Secretary of Trade and Commerce under Governor Mark Warner, the amendment could have an economic impact. It will make Virginia less attractive to companies that seek top employees without regard to race, religion or sexual orientation. Capital One and the 15 other Fortune 500 companies based here that provide domestic-partner benefits may be prohibited from doing so and will find it harder to hire the people they want to hire in Virginia. While there are no statistics available, *The Washington Post* has already reported anecdotally on the migration of gay residents from Virginia to Maryland and the District.

#### A FOCUS ON CHANGE

An overview of the institution known as marriage shows more change in the past thirty-to-forty years than in the previous three thousand. Few of the old "rules" still apply. With the dissolution of universallyaccepted practices, battles rage in the courts, in the oped pages, and at the dinner table over the meaning of marriage, why people participate in it, and who can do so. Personal faith is the basis for religious debate over same-sex marriage and does not appear to be affected by social science evidence pro or con. At the same time, our cherished tradition of freedom of religion appears vulnerable to an inclination to mix religion with politics especially over issues like abortion, gay rights, and stem cell research. The personal has become the political and we are experiencing a "value split" by ideology. Some caution that there is a need to remember that tolerance is no vice.

Radical change has been and is reshaping the form of marriage and its role in society and meaning in individual's lives. **Divorce, cohabitation,** and **single parenthood** have profoundly changed and continue to change our concepts. A vast increase in persons living alone is also having an effect. At the same time, there is great variety in the composition of households. Same-sex households may be but are not necessarily gay or lesbian; there are many other possible combinations (familial and companion). Postponing marriage until the late twenties or early thirties further contributes to the diminishing role of the institution of marriage in organizing social and personal life. What appears to be evolving is a gradual alteration in form from spousal to partner roles and responsibilities.

Are efforts to re-institutionalize marriage between a man and a woman a sign of resistance to change? Should marriage be the main mechanism to regulate sexuality, legitimize offspring, organize the division of labor by gender, and redistribute resources to dependents? After the last century of social change, it seems likely that the legal monopoly once held by marriage over the rules organizing people's personal rights and obligations has been lost.

While the U.S. is one of the most sexually conservative countries in the industrial world (and Virginia a bastion of it), attitudes toward homosexuality have experienced immense change over the past fifteen years. In a 2004 *USA Today* poll, half of the 18 and 19 year olds supported legalization of gay marriage, compared with only 19 percent of those over 65. Constitutional amendments or not, the reality of gay and lesbian families won't go away. Typically, laws attempt to deal with change already brought about by social modification. Eight U.S. states and the District now allow two legal mothers or two legal fathers. And 40 percent of the nation's adoption agencies report they've placed children with gay or lesbian parents.

In the U.S., there are currently 119,000 children, half racial and ethnic minorities, awaiting adoption and about 588,000 in foster care. Family law judges around the country have been considering "the best interest of the child" in adoption and custody contexts and placing children with gay parents. Unless specifically prohibited, they are swayed by the real needs of children rather than lawmakers' moral preferences.

Governments and employers in at least twenty Western countries have adopted "domestic partnership" or "civil union" laws and policies. Unmarried couples who register are granted some, if not all, of the same insurance benefits, inheritance, and other legal privileges as married persons. Benefits to unmarried persons living together are now extended by nearly half the 500 largest companies in America. Full recognition of same-sex unions is the law in Belgium, Canada, The Netherlands, South Africa and Spain. The pivotal position marriage once held in personal and social life is being displaced. We cannot afford to ignore that children are being raised and many obligations incurred in alternative settings, no matter how much society may value traditional marriage.

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## League of Women Voters® of Virginia Education Fund Nonpartisan Explanation Of the Constitutional Amendment:

## **DEFINITION OF MARRIAGE**

#### **BALLOT QUESTION #1**

Shall Article 1 (the Bill of Rights) of the Constitution of Virginia be amended to state "That only a union between one man and one woman may be a marriage valid in or recognized by the Commonwealth and its political subdivisions. The Commonwealth and its political subdivisions shall not create or recognize a legal status for relationships or unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage. Nor shall this Commonwealth or its political subdivisions create or recognize another union partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities or effects of marriage'?

#### **EXPLANATION**

There is a nationwide effort to pass state-by-state constitutional amendments to define marriage as a union between a man and a woman. In Virginia, this would be in Article I. Bill of Rights, Sec 15-A. The proposed amendment would:

- > Forbid same-sex marriages and civil unions between persons;
- > Deny recognition of same-sex marriages and civil unions allowed by other states; and
- > Forbid other legal status arrangements between unmarried persons that try to give the obligations or privileges of marriage.

Virginia has existing statutes (§ 20-45. 2-3), which prohibit marriage between persons of the same sex, and voids any such marriage performed in another state or jurisdiction. The law further prohibits any civil union, partnership

contract or other arrangements between persons of the same sex that tries to give the privileges or obligations of marriage. This also applies even if the arrangements are contracted in another state.

However, some groups are concerned that state laws can be overturned by judicial appeals. It is much more difficult to overturn a state constitution. To change the constitution, an identically worded amendment must pass two General Assemblies, separated by an election, and be approved by the voters. The wording of this proposed amendment passed the General Assembly passed in 2005, followed by the Nov. 2005 election, and passed again in 2006. It is now before the voters to decide whether or not the amendment should be made part of the state constitution.

#### Possible consequences

The first sentence, "That only a union between one man..." has consequences that are probably predictable. The language in the second and third sentences could have unforeseen consequences because it is unknown what a court might consider the intention "to approximate the design, qualities, significance, or effects of marriage," or how it might interpret the ban on any "legal status" that might have the "rights, benefits, obligations, qualities or effects of marriage?"

It could prevent unmarried partners, heterosexual as well as homosexual, from being protected by restraining orders available under domestic violence laws. Attorneys in Ohio, which has passed a similar law, say they are obliged to use this interpretation in defense of abuse cases.

It could prevent unmarried partners from inheriting, even if there is a will.

It could end legal protections that designate custody of children, living trusts, joint accounts with right of survivorship, insurance beneficiary designations, and living will designations of who may act in your behalf, for unmarried persons.

It could deny health insurance benefits to unmarried partners.

#### WHAT DO SUPPORTERS SAY?

- ✓ Supporters say activist judges may overturn state laws such as those in Virginia. We need a state constitutional amendment and a national constitutional amendment to prevent this from happening.
- ✓ Supporters say that opponents' concerns about legal issues are unfounded. There are State laws protecting rights between unmarried people.
- ✓ Supporters say marriage is a sacred bond only possible between one man and one woman. It is a basic belief of our culture, and such marriages need to be protected.
- ✓ Supporters say the country is stronger when there are stable marriages. Our laws should support this.
- ✓ Supporters say many studies show that measures of children's well-being are greater in homes that have a mother and a father.
- ✓ Supporters say that American society is under attack by proponents of same-sex marriages who want to impose their life-style on the majority.

#### WHAT DO OPPONENTS SAY?

- ✓ Opponents say that state laws and the federal Defense of Marriage Act provide all the protection that opponents to same-sex marriage could want.
- ✓ Opponents say the language in the amendment is the most restrictive in the country and could have huge implications on issues between unmarried people, heterosexual as well as homosexual.
- ✓ Opponents say that this whole issue is a denial of rights to a class of people based on their sexual preference. It is unjust and un-American.
- ✓ Opponents say same-sex relationships are more stable than those of homosexuals compelled by society and law into man-woman marriages.
- ✓ Opponents say many studies that show that children do well in homes that are supportive and stable without regard to the sexual orientation of the parents.
- ✓ Opponents say that marriage protected by the state is a civil contract, which should not be bound by the standards of some religious groups

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### **Unit Meeting Locations - Topic: Marriage Amendment**

Members and visitors may attend any meeting convenient for them. At print time the locations were correct, *please use* phone numbers to verify sites and advise of your intent to attend. Some meetings at restaurants need reservations.

Monday September II,

Wednesday, September 13

Thursday, September 14

## **1:30 pm Greenspring Vill. (GSV)** Hunters Crossing Craft Room

Spring Village Drive, Springfield Call Jane 703-569-0079 for info.

Tuesday, September 12

#### 9:45 am Annandale/Barcroft (AB)

Mason District Govt. Center 6507 Columbia Pike, Annandale Call Emily 703-346-9684 for info.

#### 12:30 pm McLean (McL)

McLean Community Center, Rm # 2 1234 Ingleside Ave. McLean Call Anne 703-448-6626 for info.

#### 7:45 pm Vienna Evening (VE)

9818 Days Farm Dr, Vienna Call John or Lorraine 703-759-4111

In a Nutshell—Chestnut Trivia

One of the earliest tree crops to be domesticated, the chestnut was mentioned in Chinese poetry more than 5,000 years ago......500-year-old grafted chestnuts still exist in China. Conditions favorable to peach cultivation also favor chestnut growth. The chestnut grows 25 to 50% faster than the oak.

Currently, the largest living American chestnut, at 80 feet, is in W. Salem, Wisc., among a 50-acre stand. Sadly, it is beginning to show signs of blight......The chestnut bears marketable nuts in seven years.

The largest recorded American chestnut was 17 feet in diameter (height unknown), in Haywood County, NC.

U.S. chestnut production is less than 1% of worldwide output, as of 2004.

Source: Blue Ridge County, Sept/Oct 05.

9:30 am Fairfax Station (FXS)

7902 Bracksford Ct., Fairfax Station Call Lois, 703-690-0908 for info

#### 9:30 am Hollin Hills Day (HHD)

Mount Vernon District Gov. Center 2511 Parkers Lane, Alexandria Call Joan 703-765-0799 for info.

#### 9:30 am Vienna Day (VID)

9114 Coronado Terrace, Fairfax Call Sally, 703-273-2048 for info.

#### 12:00 Chantilly/Herndon (CHD)

Sully District Governmental Center 4900 Stonecroft Blvd., Centerville Call Olga 703-815-1897 for info.

#### 9:00 am Pr. William Area (PWD)

1st Floor Conference Room., City Hall9027 Center St., ManassasCall Sheila 703-492-4574 for info.

#### 6:15 pm Dinner Unit (DU)

Yen Cheng Rest. Main Street Center 9992 Main Street, Fairfax Call Pier 703-256-1019 for info.

#### 7:30 pm Reston Evening (RE)

Reston Museum 1639 Washington Plaza, Lake Anne Village Center Call Baba 703-437-1901 for info.

#### 7:30 pm Pr. William Area (PWE)

Great American Buffet Company 8365 Sudley Road Manassas Come at 7.00 pm for dinner. Call Sheila 703-492-4574 for info.

#### 9:00 am Reston Day (RD)

Reston Museum 1639 Washington Plaza, Lake Anne Village Center Call Irene 703-476-6426 for info.

#### 9:15 am Fairfax City Day (FXD)

10606 Norman Avenue, Fairfax Call Jeanne 703-591-4580 for info

#### 9:30 am Springfield (SPF)

Packard Center (Lg. Conf. Rm.) 4026 Hummer Rd, Annandale Call Nancy 703-256-6570 or Peg 703-256-9420 for info.

#### 7:45 pm Hollin Hills Eve. (HHE)

6316 Barrister Place, Alexandria Call Kay 703-765-7104 for info.

October Unit Meetings Topic

Local Jury System



The League of Women Voters of the Fairfax Area (LWVFA) 4026 Hummer Road, Suite #214 Annandale, VA 22003-2403 703-658-9150. E-mail: <a href="https://linear.ncbi.nlm.n

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Sherry Zachry, President Lavinia S. Voss, Editor

The League of Women Voters is a nonpartisan political organization that encourages citizens to play an informed and active role in government. At the local, state, regional and national levels, the League works to influence public policy through education and advocacy. Any citizen of voting age, male or female, may become a member.

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#### LWVFA MEMBERSHIP APPLICATION

Current member dues thru <b>June 30, 2007.</b> Check all that apply: Individual \$50 Sustaining Member \$75 Advocate Member \$100 Household (2 persons–1 <i>Bulletin</i> ) \$75 New Renewal Reinstate Donation Subsidy Student Coll. Attending Enrolled full/part-time student–half individual dues. We value membership—a subsidy fund is available, to use it, \( \sigma \) subsidy line and include whatever you can afford. Dues are <b>not</b> tax deductible. Tax deductible donations must be on a separate check made payable to LWVFA Ed. Fund. <b>Please Print Clearly!</b>							
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