

Debate over Initiative 35 struggles to define family

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P-I Reporter

On the surface, Initiative 35 asks Seattle voters to settle a relatively simple issue: Who should be eligible for sick and bereavement leave?

But the underlying issue raised by the initiative poses a far more difficult question: What is family?

With gay couples and other unmarried "domestic partners" seeking benefits given their married colleagues, society is being asked to reassess how it treats non-traditional relationships.

It is an issue being pushed not only at the workplace and the ballot box but before the courts and in churches and at home.

The nuclear family — mom, pop and the kids — has become the exception rather than the norm. As the family redefines itself, changes in attitudes and laws follow.

Gay-rights activists and others argue it is discriminatory to provide employee benefits on the basis of a marriage certificate. They say the issue is a matter of fairness, not approval or disapproval of non-traditional relationships.

The Seattle City Council agreed and voted 8-1 last year to allow unmarried city employees with live-in partners to take sick leave to care for an ailing partner and bereavement leave when a loved one dies.

But some Seattle voters contend city government is setting a social agenda.

Under the title of "Citizens for Family," the Initiative 35 campaign gathered more than 22,000 signatures to place these domestic partner benefits to a public vote Nov. 6. If the city wants to broaden its benefits, it should do so whether an employee has a partner or not, they say.

"We don't have to redefine the family or restructure society to give benefits in more equitable ways," said Julia Fogassy, manager of the Initiative 35 campaign.

Seattle's recognition of domestic partnerships — and the ensuing debate — is part of a nationwide trend in which society defines family by function rather than by blood and marriage, said Thomas Coleman, director of Family Diversity, a non-profit research group in Los Angeles.

"This fits in with a larger picture," Coleman said. "This kind of reassessment of benefits is going on all around the country. It's not just for domestic partnerships but all kinds of families."

Times have changed since television's Ward and June Cleaver and their two sons represented the archetypal American family.

The Census Bureau figures about one in four households consists of a married couple with children living at home.

In 1960, nearly three-quarters of households consisted of married couples. That figure dropped below 57 percent in a 1988 Census Bureau survey.

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Domestic partners

Initiative 35, which will be on the November ballot, asks Seattle voters to repeal a city policy that extends certain benefits to unmarried couples.

The policy, adopted in 1989, lets city employees take sick leave to attend an ailing "domestic partner" or bereavement leave when the loved one dies. The domestic partnership can be a heterosexual or homosexual relationship.

■ **Proponents say:** The city should not be sanctioning and extending benefits to support these non-traditional relationships.

■ **Opponents say:** The policy eliminates discrimination on the basis of marital status and supports the growing number of non-traditional families in today's society.

"The demographics have pushed us to a new definition of family," said Bonnie Snedeker, a city human-services planner.

The changing family has prompted frequent flier programs and health clubs to extend membership benefits to live-in partners. It also led to a ruling by New York state's highest court that a gay couple is legally entitled to be considered a family under New York City's rent control laws.

"We see the law catching up to custom, rather than law making radical suggestions to society," said Pepper Schwartz, professor of sociology at the University of Washington and co-author of the best-selling "American Couples."

But critics contend that societal support of non-traditional relationships has accelerated the breakdown of family.

"We feel we're reaping a real whirlwind of deep social problems because of that," said Gary Bauer, a former Reagan administration domestic affairs adviser who heads the Family Research Council, a conservative research group in Washington, D.C.

"I would rely on 2,000 years of civilization," Bauer said. "All the history we got that encourages intact family isn't accidental. It is the best way to live."

To be eligible for domestic partner benefits, a city of Seattle employee and the partner must sign an affidavit declaring that they share the same residence, enjoy a close committed relationship, share living expenses and are responsible for each other's "common welfare." Making false statements is a criminal offense.

"I didn't have to swear that much when I got married," said Paul Melvin, co-manager of the No on 35 Campaign.

But the domestic partnership contract falls far short of obligations of marriage, in which spouses vow to stay together "till death do us part," said John Hollinrake, a legal adviser to the Initiative 35 campaign.

A marriage requires a formal legal ceremony, a public certificate and joint responsibility for children, debts and other obligations that domestic partners don't have to meet, Hollinrake said.

Leading the fight for domestic partnership benefits are local and national gay organizations.

The National Gay and Lesbian Task Force recently sent out a bulletin warning that passage of Initiative 35 would "be a setback not only for the residents of Seattle but for activists and organizers in other cities around the country."

Gay-rights activists have taken the lead because they do not have the option of marriage and because unmarried heterosexual couples lack an organized constituency, said Shelly Cohen, a Seattle lawyer who helped draft the domestic partnership ordinance.

"Gay people have focused the discussion. We have talked about it for a long time," Cohen said. "But we're not the primary beneficiary — we're just one-quarter or one-third. We're just more organized."

Initiative 35's backers say their objection to domestic partner benefits is with the official recognition accorded unmarried relationships, not with what couples do in the privacy of their own homes.

"To say this is a narrow homosexual issue is not true, even though it is part of the problem," Fogassy said. "To say that two men or two women living together is like being married isn't true. It can't be."