

Wilton couple overjoyed by gay marriage ruling

Contributed by Brian Shea

Thursday, October 16, 2008 14:46

Last Friday, the Connecticut Supreme Court ruled that gay couples have the right to marry, and Wilton residents Jeffrey Busch and Stephen Davis of DeForest Road, together for 20 years, felt an avalanche of emotion at the decision.

"We sobbed. It's first time in my life that I ever sobbed for joy," said Mr. Busch of his reaction to finding out that he and Mr. Davis, who were both parties to the suit demanding the right to marry, would finally be able to wed.

"It was really overwhelming. It was so right on, and recognized a number of important arguments our lawyers had made," said Mr. Davis.

Mr. Busch and Mr. Davis moved to Wilton in 1997, and in 2004 they sought a marriage license from the town clerk's office in Madison. The office denied the marriage license on the advice of state Attorney General Richard Blumenthal. The couple, along with seven other gay and lesbian couples, sued the state in August 2004. Though the couple have a civil union, Mr. Busch said he was overjoyed at the fact that he and Stephen would be able to be married.

"It seems so important and yet it's such a simple thing. For the first time, Stephen is no longer my life partner. He's not my special friend. He's not my co-pilot. He's my fiancé," said Mr. Busch.

The ruling makes Connecticut the third state to allow same sex marriage behind Massachusetts and California. The court's ruling marks the first time that a state that had authorized civil unions was told they were not enough to protect the rights of gay couples. In the majority opinion, Justice Richard N. Palmer wrote that denying marriage to same-sex couples would create separate standards.

"Interpreting our state constitutional provisions in accordance with firmly established equal protection principles leads inevitably to the conclusion that gay persons are entitled to marry the otherwise qualified same sex partner of their choice," Justice Palmer wrote.

Other justices disagreed that same sex marriage is constitutionally required.

Senior Associate Justice David M. Bordon cited Connecticut's civil union's law passed in 2005 and said there is no conclusive evidence that civil unions are inferior to marriages.

"It is simply too early to know this with any reasonable measure of certitude," Justice Borden wrote.

Justice Peter T. Zarella wrote that he believes there is no fundamental right to same-sex marriage, and the court's majority failed to discuss the purpose of marriage laws, which he said is to "privilege and regulate procreative conduct."

And members of the Family Institute of Connecticut said they were outraged at the decision.

"Even the legislature, as liberal as ours, decided that marriage is between a man and a woman," said the executive director of the institute, Peter Wolfgang. "This is about our right to govern ourselves. It is bigger than gay marriage."

The decision allows Mr. Busch and Mr. Davis and their six-year-old son Elijah to finally be a complete family, Mr. Busch said.

"He's going to get to see his parents walk down the aisle," said Mr. Busch of Elijah. "He's going to be our ring bearer."

Mr. Busch said no date had yet been set for the wedding, but that he thinks it'll be in the spring in his and Mr. Davis' backyard. He said he wanted to thank the Gay and Lesbian Advocates and Defenders and Love Makes A

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Family for their work and support.

But the court's decision does not mark the end of the debate over same sex marriage in the state, as the Family Institute of Connecticut and others are in support of holding a state constitutional convention that could allow for the constitution to be amended to prohibit same sex marriage. The question of whether the state should hold a constitutional convention is on the ballot this November, as it is required to be every 20 years.

"This is our one opportunity for the people to have a voice, for the people to be heard, for them to decide whether marriage will be protected as between a man and a woman," said Mr. Wolfgang.

Mr. Davis said he was aware of those efforts.

"The religious right, various groups and so forth have been organizing themselves since the announcement," said Mr. Davis. "The issue is not over yet, but I have a lot of confidence in the people of Connecticut. I'm not really worried, but it requires due diligence."

The Associated Press contributed to this report.