

Why the UW System Should Be Concerned About the “Defense of Marriage” Proposal ¹

Background

In March 2004, the Wisconsin Legislature voted to amend the state constitution as follows:

“Only a marriage between one man and one woman shall be valid or recognized as a marriage in this state. A legal status identical or substantially similar to that of marriage for unmarried individuals shall not be valid or recognized in this state.”

This amendment would do more than reinforce Wisconsin’s current ban on marriage for same-sex couples. It would be one of the harshest laws in our country, would prohibit civil unions, and would likely prohibit domestic partnerships and employee benefits for gay and lesbian families.

Concerns

This amendment works against maintaining the educational excellence for which the UW System is known. A key to the intellectual and personal development of our students is diversity in the broadest sense; creating a diverse community of scholars in which students must learn to deal with the complexity of thought and social relationships that accompany a diverse community of scholars is a priority.

The amendment will deter our ability to attract the best and brightest faculty, staff and students. It sends a negative message, not only to gay and lesbian individuals who might contribute to the excellence we hope to create through diversity, but also to anyone who is concerned with equity and social justice issues.

This amendment would have a chilling effect, going against the Board of Regents’ current efforts to improve our ability to recruit and retain high quality faculty and would run contrary to the BOR Finance Committee’s April, 2004 resolution to work toward inclusion of health insurance for domestic partners in the UW System pay plan.

The amendment would threaten the ability of UW System to offer some or all of the domestic partner benefits we now provide.²

The amendment would dampen the state’s economic prospects, given the strong links between presence and acceptance of a gay population, and economic development.

Writing discrimination into the constitution of our state is contrary to our social, cultural, and legal traditions. This would be the first time our constitution was amended to restrict the freedom of a group of people rather than expand it. It would be a dangerous erosion of discrimination protections.

To model the civic engagement and social responsibility we hope to foster in our students, all members and friends of the UW System Community must take action to defeat this amendment and to ameliorate the negative impact of the amendment if it is ultimately successful.

¹ These talking points are drawn from *Action Wisconsin* brochures and from the several University of Wisconsin System resolutions and letters that have been written against the amendment.

² System wide, these benefits include dental care, sick leave, employee reimbursement accounts, accidental death & dismemberment insurance, long term care insurance, and term life insurance. Additional benefits offered by some UW System institutions include: vision benefits, prescription drug insurance, family/parental leave, bereavement leave, survivor benefits, financial planning, athletic tickets, dual career couple programs, library cards, non-resident tuition remission for domestic partners, i.d. cards, transportation benefits, wellness programs, counseling services, relocation assistance, partner hires, legal services, recreational sports facility use, university housing, children’s center services, employee assistance programs, disability benefits, retirement benefits, tax sheltered annuities, employee wellness program services. Students, but not employees, can purchase health insurance for their partners.