



Written by [Dave Bohon](#) on October 22, 2013

Governor Christie Surrenders; New Jersey Begins Same-sex Marriage

New Jersey became the 14th state to officially legalize homosexual marriage October 21, days after the state Supreme Court ruled that an attempt to block a lower court ruling requiring same-sex marriage to move forward would have no chance of success. On September 27, Superior Court Judge Mary Jacobson ordered the state to begin permitting same-sex marriages, ruling that the state's refusal to recognize homosexual pairings as marriage violated the equal protections clause of the state's constitution. On October 10 Jacobson refused to suspend enforcement of her order while it was appealed to a higher court.



[Baptist Press News](#) reported that as counties processed marriage licenses for homosexual couples, the state Supreme Court denied an appeal, led by Governor Chris Christie (shown), of the lower court order, ruling that the appeal had no "reasonable probability of success." As homosexual couples began exchanging vows at city halls and liberal-minded churches across the state, the governor threw in the towel on legal maneuverings to stop the process.

Christie's office said in a statement that the governor had advised his attorney general to drop the state's appeal of the lower court decision in the lawsuit entitled *Garden State Equality v. Paula Dow*. The statement said that the high court's chief justice, Stuart Rabner, "left no ambiguity about the unanimous court's view on the ultimate decision in this matter when he wrote, 'same-sex couples who cannot marry are not treated equally under the law today.' Although the governor strongly disagrees with the Court substituting its judgment for the constitutional process of the elected branches or a vote of the people, the Court has now spoken clearly as to their view of the New Jersey Constitution and, therefore, same-sex marriage is the law."

Chief Justice Rabner wrote in the 7-0 decision that while the state had "advanced a number of arguments ... none of them overcome[s] this reality: same-sex couples who cannot marry are not treated equally under the law today. The harm to them is real, not abstract or speculative."

The latest assault against marriage prompted strong reaction from conservative organizations and leaders who have been at the forefront of the battle for families. "The fact that the [state] Supreme Court refused to stay the lower court's order is no reason not to litigate this important issue to a final conclusion on the merits," said Peter Sprigg of the the Family Research Council. In a subtle criticism of Christie's legal surrender, Sprigg said that his group was "glad that Gov. Christie vetoed the legislature's attempt to redefine marriage, and that he was initially willing to defend the state's marriage law in court. However, conservatives are looking for leaders who will sustain their commitment to unchanging principles."



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Similarly, Brian Brown of the National Organization for Marriage said there was “no question that the courts of New Jersey are responsible for the imposition of same-sex marriage in that state, and we sharply criticize them for redefining our most important social institution with no regard to the wishes of voters or even elected officials.” Nonetheless, he expressed his disappointment in Christie for not standing strong on his supposed convictions. “The mark of a leader is to walk a principled walk no matter the difficulty of the path,” said Brown. “Chris Christie has failed the test, abandoning both voters and the core institution of society — marriage as the union of one man and one woman.”

Austin R. Nimocks, senior counsel with Alliance Defending Freedom, responded to the news with the declaration that “marriage — the union of husband and wife — is timeless, universal, and special, particularly because children need a mother and a father.”

Bruce Hausknecht, a judicial analyst with Focus on the Family, said that Americans dedicated to strong families “have to shake their heads when they see activist courts in action. First the U.S. Supreme Court decides that the federal definition of marriage must be judicially re-written to conform with state definitions that include same-sex marriage. Now a New Jersey court says that its own state definition of marriage is dependent on the new federal definition of marriage. With circular reasoning like that, there is no amount of social engineering that the judiciary cannot accomplish to achieve its own ends.”

Len Deo, president of the New Jersey Family Policy Council, said that the Supreme Court’s decision represented a “constitutional crisis” for the state. “By allowing same-sex marriage licenses to go forward before the legal question is even argued, the New Jersey Supreme Court has dropped all pretense of impartiality. This is a breach of public confidence that I’m not sure they will be able to repair. This is a sad day for the rule of law in New Jersey. We are no longer ruled by freely elected representatives, but by a judicial oligarchy.”

Deo warned that the court “included no provision for religious exemptions” in its ruling, “meaning we will soon see people threatened with intolerable choices between their consciences and their authorization to minister to the needy or conduct business with the public, as has happened elsewhere in this nation.”

An indication of the lack of tolerance for conservative Christian values was on display as U.S. Senator-elect Cory Booker, currently the mayor of Newark, presided over a number of homosexual pairing ceremonies at the community’s city hall. According to [Fox News](#), when Booker asked if anyone had a reason to object to the “marriage” of one homosexual couple, a person in the crowd noted loudly that the action was “unlawful in the eyes of God and Jesus Christ.” Booker, to thunderous applause of the crowd, called police to forcibly remove the dissenter, and continued with the ceremony.

New Jersey becomes the 14th state to officially legalize homosexual marriage, following California, Connecticut, Delaware, Iowa, Maine, Maryland, Massachusetts, Minnesota, New Hampshire, New York, Rhode Island, Washington, and Vermont.

Meanwhile, reported Baptist Press News, some other states appear to be on a similar collision course with homosexual marriage:

- New Mexico’s Supreme Court is set to hear arguments on if lower court decisions supposedly legalizing same-sex marriage in two separate counties should be expanded across the state.
- Hawaii Governor Neil Abercrombie has called a special legislative session for October 28 in an attempt to push through a homosexual marriage bill in that state.



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- A federal judge has delayed a decision on a challenge to that state's homosexual marriage ban until a trial can be held on the issue in February.



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