Thanks to the California Supreme Court, it’s about to get even more interesting watching the progress toward full recognition of same-gender marriage across the United States. It started with the Massachusetts Supreme Court finding unconstitutional the use of “marriage” as shorthand for granting special rights to straight citizens. The California Supreme Court agreed. Each was interpreting the respective state constitutions, so each was the court of “last resort” on the state constitutional question. There’s no appeal to the US Supreme Court in either case. The US Supreme Court is the court of last resort on the interpretation of the US Constitution but has no say in the interpretation of the respective state constitutions.

The impact of the California decision will be critically important in two respects, one not very obvious to most people and the other less obvious and even more important.

The first important impact of the California decision arises from the fact that it comes just as there is pending before the Iowa Supreme Court a similar, state constitutional test. As we in Iowa all know, an Iowa District Court held that Iowa’s preferential treatment of straight citizens is unconstitutional, and that decision is on appeal to the Iowa Supreme Court. There was already a reasonable possibility that the Iowa Supreme Court would do the right thing and uphold the lower court ruling. With the concurring, comprehensive, compelling California decision, the Iowa District Court judge finds himself in remarkably good company, and the stage is set as favorably as it can be for a similar decision by the Iowa Supreme Court. Appropriately, state courts give credence to decisions of other, credible state courts on similar questions. On controversial matters, those decisions can be particularly helpful by neutralizing somewhat the human reluctance of any court to hand down a decision that is potentially unpopular with a vocal and well-organized minority. In short, the Massachusetts and California decisions, like supportive bookends, will strengthen spines to do the right thing in the Bible Belt.

The less obvious and more important impact of the California decision arises from the element of the ruling that, unlike the one in Massachusetts, eliminates a residency requirement to get a state license and marry. That’s huge. It’s huge not merely because it opens the door to countless additional couples, beyond California residents, longing for legal recognition of their committed relationships. It’s really huge because it reframes the constitutional issue to be decided in future cases.

Until now, cases seeking to challenge the constitutionality of exclusive opposite-gender marriage have had to rely upon the “equal protection” clauses of state and federal constitutions. While equal protection, and the equal treatment of citizens that it purports to require, might seem obviously compelling when one group of citizens has undeniably been able to enjoy privileges denied to others, it can still be a hard sell. It can be a hard sell because there are so many permis-

(Continued on page 2)
sible distinctions constitutionally made among citizens ranging from differential tax rates, to tax breaks, to minimum drinking ages, and even to separate (but equal?) bathrooms for men and women.

Now, however, with probably at least one same-gender couple from each of the other 49 states going to California, marrying, and going home again, the analysis in future cases will shift to the “full faith and credit” clause of the US Constitution. Every fifth grade government student should know that states are required to recognize the laws and official acts occurring in other states. They also should know that Congress, despite the meaningless Defense of Marriage Act, is powerless to override that constitutional mandate. Unlike “equal protection,” there is really only one exception to the full faith and credit clause; a state is not required to recognize the legality of things that are criminal under the state’s laws. For example, prostitution is legal in Nevada, but a Nevada pimp and prostitute traveling across Iowa, who get into a dispute over their “contract,” cannot resort to Iowa courts for enforcement.

Thanks to the US Supreme Court in Lawrence v. Texas, same-gender intimacy and, therefore, same-gender relationships, are no longer criminal in any state. When legally married, same-gender couples go home from California and, as with all other couples legally married out-of-state, they should be able to expect recognition of their unions. Full Faith and Credit requires it.

The stage is set for separate test cases in 49 states, test cases that can rely upon the easier constitutional standard afforded by the mandate of full faith and credit. Watching those cases unfold will be interesting, maybe even fun. ▼

Incoming fire has the right of way.

(EDITOR from page 4)

more circumspect about naming the names of his male partners.

Once the Goldwyn contract was behind him, Granger went to New York to study with The Actors’ Studio. He made many stage appearances and did live television dramas, preferring that work to film acting. He did, however, continue his film career in order to pay the bills. He particularly enjoyed working with Luchino Visconti in the 1954 Italian film, Senso. Granger fell in love with Italy and lived there for many years before returning to the U.S.

I will leave my copy of Include Me Out on the book lending table for the August meeting in hopes that others will enjoy reading it as much as I did.

—Steve Person
BRIEFS & SHORTS

The First Friday Breakfast Club will not meet in July because the Fourth of July falls on the first Friday. A joint event with PROS on July 19 at the home of Michael Thompson and Allen Vander Linden, 7500 Benton Drive, Urbandale, will replace the July meeting. Participation is free to FFBC members.

Thanks to Scott Klinefelter for introducing our June speaker, Jody Huckaby, National Director of PFLAG.

Indiana Jones and the Kingdom of the Crystal Skull

A Review by Gary Kaufman

Indiana Jones and the Kingdom of the Crystal Skull is a bit of a disappointment. Steven Spielberg has put together major components generally associated with an Indiana Jones movie: a quest for an artifact that will render unto its possessor untold power through supernatural means; a calculatedly mean leader, in this case played expertly by Cate Blanchett as the dark-haired, ruthless, sword-bearing Russian, Irina Spalko, a favorite of Stalin in the area of psychic research, especially those with paramilitary applications; KGB agents; an A-bomb explosion; ride on a rocket sled across the desert; a jeep chase; a jeep and amphibious vehicle chase; an attack of the giant red ants; a Pre-Columbian looking tribe in South America; quick sand; ancient levers to secret passages; desiccated corpses; retracting stairways; a little bit of a Tarzan movie; and even aliens! All of these I am sure looked great on the story board, but the plot connecting the action sequences was really pretty thin. Thus the overall impression was less than the sum of its parts.

Harrison Ford was fine in the action sequences, but in the acting scenes he seemed extremely old. Makes you wonder if we will eventually be seeing Indiana Jones with a walker still looking for artifacts and adventure in the next installment. But I think that might be avoided. If you like action sequence movies, then you will probably enjoy this one. And perhaps you will want to see the film to get a glimpse of what might happen to the franchise in the future. Will there be a Young Indiana Jones coming up? I think Steven Spielberg has tried that once before on television. Looks like we might be heading that way in the future in the movies as well.

Never mind looking for easy ways out; they’ve already been mined.
From the Editor

Thanks to Samuel Goldwyn


Reflect on all those handsome Hollywood leading men. Then consider Farley Granger.

Farley who?

Of all those mentioned above, the one who could match any of them for physical beauty and screen appeal was none other than Farley Granger. So why have most people not heard of him? Unless fans of Hitchcock or old movies, the name probably doesn’t mean much to them. To those folks, I would recommend Farley Granger’s new autobiography, Include Me Out, the title taken from one of Samuel Goldwyn’s famous fractures of the English language.

Hollywood mogul Samuel Goldwyn “discovered” Granger in the early 1940s when the actor was just seventeen years old. Not understanding the complexities of the studio system, Granger, with his parents’ blessing and no legal representation, signed on with the Samuel Goldwyn Studio in 1943. The contract was an open-ended one that stipulated that any time spent away from Goldwyn would be added to the contract.

Granger made his first film for Goldwyn, a World War II drama, The North Star. Though not the star of the film, others took notice. On loan to Twentieth Century Fox, Granger’s second film was another war time drama, The Purple Heart. After that film’s completion, Granger joined the Navy. The time he spent in the Navy was added onto his contract with Goldwyn, making a seven-year contract even longer. It was while he was in Hawaii, before being shipped elsewhere, that Granger lost his virginity twice in one evening—first with a woman and later with a male pilot in the Army Air Corps, both trysts in the same hotel. That in itself makes the book worth reading! That particular night established his life-long sexual experiences as a bisexual.

Upon the war’s conclusion, Granger headed back to Hollywood. Goldwyn, aware that this handsome young actor could bring more money to his studio by lending him out, did just that. Granger made only the money that his Goldwyn contract stipulated while the famous producer made big bucks by “selling” his young star to other studios. Granger tried many times to break his contract with Goldwyn but did not succeed for many years until he finally took all of his savings and bought out the contract. During this time, however, he made two of his most famous films—The Rope in 1948 and Strangers on a Train in 1951—both with Hitchcock. The former included strong undertones of homosexuality, and the latter became one of Hitchcock’s masterpieces.

Granger writes openly of his affairs with Hollywood stars, including Ava Gardner and Shelly Winters. He is much