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EQUAL TIME

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Let voters, not judges, decide issue

By SHANNON GOESSLING

Based on similar measures passed overwhelmingly in Missouri and Louisiana, the outcome of the Nov. 2 Georgia ballot question on marriage is not really in doubt. That hasn't stopped the lawsuit campaign to stop the vote.

Sadly, the courts will likely decide the fate of this particular piece of legislation.

Last week a court in Louisiana struck down that state's amendment because it violated the "single subject" rule — the same rule we have in Georgia. The rule says that a law is subject to a proposed constitutional amendment to complete more than one subject.

In Louisiana's case, the fact that the amendment forbade same-sex marriage and civil unions in the same section was enough to trigger the court's verdict.

In Louisiana, a lawsuit filed by the American Civil Liberties Union and Lambda Legal in Georgia was dismissed by Fulton Superior Court Judge Constance Hines because the legislative process — which includes the voters actually voting on an issue — is not yet complete.

Georgia's amendment language matches the subject of debate among the legal class, has two parts — a recognizing traditional marriage, and a section banning civil unions. The "two part" is what the ACLU has attacked.

The state attorney general's office rightly argued this week before the Supreme Court that the Georgia amendment deals with one matter, marriage, and deals with one section of the law regarding marriage. It is, therefore, not in violation of the single-subject rule. It is, in fact, a constitutional restoration of the statute that's been on the books in Georgia for years.

More importantly, however, is the fact that Georgia case law and traditional interpretation of the question plainly say that the legislative "process" is not complete until the voters have cast their ballots.

For the court to rule on the merits of the amendment before the people have voted would be exactly the practice that was intended to be outlawed by the amendment — activist judges imposing their views on the legislative process.

The lawsuit can be joined after the election, just as it was in Louisiana. The merits can be argued at that time. Consider that Missouri and Louisiana, both similar to Georgia in their respective political constitutions, gave landslide support for protecting traditional marriage in the past two months. That support, expected in the numbers here, is the key to making the legislation if the court eventually strikes it down.

With the overwhelming voice of the Georgia electorate ringing in their ears, state lawmakers can confidently go back to the drawing board in January and pass the measures for the next statewide ballot.

If upholding traditional marriage from activist judges is important, then pass part A from this year's ballot on one amendment. If banning civil unions is important, then pass part B from this year's ballot as a second amendment. Every bit of polling data suggests that Georgia voters would support both propositions.

Shannon Goessling is executive director of Southern Eastern Legal Policy Center, an Atlanta-based non-profit law firm and policy center.



GOP's edge in Florida withers

By JOSHUA CONNETZ

The most notable aspect of the presidential contest is not Florida's likely repeat performance as a swing state, but rather that Florida continues to shift enough toward the Democrats to be seriously in play.

By all rights, Florida should be just another classically Southern, Republican-dominated state, especially given the Republican voting preferences of its 15 million residents.

Florida has fallen far from the Democratic in only three of the past 10 elections.

According to recent estimates, the only significant demographic change since 2000 is that the proportion of whites in the state has eroded by about 3 percent since 2000, with a corresponding increase among blacks and Latinos.

At the same time, recent polls do show any striking changes in voting intentions. Immigration of more non-Cuban Latinos may help Kerry, while Bush may gain a few more Jewish votes.

But the net result will be small and uncertain among the incoming Latino as unexpectedly high. This means that to win Florida in November, all Bush has to do is ask his Republican base to support him again, and count on name recognition. To overcome him, Kerry must energize Democratic-leaning undecided voters and boost turnout.

In coming years, however, the projection of elderly, black and, possibly, Jewish voters will grow. Most Latino growth will occur outside the Cuban community, among Latin American and Caribbean groups not known for loyalty to the Rep-

ublic. Growing high-tech industries and universities will draw in more highly educated people. Environmental issues such as coastal erosion, urban sprawl and water shortages will become more pressing. All these trends can work in the Democrats' favor, as has occurred in California.

California voted for Richard Nixon, Gerald Ford and Ronald Reagan, but in 2004 is not seriously contested by Bush. One of the biggest surprises this year is that the outcome in California, formerly a solid Republican state, is in doubt.

Even traditionally GOP-leaning Nevada and Arizona are uncertain bets for the Republicans this year. No Southwest state went Democratic between 1988 and 1988, but by the 2000s, migration had so reshaped this region that Bill Clinton won each of this year's Southwest swing states.

Florida is adding by the West Coast pattern, and it's not the only such Southern state. Similar changes could be coming in Georgia and North Carolina.

States invaded by migrants and with plenty of undecided voters, Clinton won Georgia in 1992, and it is no accident that Kerry chose a senator from North Carolina as his running mate.

Almost all of the 50 percent net population increase projected for the next half-century will occur in the South or Southwest. As electoral voters continue to head south, the Democrats have a rare opportunity to reclaim their historical territory.



Al Gore speaks to doctors and nurses at Jackson Memorial Hospital in Miami during the 2000 presidential campaign. Demographics show Florida will shift to the Democrats' fold.

Assessment of Iraq strong on plus side

By PATRICIA MOORE and STEPHEN PATTEN

We won the war in Iraq with a crushing military offensive that vaporized the Iraq armed forces and with them the government of Saddam Hussein.

But, with American deaths now in excess of 1,000 and so many families in mourning, Americans back home can be excused for asking two questions: Are we winning the peace? If it all worth it?

For the second question, it is necessary to understand why we went into Iraq. Listen to the Bush administration long enough and you will discover two motives: Prevent Saddam from using weapons of mass destruction against us; remove Saddam from power; strike a blow against worldwide terrorism; establish a democracy in a strategic area of the Middle East that will serve as an example for other countries to follow.

On the first objective, much has been made that WMDs were not found. But the families of dead Iraqis and Iraqis killed by US forces will attest that Saddam had used them in the past and could have used them again.

We achieved our first objective by also accomplishing our second: removing Saddam from power. It is worth remembering that removing Saddam also removed his vicious sons, whose takeover from their father could have spelled even bloodshed for the country and the region.

On the third objective, have we struck a blow against worldwide terrorism? Perhaps the regime in Iraq under Saddam was not involved in Sept. 11. It is understandable, however, that an Iraq still in Saddam's hands would be far more likely to aid and abet the cause of terrorism than a free Iraq.

Establishing a democracy — our fourth objective — is made more difficult by Iraq's history. Before Saddam's rise to power in 1979, a military coup in 1963 threw out perpetrators of the 1958 military coup that had overturned the monarchy put in place by the British.

According to some analysts, World War I, The British, too, had our men and women doing the fighting are underfunded.

But there are not traditional lines in the Middle East, and there is the perception that real change is possible.

In his book "The Future of Freedom" written before the U.S. invasion in Iraq, editor and commentator Bruce Zaslav offers this view: "The United States to dislodge Saddam and — far more important — engage in a serious, long-term project of nation-building. Iraq could well become the first major Arab country to combine Arab culture with economic openness, religious tolerance, liberal politics and a modern outlook on the world. And," adds Zaslav, "success is infectious."

So, has it been worth the cost? We can replace treasure, but the life of a young American lost in Iraq doesn't have a price tag. This question cannot be measured nor answered. We can only point to what has been accomplished because that young American was in Iraq. And remember those who served.

On the first question — are we winning the peace — it is easy to be pessimistic. But, according to some analysts, our men and women doing the fighting are underfunded.

Karl Zemanick has spent months as a reporter in Iraq with our troops and has written two books about them. In "Down Over Baghdad," he reports: "The deployed GI I have asked tell me they don't want any war or conflict or anything that would get in the way of their lives."

Democratic voters are taking place in Iraq and the Middle East. Accomplishing our goals in this battle will require a staying power and grit that Americans possess in abundance and have in the past applied to their failures.

► Patricia Moore is president and Stephen Patten is director of research at Lone Star Group, an education and information company based in Atlanta.



Jay Bookman's column will resume soon.

Road project a promising first step

By YVONNE WILLIAMS

Words such as "ahurd" and "nightmare" have been used a lot lately to describe metro Atlanta traffic. But through private and public partnerships, viable transportation solutions that will give employees, residents, access, mobility and choice are being designed and built.

A perfect example is the recently completed project at the Abernathy Road interchange at Ga. 401. The \$12.2 million project took about two years to design and complete, with \$20,000 coming from Ackerman & Co., \$400,000 from Fulton County government and the rest from the Fulton County Community Improvement District.

That project was designed to enhance and smooth the flow of traffic by adding turning capacity both northbound and southbound from Ga. 401 to Abernathy Road. This project falls to a \$100 million improvement project being fast-tracked by the Governor's Fast Forward Road program for a collector distributor project on Ga. 400 from 1265 to Spalding Drive.

The importance of the project should not be overlooked. While it may seem small to some, it is a first step in helping solve Atlanta's traffic woes on Ga. 401. In fact, this interchange is one of 17 public improvement projects valued at more than \$500 million being constructed by the Perimeter CIDs. These projects could add as much as \$1 billion in property value over the next 10 years.

One particular project is the 1267 transit initiative Bus Rapid Transit between Cumberland, Perimeter and Doraville.

which is now part of the governor's Fast Forward program announced in April.

This is one of the largest commuting corridors in the area, with 1,400 businesses and the largest concentration of corporate jobs in the region, so this project connects two to three major markets and employment centers. It also connects MARTA rail systems and creates a regional transit system. It is estimated that this project can be built at a reasonable cost of approximately \$450 million.

Analysis shows it can potentially use the planned HOV system on I-285 and could attract as many as 10,000 riders a day from the Center for Cumberland to Perimeter. The I-285 study was funded entirely by the business community through a \$1.2 million commitment from Cumberland and Perimeter CIDs for the required alternative analysis.

This is a great example of what can happen when businesses take action to try and improve traffic flow. By doing so, we can make a major impact in five years rather than 10 to 15 years.

Yvonne Williams is president of Perimeter Community Improvement Districts.



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