

The Virgin Islands Consortium

Guam Becomes First U.S. Territory To Recognize Gay Marriage

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ST. CROIX -- In a landmark decision handed down by US district court chief judge Frances M Tydingco-Gatewood on Friday, Guam became the first U.S. territory to recognize gay marriage.

Governor Kenneth Mapp is [currently in Guam](#) attending climate change-related meetings.

Judge Tyndinco-Gatewood struck down the prohibition and issued the decision after the Friday morning hearing. It was scheduled to go into effect at 8:00 a.m. on Tuesday, when gay couples will be able begin applying for marriage licenses, according to local news outlet Pacific Daily News.

Chief Judge Frances Tydingco-Gatewood said that the laws denying marriage rights to same-sex couples were unconstitutional, citing a previous decision by the 9th Circuit Court of Appeals, which has jurisdiction over Guam.

Attorneys representing the government of Guam said in an 18 May court document that “should a court strike current Guam law, they would respect and follow such a decision”, according to The Guardian.

Loretta Pangelinan and Kathleen Aguero filed the lawsuit in April after the 28-year-old women were denied a marriage license. They based their lawsuit on a ninth US circuit court of appeals decision last year in favour of same-sex marriage. The US district court of Guam falls under the 9th circuit.

Attorneys for the Guam plaintiffs had argued the territory must fall in line with the ninth circuit decision and accept marriage license applications unless the US supreme court rules otherwise. The supreme court is expected to rule this month whether gay marriage is a constitutional right. Currently, gay couples can marry in 36 states, the District of Columbia and now, Guam.

Gay Marriage remains illegal in the U.S. Virgin Islands, however, like Guam and other U.S. territories, the Supreme Court's decision on *Obergefell v. Hodges*, which is expected this month will also affect U.S. territories.

In 2014, a same-sex marriage bill was introduced in the 30th Legislature by former Sen. Judi Buckley, but the measure died after facing insurmountable opposition.

The measure caused an awakening among local churches, prompting pastors to coalesce in opposition of the legislation.

"We're in this controversy because we often stray from our beliefs and our customs of the past," Senator Samuel Sanes [told](#) *The Consortium* in August of last year. "Growing up we had such deep respect for the law, for government and for the elders. And we had a strong family unit."

He added: "I truly believe that the problems we're facing here — yes it's an economic recession time around the world — but it's because we have strayed from [our] core beliefs. And I'm not saying that we should incorporate the church into the state, because as you know, there is a separation. But you know what though, there is something that we can do — and people don't like to hear that, but to be honest, we need to go back to our beliefs and customs."

Sanes, after acknowledging his imperfections, said there are certain core beliefs that guide his decisions.

"I'm not a perfect guy but you know what though, I do follow certain beliefs," he said. "I do respect everybody, but think about how [a Same-Sex Marriage law] is going to affect us right now."

Guam residents, like the U.S. Virgin Islanders, are US citizens, but they do not have the right to cast ballots for president. The territory elects a delegate to the US House, but the delegate may not vote on legislation, placing the island in the same category as the

USVI.

Correction: June 5, 2015

A previous version of this story incorrectly stated that former Sen. Judi Buckely's same-sex marriage bill was blocked in committee. Sen. Buckley's same-sex marriage legislation was not blocked in committee as it never made it to the floor for discussion. The story has been updated to reflect the correct information.

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