

# VOTE YES: Measure 36 just clarifies and confirms the historic definition of marriage

## ABOUT THE AUTHOR

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By **GEORGENE RICE**  
SPECIAL TO THE OREGONIAN

**M**easure 36 is a response of last resort to the unlawful issuance of marriage licenses and legal challenges aimed at reversing long-established law defining marriage as a union between one man and one woman.

Last March, Multnomah County Chairwoman Diane Linn ordered the county clerk to begin issuing marriage licenses to same-sex couples in direct violation of Oregon law. The discussions leading up to that dubious decision were held without open meetings or public notice.

The only recourse left for Oregonians to preserve marriage as a unique relationship between one man and one woman is to clarify its definition in the constitution. If passed, Measure 36 would add the following amendment to the Oregon State Constitution:

*The policy of the state of Oregon and its political subdivisions is that only a marriage between one man and one*

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## Yes on 36: Kids benefit from home with one mother, one father

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*woman shall be valid or legally recognized as a marriage.*

Measure 36 DOES NOT change the essence of the Oregon Constitution. Rather, the amendment clarifies and confirms what always has been understood by Oregonians and what is clearly stated in Oregon statute; that marriage is only between one man and one woman.

There are significant differences between constitutional rights with few restrictions (such as the rights to life or free

speech) and other rights with important restrictions, which do not carry the right of universal access. In fact, we already agree that certain people do not have the right to marriage — children, multiple partners, family members and those already married. In other words, there has never been a right of universal access to marriage.

We do not deny the genuine affection between couples of the same sex. But we do not believe it is necessary to redefine marriage in order to grant the recognition or benefits many same-sex couples seek.

A wealth of research during the past 30 years has shown the benefits to children of being raised in a home with both a mother and a father who are married to each other. As a group, according to many researchers, these children experience fewer social, health, emotional and behavioral problems. The statistical evidence confirms that men and women are not interchangeable in rearing children.

But by redefining marriage in Oregon, we remove the state's interest in preferring opposite-sex couples for the purpose of adoption or foster care, depriving those children of either a mother or a father. We believe that, whenever possible, children deserve both.

Without a constitutional amendment protecting the historic definition of marriage, we fear the state's interest will be reduced to simply affirming affection between consenting parties for the sake of conferring benefits. On what grounds, then, will we draw the line? If the legal basis for granting same-sex marriage is genuinely discrimination, then all other forms of marriage proposals also must be granted.

Let's not mistake rational restriction for unconstitutional discrimination. Just as we rightly restrict marriage against polygamists, there is no constitutional reason why we cannot continue to restrict marriage to what all civilizations have defined for millennia: the union of a man and woman.

Measure 36 neither denies the equal protection of the law, since this restriction applies equally to every individual, nor

## Yes on 36 campaign

Web site: [www.voteyeson36.com](http://www.voteyeson36.com)

Phone: 877-203-9595 (toll free)

prohibits future efforts to acquire benefits and protections by other means.

Thirty-nine states have adopted defense-of-marriage laws. Another 11, including Oregon, have placed constitutional amendments on the ballot this fall.

Supporters of Oregon's historic definition of marriage believe in the civil rights of all Oregonians and the rule of law. We also believe in the preservation of marriage as an institution essential to the continuation of a stable society, which depends on stable families. And stable families depend on stable marriages. For that reason, we are compelled to resist the fundamental reordering of society's most basic unit.

Fair-minded people may differ on the matter of homosexuality, but the core of Measure 36 is not homosexuality, it's marriage. Measure 36 gives Oregon voters what four Multnomah County commissioners and Basic Rights Oregon would have denied; the opportunity to express dissent and the opportunity to defend the historic definition of marriage.

On the issue of marriage, it is unlikely Oregonians will get a second chance. Please vote YES on Measure 36.