



Written by [Dave Bohon](#) on September 15, 2011

N.C. Voters to Have Final Say on State Marriage Amendment

“It is time for us to let the people of this state decide what they want in their constitution as far as marriage is concerned,” Republican state Senator Phil Berger challenged fellow lawmakers during floor debate on the amendment. “It may pass, it may fail. But it is time for them to make that decision about their constitution.”



As reported by [Baptist Press News](#): “All four states that border North Carolina passed constitutional marriage amendments in 2004 or 2006, but leaders in the then-Democratic controlled North Carolina legislature blocked an amendment from even coming to a floor vote. That changed last year when Republicans took over both chambers for the first time in more than 100 years.”

Polls indicate there is likely enough bipartisan support to pass the amendment among the state’s voters, as happened in such Democrat-influenced states as California, Michigan, Oregon, and Wisconsin, which have all passed marriage protection amendments.

Constitutional amendments in North Carolina do not allow for action by the Governor, which means that Democratic Governor Bev Perdue will have no opportunity to thwart the will of the people should voters approve the amendment and deny homosexuals the right to “marry.”

“Marriage between one man and one woman is the only domestic legal union that shall be valid or recognized in this State,” reads the heart of the proposed amendment, which would also ban civil unions that provide homosexual partners with the legal benefits of marriage without the label.

Homosexual activists expressed their disappointment and anger at the legislature’s morally based actions. “This is deeply disappointing and hurtful to thousands of North Carolina same-sex couples who simply want to be able to care for each other and their families, as all families do,” said Rea Carey, executive director of the [National Gay and Lesbian Task Force](#).

And Alex Miller of the pro-homosexual [Equality North Carolina](#) expressed his disappointment that “so many legislators regardless of party chose to discriminate [against individuals] who pose no threat other than wanting to live their lives with honesty, openness, and with dignity.”

Democratic state Representative Susan Fisher argued against the amendment, pointing out that state statutes “already provide that the only recognized marriage in North Carolina is between a man and a woman.” But supporters pointed to the disastrous consequences of following such counsel in states like Massachusetts, Connecticut, and Iowa, where courts decided that same-sex marriage was the law of the land.



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Bill Brooks, president of the [North Carolina Family Policy Council](#), told BP News that his state “needs a marriage amendment on the ballot so that people will have the opportunity to decide, once and for all, what the definition of marriage is going to be in the state and not leave it up to the courts or to the legislature to make that decision.”

According to the [Associated Press](#), some law professors warned that the amendment “could invalidate domestic violence laws, cause uncertainty with child custody decisions and wills, and cancel out domestic partner benefits already instituted by a handful of local governments in the state.” The AP quoted Maxine Eichner, a law professor at the University of North Carolina School of Law in Chapel Hill, who said that the state was in danger of “enacting language into the constitution that no one knows what it means and could hurt citizens of this state and that will take years of needless litigation to resolve the meaning.”

Other opponents such as Ellen Greaves, an attorney and member of the political action board of Equality North Carolina, warned that the measure would have a chilling effect on the state’s economic climate, discouraging businesses from coming to a state that does not require companies to extend benefits to the homosexual partners of employees.

But amendment supporters pointed out that the measure would not prohibit businesses from extending such benefits if they so desired. “The goal is not to hinder any private company from any policy they want to have,” said Republican state Senator Dan Soucek. “I haven’t seen anything credible that it’s going to affect how companies treat their people.”

Over the next several months supporters and opponents of the measure will be working overtime to marshal votes for their side of the marriage debate. “Our intent is to defeat the amendment at the polls,” said Equality North Carolina’s Alex Miller. “It has been a point of pride that North Carolina was the only Southern state that has never done this. But this is an ongoing war. They have succeeded in throwing up a temporary bulwark against the inevitable tide of history.”

Mark Creech, executive director of the [Christian Action League of North Carolina](#), told BP News that support from churches and pastors will be essential for the amendment to pass. “There is absolutely nothing more important on this issue than for pastors to stand up and lead their churches to understand that this is a critical moment in our history,” Creech said. “If we fail to protect marriage, we’re talking about it significantly affecting the future of our children and our children’s children.

Creech warned that should traditional marriage fail, “then over time the country itself will fail. Pastors need to stand up, speak up, preach about marriage, and talk about how important it is for the church to stand up in this juncture in history to defend God’s first institution of marriage.”



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