

## Myths & Facts: The North Carolina Marriage Protection Amendment

**Myth:** The amendment isn't necessary.

**Fact:** Unless North Carolina passes the Marriage Protection Amendment, our present marriage laws are vulnerable to politicians and activist judges overturning them and imposing same-sex marriage here. This is what occurred in New York, New Hampshire, California, Massachusetts, Iowa, District of Columbia, Vermont and Connecticut. Already, lawsuits have been filed in North Carolina to invalidate our marriage laws! We need the Amendment to ensure that lawsuits like this are not successful.

**Myth:** The amendment is just more big government telling people how to live their private lives.

**Fact:** The amendment will prevent government from re-defining marriage for us without our input or our vote. Marriage has a definition that predates government, and the amendment will insure that government, either through an activist judge or legislative action, cannot redefine marriage. Once the amendment passes, only another vote of the people of North Carolina can change the definition of marriage.

**Myth:** Marriage is simply about loving couples making a public commitment of their love.

**Fact:** Marriage certainly provides an opportunity for a couple in love to declare their commitment to each other, but the government doesn't regulate marriage to provide a forum for public commitment simply because two people love each other. Marriage is unique because it is the social institution we recognize to channel the biological drive of men and women with its inherent capacity to produce children into the ideal family units. Marriage provides the best opportunity of ensuring that any children produced by that sexual union are known by and cared for by their biological parents, and that benefits us all. It is because of children that government regulates and licenses marriage.

**Myth:** The amendment prohibits same sex couples from entering into private contractual agreements.

**Fact:** No. The Marriage Protection Amendment is very clear: "This section does not prohibit a private party from entering into contracts with another private party; nor does this section prohibit courts from adjudicating the rights of private parties pursuant to such contracts." Thus, the Amendment allows same-sex couples and others to enter into, and enforce, private legal agreements. For instance, a private company could agree to provide health benefits to any couple it chooses, and the couple could enforce this agreement in court.

**Myth:** The measure strips important public benefits for same-sex partners of city and county employees.

**Fact:** Government benefits that are currently received by unmarried couples can continue to exist, even with the passage of the Amendment. Universities and other local governments, under the Amendment, can grant benefits to an individual government employee that he or she could share with another person of his or her choice.

**Myth:** The measure contains vague language that could have profound unforeseen consequences.

**Fact:** The amendment is two sentences and easy to read and understand. It means, simply, that marriage will continue to be only between one man and one woman and that private parties can enter into enforceable contracts with other private parties.

**Myth:** The amendment could invalidate domestic violence laws as they are currently applied to unmarried couples.

**Fact:** This myth is an example of the length to which opponents of the amendment are going to attempt to trick voters into opposing the amendment. No state with a similar amendment has ever ruled that it has any impact on domestic violence laws. In Ohio, their Supreme Court made clear that their marriage protection amendment would not impact the application of the state domestic violence laws. The same is true in North Carolina.

**Myth:** The amendment could interfere with existing child custody and visitation rights that seek to protect the best interests of children.

**Fact:** The amendment has nothing to do with child custody laws or arrangements.

**Myth:** The amendment could result in courts invalidating trusts, wills, and end-of-life directives—which are not “private contracts” – in which an unmarried partner is a beneficiary and/or is entrusted with the care of a loved one.

**Fact:** The amendment has nothing to do with trusts, wills and end-of-life directives. The amendment puts our existing definition of marriage into the constitution where it will be safe from future legislative or judicial tampering. It will not interfere with private agreements governing the end-of-life decisions made by same-sex partners.

**Myth:** The amendment should be called the “anti gay amendment.”

**Fact:** The amendment is pro-marriage, it is not anti-anyone and doesn’t even use the words “gay” or “homosexual.” Our current marriage laws limit marriage to only one man and one woman. The amendment does not change that.

**Myth:** The amendment signals to gay people that they are second-class citizens.

**Fact:** Thousands of gays and lesbians have chosen to make North Carolina their home, where marriage has always been defined as the union of one man and one woman. All citizens of our state – gay and straight – are respected and welcomed, but that doesn’t mean that marriage should be redefined.

**Myth:** The amendment is bad for business.

**Fact:** Marriage is not only good for families and children, but also good for business. Research shows that states with a marriage protection amendment in their state constitution are the nation’s top performing economic states. This includes eight of the top ten “best states for business” (according to a survey of 556 CEOs) and eight of the top ten states for job growth (according to *Moody’s Analytics*, Nov. 23, 2011).

**Myth:** Polls show that the amendment is trailing badly and will fail.

**Fact:** Every legitimate poll of likely or actual North Carolina voters has shown the marriage amendment has extensive support in the Tar Heel state. This includes polls by PPP, the Civitas Institute, and Public Opinion Strategies. The only survey claiming that the amendment is trailing is an outdated Elon University Survey, but this poll admits that it “does not restrict respondents by voter eligibility or likelihood of voting.” Every state in the nation to consider a marriage amendment has approved it, including states like California, Wisconsin, and Maine. In fact, among southern states, the average vote in favor of a marriage amendment is 74%!

To get involved in the campaign to adopt the Marriage Protection Amendment, go to [www.VoteFORMarriageNC.com](http://www.VoteFORMarriageNC.com)