



Written by [Dave Bohon](#) on May 20, 2014

Homosexual Judge Legalizes Same-sex Marriage in Oregon

A homosexual judge appointed by President Obama has overturned Oregon's 10-year-old constitutional amendment defining marriage as only between a man and a woman, in effect legalizing same-sex "marriage" in the state by judicial fiat.

The May 19 ruling by Michael McShane, an openly homosexual U.S. district judge appointed by Obama, overturned the marriage protection amendment, approved by 57 percent of the state's voters in 2004. That measure had stipulated that "only a marriage between one man and one woman shall be valid or legally recognized as a marriage."



In his ruling, McShane wrote that "there is no legitimate state interest that would justify the denial of the full and equal recognition, attendant rights, benefits, protections, privileges, obligations, responsibilities and immunities of marriage to same-gender couples."

Alluding to his own homosexuality, McShane wrote that "generations of Americans, my own included, were raised in a world in which homosexuality was believed to be a moral perversion, a mental disorder, or a mortal sin. I know that many suggest we are going down a slippery slope that will have no moral boundaries. To those who truly harbor such fears, I can only say this: Let us look less to the sky to see what might fall; rather, let us look to each other and rise."

Oregon's Attorney General Ellen Rosenblum had earlier agreed with McShane's opinion that the amendment was unconstitutional, announcing in February that her office would make no attempt to defend the amendment. Rosenblum, who supports gay marriage, also rebuffed an effort by the conservative National Organization for Marriage (NOM) to defend the marriage amendment in court, insisting that it lacked the authority because it is a private organization and not a state entity.

Brian Brown, NOM's president, said that the case represented "an ugly example of inappropriate cooperation between the Attorney General and the gay marriage lobby." He added that both parties wanted to "redefine marriage in contravention of the overwhelming decision of the people to define marriage as the union of one man and one woman."

The Ninth U.S. Circuit Court denied NOM's emergency appeal May 19 to have McShane's ruling put on hold so that it could argue for the right to intervene in defense of the marriage amendment.

Meanwhile, Oregon Governor John Kitzhaber glowed with joy over the ruling, insisting that it represented a step forward for "equality" in the state. "This is a major step for Oregon and our constant struggle to live up to our ideals of freedom and equality for all," he said. "Every Oregonian will now have the right to make a legal commitment to the person that they love."

McShane's ruling represents the 13th victory for homosexual marriage since the U.S. Supreme Court made its historic ruling last year overturning a significant portion of the federal Defense of Marriage



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Act. Oregon takes its place with the District of Columbia and 17 states that have legalized homosexual marriage via legislation or through court rulings. They are California, Connecticut, Delaware, Hawaii, Illinois, Iowa, Maine, Maryland, Massachusetts, Minnesota, New Hampshire, New Mexico, New Jersey, New York, Rhode Island, Vermont, and Washington.

Focus on the Family Judicial Analyst Bruce Hausknecht noted the “shocking and dangerous” extent to which judges, attorneys general, and elected officials are turning to personal and political preference to determine which laws they will enforce. “Elected officials, in increasing numbers, are refusing to enforce laws they disfavor politically,” he told [CitizenLink.com](#). “Judges are redefining marriage with no constitutional authority and with no semblance of judicial restraint. If there were ever a legal case where the deck was more stacked against the will of the voters than this one, I have yet to see it.”

Photos of same-sex couples and their supporters reacting to judge McShane’s ruling: AP Images





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