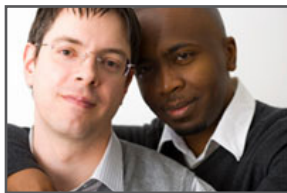




Marriage Amendment Nixes Benefits for Domestic Partners

By **Stony Olsen**

Many states have passed "marriage amendments" which bar same-sex marriages in the states that have passed them — usually they are amendments to the state constitution. As constitutional amendments, they are voted on by the states' citizens, so it is in a sense very democratic.



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Of course, most same-sex-marriage advocates hate them since each one that passes demonstrates that most voters in America don't like same-sex

marriage.

In any event, Michigan voters passed a marriage amendment in 2004 that prohibited same-sex marriage. But it went further with this language: "To secure and preserve the benefits of marriage for our society and for future generations of children, the union of one man and one woman in marriage shall be the only agreement recognized as a marriage or similar union for any purpose."

Of course, this was used to kill some domestic-partner benefits, and the case went to the Michigan Supreme Court.

On May 7, 2008, the Michigan Supreme Court, with a vote of 5-2, [held that the language](#) above did indeed prohibit any and all same-sex domestic-partner benefits. Since 20 state universities and municipalities offered such benefits, those benefits are now gone.

This will no doubt reverberate among the participants in the gay-marriage debate around the nation. For the lawyers this will probably create yet more work litigating many of the similar provisions nationwide.

Of course, the full effects of the above language probably will kill heterosexual common-law marriages as well and civil unions for anyone.

In any case, fresh fodder for the gay-marriage litigation societies! Go to it!

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