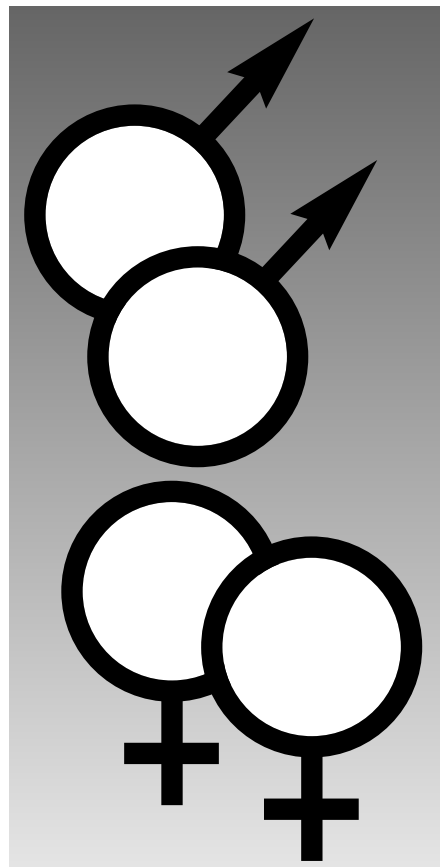




HIDDEN FEAR

I've finally figured out what frightens the right wing so much about gay marriage. Although they haven't been very articulate or logical, I believe I've discovered a way in which they believe real harm can come to them if gays are allowed to marry. If their children meet other children, in school or recreation activities, and they become friends — and then learn that their friend's parents are a gay couple, and that they're a happy, healthy, well-adjusted family, then the children will learn that their parents are full of crap and have been teaching them garbage. This is the reality that frightens them so much.

But the fact of life that they ignore, is that almost *all* children eventually figure out that their parents are full of crap and have been teaching them garbage. So, their fears are groundless, as there is no way to avoid this.

If we balance the right of gay couples to marry, versus the right of deluded people to try to pass on their delusions to their children, the right to marry is the obvious choice.

Wayne Ford
Eugene

HONORING CHAVEZ

Committed Partners for Youth is concerned about the *R-G* article written on March 2, 2004 addressing the naming of southside elementary school Cesar E. Chavez. The *R-G* reflected that only one board member, Mr. Pryor, is willing to support Cesar E. Chavez as the name for southside elementary.

The Latino population has grown by over

200 percent this past decade and contributes millions of dollars to the community. At Committed Partners for Youth we have seen an exponential increase in the number of Latino youth and families seeking mentoring support in the last 3 years. It is time that the school district reflect the growth of our Latino community by including Cesar E.

Chavez as the name for one of our elementary schools.

The mission of Committed Partners for Youth is to connect youth to their community which is why we feel so strongly about this issue. The district board members have an opportunity to be role models

and mentors for students by making a respectful statement about the importance and value of our community's diversity.

Children in our community, especially youth at risk, need heroic role models and mentors. We live in a country where so few of society's leading decision-makers have the stature of an inspiring, brave, and charismatic leader. We have named schools in our community after people who inspire children and adults alike: Roosevelt, Churchill, Washington, Jefferson, etc. As children walk down the hallway of a school named after a hero, they are inspired towards the goal of living extraordinary lives as well.

Cesar E. Chavez was such a man. He was a man who mentored adults and children. They grew to make a difference in the lives of

people who live in our community. Please make a choice to inspire children in our community. Please show leadership and support the decision to name the new 4J southside elementary school after Cesar E. Chavez.

Susan Walsh
Executive Director
Committed Partners for Youth

PLEA FOR LATINOS

It is with tremendous sadness and anguish that I write this plea to the school board. My sons were 4J graduates and one is now a teacher at one of your schools. I am in disbelief that you would even question or have hesitations of honoring your Latino students and community by naming the southside elementary school Cesar E. Chavez. For a district that gets so much mileage claiming to be culturally sensitive and inclusive, you all have a funny way of showing it.

When it comes to "walk the talk," you do not deliver!

Shame on you for being so disrespectful in your actions toward the Latino students and Latino community. If you truly were committed to honoring diversity, this would be a "no-brainer." I urge you to take a stand and do the right thing; show your commitment toward diversity and inclusiveness by giving the southside elementary school the honorable name of Cesar E. Chavez.

Mr. Pryor, I thank you for your sensitivity, it is a shame that the other board members are hesitant to follow in your footsteps. Seems to me they are in need of some cultural sensitivity training.

Veronica Arriagada
Former 4J parent

changed. It's no longer Operation Iraqi Liberation (OIL).

We are back to WMD with a twist — Weddings of Mass Destruction. To quote our president, "These weddings are being sanctioned by the judges and not the people."

Didn't "W" become president by being appointed by judges? Duh!

Angel Jackson
Eugene

viewpoint BY ROBERT TSAI

On the Sidelines

Lane County's stance on same-sex marriage.

The Multnomah County Board of Commissioners last week began issuing marriage licenses to same-sex couples, acting on the advice of legal counsel. Lane County, by contrast, has decided to wait on Attorney General Hardy Myer's legal opinion before taking any action. While no one doubts that Lane County has acted lawfully thus far, is Multnomah County unlawfully defying state law? Absolutely not. Both sets of officials are acting in good faith to fulfill their responsibilities, and each course will help to write the next chapter of Oregonians' experience with this issue.

Every elected official in Oregon takes an oath to uphold the laws and Constitution of the state and the U.S. In fulfilling these obligations, public officials must independently interpret and apply the law every day in cities and counties around the state. A brief example should illustrate the point. If state legislators enacted a law empowering officials to issue business licenses — but requiring them to refuse permits to Asian applicants, few would doubt that state and local officials had the power and the responsibility to refrain from enforcing the law in a manner they believed to violate constitutional guarantees, even in the absence of a judicial ruling.

Thus, even if state law is believed to restrict marriage to unions between a man and a woman — a distinct possibility — county officials in Oregon still have the obligation to determine whether that law is consistent with more fundamental guarantees of liberty and equality. It is simply unavoidable.

Officials answer the question explicitly when they decide to issue marriage licenses, as Multnomah County did last week; but they also make a legal judgment implicitly when they refuse to issue marriage licenses to same-sex couples, as Lane County has done. Although counties could wait to be sued by those who are denied licenses, the availability of this option does not relieve officials from making some choice about what the law means in the first instance.

There can be little doubt that Multnomah County's action raises the legal and cul-

tural stakes, galvanizing supporters and opponents of gay marriage. But so does Lane County's decision to remain on the sidelines. When battle has been joined on a matter of constitutional importance, even inaction has social and legal significance. In New York City last week, dozens of same-sex couples descended on City Hall, requesting marriage licenses. The city refused, citing its and the state attorney general's reading of state law, and the applicants eventually returned home. Although the moment passed, the symbolism remained.

'When battle has been joined on a matter of constitutional importance, even inaction has social and legal significance.'

With the pending litigation in Portland, the controversy has entered the next stage: constitutional litigation. After the legal issues are decided, both sides will have another opportunity to mobilize the populace.

Three legal-cultural templates serve as tantalizing or dreadful possibilities for Oregon: the experiences of Hawaii, Vermont and Massachusetts (which has yet to unfold in its entirety). After a judicial ruling requiring equality for same-sex couples in Hawaii, the people rewrote the state Constitution, nullifying the ruling. Vermont serves as an experiment with side-by-side institutions of heterosexual marriage and gay unions sanctioned by its highest court. Massachusetts has moved toward constitutional amendment, but legislators are momentarily deadlocked over the matter; looming in the background is a ruling by its high court requiring either full marriage for same-sex couples or no marriage law at all.

A fourth possibility exists: The Oregon Supreme Court could uphold the constitutionality of heterosexual marriage without requiring its equivalent — this is what the Washington Court of Appeals did in 1974. This would hand one side a convincing victory, but would likely produce a further round of divisive constitutional mobilization and heightened national scrutiny.

Which template will become Oregon's future on this issue? Whatever the outcome, let it be said that both Multnomah and Lane counties played a crucial role by provoking citizens, judges, and activists and by sharpening the constitutional issues.

Robert Tsai is an assistant law professor at the UO who teaches constitutional law.