

**STATE OF OKLAHOMA**  
**1st Session of the 60th Legislature (2025)**

**A STATE SENATE CONCURRENT RESOLUTION RECOGNIZING THAT MARRIAGE IS  
BETWEEN ONE MAN AND ONE WOMAN; CALLING ON THE US SUPREME COURT  
TO OVERTURN OBERGEFELL V. HODGES; AND DIRECTING DISTRIBUTION**

**WHEREAS**, the decision by the Supreme Court of the United States in *Obergefell v. Hodges*, 576 U.S. 644 (2015) conflicts with the original public meaning of the Constitution of the United States, the principles upon which the United States is established, and the deeply rooted history and tradition of the United States regarding the nature of marriage and state powers; and

**WHEREAS**, in 2004, the People of Oklahoma affirmed State Question 711 – now codified in the Oklahoma Constitution, Art. II, § 35 – with over seventy-five percent of Oklahomans voting to recognize marriage as the union of one man and one woman, prohibit marriage benefits for unmarried individuals, invalidate same-sex marriages from other states, and make issuing licenses in violation a misdemeanor; and

**WHEREAS**, liberty is and has long been understood – from Blackstone to the Framers to America's history and tradition until 2015 – as individual freedom from unwarranted governmental intrusion, not a right to a particular governmental entitlement as falsely asserted in *Obergefell*; and

**WHEREAS**, when the Framers proclaimed in the Declaration of Independence that "all men are created equal" and "endowed by their Creator with certain unalienable Rights," they referred to a vision of mankind in which all humans are created in the image of God and therefore of inherent worth; and

**WHEREAS**, *Obergefell* asserts that governmental licensing of same-sex marriage is necessary to confer human dignity, contrary to Justice Thomas' observation that, first, "the Constitution contains no 'dignity' Clause," and second, "even if it did, the government would be incapable of bestowing dignity," and

**WHEREAS** *Obergefell* abuses the Fourteenth Amendment's Due Process clause to fabricate substantive rights, a practice Justice Clarence Thomas has frequently urged the court to abandon, including in *Dobbs v. Jackson*; and

**WHEREAS**, *Obergefell's* inversion of the natural and true meaning of liberty causes collateral damage to other aspects of our constitutional order that protect liberty, including religious liberty; and

**WHEREAS**, the Supreme Court recognized in *United States v. Windsor*, 57031 U.S. 744 (2013), that the definition of marriage is "an area that has long been regarded as a virtually exclusive province of the States," meaning that Oklahoma, and not the Supreme Court, has the right to regulate marriage for its citizens; and

**WHEREAS**, *Obergefell* requires states to license and recognize same-sex marriages in complete contravention of their own constitutions or electorate, thus undermining the civil liberties of those states' residents and voters without any valid Constitutional warrant for doing so; and

**WHEREAS**, for millennia marriage has been understood – both in biblical teaching and in the Anglo-American common-law tradition – as the lifelong covenant union of one man and one woman; and

**WHEREAS**, *Obergefell* arbitrarily and unjustly rejected and prohibited states from recognizing this definition of marriage in favor of its own definition of marriage and a novel, flawed interpretation of key clauses within the Constitution and our nation's legal and cultural precedents; and

**WHEREAS**, the *Obergefell* decision was illegitimate because two of the Justices in the majority ruling, Justices Ruth Bader Ginsburg and Elena Kagan, had previously officiated same-sex weddings, and thus were not impartial triers of fact, and therefore should have recused themselves according to [28 U.S.C. § 455](#); and

**WHEREAS**, Chief Justice John Roberts pointed out that the *Obergefell* decision vilifies people of faith by “portray[ing] everyone who does not share the majority’s ‘better informed understanding’ as bigoted,” and Justice Alito wrote similarly that the *Obergefell* decision vilifies people of faith by falsely comparing those who recognize that marriage is between a man and a woman to those who oppose interracial marriage, a comparison now frequently weaponized against people of faith; and

**WHEREAS**, the *Obergefell* decision has resulted in litigation directly targeting people of faith – such as Colorado baker Jack Phillips and Washington florist Barronelle Stutzman – for adhering to the historic definition of marriage; and

**WHEREAS**, by declaring sex differences legally irrelevant to marriage, *Obergefell* has been invoked to erase biological distinctions in other arenas, threatening women’s privacy, safety, and athletic opportunities; and

**WHEREAS**, in *Dobbs v. Jackson Women’s Health Organization* (2022), the Supreme Court restored to the States authority over areas “the Constitution does not prohibit the States from regulating,” thereby inviting reconsideration of *Obergefell* on the same federalism grounds.

**NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 1ST SESSION OF THE 60TH OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

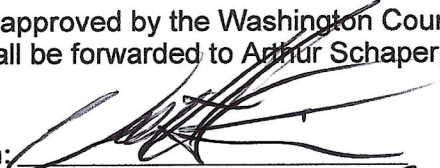
**THAT** the Oklahoma legislature hereby urges the Supreme Court of the United States to overturn its unconstitutional holding in *Obergefell v. Hodges* and recognize that marriage is between one man and one woman, or return full authority over marriage policy to the several States.

**THAT** the Legislature reaffirms article II, § 35 of the Oklahoma Constitution and declares that marriage in Oklahoma shall consist only of the union of one man and one woman.

**THAT** the Chief Clerk of the Oklahoma Senate and the Chief Clerk of the Oklahoma House of Representatives shall transmit copies of this resolution to the Supreme Court of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to each member of the Oklahoma congressional delegation, and to the Attorneys General of the several States.

This Resolution is fully supported, and has been approved by the Washington County GOP County Committee on this 28<sup>th</sup> day of April, 2025 and shall be forwarded to Arthur Schaper, Field Director, MassResistance, for appropriate distribution.

Washington County GOP Chair, Vic Severin:



Washington County GOP Vice-Chair, Sarah Burnett:

