

# Love Doesn't Conquer the Constitution: Gay Marriage Debated in Ill. Court

Lawyers in Illinois are asking a judge to dismiss two lawsuits brought by homosexual activists challenging the constitutionality of Illinois marriage law, reserving marriage for one man and one woman.

Thomas More Society special counsel Paul Linton argued Tuesday before Judge Sophia Hall to dismiss the two lawsuits from the American Civil Liberties Union and Lambda Legal.

"Today, constitutional scholar Paul Linton cited overwhelming legal authority that contradicts and undermines plaintiffs' ostensible legal basis for their attack on marriage," says Tom Brejcha, president and chief counsel of the Thomas More Society.

"Plaintiffs' counsel repeatedly argued that homosexual couples shouldn't be denied the right to marry because they love each other. But this ignores the purpose of marriage, which is founded on the biological, scientific truth that only male-female unions may be blessed with offspring—little boys and girls—whether planned or unplanned, for which the institution of marriage affords a stable framework within which these infants may be nurtured, reared and educated to adulthood."

"Indeed," Brejcha continues, "arguing that marriage should be available to any human beings who profess to love each other not only ignores unique biological fruitfulness of male and female unions, but it also makes us wonder when—and why—plaintiffs would ever draw the line. Stretching plaintiffs' rationale to the limits of their logic, why or how could they bar or limit the legality of 'marriages' between brothers and sisters, so long as they profess 'love' toward

one another, or between cousins of close consanguinity, let alone polygamy, or polyandry, or even polyamory.

“Thus, the plaintiffs’ rationale goes far beyond the pale, founders on its own illogic and affords no good reason at all for overturning our traditional, classic understanding of this vital social institution, which so many deem the cornerstone of our civilization and which our Illinois General Assembly recently upheld.”

“Furthermore,” Brejcha concludes, “contrary to plaintiffs’ contentions to the contrary, we hold firm in our belief that every child, if at all possible, should have both a mother and a father and that society should promote this ideal to the fullest extent possible. We stand confident behind our legal arguments, which have been upheld repeatedly in trials and appeals around the country.”

Hall says she will issue her ruling on the Thomas More Society’s motion to dismiss the homosexual lawsuits challenging Illinois marriage as unconstitutional on Sept. 27 at the Cook County Circuit Court in Chicago.