

Marriage, Prop. 8 Support Reflected in Supreme Court Briefs

The U.S. Supreme Court received more than 30 friend-of-the-court briefs last week in support of California's voter-approved constitutional amendment that protects marriage as the union of one man and one woman. Many of the briefs were simultaneously filed in *Windsor v. U.S.*, the challenge to the federal Defense of Marriage Act also being heard by the Supreme Court.

Alliance Defending Freedom attorneys are part of the legal team defending the California **marriage amendment** on behalf of , the banner organization for the official proponents and campaign committee of **Proposition 8**.

"Marriage between a man and a woman is a universal good that diverse cultures and faiths have honored throughout the history of Western Civilization," said Senior Counsel Austin R. Nimocks. "Marriage isn't merely a matter of personal preferences. How we treat marriage has societal consequences. The wisest course, as these briefs demonstrate, is for the court to resist demands to prematurely end the national debate over the future of marriage."

The briefs show the sweeping support for marriage, the amendment, and the state's initiative process currently under attack in the federal lawsuit *Hollingsworth v. Perry*. They also demonstrate the breadth of concern about the possible wide-ranging effects of striking down the voter-approved amendment and judicially imposing an end to the ongoing, robust public debate on marriage. The high court's decision in the case could affect Americans from coast to coast.

Attorneys general from 19 states—most of which have a

constitutional amendment similar to California's—filed a joint brief with the court in support of protecting marriage.

Among the many individuals and organizations that filed briefs, at least four organizations outline the threats to **religious liberty** that would accompany a judicial decision striking down marriage laws; three African-American groups explain that preserving marriage's time-honored understanding as a man-woman union is nothing like racist laws banning interracial marriage; 37 legal scholars contend that states should remain free to preserve the traditional definition of marriage; 17 international judges and scholars from all over the world demonstrate that international law does not support the redefinition of marriage; and self-identified "gay and bisexual" authors explain the importance of protecting marriage as the union of one man and one woman.

The legal team, led by lead counsel Charles J. Cooper of Cooper & Kirk PLLC, filed its opening brief with the Supreme Court on Jan. 22 and will file its final brief March 20. Oral argument will take place on March 26.