

Supreme Court Has Already Defined Marriage As Union Between Man and Woman

The U.S. Supreme Court Friday agreed to review the constitutionality of the federal Defense of Marriage Act and California's marriage amendment.

Alliance Defending Freedom attorneys are part of the legal defense team for –the banner organization for the official proponents and campaign committee of Proposition 8–which in July asked the Supreme Court to review the case *Hollingsworth v. Perry*. ADF has also filed friend-of-the-court briefs in defense of the federal **Defense of Marriage Act** in cases across the country.

“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 Legal Counsel Jim Campbell. “Marriage expresses the truth that men and women bring distinct, irreplaceable gifts to family life. The legal team looks forward to advocating before the U.S. **Supreme Court** on behalf of the people's right to preserve this fundamental building block of civilization.”

In February, the U.S. Court of Appeals for the 9th Circuit declared the California **marriage amendment** unconstitutional. Voters approved the amendment in 2008 to protect marriage as the union of one man and one woman.

“The Supreme Court has made it very clear that the age-old definition of marriage as the union of one man and one woman is constitutional as a matter of public policy,” explained 's Lead Counsel Charles J. Cooper with the Cooper & Kirk law firm. “The lower court decisions in the Proposition 8 case essentially rejected all relevant Supreme Court and appellate

court precedent. We are hopeful and confident that the Supreme Court will uphold its precedent.”

’s petition asking that the Supreme Court review the **Proposition 8** case explained, “The Ninth Circuit’s charge of anti-gay animus is ... at war with its own acknowledgment that the question whether marriage should be redefined to include same-sex couples is one ‘over which people of good will may disagree.’ ... The Ninth Circuit’s charge thus defames over seven million California voters and countless other Americans who believe that traditional marriage continues to serve society’s legitimate interests.”

The petition warned of the potential effect if the 9th Circuit’s ruling is allowed to stand: “It is thus all but certain that the decision below, despite its professed narrowness, will in due course lead to States throughout the Circuit being forced to redefine marriage by judicial decree.”