

Tennessee Judge Defies Gay Marriage Movement

A Tennessee judge ruled that the state's marriage amendment promoting "family continuity and stability is certainly a legitimate state interest."

Roane County Circuit Judge Russell Simmons' ruling comes amid decisions in more than a dozen states where *United States v. Windsor* has been used to overturn state marriage amendments, including the Fourth Circuit Court overturning Virginia's marriage amendment this week.

Ruling that the marriage amendment does not violate the equal protection clause of the U.S. Constitution, Simmons wrote: "The Windsor case is concerned with the definition of marriage, only as it applies to federal laws, and does not give an opinion concerning whether one state must accept as valid a same-sex marriage allowed in another state."

He continued, "The Supreme Court does not go the final step and find that a state that defines marriages as a union of one man and one woman is unconstitutional."

"[N]either the federal government nor another state should be allowed to dictate to Tennessee what has traditionally been a state's responsibility," Simmons added.

"The decision says what Liberty Counsel has been saying all along: 'Marriage and procreation are fundamental to the very existence and survival for the race,'" Staver said.

Promoting a stable family structure is a legitimate state interest, he said.

"When a child comes home from school to a stable, loving family, with a mom and a dad who are caring for his or her

needs, that is in the state's interest. When a child has a mom and a dad to help with homework or to provide medical needs, that is in the state's interest. Any ruling against natural marriage is a ruling against legitimate state interest," Staver concluded.