

Will US Supreme Court Uphold Proposition 8?

A three-judge panel on Tuesday struck down **Proposition 8**, but the Thomas More Society predicts the U.S. Supreme Court will ultimately uphold the law.

Proposition 8 defines marriage as the union of one man and one woman and would prevent same-sex marriages in the Golden State. Proposition 8 did not deprive same-sex couples of any of the rights and privileges of marriage they are entitled to under California's Domestic Partner Act.

The Thomas More Society, which represented the Family Research Council in defending Prop 8 in the Ninth Circuit, noted that Judge Stephen Reinhardt's opinion purported to find a constitutionally relevant distinction between not extending rights to persons who had not previously enjoyed those rights and withdrawing rights from those who had, a distinction it says is of questionable constitutional relevance.

Tony Perkins, president of the Family Research Council, said the panel's split decision was disappointing but not surprising. The Hollywood-funded lawsuit, as he called it, seeks to impose San Francisco values on the entire country. As he sees it, this is not about constitutional governance but the insistence of a group of activists to force their will on their fellow citizens.

"This ruling substitutes judicial tyranny for the will of the people, who in the majority of states have amended their constitutions, as California did, to preserve marriage as the union of one man and one woman," Perkins said. "However, we remain confident that in the end, the Supreme Court will reject the absurd argument that the authors of our Constitution created or even implied a 'right' to homosexual

'marriage,' and will instead uphold the right of the people to govern themselves."