



June 26, 2013

League of Women Voters Praises Supreme Court's Proposition 8 Decision

The League of Women Voters of California (LWVC) praised today's U.S. Supreme Court [decision](#) in *Hollingsworth v. Perry* that invalidated Proposition 8. The measure, passed by voters in 2008, amended the California Constitution to provide that only marriage between a man and a woman is valid or recognized in California. The proponents of Prop. 8 had appealed to the U.S. Supreme Court after the Ninth Circuit Court of Appeals upheld the decision of the federal District Court for the Northern District of California, in August 2010, that invalidated the measure as unconstitutional.

In its 5-4 opinion, the Supreme Court ruled that the proponents of Proposition 8 lacked legal standing to appeal the district court's decision. The Court therefore vacated and remanded the Ninth Circuit's opinion. As a result, the district court's decision striking down Proposition 8 as unconstitutional will be left as the final and binding decision. The Court's majority opinion, authored by Chief Justice John Roberts, found that after the passage of Prop. 8, its proponents could have no role in its enforcement. They therefore had no "personal stake" in defending its enforcement and lacked the particularized interest required to have legal standing under the U.S. Constitution. The Court noted that standing is not to be placed in the hands of "concerned outsiders who will use it simply for the vindication of value interests."

LWVC President Jennifer A. Waggoner said: "We applaud the Court's ruling. While we had hoped for a decision on the constitutional merits specifically upholding the right of same-sex couples to marry, we are pleased with this outcome, since it leaves the district court's holding that Prop. 8 is unconstitutional as the final, binding decision." Waggoner noted, "The League filed an [amicus brief](#) with the California Supreme Court challenging the Prop 8 proponents' standing to defend the measure, so we are especially pleased that the U.S. Supreme Court relied on the standing issue in its decision." She added, "The League opposed Proposition 8 because we believe in protecting individual rights and that no person or group should suffer legal discrimination. We believe today's ruling will finally give same-sex couples in California the same freedom to marry and to be treated equally under the law that opposite-sex couples have."

The League also expressed satisfaction with the Supreme Court's ruling today in *United States v. Windsor*, which struck down Section 3 of the federal Defense of Marriage Act (DOMA). LWVC President Waggoner noted: "We are gratified that the Court invalidated Section 3 of the Defense of Marriage Act, a law that denies federal benefits to legally-married same-sex spouses. Striking down this discriminatory provision is an important step in ensuring equal treatment for all couples."

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The LWVC has long opposed measures that threaten individual rights. The League opposed Proposition 8 when it was on the ballot and was active in legal challenges brought after its passage. It filed an [amicus brief](#) with the California Supreme Court in 2009 supporting those challenging the measure, as well as the amicus brief in 2011 supporting a challenge to the standing of the Prop. 8 proponents.

The League of Women Voters supports equal rights for all under state and federal law. It supports legislation to equalize the legal rights, obligations, and benefits available to same-gender couples with those available to heterosexual couples. The League supports legislation to permit same-gender couples to marry under civil law. The League believes that the civil status of marriage is already clearly distinguished from the religious institution of marriage and that religious rights will be preserved.

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Founded in 1920, the League of Women Voters is a nonpartisan political organization that encourages informed and active participation in the democratic process and influences public policy through education and advocacy. It does not support or oppose any political party or candidate.

For more information on the LWVC and our positions, visit www.lwvc.org.