California Court Rules Proposition 8 Unconstitutional

A ban on same-sex marriage in the state of California has been declared unconstitutional by a federal appeals court on Tuesday. The measure ruled unconstitutional is known as Proposition 8, which could now hit the United States Supreme Court.

The decision came down at 2-1 by a panel of three judges. Those judges sit on the Ninth Circuit Court of Appeals in the city of San Francisco. The panel of judges, with its ruling, agreed with a judge from a lower court who declared that the ban was a violation of gay and lesbian people’s civil rights back in 2010.

“Proposition 8 serves no purpose, and has no effect, other than to lessen the status and human dignity of gays and lesbians in California, and to officially reclassify their relationships and families as inferior to those of opposite-sex couples,” Stephen Reinhardt wrote for the ruling.

“Although the constitution permits communities to enact most laws they believe to be desirable, it requires that there be at least a legitimate reason for the passage of a law that treats different classes of people differently,” explains the ruling from the court.

“There was no such reason that Proposition 8 could have been enacted.”

The ruling from the panel also stresses that this only applies to the state of California. Gay marriage was previously allowed prior to Proposition 8, which has jurisdiction in nine states out West.

“Whether under the Constitution same-sex couples may ever be denied the right to marry, a right that has long been enjoyed by opposite-sex couples, is an important and highly controversial question,” said the court’s judges. “We need not and do not answer the broader question in this case.”

The founder and the president of the group Freedom to Marry, Evan Wolfson, exclaimed:

“Today’s powerful court ruling striking down the infamous Prop 8 affirms basic American values, and helps tear down a discriminatory barrier to marriage that benefits no one while making it harder for people to take care of their loved ones. The ninth circuit rightly held that a state simply may not take a group of people and shove them outside the law, least of all when it comes to something as important as the commitment and security of marriage.”

Proposition 8 was passed by voters in the state of California back in 2008. Vaughn Walker, a federal judge, ruled that it was unconstitutional in 2010. The ban on Proposition 8 has stood in tact since then because a stay was placed on the ruling by the ninth circuit.

Marriage for same-sex couples within the state will not be allowed until after February 28, which is the deadline for supporters of Proposition 8 to appeal to a larger panel of judges at the Ninth Circuit.

A lawyer who was against Proposition 8, Ted Olson, also is a former solicitor general. He said that the case against Proposition 8 dealt with “equality and freedom and dignity and fairness and decency … It is about us. It is about every one of us … Today we are more American because of this decision.”