

California court voids 4,000 gay marriages: Couples wed in San Francisco in spring 2004

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California's Supreme Court has voided the marriages of nearly 4,000 gay couples who wed in San Francisco last spring, ruling that Mayor Gavin Newsom did not have the authority to flout state marriage laws.

The court said August 12 that local officials are not permitted to ignore laws they disagree with. It sidestepped the larger question of whether it is unconstitutional to deny civil marriage to gay couples. That decision would have to come in a separate case, the court said.

"In actuality, the legal issue before us implicates the interest of all individuals in ensuring that public officials execute their official duties in a manner that respects the limits of the authorities granted to them as officeholders," Chief Justice Ronald George wrote for the court.

California state law and a voter-approved ballot initiative both define marriage as between a man and a woman. Newsom argued that both laws violate constitutional provisions that guarantee equal protection and nondiscrimination.

Several gay and lesbian couples had already filed suit in San Francisco County Superior Court challenging state laws that prohibit gay marriage; that case could eventually make its way to the state Supreme Court for a final ruling on gay marriage, the Associated Press reported.

"Although the road ahead may be a long one, I have complete faith that it will ultimately lead to justice for same-sex couples," said William Sinkford, president of the Unitarian Universalist Association. Conservatives who filed suit to stop the marriage licenses hailed the court ruling and said it proved that Newsom's open challenge to the law had backfired. *-Religion News Service*