

FYI - From the Family Research Council.

The People's Court

In what is being called "a vindication of the will of the people," the Michigan Supreme Court upheld the state's marriage amendment as applied to state-funded domestic partner benefits. **Upholding a lower court decision, the judges agreed that public employers cannot provide spousal benefits like health insurance to homosexual couples because it would violate Michigan's constitution. By a 5-2 vote, the court effectively ended the policies of 20 universities, school districts, and local governments which covered an estimated 375 homosexual couples. The ruling was made possible by the 2004 ballot initiative defining marriage as the union of a man and woman. Passed with 59 percent of the vote, the amendment to the state's constitution made the unique status of marriage impenetrable for homosexual activists.**

Justice Stephen Markman, writing for the majority, addressed the suit's 42 plaintiffs who claimed that the amendment was meant to ban gay marriage, not eliminate people's benefits. The judge reminded them that both proponents and opponents of the initiative knew that the privileges of marriage would not be extended to homosexual conduct if the amendment passed.

"The role of this Court is not to determine who said what about the amendment before it was ratified, or to speculate about how these statements may have influenced voters," he wrote. "Instead, our responsibility is, as it has always been in matters of constitutional interpretation, to determine the meaning of the amendment's actual language."

It is so refreshing to encounter a high court that understands its limitations in resolving some of the nation's most contentious issues! We applaud these justices for recognizing their role and affirming the democratic process. While we celebrate the victory, it should also serve as a prime illustration of how critical the judicial nomination process is.

Join us in urging the Senate to put aside their differences and fill the many bench vacancies with men and women who will submit their personal agendas to the rule of law. For more on the importance of appointing strict constructionists, log on to www.usatoday.com and read my column called "Restrain Judicial Activism."