Case tests limits of right to marry

By Thomas F. Coleman

Throughout California's history as a state, same-sex couples were excluded from the statutory right to marry. State law always declared that marriage is a personal contract between "a man and a woman."

Then in May 2008, the California Supreme Court issued a landmark ruling declaring that the gender restriction in the statute violated the California Constitution. In re Marriage Cases, 43 Cal. 4th 757. In the months that followed this historic court decision, scores of same-sex couples entered into legal marriages in California. Then came Proposition 8—an initiative that sought

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