



Covered at Reason 24/7: Obama Administration Sends Letter Opposing Prop. 8 (As Does Everybody Else)

By: Scott Shackford - February 28, 2013

The Obama Administration today decided that recognition of gay marriage in California is a federal issue after all. As the deadline approached for friendly parties to send amicus briefs, the Justice Department decided that it will weigh in and ask for Proposition 8 (which bans legal recognition of gay marriages in the state) to be struck down. NBC News got the confirmation earlier today:

Administration officials say the Justice Department will urge the U.S. Supreme Court to allow same-sex marriage to resume in California, wading into the protracted legal battle over Proposition 8 and giving gay-rights advocates a new court ally.

After first suggesting it would not get involved, the Obama administration will file a friend-of-the-court brief late today in support of the two gay couples who launched the fight over the issue four years ago, the officials said. Today is the last day for filing briefs in support of the couples' position.

The administration last year signaled it might stay on the sidelines. In May, when President Obama first said that "same-sex couples should be able to get married," he added that it was not a matter for the federal government.

A veritable flood of amicus briefs poured forth today. Of libertarian interest, the Cato Institute joined up with the Constitutional Accountability Center to file a joint brief, as has libertarian-leaning NFL punter Chris Kluwe with same-sex marriage activist and Baltimore Raven Brendan Ayanbadejo, and more than 200 companies.