

Dear Members of the Senate Judiciary Committee,

Thank you for the opportunity to submit my testimony in opposition to the concurrent resolution urging the United States Supreme Court to restore the definition of marriage to a union between one man and one woman. I respectfully urge you to reject this resolution for the following reasons:

1. **Upholding Constitutional Rights and Equality:** The Supreme Court's decision in *Obergefell v. Hodges* (2015) is grounded in the principles of liberty and equality under the U.S. Constitution. By affirming the right of same-sex couples to marry, the Court upheld the fundamental right to marry as enshrined in the Constitution's due process and equal protection clauses. This decision ensures that all individuals, regardless of sexual orientation, are afforded the same legal rights, recognition, and dignity. Overturning this ruling would not only violate the principle of equal protection under the law, but it would also undermine the rights of countless individuals in committed, loving relationships who seek legal recognition of their marriages.
2. **Protecting Individual Freedoms and Civil Liberties:** This resolution, if passed, would restrict individual freedoms by suggesting that the state has the power to define the rights of individuals in a manner that contradicts their inherent dignity and the rights they are entitled to under the U.S. Constitution. The argument that marriage should be restricted to one man and one woman goes against the very essence of liberty as defined by our nation's founders – that all people are equal, endowed with certain unalienable rights. As such, any move to limit marriage rights based on a traditional or narrow definition would violate the rights of those who seek to marry whomever they choose, regardless of gender.
3. **State Sovereignty and the Will of the People:** While this resolution asserts that marriage should be returned to the states, *Obergefell v. Hodges* already ensured that all states must uphold the same constitutional standards for marriage. This includes recognizing marriages between same-sex couples, which are now legal in all 50 states. The notion that marriage should be a state decision is a fundamental misunderstanding of the U.S. Constitution, which ensures that certain rights—such as the right to marry—cannot be determined by the whims of any one state or its voters. These rights should be universally protected across the nation, not left to the political climate of any one jurisdiction.
4. **Historical and Cultural Context:** While the resolution claims that the definition of marriage has remained unchanged for thousands of years, it is important to recognize that marriage has always been subject to cultural and legal evolution. Many of the earliest forms of marriage were not based on romantic love or equality between partners, and marriage laws have evolved over time to reflect changing societal norms. The inclusion of same-sex couples in the institution of marriage reflects this evolution and upholds the fundamental human right to love and marry freely.
5. **Religious Liberty and Respect for Diversity:** This resolution also seems to suggest that the *Obergefell* decision infringes upon religious liberty. However, the Supreme Court decision does not mandate religious institutions to perform or recognize same-sex marriages. Religious freedom is a cornerstone of our nation's foundation, and no religious group is required to alter its beliefs or practices as a result of this ruling. What *Obergefell* guarantees is that same-sex

couples, regardless of religious background, can marry and receive the same legal protections as other couples under civil law.

In conclusion, I strongly urge the Senate Judiciary Committee to oppose this concurrent resolution. The decision in *Obergefell v. Hodges* was a monumental step toward ensuring equality, freedom, and dignity for all Americans, regardless of sexual orientation. Overturning it would be a step backward in the pursuit of justice and equality. The resolution would also undermine individual rights and the equal protection guaranteed by the U.S. Constitution.

Thank you for your time and consideration.

Sincerely,
Brianna Hall
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