

# JUDICIAL CATASTROPHE IN MASSACHUSETTS: IT'S UP TO THE PEOPLE NOW!

*Instead of interpreting the constitution, they amended our constitution. Instead of upholding the law, they disregarded the law and imposed their own ideological preferences on the people of this Commonwealth. Instead of administering justice, they advanced the militant homosexual agenda, whose goal is to legitimize a range of addictive and destructive behaviors that are innately dangerous both to individuals and society. This invention of a constitutional right to same-sex marriage represents social revolution by judicial fiat. It is an extra-constitutional act – an exercise in arbitrary power by radical ideologists in our unelected judiciary.*

On November 18, 2003 the Massachusetts Supreme Judicial Court declared that our Constitution contains a "fundamental" right to homosexual "marriage". It ruled that limiting marriage to a man and a woman is not "rational" and instructed that same-sex marriage begin on May 17, 2004.

## **The people say: NO !**

No one can possibly read the Massachusetts Constitution and find a "fundamental right" to same-sex marriage. It comes from the tortured logic of an activist court.

(Even the three dissenting justices have called the ruling an "aberration" that "distorted the meaning and purpose of due process.")

**We cannot credibly claim to live in a democracy when our most basic laws can be arbitrarily dismantled by four unelected political appointees.** A failure of the citizens to respond appropriately would concede that we've lost control of our own government.

**Our Legislature and Governor can stop this.** The Massachusetts Constitution allows them to remove the judges and reverse the ruling through a "bill of address". The bill of address is part of our constitution's "checks and balances" specifically intended to keep the judiciary from abusing its power. (Several other states also have this procedure; it goes back to the English Act of Settlement of 1700.) It's been successfully used six times in Massachusetts history. Several other times, judges resigned when the process was started. In 2001, Judge Maria Lopez resigned when a bill of address was initiated against her.

**A bill of address has now been filed in the Massachusetts Legislature.** It would remove the four

judges who have violated their oaths – Margaret H. Marshall, John M. Greaney, Roderick L. Ireland, and Judith A. Cowin – and would lead to the reversal of the homosexual marriage ruling.

It must pass the House of Representatives and the Senate, by a simple majority vote in each chamber. Then the Governor and governor's council must officially agree. The whole process could literally happen over a few days.

**Right now, it's in the hands of the House of Representatives. But they're afraid.** Several have admitted they fear the backlash from the liberal media and militant gay activists. Some are lawyers who don't want to upset any judges. Others say this is "impossible" to stop, and just want to accept it and move on.

**Well, it's about time our elected representatives were more afraid of their constituents than the special interests.** Let them know this is not negotiable.

We live here, raise our families here, and pay taxes here. We pay the salaries of our legislators so they can protect us from these socially destructive forces. It's time to demand that they do their job.

In order for this to happen by May 17, a lot of political will is necessary. Great courage is required from all of us. We must stand up to the powerful lobbies that would use Massachusetts as sandbox for their ideas of social revolution. It's up to the people now.

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