

A conservative case for gay marriage

By Theodore B. Olson, Newsweek

Together with my good friend and occasional courtroom adversary David Boies, I am attempting to persuade a federal court to invalidate California's Proposition 8—the voter-approved measure that overturned California's constitutional right to marry a person of the same sex.

My involvement in this case has generated a certain degree of consternation among conservatives. How could a politically active, lifelong Republican, a veteran of the Ronald Reagan and George W. Bush administrations, challenge the “traditional” definition of marriage and press for an “activist” interpretation of the Constitution to create another “new” constitutional right?

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