May 28, 2008

Supreme Court of California
Office of the Clerk
350 McAllister St.
San Francisco, CA 94102-4797

Dear Justices,

As the president of the 11,000 members of the American Anthropological Association, I write to express my concern about the attempts of same-sex marriage opponents to pass a motion for a stay on the California Supreme Court’s ruling regarding same-sex marriage. We ask you to reject any attempts to delay the enactment of your decision until the November ballot.

Anthropological research on households, kinship relationships, and families—across cultures and through time—provide no support whatsoever for the view that either civilization or viable social order depend upon marriage as an exclusively heterosexual institution. Instead, research has shown that a vast array of family types, including families built upon same-sex partnerships, can contribute to stable and humane societies. The enactment of your ruling will allow voters to see that the institution of marriage can accommodate all types of relationships, and will give same-sex couples the rights that they have been denied over the years.

The limitation of same-sex marriage to heterosexual couples is both discriminatory and harmful. Inequalities between marriage and domestic partnerships include different requirements for the formation and dissolution of domestic partnerships and marriages; the ability to receive equal rights and benefits from other states, countries, and the federal government; and disparate treatment by California courts. The creation of a separate legally-sanctioned institution for same-sex couples stigmatizes these relationships as unworthy of equal status.

As a professional organization that recognizes and values human diversity, we seek to prevent human difference as criteria for the denial of basic human rights. We are committed to promoting marriage equality for same-sex couples, and respectfully urge you to allow such marriages to proceed without delay. Thank you for your attention to our concerns.

Sincerely,

[Signature]

Setha Low, President
American Anthropological Association