



Written by [Dave Bohon](#) on June 17, 2014

Federal Judge Puts Temporary Ban on Wisconsin Same-Sex Marriages

A federal judge has put a stay on her week-old ruling that overturned Wisconsin's marriage protection amendment and legalized same-sex marriage in the state. As many as 500 same-sex couples had taken advantage of Judge Barbara B. Crabb's [June 6 ruling](#) that had overturned Wisconsin's constitutional amendment defining marriage as only between a man and a woman. The 2006 amendment had been approved by 59 percent of Wisconsin voters.



On June 13 Crabb reluctantly put a stay on her decision after the state's attorney general, J. B. Van Hollen, filed an appeal, asking Crabb to block further same-sex unions until the case makes its way through the legal process.

Following a 30-minute hearing on the case, Crabb said that she would halt further same-sex marriages, citing the U.S. Supreme Court's recent similar decision in Utah.

"After seeing the expressions of joy on the faces of so many newly wedded couples featured in media reports," Crabb wrote in a disturbingly biased order, "I find it difficult to impose a stay on the event that is responsible for eliciting that emotion, even if the stay is only temporary. Same-sex couples have waited many years to receive equal treatment under the law, so it is understandable that they do not want to wait any longer. However, a Federal District Court is required to follow the guidance provided by the Supreme Court."

Attorney General Van Hollen's appeal will go to the federal 7th Circuit Court of Appeals in Chicago, and while the process "could potentially take years to decide," reported the [Christian News Network](#), "many expect that the U.S. Supreme Court will ultimately render a decision on the issue much sooner from a state that is further along in the appeals process than Wisconsin."

Many pro-family activists support a federal solution for reversing the legalization of same-sex marriage in one state after another; however, such a solution, imposed by the Supreme Court, could turn out to be the very opposite of what they are hoping for. Such was the case more than 40 years ago when pro-life activists hoping that the Supreme Court would prohibit abortion nationally in its consideration of the *Roe v. Wade* case instead legalized abortion on demand. In truth, neither marriage nor abortion is among the few enumerated powers delegated to the U.S. government by the Constitution.

In a statement Van Hollen said that he was "very pleased that Judge Crabb has ... fully stayed her ruling. She has confirmed that Wisconsin's law regarding same-sex marriage remains in full force and effect."

Julaine Applying of Wisconsin Family Action, a pro-family group, complained that Crabb's original ruling caused "undue and absolutely unnecessary turmoil in our state.... This judge, in concert with those determined to redefine society's foundational institution of marriage, turned Wisconsin from being a



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state where the law is respected into a place where apparently everyone, especially elected county clerks, can do that which is right in his own eyes. Fortunately, we now have clarity which should bring an end to the confusion.”

Meanwhile, a team of liberal Wisconsin legislators has appealed to U.S. Attorney General Eric Holder to declare legal the 500 or so same-sex marriages that were performed in the state during the week that Crabb’s original ruling was in force. As it is, the marriages are considered void by reason of Crabb’s stay of her earlier decision. U.S. Senate Democrat Tammy Baldwin (who is openly lesbian), along with Wisconsin House Democrats Ron Kind, Gwen Moore, and Mark Pocan, wrote to Attorney General Eric Holder on June 16 asking him to intrude into the state’s marriage issue and decree the several hundred same-sex unions legal.

Federal judges have now overturned marriage protection amendments in 15 states, including Wisconsin. But Tony Perkins of the Family Research Council, which has taken a lead role in protecting traditional marriage in America, said that while federal judges may have the authority to make legal rulings, “the courts, for all their power, can’t overturn natural law. What they can do is incite a movement of indignant Americans, who are tired of seeing the foundations of a free and just society destroyed by a handful of black-robed tyrants.”





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