



The good we do – Lawyers lauded at Gay Pride Parade

The efforts of lawyers in overturning the ban against same sex marriage have made them into heroes.



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In June I flew up to San Francisco to photograph the Gay Pride Parade for a cover shot for Plaintiff. (I can tell you, for a short person, I was very happy to obtain press credentials putting me in the center of the action.) I witnessed something I had never seen before – lawyers actually being celebrated and cheered! It astonished me that lawyers played a central role in the parade, and I felt an enormous sense of pride over the contributions that we can and do make to society.

There is no question that the Gay Pride Parade was different this year because of the Supreme Court's ruling in *In re Marriage Cases* (2008) 43 Cal.4th 757. The Parade focused on a historic court decision that has changed the lives of thousands of people. The tradition of marriage was celebrated as a precious right and an opportunity for individuals to express their love and commitment to their partners. Well-known Los Angeles attorney Gloria Allred, who represented the first plaintiffs, waved to a cheering crowd. The city's Mayor, Gavin Newsom, who took a courageous stand in permitting gay marriages in 2004, was also celebrated. But four of the stars of the parade were attorneys who argued and worked on the cases heard by the California Supreme Court.

The new heroes

For once, there were no lawyer jokes or complaints, but a real connection – and adoration – of these lawyers and what they had done to promote equal rights and the dignity of individuals throughout the country. I hope it is not the last time I witness such a demonstration of affection and gratitude.

Oddly enough, the day before the Parade I read an article in The L.A. Times by Tobias Berkman and Matthew Fay entitled, "When Lawyers are the New Heroes." Of course, the title immediately caught my attention. But no, it wasn't about these attorneys . . . it was about the lawyers of Pakistan!

The article described the events of November 2007 when a group of lawyers in Pakistan protested the government's removal of the Chief Justice and more than 60 appellate judges deposed by President Perez Musharraf, who had suspended the Constitution. These lawyers were protesting the government's actions. In essence, they were seeking an independent judiciary and respect for the 1973 Constitution and the rule of law, which they believed were necessary to provide a check on the executive branch.

The Pakistani march started out with thousands of attorneys and other activists in the city of Multan. They planned to march 650 miles, ending up at the parliament in Islamabad. The marchers stopped along the way for speeches and rallies. The authors reported lawyers were greeted by hundreds of thousands of Pakistanis cheering them on. The response of the people was overwhelming. Some even joined the procession. By the time the march reached the steps of the parliament, the group had grown to over an estimated 200,000 people.

Such a protest would be unheard of in this country where the judiciary occupies a separate branch of government. Or would it? Sadly, our government refused to support the actions of these brave lawyers because of the political need to support Musharraf, who is viewed as an ally. When I heard about the initial news reports in our press of "dissidents" and "insurgents," I was surprised to see protesters neatly dressed



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A big thank you from the heart for a team of lawyers.



Gloria Allred (in red) represented the original plaintiffs, Robin Tyler and Diane Olson.

Photos by Donna Bader



Market Street was filled with supporters.

in business suits. When I learned they were being called “insurgents,” I was equally stunned. These men and women are true heroes. For those “who love democracy,” this march and the protests that followed should be supported.

Even in our country, Chief Justice Ronald George has spoken about the need for an independent judiciary. We have already experienced a taste of the turmoil that can occur when the executive branch intrudes into the affairs of the judiciary or even those individuals, such as U.S. Attorneys, who practice before the courts. We still have a long way to go in repairing the damage.

Authors Berkman and Fay wrote:

In the U.S., where the public casually disparages its lawyers, it is easy to

take for granted the enormous public benefits of an empowered legal community. Because the rule of law operates through repetitive, ingrained social practice, its invisibility in the U.S. is perhaps the best sign of its health. . . . But in places like Pakistan, where democratic institutions remain fragile, the rule of law still needs its champions. Those who stand in its defense deserve our wholehearted support and our applause.

When United States attorneys were asked to show their support for the attorneys of Pakistan by marching in front of embassies in this country, I did not attend. At the time, I had some feeble excuse for not making the time to support these lawyers. And yet, I thought of these

lawyers as true heroes, knowing they risked their lives and freedom to protest President Musharraf’s acts of oppression over his own people. We need to speak up and support attorneys, even those from a country as far away as Pakistan, who seek to preserve freedom.

While I neither risked my life nor freedom from imprisonment by attending the celebratory Gay Pride Parade, I am also grateful to those brave attorneys who pursued the appeals in *In re Marriages Cases* to win equality in our marriage laws. While this ruling may not impact everyone, one could certainly observe the happiness and joy it produced for those who have sought the right to love and marry the partner of their choice.