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WASHINGTON (ABP)—For the first time, a federal judge has overturned a state constitutional amendment banning same-sex marriage.

U.S. District Judge Joseph Bataillon of Nebraska said that state's ban on gay marriage and other same-sex legal partnerships violates several provisions of the federal Constitution.

Bataillon said the ban is so broadly written as to prohibit not only gay marriage, but also other legal arrangements and protections between gay couples and other unmarried people.

The amendment goes "far beyond merely defining marriage as between a man and a woman," the judge wrote, adding its "broad proscriptions could also interfere with or prevent arrangements between potential adoptive or foster parents and children, related persons living together, and people sharing custody of children, as well as gay individuals."

Bataillon also said the amendment barred gay couples from participating in “an almost limitless number of transactions and endeavors that constitute ordinary civil life in a free society” and limited gay couples’ ability to petition the government and “to participate in the political process” to advocate on behalf of their rights.

Therefore, he concluded, the amendment violates both the First Amendment and the 14th Amendment.

Although 39 other states have laws banning gay marriage, Nebraska’s amendment was one of the most restrictive. Passed in 2000, it prohibited any kind of legal recognition for same-sex couples in the state and banned state agencies from offering health care and other benefits to the domestic partners of their employees.

Groups opposed to gay marriage said the ruling was another illustration of the need for a federal constitutional amendment banning the practice. Although a similar amendment lost a Senate procedural vote last year, a new version of the Marriage Protection Amendment is currently pending in both houses of Congress.

“This historic national debate will come down to a race between AFM’s Marriage Protection Amendment and the American courts,” said Matt Daniels, president of the Alliance for Marriage, in a statement. “Today’s federal ruling makes it all the more clear that AFM’s marriage amendment is the only hope for the deeply held values of the vast majority of Americans—of every race, color and creed—to be protected under our laws.”

Gay marriage has been a prominent topic since 2003, when the Massachusetts Supreme Judicial Court ruled that the state’s Constitution required officials to issue marriage licenses to same-sex couples. The state became the first jurisdiction in the United States with legalized gay

marriage on May 17, 2004, when the court's decision went into effect.

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