

South Africa OK's same-sex marriage

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JOHANNESBURG, South Africa (ABP)—South Africa's highest court has ruled the nation's constitution requires it to legalize same-sex marriage.

The Constitutional Court delayed implementing its ruling for a year to give Parliament time to rewrite the nation's 1961 marriage law to include homosexual couples. If legislators refuse to act within that time period, the decision automatically will take effect.

When it does so, South Africa will become only the fifth country and the first on the African continent to grant nationwide legal status to gay matrimony.

The court was unanimous in saying the nation's post-apartheid 1996 constitution gives gays an equal right to marriage and its attendant benefits and responsibilities. The charter explicitly bans discrimination on the basis of sexual orientation.

South Africa will join Belgium, the Netherlands, Spain and Canada as the only countries to recognize gay marriage nationwide. The commonwealth of Massachusetts is the only jurisdiction in the United States with legal gay

marriage. Other states and European nations offer marriage-like status to gay couples through civil unions or domestic partnerships.

The decision affirmed a lower court's 2004 ruling that required the government to recognize the marriage of two Pretoria women. According to the *Washington Post*, Cecelia Bonthuys and Marie Fourie wed in a church ceremony performed by Pastor Andre Muller, who was forced out of the nation's Dutch Reformed denomination because of his homosexuality.

“In the past, gay people have always been ridiculed, belittled,” Muller told the newspaper. “Now that this ruling has come, they are on an equal footing. Justice has been done.”

But the nation's Council of Muslim Theologians condemned the ruling, saying, “Same-sex marriages are a violation of the limits prescribed by the Almighty, a reversal of the natural order, a moral disorder and a crime against humanity.”

There is little indication that politicians will attempt to amend the South African Constitution to block legalized gay marriage. Only one small political party—the African Christian Democratic Party—has announced support for such an amendment, the *New York Times* reported.

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