

Maryland high court nixes gay marriage: A close decision

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Maryland's highest court has delivered the latest blow to supporters of same-sex marriage rights, narrowly ruling that the Maryland Constitution does not confer upon gays the right to marry each other.

A sharply divided Maryland Court of Appeals ruled September 18 that a 1973 state law that bans gay marriage does not violate the Maryland Constitution's equal-rights provisions.

"In the absence of some generally accepted scientific conclusions identifying sexuality as an immutable characteristic, we decline on the record in the present case to recognize sexual orientation as an immutable trait," wrote Judge Glenn Harrell, who penned the court's majority opinion.

He and three colleagues tipped the court's scales against same-sex marriage, while the court's three other judges dissented.

The majority argued that the case's central question should be understood not in terms of whether individuals have a right to marry regardless of their beloved's gender but in terms of whether same-sex marriage is itself a fundamental right. - *Associated Baptist Press*