

MASSACHUSETTS HIGH COURT OPENS DOOR TO GAY AND INCESTUOUS MARRIAGES

By a vote of 4-3, the Massachusetts Supreme Court voted today to strike down the state's ban on homosexual marriage. Though the court said homosexuals were entitled to marry, it stopped short of allowing them to obtain a license to do so. Instead, it gave the state legislature 180 days to find a solution.

Commenting on this development is Catholic League president William Donohue:

"According to Chief Justice Margaret Marshall, 'The exclusive commitment of two individuals to each other nurtures love and mutual support.' In making this ruling, Judge Marshall has, however unwittingly, sanctioned marriage between two brothers. Whether it would extend to an incestuous marriage between heterosexuals—brother and sister, mother-son, father-daughter, is uncertain—but clearly two sisters would be covered by her logic. What it comes down to is this: if love is the *sine qua non* of marriage, then all incestuous relationships qualify. But if the ruling applies only to homosexual couples who challenge the state's ban, then only brother-brother, sister-sister, marriages pass muster.

"Polygamists have every right to sue. After all, who is Judge Marshall to limit marriage to two people? Her ruling explicitly discriminates against Tom, Dick and Harry marrying. In effect, she is saying that one of them must be left out—Tom can marry Dick, but not Dick *and* Harry? But why not be inclusive? This is hardly the kind of ruling that respects real diversity.

"If there is one saving grace in this ruling, it is the decision to force state legislators to do what they hate to

do—make a decision about an issue they would prefer judges to make for them.”