

Oklahoma Gay Marriage Ban Unconstitutional, says US Judge

A federal judge overturned Oklahoma's ban on same-sex marriage on Tuesday, the latest in a series of rulings by judges in federal and state courts to find that such exclusions violate the U.S. Constitution.

Same-sex couples will not be able to marry immediately in Oklahoma under the ruling by U.S. District Court Judge Terence Kern, who said his decision would be put on hold, pending an appeal of a nearly identical case in Utah.

"Equal protection is at the very heart of our legal system and central to our consent to be governed," Kern wrote in his decision. "It is not a scarce commodity to be meted out begrudgingly or in short portions. Therefore, the majority view in Oklahoma must give way to individual constitutional rights."

Seventeen U.S. states plus the District of Columbia now recognize **same-sex marriage** and federal court rulings would add Utah and Oklahoma to that group if the decisions are upheld.

Some 33 U.S. states ban same-sex marriage through state constitutional amendment, statute, or both, including Oklahoma, where voters approved a constitutional amendment banning same-sex marriage in 2004.

Little more than a decade ago, none of the 50 U.S. states recognized same-sex marriage. However, the trend over the past two years has been for same-sex marriage to become legal.

The U.S. Supreme Court last year struck down the **Defense of**

Marriage Act, a federal law that denied federal benefits to legally married same-sex couples and paved the way for gay marriage in California.

Same-sex marriage became legal in eight states last year. Same-sex couples also could marry for a brief period in Utah after a federal judge overturned the heavily-Mormon state's constitutional ban on same-sex unions.

The U.S. **Supreme Court** last week halted same-sex marriages in Utah pending an appeal by Utah officials.

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