

## California overturns gay marriage ban

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America's gay lobby has won a historic victory with the California Supreme Court ruling that the state's ban on same sex marriages was unconstitutional.

In a decision hailed by gay activists, and likely to be condemned by religious and family lobbies, the court said California's legalisation of so-called "domestic partnerships" for gays suggested they were second class citizens.

Although domestic partnerships carry the same legal rights and responsibilities as marriage, the Court said reserving the term "marriage" for opposite sex unions risked denying equal respect and dignity to same sex couples.

"Our state now recognises that an individual's capacity to establish a loving and long-term committed relationship with another person, and responsibly to care for and raise children does not depend upon the individual's sexual orientation, and, more generally, that an individual's sexual orientation - like a person's race or gender - does not constitute a legitimate basis upon which to deny or withhold legal rights," the court said.

**Rea Carey, Acting Executive Director of the National Gay and Lesbian Task Force, hailed the decision as an extraordinary victory for Californians, and for Americans who regarded fairness and opportunity as basic values.**

**"Thank you California for standing up for safety, respect and dignity for our families," said Ms Carey.**

**"The high court's decision comes down to this simple yet profound principle: all Californians should be treated equally under the law."**

California was one of a handful of US states to have legalised same sex unions as domestic partnerships, conferring the same entitlements as conventional marriages.

Domestic partnerships in California were introduced in 1999, but the court has found them an insufficient substitute for marriage.

Only Massachusetts has legalised gay marriage.