

Maryland Court rules in favor of traditional marriage

Extolling the Maryland State Court of Appeals for upholding the state's definition of marriage as between one man and one woman, the leader of the Maryland Catholic Conference said the high court "made a significant and wise judgment to protect the vital institution of marriage."

The Maryland Catholic Conference, the public policy arm of the state's bishops, praised the court decision because the conference believes it affirms the moral heritage of society and lays the groundwork for future generations.

The high court ruling was signed by Judges Glenn T. Harrell Jr., Dale R. Cathell, Clayton Greene Jr. and Alan M. Wilner. Judge Irma S. Raker concurred with some of the opinion and dissented in part. Chief Judge Robert M. Bell and Judge Lynne A. Battaglia wrote dissenting opinions.

The judges in the majority opinion said "our opinion should by no means be read to imply that the General Assembly may not grant and recognize for homosexual persons civil unions or the right to marry a person of the same sex."

Richard J. Dowling, executive director of the Catholic Conference, said in a written statement released immediately after the Sept. 18 ruling: "Consistent with the Judeo-Christian moral heritage upon which Western Civilization is based and with the longstanding tradition of Western law, the conference affirms the understanding that marriage, as a natural and social institution, is reserved for opposite-sex couples who may procreate and raise children. In upholding the 1973 law affirming marriage as reserved to opposite-sex couples only, the Court of Appeals confirms the ancient tradition of our civilization, a tradition that is reflected in church and civil law and precedes them both."

The MCC director said that "traditional marriage assigns exclusive privileges to the family of one man and one woman because it is the foundation of future generations."

In marriage, a husband and a wife "make public and reciprocal commitment, assuming duties to society, to themselves and to their children," said Mr. Dowling, adding that society and the law "rightly reciprocate by bestowing on marriage a juridical status that recognizes the essential role that families play in society."

Mr. Dowling emphasized that the church's support for traditional marriage "does not imply a lack of respect for the human dignity of all persons, including those who are homosexual, nor does it condone unjust discrimination against any person or group."

The gay marriage issue reached Maryland's high court after Judge M. Brooke Murdock of the Baltimore City Circuit Court ruled in January, 2006 that Maryland's prohibition against same-sex marriage "cannot withstand" constitutional challenge and violated the Maryland Declaration of Rights. The judge stayed her opinion pending the outcome of an appeal by the state.

The Maryland Catholic Conference filed an amicus brief supporting traditional marriage following Judge Murdock's ruling. The Maryland State Council of the Knights of Columbus also later filed a similar amicus brief.