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Bar urges feds to stay out of gay marriage issue

By **JOHN W. GONZALEZ**

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SAN ANTONIO -- The legal profession went on record Monday urging the federal government not to meddle in state regulation of same-sex marriages, but it took no position on whether U.S. courts should hear the cases against detainees in Guantanamo Bay, Cuba.

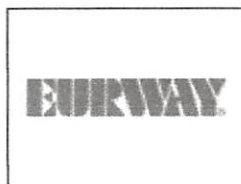
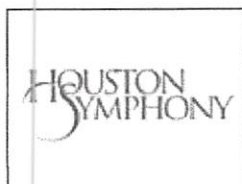
A resolution approved by the American Bar Association's house of delegates said the ABA "opposes any federal enactment that would restrict the ability of a state or territory to prescribe the qualifications for civil marriage between two persons within its jurisdiction."

The group's formal stance on that rapidly evolving issue also said that states should retain the right to determine if and when to recognize same-sex marriages in other states.

The Massachusetts Supreme Court ruled last week that gay couples should be allowed to marry, raising hopes in gay and lesbian communities that the nation's first legally sanctioned same-sex marriages will be authorized in a few months.

During its winter meeting here, the ABA leadership opted not to weigh in on the unresolved issues about the legal rights of foreigners held by the United States in Cuba since 2002. Some of the detainees want to challenge their incarceration in U.S. courts, but the Bush administration contends the courts have no jurisdiction over the Guantanamo Bay detainees.

The lawyers group did approve a resolution urging states and law enforcement agencies to require video or audio taping of police interrogations of criminal suspects. Another resolution was adopted to oppose federal government recruitment of local police to help enforce immigration laws.



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