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Bush: Ban same-sex marriage

Constitutional amendment is needed, president insists

By ELISABETH BUMILLER
The New York Times

WASHINGTON — President Bush yesterday declared his support for an amendment to the Constitution that would ban same-sex marriage, saying that the union of a man and a woman is "the most fundamental institu-

tion of civilization" and that it cannot be separated from its "cultural, religious and natural roots" without weakening society.

In a five-minute announcement in the White House Roosevelt Room, Bush said he was acting because "activist judges" had made aggressive efforts to rede-

fine marriage and that preserving the institution was now a matter of national importance.

Massachusetts is under court order to begin issuing same-sex marriage licenses May 17 and San Francisco's City Hall has been transformed into a marriage parlor in recent weeks for thousands of homosexual couples. The city's mayor, Gavin Newsom, responded defiantly to the president's remarks.

Bush said that states should be permitted to have same-sex civil unions, even though White

House officials said that Bush would not have endorsed such unions when he was governor of Texas.

"The amendment should fully protect marriage, while leaving the state legislatures free to make their own choices in defining legal arrangements other than marriage," Bush said.

In reacting to the remarks, Kentucky lawmakers uniformly agreed that marriage should be

See BUSH

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President Bush said yesterday that marriage is the "the most fundamental institution of civilization" and that it can't be split from its "cultural, religious and natural roots" without weakening society.

- **FALLOUT:** How will Bush's announcement resonate with the American electorate? **A4**

- **REACTION:** Kentucky House GOP tries to force vote on gay-marriage ban. **A4**

Bush seeks amendment to block gay marriages

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between a man and a woman. However, they did not all see the need for a constitutional amendment on marriage.

Because of what has happened in San Francisco and Massachusetts, "it appears that a constitutional amendment is necessary to protect the proposition that marriage is the union of a man and a woman," said Sen. Mitch McConnell, R-Kentucky.

NEWLY ELECTED Democratic Congressman Ben Chandler said while he doesn't see the need for such an amendment, he would vote in favor of it if came before the House.

"I would rather not amend the Constitution unless absolutely necessary," said Chandler, D-6th District.

He agreed with Bush that the institution of marriage should be between a man and women but said the issue is best left to the states.

But Sen. Jim Bunning, R-Kentucky, said "we must not let the will of a few states and cities backed by activist judges push same-sex marriage on Kentuckians."

"What happens if a same-sex married couple moves from San Francisco to Paducah?" the senator said. "Will the commonwealth have to honor this marriage and give all the rights and

privileges associated with it?"

"Congress must settle this legal debate and bring some clarity and uniformity to the law, pass a federal marriage amendment, and the states should ratify this important amendment to the Constitution," Bunning said.

Rep. Anne Northup, R-3rd District, also backed Bush's proposal.

"Recently, we have seen courts making decisions about marriage that are counter to the views of a majority of Americans," she said. "For that reason, I support President Bush's call to amend the Constitution to define marriage as between one man and one woman."

Also backing an amendment was Kentucky Rep. Ken Lucas, D-4th District. "A constitutional amendment is the only way to ensure that the institution of marriage remains intact," he said.

Rep. Hal Rogers, R-5th District, said he supported Bush "100 percent."

Rep. Ed Whitfield, R-1st District, said he was "outraged that some public officials have shirked their duty to uphold the law by issuing marriage licenses to same-sex couples."

BUSH WAS ACTING under enormous pressure from conservative supporters, who insisted that he speak out in an election year on a matter of critical importance to many of his

Christian backers.

Republicans said that Bush was also seeking to draw a sharp distinction between himself and the Democratic front-runner in the primaries, Sen. John Kerry of Massachusetts.

In 1996, Kerry was one of 14 senators to vote against the Defense of Marriage Act, signed by President Bill Clinton, that defined marriage as a union between one man and one woman. Kerry opposes same-sex marriages but supports civil unions.

Bush's announcement, though widely expected, immediately ignited a furious debate between conservatives who applauded it and homosexuals who denounced it.

SOME LOUISVILLE area clergymen said Bush is doing what's best for the country.

"I am very encouraged by the clarity of the president's conviction on this matter," said the Rev. Russell Moore, dean of the School of Theology at Southern Baptist Theological Seminary in Louisville. "I think that he has articulated a definition of marriage that is the definition that is accepted by most of the American people and is the definition that has been held in every human society since the dawn of time."

However, Nikisha Sanders and Jefe Yager, a lesbian couple in Jeffersonville, Ind., said a constitutional amend-

ment wouldn't be right.

Sanders said its passage would be "a case of really blatant discrimination."

She said an attempt to create civil unions separate from marriage is inherently unequal.

Andrea Hildebran, executive director of the Kentucky Fairness Alliance, said a constitutional ban on same-sex marriage would be harmful to homosexual families that are already a part of society.

"These families already exist. These families will be badly hurt by this amendment if it were to pass," she said. "This measure would separate one category of Americans and denigrate their families. We all know this is wrong."

BUSH URGED Congress to move quickly on the amendment that needs approval from two-thirds of the House and the Senate, then passage in three-fourths of the state legislatures over a period of up to seven years.

Recent opinion polls have consistently found the majority of the public opposed to same-sex marriage. A CNN/USA Today/Gallup poll conducted Feb. 16-17, for example, found that 64 percent thought same-sex marriages should not be recognized by the law.

Staff writers James R. Carroll and Harold Adams contributed to this story.