

Same-Sex Marriage Constitutional Amendment Dividing Republican Party

Despite the hopes of George W. Bush and Karl Rove to use gay marriage as a wedge to divide Americans in the upcoming election, Republicans in this country remain deeply divided on his proposal to amend the Constitution of the United States. A wide variety of conservatives including Bob Barr, David Brooks, Ron Paul and even Ward Connerly oppose a constitutional amendment to ban same-sex marriages. The reality is that this proposal will only divide Republicans across this country.

Public Opponents of the Constitutional Amendment

Senator George Allen (R-VA)

“Until you know the lay of the legal analysis, it's hard to know what is the appropriate legislative response,” said George Allen of Virginia, chairman of the National Republican Senatorial Committee. [CQ, 1/9/04]

Former Rep. Bob Barr (R-GA)

“I hold the Constitution in highest regard and I don't like to see it trifled with,” says former Rep. Bob Barr. “I'm a firm believer in federalism. Even though I'm not an advocate for same-sex marriage, I want the states to decide the issue.” [Scripps Howard, February 23, 2004]

Senator Bob Bennett (R-UT)

“I am not inclined to support this amendment. The Founding Fathers intentionally made the process for amending the Constitution difficult in order to preserve the stability of our nation. Amending the Constitution should not be taken lightly. Consequently, I will not support a constitutional amendment until I am convinced that no legislative alternatives exist, federal action is appropriate, and that an amendment is warranted.” [Constituent Letter, 1/14/2003, Copy Available from Human Rights Campaign]

Mayor Michael Bloomberg (R-NYC)

Bloomberg said he had no opposition to recognizing gay marriage. “When I got married I chose to marry a woman. I do not, however, think it is my business who you marry.” [The Jewish Week, 08/03/2001]

Senator Conrad Burns (R-MT)

“I will probably work to pass it, but there's about 10 percent of me saying, 'Is this the correct approach? When you start amending the Constitution, I get a little bit nervous,’” Burns said in a telephone interview with The Associated Press. Burns expressed a similar view Wednesday on NBC's "Today," saying he was "very cool to the idea of an amendment." [Associated Press, 2/25/04]

Senator Norm Coleman (R-MN)

“At this point, [the Federal Marriage Amendment] is a little premature... You don't need to rile up these waters right now. [The 1996 Defense of Marriage Act is] the law of the land, and at this point, it's not necessary to talk about a constitutional amendment. The law is pretty clear.” [Minneapolis Star Tribune, 07/21/2003]

Rep. Thomas Davis III (R-VA), Former Chair of NRCC

“Why intervene until [the Defense of Marriage] Act is overturned? That ought to be the operative law. I don't think you'll pass a constitutional amendment, but if you do, you're going to lose the flexibility to deal with this in a very diverse country.” [Washington Post, 2/27/04]

Rep. David Dreier (R-CA), Chair of House Rules Committee

“I believe that this should go through the courts. We're at a point where it's not necessary, from my perspective.” [[L.A. Times](#), 2/25/04]

Senator John Ensign (R-NV)

“Regardless of how you feel about gay marriage, I don't know that it's a good idea to put it in the Constitution.” [[New York Times](#), 07/01/2003]

Former Mayor Rudy Giuliani (R-NYC)

Bush's public stance against gay marriages should end any further speculation that Giuliani might be tapped to replace Vice President Dick Cheney on the Republican ticket this year. The gay marriage issue draws a line down the middle of the (party), and Rudy Giuliani is something of a champion of gay rights. [[www.salon.com](#), 02/26/2004]

Senator Chuck Hagel (R-NE)

Sen. Chuck Hagel (R-NE) said he would "vote against" a constitutional amendment to do so. Hagel: " I do not believe we need to amend the Constitution to deal with this problem. [[National Journal](#), 02/26/2004]

Congressman John Kline (R-MN)

“There are so many issues where people want to run in to amend the Constitution. Amending the Constitution is a very laborious process, and at the end of the day you might not have what you wanted.” [[Associated Press](#), 01/11/2004]

Rep. Jerry Lewis (R-CA)

“At this moment I feel changing the Constitution should be a last resort on almost any issue.” [[USA Today](#), 2/25/04]

Senator John McCain (R-AZ)

“My gut reaction is the most enduring contract between the government and the people should be only as a last resort amended. This is an incredible document, and I believe that we should find out whether the Defense of Marriage Act works or not. We passed a law that basically calls for that.” [[MSNBC's Hardball](#), 02/25/2004]

Governor George Pataki (R-NY)

Gov. George Pataki (R-NY) "normally a loyal ally" of Bush, broke with him on February 25th over gay marriage, saying he "opposes a constitutional amendment to ban it." [[National Journal](#), 2/26/2004]

Rep. Ron Paul (R-TX)

“Asked in the interview if he supports gay marriage, Paul responded, ‘Sure. All gay associations would be legal (under his philosophy). Gay contracts would be permitted.’ Government shouldn't be concerned with people's sexuality, race or gender, he said. ‘Everyone is an individual and ought to be treated equally,’ he said.” [[St. Petersburg Times](#), 5/8/00]

James Sensenbrenner (R-WI) and Dennis Hastert (R-IL)

“Some conservatives in both chambers -- including House Judiciary Chairman F. James Sensenbrenner Jr., R-Wis., and House Speaker J. Dennis Hastert, R-Ill. -- have said that while they oppose gay marriage, congressional action on a constitutional amendment should wait until the 1996 law is reviewed in federal court. Federal law under the 1996 Defense of Marriage Act already provides that other states need not recognize marriage licenses granted to same-sex couples under Massachusetts law or any other state law,’ Sensenbrenner said after the Massachusetts ruling.” [CQ, 1/9/04]

Congressman Rob Simmons (R-CT)

“I do not believe that amending the U.S. Constitution to invalidate all legal protections for unmarried couples, gay or straight, is a way to strengthen the American family. In fact, I believe that establishing such an amendment only harms our American families. It is now more important than ever to remember that families come in all shapes and sizes, and that no family should be discriminated against. This issue should be discussed at the state level and not at the federal level. In any case, I will not support such an amendment that discriminates against American citizens, and preempts state’s rights.” [Constituent letter, 07/15/2003, Available from Human Rights Campaign]

Former Senator Alan Simpson (R-WY)

“[A] federal amendment to define marriage would do nothing to strengthen families -- just the opposite. And it would unnecessarily undermine one of the core principles I have always believed the GOP stood for: federalism. In our system of government, laws affecting family life are under the jurisdiction of the states, not the federal government. This is as it should be. After all, Republicans have always believed that government actions that affect someone's personal life, property and liberty - - including, if not especially, marriage -- should be made at the level of government closest to the people.” [Washington Post Op-Ed, 9/5/03]

William Weld, Former Governor of Massachusetts

“William F. Weld, the former governor whose early advocacy of gay rights frequently put him at odds with his Republican colleagues, yesterday gave a strong endorsement to the Supreme Judicial Court's legalization of gay marriage and said he may officiate at a wedding after the ruling goes into effect. ‘It is a thunderbolt, but a thunderbolt correctly heard,’ Weld told the Globe. . . ‘I may well officiate at a same-sex marriage next year, after the Legislature has a chance to pass an enabling statute,’ Weld said.” [Boston Globe, 11/27/03]

Senator Olympia Snowe (R-ME)

She said an amendment is "unnecessary" because of DOMA. Snowe: "The next step would be for the issue to be considered by the federal courts." [National Journal, 02/26/04]

Former President Gerald Ford

Former President Gerald Ford believes the federal government should treat gay couples the same as married couples, “I think they ought to be treated equally. Period. I don't see why they shouldn't. I think that's a proper goal.” [Detroit Free Press, 10/29/2001]

Supreme Court Justice Clarence Thomas

“It seems to me that the power to regulate ‘commerce’ can by no means encompass authority over mere gun possession any more than it empowers the Federal Government to regulate marriage, littering , or cruelty to animals throughout the 50 states. Our Constitution quite properly leaves such matters to the states.” [U.S. vs. Lopez (1995)]

Mary Matalin, Bush/Cheney 2004 Campaign Advisor

"(James Carville and I) kind of agree on gay marriage...it's just one of those petty issues that will fade away as the election becomes a referendum on big ideas." [Palm Beach Post, 02/25/2004]

Chuck Muth, Fmr. Executive Director of Nevada Republican Party

“‘Marriage has traditionally been and should remain a state, not federal, issue,’” [Chuck] Muth said in a statement.” [Deseret Morning News, 1/13/04]

Lyn Nofziger, Former White House Press Secretary

“There are two kinds of amendments. One kind would give the federal government more authority, usually at the expense of the states, and broaden its intrusion into the lives on its citizens. These include the failed Equal Rights Amendment and the proposals to ban same sex marriages and abortion. I favor neither of the latter but I oppose constitutional amendments that would ban them.”

[www.lynnofziger.com, 10/24/2003]

Log Cabin Republicans

“Log Cabin Republicans have been loyal members of the GOP. We have been on the front lines with this President through good days and bad days. Log Cabin members believe so strongly in conservative principles that we have stood with this party even when we disagreed on some issues. Our principles have been attacked by the radical right and the far left, but we have stuck with our party. We’re not going to leave this party now, but we will not remain silent while some in the GOP try to use our Constitution as a tool for discrimination.” [www.lcr.org, Press Release, 2/24/04]

David Brooks, New York Times Columnist

“The conservative course is not to banish gay people from making such commitments. It is to expect that they make such commitments. We shouldn't just allow gay marriage. We should insist on gay marriage. We should regard it as scandalous that two people could claim to love each other and not want to sanctify their love with marriage and fidelity . . . It's going to be up to conservatives to make the important, moral case for marriage, including gay marriage. Not making it means drifting further into the culture of contingency, which, when it comes to intimate and sacred relations, is an abomination.” [New York Times Op-Ed, 11/22/03]

William Safire, New York Times Columnist

“For instance, the libertarian New York Times columnist William Safire is in favor of gay marriage because he thinks government should butt out of citizens' private lives and believes heterosexual marriage might benefit from some competition.” [Business Week, 1/28/04]

George Will, Washington Post Columnist

“Amending the Constitution to define marriage as between a man and a woman would be unwise for two reasons. Constitutionalizing social policy is generally a misuse of fundamental law. And it would be especially imprudent to end state responsibility for marriage law at a moment when we require evidence of the sort that can be generated by allowing the states to be laboratories of social policy.”

[Tulsa World Op-Ed, 12/3/03]

Robert George, Editorial writer for the New York Post

“I don’t like the idea, frankly, of amending the Constitution. We on the right are supposed to be against this, this seems like a conservative version of the ERA.” [CNN Take 5, 7/14/2001]

Morton Kondrake, Executive Editor of Roll Call

““Last year, President Bush indicated he would support a constitutional amendment banning same-sex marriage only ‘if necessary.’ It’s not necessary, but Mr. Bush is now set to support one. It’s dismal, divisive politics. . . . The Massachusetts decision does not force Mr. Bush’s hand. A long legal process will unfold once homosexuals from around the country begin marrying in the Bay State and seek to have their unions validated at home. There will be state court contests, state Supreme Court rulings and, eventually, a test of whether the federal Defense of Marriage Act (DOMA) trumps or is trumped by the Full Faith and Credit Clause of the Constitution. . . . A ruling by the U.S. Supreme Court would be years away - probably after Mr. Bush has completed a second term - if he wins one.”” [Tulsa World Op-Ed, 2/20/04]

Glenn Reynolds (Instapundit)

“I don't see the response to gay marriage as unified at all on the conservative side,” said Glenn H. Reynolds, a supporter of gay marriage rights and publisher of the generally conservative blog Instapundit.com. [[Associated Press](#), 2/16/04]

Ward Connerly, Anti-Affirmative Action Activist

“Anyone who would question the dedication to conservative principles of David Horowitz and George Will, for example, because they offer a different perspective on the issue of gays, is out of his friggin' mind. And, I can't put it more eloquently than that. Please, please, please at this moment of national crisis on so many issues, let's not fracture our conservative/libertarian family over one issue.”

[[AndrewSullivan.com](#), Quote of the Day, 12/5/03]

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