

Politics seen in bill to ban gay nuptials: Timing of vote questioned

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The U.S. Senate takes up this month a proposed federal ban on same-sex marriage that was moved forward after a heated debate last month by the Senate Judiciary Committee. But critics say the vote has more to do with partisan politics than legal reform.

Many political experts agree that the bill will fail in a full Senate vote. Democrats and gay-rights groups alleged that Majority Leader Bill Frist scheduled the vote so that Republicans would have an issue to use against Democrats in conservative states in the upcoming congressional elections.

The committee voted 10-8 along party lines in mid-May to send the Marriage Protection Amendment on for a full vote. The measure would amend the Constitution to say, "Marriage in the United States shall consist only of the union of a man and a woman. Neither this Constitution, nor the constitution of any state, shall be construed to require that marriage or the legal incidents thereof be conferred upon any union other than the union of a man and a woman."

Senator Arlen Specter (R., Pa.), the panel's chairman, said he would vote to send the bill on to the Senate floor—even though he is "totally opposed to it"—because he believes it should get an open debate in the chamber.

But Senator Russ Feingold (D., Wis.) stormed out of the session, objecting to its abnormal venue. Just a day before the meeting, Specter changed the meeting time and chose to hold it in a tiny room in the Capitol, where access is limited to congressional staff, members of the press and members of the public who have made prior arrangements to enter. The committee usually holds such sessions in a room open to the general public.

Feingold proclaimed his opposition to the amendment and his fidelity to the Constitution and exited, prompting a response of "good riddance" from the normally

mild-mannered Specter.

Feingold, who is mulling a presidential bid in 2008 and who is one of only two senators to publicly announce support for full marriage rights for gays, later released a statement further explaining his anger at Specter.

“Unfortunately, the majority leader has set a politically motivated schedule for floor consideration of this measure that the chairman felt compelled to follow, even though he says he opposes the amendment,” Feingold said, adding that the proposal “should be considered by the Judiciary Committee in the light of day, open to the press and the public, with cameras present so that the whole country can see what is done.”

Gay-rights and civil-rights groups also condemned the action and the manner in which it was taken. But religious conservative groups praised the committee.

“Chairman Specter is to be thanked for scheduling a vote on this most important constitutional amendment,” said Tony Perkins, president of the Family Research Council, in a statement. Perkins said the amendment is necessary to prevent “activist judges” from imposing same-sex marriage on unwilling states. He cited a May 16 decision in which a Georgia state judge invalidated that state’s constitutional ban on gay marriage.

But gay-marriage proponents noted that the Georgia decision was made on procedural grounds. The amendment was improperly placed on the 2004 general election ballot, the judge said, because the Georgia Constitution requires that such proposals deal with only one subject. Georgia’s amendment banned both gay marriage and same-sex civil unions. – *Robert Marus, Associated Baptist Press*