

Beat: Miscellaneous

Bill Clinton says anti-gay marriage law should be overturned

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USPA News - Former U.S. President Bill Clinton on Friday called on the U.S. Supreme Court to overturn a law he signed that bans federal recognition of same-sex marriages. It comes just weeks after the current administration asked the high court to do the same.

The Defense of Marriage Act (DOMA), signed by Clinton in September 1996, affects more than 1,100 federal statutory provisions and defines marriage as a union between one man and one woman under federal law. As a result, the law denies federal benefits to married individuals in same-sex relationships. "Although that was only 17 years ago, it was a very different time," Clinton said in an op-ed published by the Washington Post on Friday. "In no state in the union was same-sex marriage recognized, much less available as a legal right, but some were moving in that direction. Washington, as a result, was swirling with all manner of possible responses, some quite draconian." On the day of the signing of the law, Clinton emphasized that DOMA should not be interpreted as an excuse for discrimination, violence or intimidation against people on the basis of sexual orientation. "Discrimination, violence and intimidation for that reason, as well as others, violate the principle of equal protection under the law and have no place in American society," he said in 1996. But Clinton's stance on the issue has evolved since the 1990s, and the former president now believes the law is unconstitutional. "I know now that, even worse than providing an excuse for discrimination, the law is itself discriminatory," he said, adding: "It should be overturned." Support for same-sex marriage has increased across the United States in recent years. A Gallup poll in 1996 found that only 27 percent of Americans were in favor of same-sex marriage, but the latest survey conducted last year found that 50 percent of Americans are now in favor of allowing marriages between people of the same gender. Also last year, residents in Maine, Maryland and Washington voted to legalize same-sex marriage. It marked the first time that states legalized same-sex marriage by a direct vote of the people, joining Connecticut, Iowa, Massachusetts, New Hampshire, New York, Vermont and the District of Columbia where same-sex marriage was already legal. Clinton, in Friday's op-ed, said he has now come to believe that DOMA is contrary to America's principles of honoring freedom, equality and justice. "We are still a young country, and many of our landmark civil rights decisions are fresh enough that the voices of their champions still echo, even as the world that preceded them becomes less and less familiar," he said. The former president noted that the United States is yet to celebrate the centennial of the 19th Amendment which gave women the right to vote. "A society that denied women the vote would seem to us now not unusual or old-fashioned but alien," he said. "I believe that in 2013 DOMA and opposition to marriage equality are vestiges of just such an unfamiliar society." Clinton said he therefore joins the Obama administration in urging the U.S. Supreme Court to overturn DOMA. It comes just weeks after the current administration filed a brief telling the high court, which will hear oral arguments on the 1996 congressional law this month and make a decision by June, that DOMA is unconstitutional. Among other things, DOMA prohibits married individuals in same-sex relationships from taking advantage of the ability to file a joint federal tax return, Social Security survivor benefits, guaranteed leave from work to care for sick spouses, flexible spending accounts for medical expenses of spouses, and gift tax and estate tax exemptions for spouses. The 1996 law was initially enacted in anticipation of the possibility that Hawaii might license marriages between same-sex couples. Ironically, Hawaii never legalized same-sex marriage and currently only recognizes same-sex couples who are in civil unions and reciprocal beneficiary relationships. Lawful out-of-state same-sex marriages are considered civil unions in Hawaii. Prior to the enactment of DOMA, the federal government honored the marriages recognized by the states for the purposes of any federal program or statute. Section 3 of DOMA created, for the first time, a federal definition of marriage and, with it, a federal limitation on marriage. In April 2011, the lesbian, gay, bisexual and transgender (LGBT) community marked the 10th anniversary of the first ever same-sex marriage in the world. The Netherlands was the first country in the world to officially recognize and allow same-sex marriages after Queen Beatrix signed the marriage bill into law on December 21, 2000. It went into law on April 1, 2001. In addition to the Netherlands and parts of the United States, same-sex marriages have also been legalized in Argentina, Belgium, Canada, Denmark, Iceland, Norway, Portugal, South Africa, Spain, and Sweden. In Mexico, same-sex marriage is only performed in Mexico City and the state of Quintana Roo.

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