NEW YORK JUDGE OKAYS SAME-SEX MARRIAGE

New York State Supreme Court Justice Doris Ling-Cohan said today that the State Constitution does not forbid same-sex marriage. She has further ruled that marriage licenses must be given to same-sex partners who apply for them.

Catholic League president William Donohue disagrees:

"One year ago this month, I was in the Roosevelt Room in the White House listening to President Bush speak about many public policy issues. When the subject of same-sex marriage came up, he said he would support a constitutional amendment affirming the traditional understanding of marriage *if it was necessary*. After he spoke, several of the 13 Catholics present, including me, told his staff that the time had come—it was necessary now. A week later, President Bush endorsed the need for a constitutional amendment.

"What Judge Ling-Cohan did today will help enormously in the effort to secure a constitutional amendment limiting marriage to one man and one woman. The public is overwhelmingly against the bizarre idea of two men marrying: initiatives to legalize gay marriage lost in all 11 states that had this measure on the ballot in November. But what the public is reluctant to do is support a constitutional amendment as the right remedy. Their reluctance wanes, however, when they read about judges like Ling-Cohan. And that is why her decision will boomerang.

"Some are already declaring Judge Ling-Cohan's decision 'historic.' It most certainly is. Not one New York State judge in history who has read the New York State Constitution has ever been able to find a passage in it that okays gay marriage. Until today. This would seem to suggest that

either all the judges who preceded Ling-Cohan on the bench, as well as her colleagues today, are hopelessly incompetent, or she is another out-of-control judge who is reading into the law what her politics dictate.

“One thing is for sure: Her contribution to judicial imperialism will be duly noted by future historians.”