
FORUM NOTES

A Louisiana Family Forum Fact Sheet

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FEDERAL MARRIAGE AMENDMENT

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Why Do We Need the Federal Marriage Amendment?

You've heard people say we need an amendment to the U.S. Constitution to protect marriage. But you're wondering why it's necessary and how it'll help. Here are some answers.

Without it, your state and every other state in the nation could be forced to recognize homosexual marriage. Homosexual activists say they will demand that states honor same-sex "marriages" performed outside their borders. They'll argue that the Constitution's "Full Faith and Credit" clause (Article IV, section 1) which requires states to recognize public contracts trumps all other laws, even a state Defense of Marriage Act (DOMA).

The federal DOMA signed by President Clinton in 1996 exempted marriage from the "Full Faith and Credit" clause, but legal experts predict that liberal courts will strike down that provision as "unconstitutional."

The only thing that can thwart a constitutional attack is a constitutional shield. And that's just what the FMA provides-by permanently preserving a traditional definition of marriage in the nation's most authoritative legal document.

If Christian activists don't change the U.S. Constitution, gay activists will. Just as abortion proponents used a so-called constitutional right to privacy to topple abortion bans nationwide (which they claimed was in the First Amendment), gay activists will use Full Faith claims to dismantle all 38 DOMAs, which define marriage as a union between a man and a woman. "One way or the other, within this decade, the Constitution is going to be amended with respect to marriage and family," said Matt Daniels, president of the Virginia-based Alliance for Marriage ("Courting Disaster," April 2003 Citizen, page 18).

"The only question is whether it will be done by judges against the will of the people to enact a leftist agenda or whether it will be done legitimately through the democratic process by our side to save marriage."

The FMA will thwart judicial tyranny and give the power back to the people. Polls by CNN and *USA Today* show that at least 60 percent of Americans oppose homosexual "marriage." The FMA would let those voices be heard by taking the issue out of tyrannical courts and putting it back in the hands of legislators who represent those being polled.

The FMA safeguards states' rights by leaving the regulation of marriage benefits to local governments. That's a win-win solution for pro-family advocates because every time the issue is left to voters, traditional marriage wins by large percentages (as demonstrated by state DOMAs and polls).

Without the FMA, your church or home school could lose its religious freedoms. A court-enforced "right" to gay "marriage" will be used as a tool to censor Christians who advocate biblical marriage. Faith-based charities, Christian schools, home schools and churches will all be vulnerable.

Your children could grow up in a nation that legally protects sexual perversion. Once gay marriage is enforced, there is no legal rationale for limiting marriage to two, three or even four people. Academic liberals already are using gay-marriage arguments to promote legalization of polygamy and group marriage.



Perhaps the greatest concern over legalization of same-sex marriage is its effect on children. Decades of research show that a mom-dad marriage is the healthiest environment for children. Nevertheless, some people want to launch an untested social experiment, gay and eventually group "marriage" that traps children in sexually dysfunctional atmospheres. The FMA would safeguard children by permanently preserving a biblical definition of marriage in the Constitution.

The Federal Marriage Amendment

Marriage in the United States shall consist only of the union of a man and a woman. Neither this Constitution or the constitution of any State, nor state or federal law, shall be construed to require that marital status or the legal incidents thereof be conferred upon unmarried couples or groups.

House bill: Joint Resolution 56

Sponsor: Congresswoman Marilynn Musgrave, R-Colorado

Senate bill: Joint Resolution 26

Sponsor: Wayne Allard, R-Colorado

What it needs to pass

A two-thirds vote from both chambers of Congress

Ratification by three-quarters of the states.

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