

Jeb Bush is as wrong as Ruth Bader Ginsburg is right on gay marriage

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Jeb Bush and Ruth Bader Ginsburg have nothing in common. And the truth of that assertion was made ever plain over the weekend on the issue of same-sex marriage. While the former governor of Florida and all-but-declared Republican presidential candidate repeated his opposition to same-sex marriage in a television interview, the sitting Supreme Court justice performed one.

Maureen Dowd of the New York Times [reports](#) that Ginsburg presided over the Washington wedding of Michael Kahn and Charles Mitchem on Sunday. Ginsburg's participation isn't a surprise. She's [done it before](#). What was "the most glittering moment," according to Dowd, was what the justice said and how she said it.

With a sly look and special emphasis on the word "Constitution," Justice Ginsburg said that she was pronouncing the two men married by the powers vested in her by the Constitution of the United States.

This is no surprise. Ginsburg has [not been shy](#) about her support for marriage equality. Still, her words were pretty darned thrilling coming a month or so away from what all expect will be a historic Supreme Court ruling allowing same-sex marriage.

Now, contrast that with the sputterings of Bush to David Brody in an [interview](#) on the Christian Broadcast Network (CBN).

David Brody: Conservative Christians are real concerned about the culture nowadays, especially on the marriage issue. They want a candidate that is going to fight on this issue. Are you their guy because they are concerned about the marriage issue?

Jeb Bush: Well, I'm concerned about it as well. I think traditional marriage is a sacrament. It's talking about being formed by one's faith, it's at the core of the catholic faith and to imagine how we are going to succeed in our country unless we have committed family life, committed child-centered family system is hard to imagine. So, irrespective of the Supreme Court ruling because they are going to decide whatever they decide, I don't know what they are going to do, we need to be stalwart supporters of traditional marriage.

David Brody: Do you believe there should be a constitutional right to same-sex marriage because that's the argument in front of the Supreme Court?

Jeb Bush: I don't but I'm not a lawyer and clearly this has been accelerated at a warp pace. What's interesting is four years ago Barack Obama and Hillary Clinton had the same view that I just expressed to you. It's thousands of years of culture and history is just being changed at warps speed. It's hard to fathom why it is this way.

[Welcome to the 21st century](#), governor. A time when [61 percent](#) of the country support marriage equality. A time when [61 percent](#) of Republicans under the age of 30 support it as well. A time when [50 percent](#) say same-sex marriage is protected by the Constitution's equal protection clause. A time when same-sex couples can legally wed in 37 states and the District of Columbia.

Overseas, Bush's worries about "traditional marriage" are falling by the wayside. Even though folks predicted his unwavering and public support for marriage equality would cost him and the conservatives the government at the ballot box, British Prime Minister David Cameron and the Tories won an outright majority in last week's elections. This week, Ireland [stands poised](#) to be the first nation in the world to approve same-sex marriage by popular vote. Now, I'm no fan of the rights of a minority being decided this way, but I will cheer heartily if the people of one of the most conservative and Catholic countries in the world legalize same-sex marriage.

As for Bush's lament that "thousands of years of culture and history is just being changed at warps speed," he should pay attention to what Trevor Burrus, research fellow at the Cato Institute's Center for Constitutional Studies [wrote](#) in The Post last week. "Marriage is a constantly changing social institution that adapts to social and economic conditions," he said. "And when those conditions change, marriage changes."

This brings me to the lamest part of Bush's argument. The part about how just a few years ago President Obama and former secretary of state Hillary Clinton had the same view he did four years ago. True. But the key word is "had." Their views on same-sex marriage changed, er, [evolved](#). Continuing to resist the change all around you — even within your own party — is lunacy. Continuing to deny respect, dignity and legal protection to same-sex couples raising children is reprehensible.

Contrary to what Bush says, given all that we know, it isn't "hard to fathom why" there is widespread support for marriage equality. And it isn't hard to see that Bush is on the wrong side of history and decency.