

US Justice Scalia Says He Has Not Expressed View on Gay Marriage

U.S. Supreme Court Justice Antonin Scalia, one of four justices to dissent from a June decision by the court that struck down a portion of a federal law defining marriage as between a man and a woman, said on Thursday he has not given his views on the constitutionality of **gay marriage** itself.

"I haven't expressed my view about gay marriage," Scalia, a noted conservative said, adding that the decision itself only applied to a narrow piece of the 1996 **Defense of Marriage Act**.

"The issue in the DOMA case was not whether the Constitution requires states to allow gay marriage. That was not the question at all," Scalia said at Tufts University in Medford, Mass., outside Boston. "The question is whether Congress can define marriage in all of the statutes that Congress enacted to mean only marriage between a man and a woman."

In his dissenting opinion on that ruling, Scalia, who was appointed to the court by President Ronald Reagan in 1986, wrote that the majority ignored procedural obstacles he said should have prevented the court from taking up the matter in the first place.

Despite the DOMA ruling and another June ruling that knocked down a 2008 California state law that forbade same-sex unions, the court has stood back from the gay-marriage debate, instead allowing it to play out state by state.

Currently 13 U.S. states, including much of the northeast, recognize same-sex unions. The issue is now being fought out in states, including New Jersey where a state court last week issued a ruling that would allow gay nuptials to begin on Oct.

21, although an appeal is expected. In Pennsylvania, a county clerk has appealed a court decision ordering him to stop issuing marriage licenses to gay couples.

Scalia, who takes an “originalist” approach in his decisions, which means he tries to frame legal decisions by what the writers of the Constitution and subsequent amendments meant, allowed that it is possible the issue will find its way back to the court.

“I’m waiting for the second shoe to drop,” said Scalia, the longest-serving member of the U.S. Supreme Court

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