

# Neither a Marriage Nor a Civil Right

by Mary Jo Anderson

Our society is at a crossroads. After two hundred-plus years as a nation in which marriage and family values were based on the weight of human experience, we're told that our society should be "tolerant" of a radical innovation, "gay marriage."

Every society takes a stand on marriage and family. It is not intolerant or unjust to defend the integrity of marriage. How a culture structures its marriage and family policy determines the success of that society—or its demise. The preponderance of studies indicates that the wreckage from divorce and illegitimacy have weakened our next generation.[1] Marriage should be strengthened, not assaulted further.

## The New Civil Rights Movement?

Since 1996, forty-five states have passed laws or amendments restricting marriage to one man and one woman. The states have also prohibited recognition of any out-of-state same-sex marriage. The states enacted their laws in response to the Defense of Marriage Act (DOMA). DOMA, signed by Bill Clinton, permits each state to determine marriage laws within its jurisdiction. This means that, in effect, DOMA permits each state to enact laws consistent with the will of its citizens.

However, homosexual activists have challenged DOMA, and the matter is now working its way through the courts. The chief strategy of same-sex union advocates is to present the issue to the courts and to the American public as an issue of civil rights, or, more accurately, as a denial of civil rights based on sexual orientation.

Gay advocates use the "civil rights" approach by evoking the authentic struggles of black citizens during the 1960s. They point to laws prohibiting mixed marriages as the equivalent of prohibiting gay marriage. Many black leaders have denounced this scheme as scurrilous. Rev. Jesse Jackson, in a speech at Harvard Law School, called making a connection between the push for gay marriage and the civil rights movement a "stretch." [2]

Skin color cannot be compared to a behavior pattern. No one is "born that way." There is no "gay gene," as science has repeatedly indicated.[3] Research shows that same-sex attraction is a developmental misstep and, with proper education, can be prevented.[4] While we have sympathy for those who struggle with same-sex attraction, society does not accord civil rights based on a behavior pattern.

Legal recognition of same-sex pairs as a marriage is not a matter of civil rights at all. Many benefits of marriage can be achieved by non-married persons via other legal instruments. Homosexuals are free to name their partners as medical surrogates and beneficiaries in their wills. Unmarried status does not hamper a gay pair in terms of legal benefits.

No homosexual person is denied the right to vote, to hold a job, to pursue an education, to voice an opinion, or any other right guaranteed in the Constitution. They may marry under the same conditions that *all* citizens marry: Persons eligible for marriage must be unmarried, be of age, marry beyond the bounds of close kinship, and marry a person of the opposite sex. The same laws apply to every citizen—there are no special laws preventing any particular group from marrying.

In short, homosexual persons are full participants in all of the civil rights afforded all U.S. citizens. So, then, what is the civil rights rhetoric by homosexual activists really about?

It is an attempt to change the meaning of the word *marriage* in order to put a cosmetic face on an abnormal lifestyle. The reasoning is this: If homosexual pairs are legally “married,” then homosexuality is, as a matter of law, as normal as heterosexuality.

The simple truth is that homosexuals are not asking to be permitted to marry. They are attempting to change the definition and meaning of marriage itself.

### **What Science Says about Gay Unions**

Yet, advocates of gay marriage argue that it would be a benefit to society.[5] The claims are unsupportable. Gay pairs do not establish healthy households.

Domestic violence among homosexual pairs is staggering: 31 percent of lesbians and 22 percent of gay men report physical abuse by a partner in the preceding year.[6] Homosexual persons have double to triple the rates of drug abuse, alcoholism, and depression as heterosexuals.[7] Homosexual persons are fourteen times more likely to attempt suicide.[8] Add to that the soaring rates of venereal disease, hepatitis C, and AIDS among homosexuals[9] and one wonders how gay marriage can benefit society at all.

The risk of sexual abuse for children in homosexual households is *fifty times* greater than for children raised by their biological parents.[10] Children living in households with adults unrelated to them are eight times more likely to die in childhood than are children raised by their biological mothers and fathers.[11]

The American Academy of Pediatrics released a technical report in 2002 that stated that “children who grow up with one or two gay or lesbian parents fare as well ... as children whose parents are heterosexual.”[12] But the report contradicts its own findings and admits that samples were not random and that studies had just begun. There was no long-term follow-up to determine if in fact these children had a healthy outcome. In short, the study is worthless.

Moreover, the report was issued by an eight-person committee and was never seen by 90 percent of the AAP membership, who violently objected when the report was made public. Anger by pediatricians was such that the report’s author sent a confidential e-mail to committee members outlining how the members’ outrage would jeopardize “the work we have been doing to *use the AAP* as a vehicle for positive change.”[13]

While communities will always have unfortunate situations that should be addressed with compassion, no society should adopt atypical circumstances as a positive model for family life. Children raised by their married biological parents are the healthiest children by an astonishing margin, measured by physical and emotional health as well as educational achievement.[14] The studies underscore common sense: The natural family is the best and only format that should be held up as a model for our society. This model alone renders the most critical service to the nation: The natural family bears, raises, and educates successful, contributing members of society.

A nation protects marriage because it has a compelling interest in preserving the foundation of its society. Only natural marriage can ensure the future of a nation.

## **The Illogic of Same-Sex Marriage**

Accepting gay marriage also involves some logical gymnastics. First, engaging in sex does not make a marriage, as thousands of cohabitating couples will attest. Nor does “love and commitment” make a marriage. What of widowed brothers, living together and committed to each other’s well being? Shall we say a daughter and her aging mother living as a “loving, committed pair” are “married”? And if homosexual pairs are given the same tax benefits of marriage, why not two college roommates? Cohabitating pairs offer no compelling interest to society. Marriage is a “privileged status” because spouses assume grave responsibilities on behalf of society.

Second, once same-sex marriage is accepted, what’s to stop polygamy, incest, or pedophilia? If that is thought far-fetched, consider that polygamy has already been legalized in Holland. Unions of three persons were legalized in 2005.[15] Advocates for polygamy have made the case that there is no logical barrier to polygamy if homosexual unions are declared legal.[16] Homosexual partners Mark Olsen and Will Scheffer are the creators of *Big Love*, a TV series about a polygamous arrangement. And Mark Henkel, a notable polygamy rights advocate stated, “Polygamy rights is the next civil rights battle.”[17]

The American Civil Liberties Union came to the defense of polygamist Thomas Green and in so doing called for the abolition of all laws prohibiting plural unions. In a speech delivered at Yale University, ACLU president Nadine Strossen stated that the ACLU has “defended the right of individuals to engage in polygamy.”[18] Richard Goldstein, a pro-polygamy advocate, wrote in the Village Voice:

The core issue is whether any intimate behavior that doesn’t cause harm should be allowed. If you say yes, you must consider the possibility that plural marriage, like gay marriage (or any gay relationship), is part of the panoply of choices free people are entitled to make. I’m not surprised that the two largest national gay groups refuse to take a position on this case; it would be a public relations nightmare if they stuck up for [Thomas] Green. But our fates are intertwined in fundamental ways.[19]

### **Does the Definition of Marriage Matter?**

Redefinition of terms is an essential battle for gay marriage. This political tactic—to redefine a legal term—is crucial to all laws and this tactic is rapidly becoming the first course of action for radical causes.

Just twenty years ago few would have imagined that marriage would be so radically subjected to redefinition. In like manner, if the case for gay marriage is triumphant, then the tactic of redefining terms will explode every law that addresses human relationships and obligations. Paula Ettelbrick, executive director of the International Gay and Lesbian Human Rights Commission, declared, “Being queer means pushing the parameters of sex and family and in the process, transforming the very fabric of society.”[20]

Proponents of same-sex unions suggest that it is time for a legal redefinition of marriage because the traditional concept of marriage was based on religious belief. Where religious norms are tossed out, they say, there exists no non-religious impediment to gay marriage.[21]

This is erroneous. It ignores nature. In fact, marriage is older than religious or cultural norms. Marriage as one man and one woman in a permanent bond predates any political system or

government. There assuredly are non-religious obstacles to redefining same-sex unions as another form of marriage. The obstacles are biological, psychological, and sociological.

### **Yes, Virginia, Sex Still Makes Babies**

Homosexual acts are sterile and life threatening.[22] They are irrational—they literally have no meaning and make no sense to nature.[23] Thus, such acts are *unnatural*.

Man and woman are physiologically and psychologically ordered to each other. The meaning of the design is unity, and the function of the sexual design is procreation. The fact that sexual intercourse is pleasurable is nature's insurance policy that the species will continue. Marriage requires consummation, the physical union of the two forms of the human being. This unity is both physically and psychologically ordered by nature to increase the bond that makes it possible to assume the lifelong responsibilities of parenthood. Children of both sexes need parents of both sexes—nature provides this condition so that young humans learn to navigate the complete human environment, male and female. Man and woman in the bond of marriage is the image of fertility. The human psyche understands this image as the image of hope, a picture of the human future.

Redefining marriage to accommodate an unnatural act would change the meaning of marriage for all of society. Bluntly, the new meaning would be that sex has no meaning beyond pleasure. This philosophy imperils marriage. Sex for pleasure and nothing greater devalues men and women, reducing them to gratifying objects. A society that accepts such a model has a death wish.

### **Notes**

[1] See Judith Wallerstein and Sandra Blakeslee, *Second Chances: Men, Women, and Children a Decade After Divorce* (New York: Ticknor and Fields, 1989) and Sara McLanahan and Gary Sandefur, *Growing Up With A Single Parent: What Hurts, What Helps* (Cambridge, Mass.: Harvard University Press, 1994).

[2] Menaka Fernando and Diana Hernandez, “[Same-Sex Unions Draw Civil Rights Parallels](#),” *Daily Bruin*, Feb. 27, 2004. See also Brian DeBose, “[Black caucus resists comparison of gay ‘marriage’ to civil rights](#),” *Washington Times*; Rodney Hayes, “[‘Gay rights,’ civil rights not the same, black leaders say](#),” *Baptist Press*, May 24, 2004.

[3] See R. Friedman and J. Downey, “Neurobiology and sexual orientation: current relationships,” *Journal of Neuropsychiatry* 5, no. 2 (spring 1993); Jeffrey Satinover, “[The Gay Gene?](#)” *Journal of Human Sexuality* (1996):8. Since 1990 there have been numerous studies searching for the so-called “gay gene.” None has been found. See National Association for Research and Therapy of Homosexuality, “[Is Sexual Orientation Fixed at Birth?](#)” Sep. 21, 2004.

[4] See Joseph Nicolosi and Linda Ames Nicolosi, *A Parent's Guide to Preventing Homosexuality* (Downers Grove, Ill.: InterVarsity Press, 2002).

[5] See Jonathan Rauch, *Gay Marriage: Why It Is Good for Gays, Good for Straights, and Good for America* (New York: Times Books, 2004).

[6] Lettie L. Lockhart, “Letting Out the Secret: Violence in Lesbian relationships,” *Journal of*

*Interpersonal Violence* 9 (1994): 469–92. Gregory L. Greenwood et al., “[Battering Victimization among Probability-based Sample of Men Who Have Sex with Men](#),” *American Journal of Public Health* 92, no. 12 (Dec. 2002): 1964–69.

[7] J. B. Lehman, C. U. Lehmann, and P. J. Kelly, “Development and Health Care Needs of Lesbians,” *Journal of Women’s Health* 7 (1998): 379–88.

[8] C. Bagley and P. Tremblay, “[Suicidal Behaviors in Homosexual and Bisexual Males](#),” *Crisis* 18 (1997): 24–34.

[9] Centers for Disease Control and Prevention, “[HIV/AIDS among Men Who Have Sex with Men](#),” Oct. 16, 2006.

[10] P. Cameron and K. Cameron, “Homosexual Parents,” *Adolescence* 31 (1996): 772.

[11] Michael Stiffman et al., “[Household Composition and Risk of Fatal Child Maltreatment](#),” *Pediatrics* 109, no. 4 (Apr. 2002): 615–21.

[12] Ellen C. Perrin, “Technical Report: Coparent and Second Parent Adoption by Same-Sex Parents,” *Pediatrics* 109, no. 2 (Feb. 2002): 341.

[13] [Email memo](#) from Ellen Perrin dated Feb. 15, 2002 (emphasis added).

[14] Linda Waite and Maggie Gallagher, *The Case for Marriage* (New York: Doubleday, 2001), 124–40.

[15] LifeSite, “[Dutch Couple Contracts with Second Woman in Netherlands’ First Legal Polygamy](#),” Sep. 30, 2005.

[16] “[‘No Special Rights’ for Those Who Choose ‘One Man, One Woman,’](#)” [Pro-Polygamy.com](#), Sep. 20, 2005. See also Stanley Kurtz, “[Beyond Gay Marriage](#),” *Weekly Standard*, Aug. 4/11.

[17] Elise Soukup, “[Polygamists, Unite!](#)” *Newsweek*, Mar. 20, 2006.

[18] [WorldNetDaily.com](#), “[ACLU defends polygamy](#),” June 25, 2005. See also Geoffrey Fattah, “[New battles in Green case may alter polygamy’s status](#),” *The Principle*, Aug. 20, 2002.

[19] Richard Goldstein, “[Love That Dare Not: Why We Should Support the Right to Marry Plurally](#),” *Village Voice*, May 26, 2001.

[20] Ed Vitagliano, “[Gay Activists War against Christianity](#),” *American Family Association Journal*, Feb. 2006.

[21] For a legal discussion of the movement to redefine marriage other than based on cultural and religious traditions see Dan Cere, “[The Future of Family Law: Law and the Marriage Crisis in North America](#),” *Council on Family Law*, 2005.

[22] Gay men are prone to “gay bowel syndrome,” and anal fissures and high rates of anal cancer (rare in heterosexuals) also reduce the lifespan for gay men. See Medical Institute for Sexual Health, *Health Implications Associated with Homosexuality* (Austin, Tex.: Medical Institute for Sexual Health, 1999), 55. See also, R. J. Ablin and R. Stein-Werbolwsky, “Sexual Behavior and Increased Anal Cancer,” *Immunology and Cell Biology* 75, no. 2

(1997): 181–83. See also Katherine Fethers et al., “[Sexually Transmitted Infections and Risk Behaviors in Women who have Sex with Women](#),” *Sexually Transmitted Infections* 76 (2000): 348.

[23] Citations of animal homosexual behavior are erroneous. Statistical anomalies exist, but nature displays no homosexual design for mating.

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