



## Thoroughly Modern Marriage

By William A. Borst, Ph.D.

In a 1962 Sociology Class at the College of the Holy Cross, a Jesuit professor often stressed that marriage was the basic building block of society. To insure their survival, all societies need traditional marriage, which can be the presumptive union of one man and one woman. Any alteration, change, or significant modification can only have ruinous consequences on that society. The new Archbishop of St. Louis, Raymond Burke reiterated the thinking of Pope John Paul II when he reminded his congregation at his January 2004 installation that as *goes the family, so goes the country*.

This is not to say that traditional marriage is in the best of health on a national level. Statistics paint a sorry state that is far from wedded bliss. Some give a new marriage only a 50-50 chance of making it to *death do us part*. Newspapers and gossip columnists keep us regularly informed of the abbreviated marital coupling and uncoupling of Hollywood stars and singers. Divorced parents and broken homes seem to be ubiquitous. Society has become numbed by a cynical attitude many celebrities have for what is still a sacrament for Catholics and most Christians. The deplorable condition of marriage is an ominous sign of the times.

### Focus on the Family

Is this breakdown of the basic unit of society all an accident? There is something very ominous about the prospect of homosexual marriage. On the surface, it appears like an oxymoron, a sinister contradiction in terms. But the idea is broader and runs deeper. Frank "Tug" McGraw recently succumbed to brain cancer. To Country and Western fans, he was the father of Tim McGraw. To others, he was a pitcher for the New York Mets.

McGraw had the Irish gift of gab as well as a sardonic wit. In a 2002 interview he opined about the Designated Hitter, (DH) a controversial rule change in 1973. McGraw felt that the rule was *a plot between Nikita Khrushchev and Fidel Castro. The KGB studied American culture and discovered if they ruined baseball, they could ruin America!* Maybe McGraw's analysis was a bit tongue in

cheek, but if he had substituted *marriage* for *baseball*, his insight would have been right on the mark.

In his essay *In Our Past and Future*, written for Alexandr Solzhenitsyn's collection of dissident writings, *From under the Rubble*, Igor Shafarevich reminds the free world that communism is not just a modern phenomenon but a perennial problem for all decadent societies. In the name of equality, it tries to destroy its three major enemies, namely the family, private property and religion. It is undeniable that marriage has been under a fusillade of fire for over a generation. Same-sex marriage is just another strategy.

A previous essay addressed the attack on religion, especially Catholicism. Now the focus is on marriage and the family, which has come under a direct frontal assault from the homosexual network. This is perfectly consistent with the theme of the Mindszenty Report January 2003 essay, *A Nation of Frogs* and the works of Phyllis Schlafly, especially her last book *Feminist Fantasies*. What better way to get at women, the custodians and nurturers of the culture, than through traditional marriage and family? Destroy women and marriage and the collapse of society cannot be far behind.

### Seedbed of Sexual License

On November 18, 2003, the Supreme Judicial Court of the Commonwealth of Massachusetts ruled that the state could no longer treat homosexuals as *second-class citizens*, with regard to marriage. In a resounding usurpation of power, the court told the state legislature that it had 180 days to implement its ruling. This means that the first homosexual marriage license could be issued as early as May 4, 2004. The court's ruling is nonsense and will, according to columnist, Joseph Sobran, *lead only to chaos*.

Massachusetts' highest court has rejected the accumulated wisdom of two millennia of Western civilization in one of the final blows directed at the heritage that has given rise to all that is good and decent in America. Homosexual couples will flock to the Bay State to *get married*, and then return to their home states where under the

*full faith and credit* clause in the Constitution the state will have to recognize their union like an out-of-state driver's license. States can fight it by passing their own amendments but it will be expensive and probably will not be done in time. Then the states will be in the unenviable position of trying to overturn an embedded right to marry. Very few politicians and prosecutors are going to be willing to risk their careers over this issue. It will be much easier for them to look the other way as many have done on abortion and euthanasia.

The case could eventually go to the United States Supreme Court. Based on the Lawrence decision in Texas, the outlook for the homosexual lobby is sunny. A clear majority of the court is operating from the enlightened principle that natural sexual distinctions are outmoded and should make way for a new tolerance for homosexual alliances. Their view is strongly buttressed by their contention that these distinctions are based on an animus and hatred of homosexual people and should be rescinded from the statutes.

### Fooling Mother Nature

Most Americans are unaware of this concentrated assault on traditional marriage. The homosexual lobby, like the abortion movement, has founded its cause on lies and deceptions from its outset. In 1991, when the drive was for basic civil rights, homosexual leaders and their allies in the media argued that they just wanted equality with straight people and that marriage was not on their agenda. After the 2003 Lawrence decision in Texas which legalized sodomy and opened the gates for all kinds of alternate sexual relationships, most of the homosexual lobby reassured the public that this decision would not lead to the promotion of homosexual marriage. A year later, they are knocking on the door of national approval for their perverted form of sexuality.

The Goodridge decision unveiled the homosexuals' real agenda for married people. Like a surrealistic narrative extracted from the pages of the French Revolution, homosexuals want to change and redefine the concept of marriage and family. Patti Eitelbrick, former legal director of the Lambda Legal Defense and Education Fund warns that *being queer means pushing the parameters of sex and sexuality, and in the process transforming the very fabric of society*. Homosexual activist Michelangelo Signorile says their goal is *to demand the right to marry not as a way of adhering to society's moral codes but rather to debunk a myth and radically alter an archaic institution*.

Like their revolutionary ancestors in the French Revolution, homosexuals cannot change human nature or the natural law, upon which marriage is founded. President Abraham Lincoln asked advo-

cates of radical social change *if you counted a dog's tail as a leg, how many legs would he have?* The answer is naturally, *four*.

Calling a tail, a leg, does not make it a leg. It can be nothing else but what it is. Calling a same-sex union a marriage does not make it a marriage. But doing so does degrade marriage. Any substitution, whether group marriage or same sex marriage, will fail because as the margarine commercial used to caution, *It is not nice to fool Mother Nature!*

For the consequences of such a radical social change, one need only read the book *Rethinking AIDS* by Robert Root-Bernstein. Written a decade ago, the book details how hygienically dangerous the homosexual life style is and how susceptible they are to a plethora of insidious infections that severely curtails their life expectancy. As a building block of society, from a medical and a moral perspective, their disordered behavior does not warrant government and certainly not sacramental sanction.

### A Lavender Penumbra

The homosexual lobby has brilliantly latched on to the coattails of the civil rights movement in demanding their individual right to choose their own sex partners. Homosexual activists are following the same successful path their ideological sisters did with abortion rights by using the courts to undermine and remove any restrictions to their abnormal behaviors. Like the pro-abortionists they have used an end run to circumvent the democratic process of legislative debate. As in Roe v. Wade on abortion, four Massachusetts judges invented a right to same-sex marriage, which appeared nowhere within the text, logic, or history of their constitution, as if in some lavender penumbra. In doing so they willfully ignored the rational basis for limiting marriage to a man and a woman that has reigned as the epicenter of all culture since the beginnings of recorded history. Marriage can only be a union of two complementary sexual beings. It is a natural law that has been universally respected, with few aberrations by humans since the dawning of recorded history. It is married peoples' physical and emotional union that provides the twin polarities necessary for the complete formation of their children. Even though many heterosexuals have not lived up to their parental responsibilities, while a lamentable fact, it is no reason to think that two daddies or two mommies can ever have anything but an unbalanced and disordered effect on children in their care. To think otherwise is to deny history, experience, and common sense.

### Unholy Deadlock

According to Massachusetts Chief Justice Margaret Marshall, who once fought apartheid in her native South Africa, civil marriage

anchors an ordered society by *encouraging stable relationships over transient ones*. The sorry state to which heterosexuals and the attendant American cultural mores have degraded and ridiculed traditional marriage is the best argument that homosexuals and their media allies have going for them. Productions, such as homosexual playwright Edward Albee's despicable personal assault on traditional marriage, *Who's Afraid of Virginia Wolf*, and 1999 Oscar winner *American Beauty*, reduce marriage from a sacrament to one of *unboly deadlock*.

It is ironic how a society that has no complaint about open cohabitation, no-fault divorce, and serial infidelities, now has switched its gears by stressing the stabilizing affect marriage can have on homosexuals. Writers, such as David Brooks, argue that homosexuals should be allowed to benefit from the friendly bonds of marriage. He believes marriage will humanize them, instill fidelity, and prevent homosexuals from dying from AIDS or other sexually transmitted diseases. Homosexual pundit Andrew Sullivan hopes that straight people will adopt the *openness* of homosexual people so as to enhance their own marriages. In other words, rampant promiscuity, more fitting of a bathhouse, should be the new cultural norm. In some popular circles this view has become so current as to assume the status of *homosexual chic*.

### The 28<sup>th</sup> Amendment

Many conservatives favor a constitutional amendment to effectively outlaw same-sex marriage. This has been the approach that has energized conservative and religious groups over many issues from flag burning, school prayer to abortion. It is a deeply flawed strategy because it accepts the premise that what the courts have done in many of these cases has been consistent with the Constitution. The notion of a *living constitution* is that its words mean whatever the justices interpret them to mean. Many judges regard the Constitution as nothing more than a blank canvas on which they can paint their own portrait of the law with as broad or as thin strokes as they choose.

Amendments, even more so than the main body of the Constitution, have a semantic flexibility that can empower an activist court to read any meaning they wish between its lines. The long and checkered history of the 14<sup>th</sup> Amendment is a perfect illustration of the Court's creative jurisprudence. Amendments often have the unintended consequence of chiseling judicial usurpation of power into constitutional granite.

Judicial power, while independent, is not supposed to be dictatorial. Columnist Joseph Sobran argues that impeaching state and federal judges, who ignore their constitutional oaths, is the only legit-

imate route to follow. It is the best hope of stopping a judicial tyranny that has overstepped its boundaries for well over fifty years. As he graphically puts it, *is replacing your slashed tires, a solution to vandalism?*

### A Catholic Retreat

If left to stand the Goodridge decision will obfuscate the fundamental sources of law in this country, namely, the Bible, Blackstone's Commentaries, as well as all historical notions of common law. This flies in the face of 2000 years of human civilization. It will be just another station on the tracks to 1984 and *Brave New World*.

Thomas Fleming opined in *Chronicles Magazine* on the special meaning Goodridge has for Catholics. He chides those who still think they are living in the fifties, when all that was needed to right a public injustice was the right man in the White House and conservative judges on the Supreme Court. The cultural atmosphere has changed dramatically and it is time for Catholics to wake up and smell the pollution. Fleming bemoans the fact that we have passed the decadence of Rome nearly a hundred years ago. *There is no middle class anymore that is defending middle class values of chastity, family, thrift, manners, and morals.*

Though not as pessimistic as Paul Weyrich, who years ago said the battle was lost and all Christians should gather their loved ones and head for the sanctity of some cave, Fleming advises Catholics to stop wasting their time, energy, and money on politics. The battle has already been lost on all levels of government. Anti-Catholics now control the social order. Catholics need to give up the notion that they can change government and focus on their Church. Fleming believes Catholics can transform their church, *one parish at a time*. He stresses that Catholics must recognize that Pius X and Pope Leo XIII were right in condemning modernism, secularism, and liberalism in the Church. Only the elimination of these grave errors can make the Church healthy again.

While Fleming makes a cogent argument, Catholics cannot unilaterally retreat from the public sector. The Catholic Church has to maintain its public influence and its defiance of Marxist strategies, or else suffer the loss of its divinely mandated place in the *City of Man* as a beacon of God's truth, love, and mercy.

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*2 Corinthians 5:20*

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