

Imprimis

November 2004 • Volume 33, Number 11

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Civil Unions: Compromise or Surrender?

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MIDGE DECTER'S essays and reviews have appeared over the past four decades in a number of periodicals, including *The Atlantic*, the *American Spectator*, *First Things*, *National Review*, the *New Republic*, the *Weekly Standard* and *Commentary*. She has published five books: *The Liberated Woman and Other Americans*; *The New Chastity and Other Arguments Against Women's Liberation*; *Liberal Parents, Radical Children*; *An Old Wife's Tale: My Seven Decades in Love and War*; and *Rumsfeld: A Personal Portrait*. She has been the executive editor of *Harper's*, literary editor of *Saturday Review*, and a senior editor at Basic Books. From 1980 to 1990, she served as Executive Director of the Committee for the Free World, and from 1990 to 1994 she was a Distinguished Fellow of the Institute on Religion and Public Life. She is currently the president of the Philadelphia Society and a member of the boards of trustees of the Heritage Foundation, the Center for Security Policy, the National Forum Foundation/Freedom House, the Institute on Religion and Public Life and the Clare Boothe Luce Fund. In 2003, she was awarded the National Humanities Medal.

The following is adapted from a lecture delivered on September 14, 2004, on the Hillsdale College campus, during a five-day seminar on the topic, "Marriage and the Family."

The term "civil marriage" or "civil union" has become a euphemism for both the legal and social legitimation of homosexuality. In the current public conversation the phrase no longer means the wedding of a man and woman conducted by a civil authority – a town clerk or a justice of the peace or a judge. In that old sense of the term, of course, every legal marriage is a civil one, because the ministers and priests and rabbis who conduct weddings according to the established rites of their respective religions are at the same time acting with full civil authority to do so. The fact that so many of the fully sanctioned marriages in recent years have turned out to be too casual and thin-blooded to hold out for very long against the trials of real life is nothing to the point. For while the number of easy-come, easy-go marriages in our midst speaks to the failure of spiritual education in this great, rich, lucky, but somewhat spiritually impoverished land, there has not until now been any kind of real assault on what marriage is *supposed* to mean: one man, one woman, formally and officially joined in the hope of becoming a real family.



Today what is being called “civil marriage” is a kind of trick of language, a term used as a political euphemism for surrendering to the most recent demand of the homosexual rights movement. For now what it is intended to mean is that the mating of two men or two women must be regarded by society as equally hallowed. The surrender to this idea has taken place very quickly, and I think we cannot understand it without going over the history of how we got here.

Homosexual rights is an idea that began to assume the force and energy of a movement hard on the heels of the women’s movement (which itself, of course, gained energy and force from the civil rights movement that preceded it). It began with the demand that homosexuals no longer be considered pariahs, bedeviled by the authorities and viewed with unconcealed discomfort by many of their fellow citizens. In the abstract, this demand seemed very reasonable, particularly among people still stung by the shame of the country’s long history of both attitude and behavior toward the blacks. The movement was what you might call a smash success – perhaps because it was the third in a row and thus was presenting its case to an already softened public, or perhaps because to assent quickly to the movement’s claims made it a lot easier to avert one’s eyes from homosexuality itself. In any case, rapid is the word.

Let me tell you the story of two parades. Some years ago my husband and I happened to be strolling through midtown Manhattan on a sunny afternoon when we came upon a large and noisy crowd lined up on both sides of Fifth Avenue. We had quite forgotten that that Sunday was the day of the annual gay pride parade. It was, as the kids say, a very “in your face” occasion. A number of the men had made-up faces and were dressed in satin evening gowns, blowing kisses to the crowd from the backs of open cars. The parade passed by St. Patrick’s Cathedral, and some of the marchers ran up the front steps of the cathedral virtually naked and proceeded to express their opinion of the Church by going through a repertory of obscene gestures (the following year the cathedral was barricaded). We left wondering how all this would sit with the city authorities. If they had any views of the matter, they kept them to themselves.

A number of years passed, and last June one of my daughters and I were running an errand downtown on a Sunday afternoon, and again, all unthinking, we happened on this

year’s parade. As we approached the corner there hove into view a large, simply decorated float on which were seated a group of people, including children, smiling and waving to the crowd. The sign on the float announced that its passengers were representing the Episcopal Archdiocese of New York and the Cathedral of St. John the Divine. As the old commercial for Virginia Slims cigarettes had it, “You’ve come a long way, baby.”

Put on the Defensive

In the years that stretched between those two parades the country had been confronted with the phenomenon of AIDS, a mortal disease that at the beginning of the epidemic in America was contracted in one of two ways: either a common form of homosexual mating or the use of dirty needles for injecting heroin. And AIDS, it will be remembered, was for a time threatening virtually to decimate the male homosexual community. Though at first there was a good deal of lying about the problem of AIDS – “We are all at risk,” said the sympathizers and those raising funds for medical research to find a cure – the lie could not be sustained for long. Heroin addicts, prostitutes, and recipients of tainted blood aside, but among homosexuals it was and is spread through a kind of blind and rampant promiscuity that had been growing ever more blind and rampant in certain institutions of the homosexual community, primarily the bars and the bathhouses. In any case, what the Cathedral of St. John the Divine was revving up to embrace, Mother Nature was obdurately rejecting. The impulse of compassion for the discriminated against had become so habitual that rather than expressions of horror, what the discovery of AIDS elicited from the community of the sensitive was a great outpouring of sympathy. Though AIDS was a disease contracted by a species of sexual behavior that might have straightened the curls of many a fashionable lady to hear about, the issue was spoken of in polite circles as a kind of mysterious tragedy that struck out of the blue. And finally, men dying of the disease were not merely pitied but positively beatified among the artistic community in both song and story – song and story, indeed, in which the word “angels” figured heavily.

It goes without saying that there are homosexuals who are not and have never been activists, who do not storm the streets,

who do not frequent the bathhouses, and who keep their sex lives — as most of the rest of us do — to themselves. But in the current debate these homosexuals are, alas, irrelevant. They are neither the stuff of which movements and flamboyant public gestures are made, nor are they people whose ambition is to overturn the conditions of ordinary, everyday life.

Eight years ago, Congress passed the Defense of Marriage Act, which states in so many words that marriage is a union between one man and one woman. Imagine: a congressional act that certifies something — more properly, reminds us of something — that one might have thought should need no reminding. Just think of it: a defense of marriage: not from a galloping divorce rate, not from marriages more easily sundered than many business contracts, and not from the idea put about some years ago by the women's movement that marriage is no more than a form of indentured servitude for women. No, the members of Congress who proposed and then passed this act were defending marriage from the already looming demand that it be redefined to include homosexual coupledness. As we now know, the act was insufficient to hold off the assault from the idea that marriage be defined as an act of commitment between any two people of whatever sex. Imagine again: many of the leading defenders of marriage in the land propose that we — at least the citizens of three-quarters of the states — include among the articles of the Constitution a statement that denies definitively the demand that homosexuals be granted the legal right to marry.

Thus doth compassion, combined with a certain willful blindness, make cowards of us all. A culture grown sick with the refusal to uphold common wisdom — not to speak of common sense — sinks to requiring the services of politics and politicians in the face of difficulty.

The Real Stakes

Because the question of homosexual marriage has at this time been left in the hands of judges — mere legislation having proved to be of little avail against the forces of activism — we have been treated to the sight of homosexual couples celebrating outside of courthouses and city halls in such places as San Francisco and Boston. By the way, and not surprisingly, it seems that a number of the male couples admitted they had no intention of getting married — it was merely their having won the battle that they were there to celebrate — while every one of the female couples declared their intention to marry. I say not surprisingly because — some might

think it impolite of me to point out — homosexual men are essentially no more like lesbians than heterosexual men are like the women whom they either merely pursue or marry. In short, men are men and women are women, whatever their sexual proclivities. Which brings us to the nature of modern, that is to say, voluntary, marriage.

In the contemporary world marriage is the result of a voluntary agreement between two people that they will swear to make a home together and be faithful to one another. It is, in other words, a deal. Cleave unto me, says the man, and I will cherish and protect you; cleave unto me, says the woman, and I will make your life comfortable, bear your children, and be faithful to you. Of course, this deal is sometimes — nowadays, indeed, fearfully often — honored in the breach. Nevertheless, it is the best arrangement ever devised for those, meaning all of us, who are considerably lower than the angels. Nor is it merely happenstance that so very large a number of these deals are consecrated by formal ritual in houses of worship, where they are blessed in the name not only of the state but of God.

Female homosexuals who have achieved coupledness tend to approximate this arrangement far more closely than do male homosexuals — even those male homosexuals who remain together for life (and who are, by the way, many, many fewer in number). Why is this? Because, again, women are different from men. They wish — correction: need — to be monogamous and faithful; it is in their nature. Men, on the other hand, in the most elementary sense of the nature of males, have impulses to promiscuity. A woman says to her prospective mate, “Be faithful to me and I promise that I will make it worth your while.” It is a bargain men who marry not only agree to but in a very important sense are saved by. Being women, lesbians are most often given to a facsimile of this same deal. Moreover, they can be, and often are, mothers and thus inclined to stability. Men who are sexually attracted to, and even truly love, other men have no such exchange to make. In an all-male society, promiscuity is thus the norm. And as things have grown easier and more comfortable for men to be openly, often flagrantly, homosexual in our ever more tolerant society, the promiscuity of the bathhouse and orgy has become ever more the norm. Hence, for example, the wildfire of HIV and AIDS (and now, I am told, certain even newer forms of venereal disease). That is why the right to marriage, fought for with every weapon at their command by homosexual men, would — or must I say will — be largely acted on by lesbians.

Why, then, are these men fighting so hard for it? The answer is, the right to legal marriage that they are demanding is not about *them* — it is about *the*

rest of us. It is, and is meant to be, a spit in the eye on the way we live. And whatever the variety of efforts to oppose it — another law or even a whole set of laws, let's say, or a constitutional amendment — none of it will matter unless and until all the nice and decent people in America begin to understand that we are in a crisis, and it must be up to them to sustain, and with all good cheer defend, the way they lead their lives.

The Best Defense

I tend to oppose a constitutional amendment because I fear the oh so easy use of that great document to deal with problems that arise from this society's sloth and unwillingness to face the mess that has become of our culture in general and the issue of sex and family in particular. It would be a shame, I think, if we had to tinker with so rare and precious an inheritance as our Constitution because people who hate the way we live storm the streets while others try to look away. Also we should keep in mind the nature of politicians. A key part of their job is to keep people happy. Indeed, doing so is the way most of them got that job in the first place. That is why only a very few moral heroes among them risk being frowned at by their constituents, or worse, making them angry. There is no sense in anyone's complaining about this, it is in

the nature of our political system — and it is the best system that has yet been devised by man. But politicians simply do not — I would even say cannot — make useful arbiters of cultural problems, let alone spiritual ones like this.

Let me return to the idea being proposed by some that we invent a kind of second-level marriage — call it “civil union” — that would provide homosexual couples with certain legal and financial marital rights without the full standing of heterosexual marriage. I am not against allowing a homosexual to be his partner's legal heir, for instance, or to be granted official status as rightful partner in a hospital emergency room or other such things. But this idea of creating a new level of marriage — call it whatever you want — smacks of the congenital passion of politicians to invent a compromise where none will serve. For it is not compromise that the homosexual rights movement is after. Nor do they even want the standing in the community that heterosexuals have. They are *radicals*. What they want is not a room of their own; they want to bring the whole damned house down.

By now we as a society have pretty much ceased the persecution of homosexuals. They are not ostracized from polite society — and indeed, if truth be told, many of them never were. In addition, they now freely camp around to a most appreciative audience on prime-time television

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and as we know have for some time served as the arbiters of high fashion. In New York City they have a high school that has now become an official part of the city's public school system. And though they have been seen on the newscasts standing outside the San Francisco courthouse smiling and waving their new marriage licenses, it is vitally important to remember that they are the denizens of a radical movement: I will say it again, they do not want what the rest of us have—they want to bring the whole house down.

So if the lady tends to be against a constitutional amendment and opposes unequivocally the idea of civil union, what does she want? The answer is, I want us to stick up for ourselves and the way we live, be as mighty a force in the culture as we are entitled to be if nothing else by virtue of our sheer numbers. I want us to resist all *attacks* on the way we live, whether from our kids, our grandkids, their momentary culture heroes, or from the overpaid,

mindless, sheep-like followers of fashion in the press and academic community who make so much noise in the world around us every day. In other words, let's take back our country. Let us be decent, civil and even loving to our homosexual fellow citizens; but draw the line on what they stand for and on everything else that makes light of our existence.

For the privilege of living in the most nobly founded, the freest, and the richest country in the world we owe nothing less, not only to ourselves but also to the oncoming tide of generations. We are given the choice of leaving them with a blessing or a curse. Not so many people in the world have that choice. I hope we can go down in history as having deserved it.



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VOLUME 33 • NUMBER 11

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