WILL “GAY MARRIAGE” DESTROY AMERICA?

This is what some are saying now that it appears that the US Supreme Court will soon strike down laws against same-sex marriage in the 14 states (including Texas) where they still exist. Only 2 years ago, the court struck down laws denying federal recognition of married same-sex couples in states allowing it. But it dodged the question then of whether states’ prohibitions or refusals to recognize same-sex marriages effected elsewhere were acceptable. Now the court appears ready to decide that question.

Contrary to what some might suppose, the Supreme Court does not strictly reason its way to interpreting the law. It takes into account public opinion and even public sentiment in choosing which reasons it will apply. It does not take any question put to it and often avoids questions it does not consider “ripe,” at times by denying “standing” as in the Newdow challenge to the “under God” insertion in the Pledge of Allegiance and the Freedom From Religion Foundation’s challenge to the notorious National Day of Prayer (this coming Thursday!). Sadly, this approach at times creates and perpetuates injustice. But just as sadly, justice cannot be had without popular support when a nation’s government gets its authority from the people. As Judge Learned Hand famously said in his 1944 “Spirit of Liberty” speech:

“Liberty [and we may add justice!] lies in the hearts of men and women; when it dies there [or the love of it has not come to life there in the first place!], no constitution, no law, no court can save it; no constitution, no law, no court can even do much to help it. While it lies there, it needs no constitution, no law, no court to save it.”

There are many examples – some famous – of constitutions, laws and courts causing or ignoring suffering by imposing or allowing injustice. While this is profoundly disappointing, it is no use railing against it when the real and necessary remedy in an open society such as ours is to work to change “the hearts of men and women” by kindling the love of liberty and justice there. It is a great deal of work to do that, to prepare the way for legal justice. Yet a great deal of progress has been made on this issue of same-sex marriage. When the Defense of Marriage Act was passed by Congress and signed into law by then-President Clinton in 1996, polls showed that almost 70% of Americans were opposed to same-sex marriage. Now a clear though small majority is in favor of it. It is heartening that such a dramatic change for the better can take place in as little as 20 years. It needs to happen more. The question is whether in this case it is enough, whether the remaining opposition is deep or shallow.

There are those who threaten violence if the Supreme Court decision on this issue doesn’t go the way they want. During the oral arguments on Tuesday a man had to be forcibly removed from the gallery after shouting “you will burn in hell!” (Justice Scalia commented “It was rather refreshing, actually!”) A religious broadcaster claiming to be in touch with God threatened a “fireball from space” and warned that “a sweeping, consuming fire will come across the United States of America and this country will be charred and burned.” Really??? God didn’t send any such punishment when people routinely enslaved one another and justified it with reference to the Bible. God took no such action when the whole world was at war and millions of people were being exterminated. But now he’s going to destroy us because we allow gay couples to get a piece of paper from the government?

Even “respectable” people like former Presidential candidate Alan Keyes said that a decision allowing same-sex marriage:

“effectively dissolves the just bonds of government between and among the states, and among the individuals who compose the people of the United States. It will therefore be just cause for war.”

Liberty Counsel attorney Matt Staver and Focus on the Family’s James Dobson and others have also predicted actual civil war over the matter. Nationally-known Robert Jeffress, pastor of the First Baptist Church in Dallas has said that same-sex marriage is “the greatest sign of the End Times” and “will pave the way for that future world dictator, the Antichrist, to persecute and martyr Christians.” Even former Arkansas governor and former presidential candidate Mike Huckabee said that the Supreme Court “cannot overrule God” and that it’s doing so.
would lead to “the criminalization of Christianity.”

Such hysterics are so wrong and ridiculous that one hardly knows where to begin. Will allowing same-sex marriage lead to unforeseen situations? Undoubtedly so, but none of them will be apocalyptic. Opposite-sex marriages already give rise to all sorts of curious and even bizarre circumstances. After all, no law and no marriage certificate has the power to magically produce June and Ward Cleavers. What is true of Justice Hand’s “Spirit of Liberty” is also true of all the ingredients that go into workable human relationships. But hardly any of them are any business of the government to control or regulate. It can only recognize them and, when necessary, deal with the practical problems that may come of them.

Allowing same-sex marriage has not destroyed the 36 states that already allow it. It simply permits many who have been excluded from certain legal benefits – and risks – to participate in them if they so choose. It is somewhat ironic, in fact, that it is only as marriage has become less popular generally that same-sex marriage – which many homosexuals are themselves uninterested in – is finally becoming a reality.

The consensus in the media – and evidently among those who feel that homosexuality is reason enough for their deity to obliterate the entire planet – is that the Supreme Court will strike down all bans against same-sex marriage. But the Supreme Court has issued odd “split the difference” decisions before. It may be that the court will see a distinction between getting married and being married and accordingly leave it to the states to decide whether to issue marriage certificates to same-sex couples. This would leave current bans in place, but, at the same time, the states could be required to recognize same-sex marriages performed in the states that allow them. This would not be unlike judges deciding that, yes, there is a right to have an abortion but it is acceptable to have to travel 1000 miles to get it.

Meanwhile, we can perhaps see the next battle that will – quite unnecessarily – consume the attention and energies of the country and lead to more predictions of the apocalypse. That will be over the struggles of the transgendered, which are not new but received new notice with the public announcement of former Olympic gold-medal decathlon winner Bruce Jenner that he is now “a woman.” Already there have been laws introduced – clearly targeting the transgendered – to criminalize use of the “wrong” restroom. Perhaps we will soon see laws “defining” who is a man and who is a woman. Of course, these will be quite as unworkable as those that supported the ill-fated South African system of apartheid since gender is almost as slippery as the fictional (and absurd!) notion of “race.”

All NTCOF events can be found through our website calendar, or our meetup page, from which you can RSVP, at:
- www.meetup.com/church-of-freethought

JOIN THE NTCOF MEETUP GROUP!!!

Social Luncheon: Today, immediately after our Service, join us for lunch and discussion at the Jason’s Deli on MacArthur Blvd just south of 635, at 7707 N MacArthur Blvd, phone (972) 432-0555.

Freethought Salon: Get together to discuss today’s service topic or other conundrums of interest for Freethinkers. It happens most non-1st Sundays, over breakfast, at the Hilton DFW Lakes Hotel restaurant in Grapevine beginning 10:30 AM; see the meetup site!

Game Night: The regular game night crew meets nearly every Friday night at the IHOP on 2310 Stemmons Trail (I-35), near Northwest Highway (Loop 12). Plan to arrive at about 7:30 PM, and stay late playing Risk, Rummikub, and other fun games!

Freethought Book Club: To Be Announced!

Communitas Dinner Groups: To Be Announced!

Have Another Idea? Email or call us about it!