

MARRIAGE REALITY

By

Carman Bradley

(This section is taken from the complete argument at www.marriagereality.org)

7 - WHAT'S WRONG WITH STATE SPONSORED INDIFFERENCE? - NON-RELIGIOUS REASONS TO OPPOSE MARRIAGE REDEFINITION

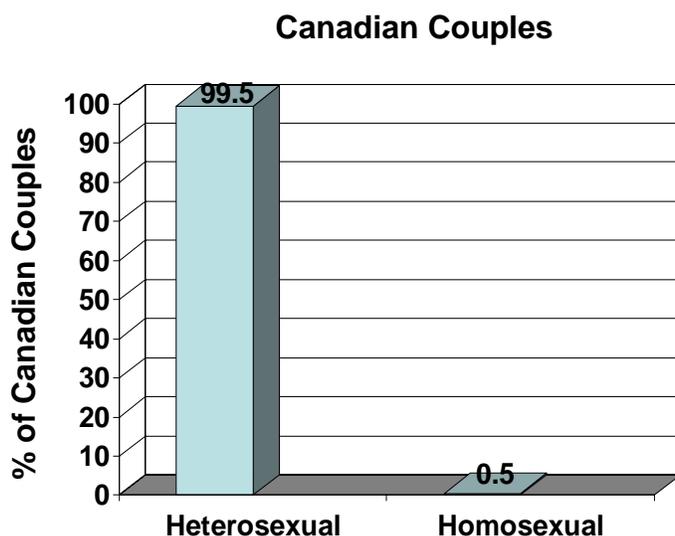
The Supreme Court has ruled that the definition of marriage can be changed. In their words, *“our Constitution is a living tree which, by way of progressive interpretation, accommodates and addresses the realities of modern life.”* However, they stopped short of ruling traditional marriage unconstitutional and saying that “marriage redefinition” is the only option to recognize same-sex union. Other choices are available which need to be considered in light of a *modern marriage reality*. Ten observations challenge the idea that homosexual access to marriage is a human rights issue. These ten *realities* attest to the wisdom of continuing marriage unchanged and to finding a unique legal status for same-sex union. Marriage and family are interconnected in heterosexism. Logic dictates that a state cannot espouse heterosexist principles and at the same time equally tolerate conflicting homosexual values. Redefinition is an assault on heterosexism and implies the state no longer considers heterosexual marriage special or the value of a biological connection between a baby and its parents (the nuclear family) privileged. To grant any new form of homosexual “civil union” without first clarifying and protecting the collateral nuances to marriage and the nuclear family is to expose society to a careless experiment and place Canadians on a path towards gender apathy and yes - baby production.

Is such a guarded approach to changing the meanings of marriage and family likely in this era of what Iain T. Benson labeled as a constitutional “jurocracy”?¹ No. In October, 2004, before the Supreme Court, David Brown, lawyer for Focus on the Family, got into an exchange with Chief Justice Beverly McLachlin when she asked why the court must *“foresee all future circumstances”* before deciding on whether gays or lesbians should be let into marriage. He pleaded, *“You cannot come to a fork in the road...and say we’re going to go down this road but we don’t know where it ends.”* Obviously we are doing just that. Regrettably, in an ever shifting “what I want, when I want” paradigm of rights-based situational ethics, yesterday’s demand can be “separation” and today’s “integration;” today “gay and lesbian marriage” and tomorrow “bisexual marriage;” yesterday freedom for “man-man” sex and tomorrow rights for “man-boy” sex; or today “equal access to third party procreative technologies” and tomorrow “universal access to cloning technologies.” Ten reasons to not redefine marriage follow.

¹ Iain T. Benson, “The Idolatry of Law: When Law is Seen as “like Religion,” *Centre Points* 12, Winter 2004/2005, www.culturalrenewal.ca, 10/16/05.

7.1 - Same-Sex Union is Inert

Gay rights lawyer, Didi Herman, wrote in 1990, “*Law reform is part of an ideological battle, and fighting over the meanings of marriage and family constitutes resistance to heterosexual hegemony.*”² According to F.L. Morton and Rainer Knopff, homosexual goals in this battle are to pursue a partial deconstruction of marriage and a more radical deconstruction that aims to abolish any meaningful distinction between “heterosexual” family and the so-called “variant” models. Zero distinction in “marriage” is assumed to lead to new equality entitlements and zero differentiation in “family.” But same-sex “union” is a statistical irrationality and same-sex “family” is a biological paradox.

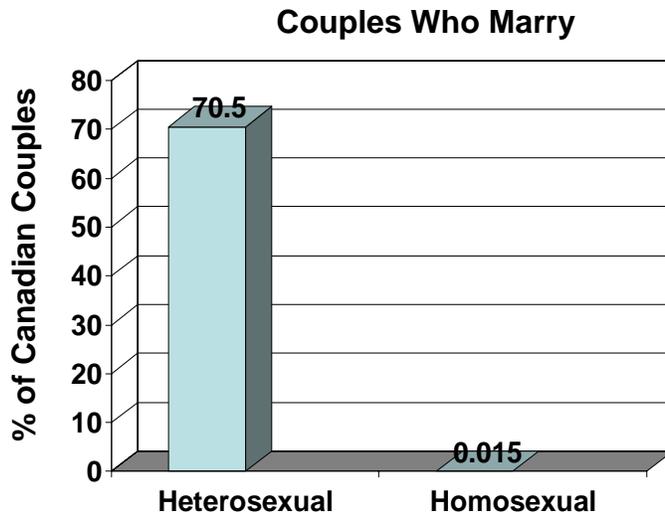


Note that in the Netherlands, 18 months after gaining the right, only 3 per cent of gays chose to marry. Thus far only 3,000 couples have registered in Canada. Some 97 per cent of homosexuals (hence 99.91 per cent of Canadians) will not exercise same-sex marriage.

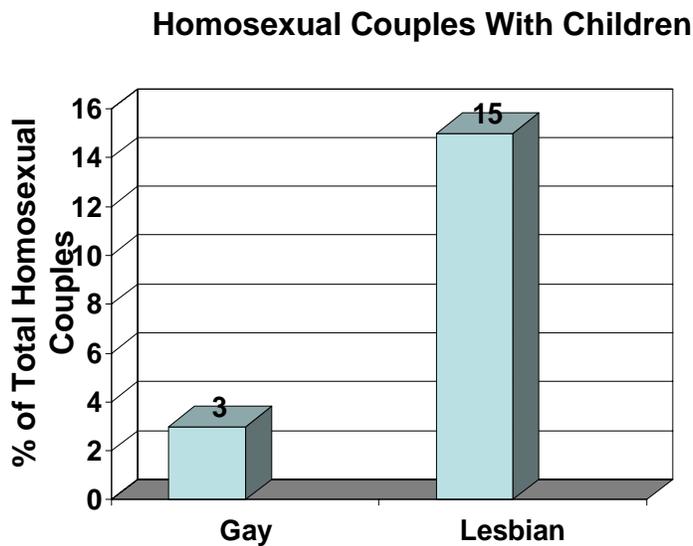
In the context of national demographics, homosexual deconstruction of the meanings of marriage and family seems audacious. Is this a manic movement, emboldened by a seemingly unstoppable chain of political and judicial successes, blinded by its self-serving “cosmology,” which no longer knows its own limitations? Should heterosexuals be bothered by a small homosexual minority seeking rights to procreative technologies to overcome a barren lifestyle? Is it a problem if the state is indifferent to the diminishing levels of traditional nuclear families and the growth of so-called “variant families”? What type of society would it be without nuclear families? Is it a problem if the state is indifferent to the number of children without a mother or a father, or without biological parents, or

² Didi Herman, “Are We Family? Lesbian Rights and Women’s Liberation,” *Osgoode Hall Law Journal* 28.4 (Winter 1990): 803 as cited by Greener 54.

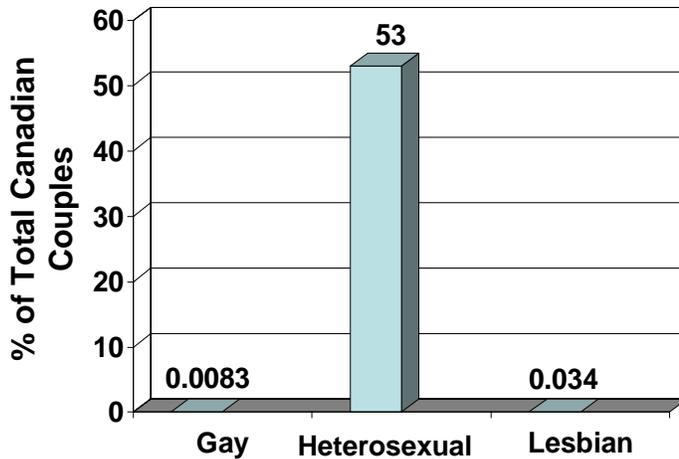
without knowledge of their biological heritage, or who are born from a surrogate or an artificial womb (extracorporeal gestation) or created by cloning?



The 2001 Census reveals that 9 of 100,000 couples are gay parents and 34 of 100,000 couples are lesbian parents.



Couples With Children



George Gilder writes that *“biogenetic engineering is emerging year by year to become a major force in the definition and prospects of the two sexes, of masculinity and femininity.”*³ In vitro conception is one more step along a path dislodging sexual intercourse from its pinnacle as both an act of love and the only act of procreation. Biogenetic processes also make it possible for the disconnection between motherhood and pregnancy. Gilder writes: *“With in vitro techniques...New, more partial and detached forms of motherhood become possible for busy or preoccupied women. The very role of mother and the profound biological tie with her child – enacted in the women’s most intense sexual experiences in childbirth – become optional. This development threatens to diminish further the perceived and felt authority of the basic connections of human life.”*⁴ Jonathan Ned Katz, author of *The Invention of Heterosexuality* sums up the gay perspective on the impact of biogenetic technologies: *“The fall of the old reproductive ethic also eliminates one rationale of the distinction between homosexual and heterosexual.”*⁵

John D’Emilio and Estelle Freedman, authors of *Intimate Matters: A History of Sexuality in America* further illuminate the path to gender apathy (and baby reproduction): *“Today, the meaning of sexuality no longer seems to reside, self-evidently, within our bodies or in nature, but depends on how we use it. Striking discoveries by biologists of reproduction, and the development of new reproductive technologies, upset ‘age-old certainties about the natural connection between sex and procreation.’ Whatever ideas about sexuality most Americans hold in theory, the majority now commonly act as if there’s no necessary link between ‘making love and making babies.’...even the supposedly immutable ‘sex act’ underwent redefinition in ways that weakened a male monopoly over the nature of sex.*

³ George Gilder, *Men and Marriage*, p.179.

⁴ *Ibid.*, p.182.

⁵ Jonathan Ned Katz, *The Invention of Heterosexuality* (USA: Penguin Group, 1996), p.184.

*The variety of erotic acts hailed in today's heterosexual handbooks also weakens the old heterosexual monopoly over the definition of sex.*⁶ George Gilder warns that the decisive end of women's liberation could be an "obsolete womb" and chronic male infidelity: "For if we break the tie between sexual intercourse and procreation, destroy childhood memory of the nurturing and omnipotent mother, banish the mystique of the breasts and the womb and of the female curves and softness, we could remove as well the special attraction of heterosexual love. We may liberate men to celebrate, like the ancient Spartans or the most extreme homosexuals today, a violent, misogynistic, and narcissistic eroticism...The ultimate pattern that might unfold if the new bioengineering technology is devoted heavily to the agenda of 'women's liberation,' is not that women might be released from pregnancy, but that the men would be released from marriage, and thus from the influence of female sexuality."⁷

7.2 - Male and Female Are Purposeful Designs

Whether by evolution or by divine intent, the human species is male and female. Like a lock and key, man and woman have matched designs for procreation. For this reason (the mixing of gene pools) the state allows marriage between one man and one woman but discriminates against marriage to a close relative, a son, a daughter, a sister, a brother, a father or a mother. This prohibition is so strong that sex amongst these relations is illegal and defined as incest. Without human cloning, same-sex couples cannot procreate. If we now say marriage is no longer about procreation, then the prohibition on the marriage of a brother to a sister appears unjustly discriminatory and incest becomes a defunct notion. After disconnecting marriage from its heterosexual procreative moorings, the question becomes: "Why can't a brother have sex with a brother or a father with a son, if so oriented?" No offspring are at genetic risk. Ironically, any reference to the morality of these acts begs the questions: "If it is ok for two men to have sex, why is it wrong for two brothers?" If they were married would this make a difference? The fact the Supreme Court has refrained from ruling traditional marriage unconstitutional is no surprise. If same-sex marriage was truly a human rights entitlement based on "sexual orientation," then bisexuals should be given access. That the state has yet to entertain the marriage rights of other sexual orientation groups reflects the political nature of the issue. For perpetuation of the species societies have developed cultural notions of masculine and feminine genders. Proponents of same-sex marriage assert there is no essential relationship between the body (anatomy and genitalia) and gender; no special meanings to male and female. Accordingly, the two sex system is no longer to be privileged over the same sex system. The notion of a purposeful design (called "heterosexism") is defunct after marriage redefinition.

⁶ John D' Emilio and Estelle Freedman, *Dialogue of the Sexual Revolutions: A Conversation with John D' Emilio and Estelle Freedman*, Mass, 2, pp.338, 339, 358. Cited in Katz, *The Invention of Heterosexuality*, p.184.

⁷ John Gilder, *Men and Marriage*, pp.183 and 184.

7.3 - “Dad, Who’s My Mother?” “I Don’t Know Son. Ask Your Father”

The heterosexual biological family is a purposeful structure, from which all other “habitations” are lesser departures. However, Gertrude Himmelfarb says of variant families: “*This is parentage, and ‘alternative lifestyles.’ The ‘family of choice’ is defined not by lines of blood, marriage, or adoption, but by varieties of relationships and habitations among ‘autonomous,’ ‘consensual’ adults and their offspring.*”⁸ The vision in a post nuclear family era is that the parent can share parenthood and exchange children. Homosexual relationships - some sexual, some mentoring, some fraternal, some utilitarian - commonly involve more than two individuals. A typical variant “family” is the gay man with a lover who chooses to have a child with a lesbian who also has a lover. As previously mentioned, Mona Greenbaum, of the Lesbian Mothers Association of Quebec, claims that lesbians should have the same access to fertility technology that married heterosexual women have.⁹ But why should lesbian couples be privileged over gay couples, applying Greenbaum’s logic? Is fertility technology for two men not just another variation?

William N. Eskridge Jr. contends in *The Case for Same-Sex Marriage* that homosexual culture will not assimilate and disappear in an era of redefined marriage, but will continue to experiment and improvise: “*Initially, it seems unlikely that married gay couples would be just like married straight couples...Nor would the gay and lesbian culture cease to be distinctive. One feature of our experience has been an emphasis on ‘families we choose,’ anthropologist Kath Weston’s felicitous phrase...Such families are fluid alliances independent of ties imposed by blood and by law. Often estranged from blood kin, openly gay people are more prone to rely on current as well as former lovers, close friends, and neighbors as their social and emotional support system. Include children in this fluid network and the complexity becomes more pronounced...Because same-sex couples cannot have children through their own efforts, a third party must be involved: a former different-sex spouse, a sperm donor, a surrogate mother, a parent or agency offering a child for adoption. The family of choice can and often does include a relationship with this third party. Gay and lesbian couples are pioneering novel family configurations, and gay marriage would not seriously obstruct the creation of the larger families we choose.*”¹⁰

Should the Canadian state be indifferent to the number of children growing up without knowledge of their biological heritage or to the effects of “fluid” parenting or to the effects of mother or father absence? What does indifference to family make-up imply to the importance of motherhood and fatherhood? Where would a secular humanist path, which assigns low importance to biological kinship, likely lead our society? A study of kinship rights in Sweden shows a probable trail. Lawyer Siv Westerberg comments in her lecture to The Family Education Trust: “*Sweden has, during the last decades, developed into a kind of socio-medical totalitarian state. A totalitarian state where families are deprived of the right to care for and educate their own children; and are deprived of the basic human right to both family life and private life...both people with low incomes, and professionals*

⁸ Pamela Paul, *The Starter Marriage and the Future of Matrimony* (New York: Villard, 2002), p.257.

⁹ “Cloning,” *Calgary Herald*, 27 November 2001, p.A2.

¹⁰ William N. Eskridge, Jr., *The Case for SAME-SEX MARRIAGE* (New York: The Free Press, 1996), pp.80 and 81.

have no choice. You have to leave your small children for eight to ten hours every day in state governed care. In statistical terms, a child is in day nursery from the age of one year till the age of six years, will encounter, on average, 275 different grown up people who care for them. As for their own parents – they are lucky if they see them for more than one or two hours a day. By this means, everybody is delivered into the embrace of the state and its servants. By this means too, the state has succeeded where many other tyrannies have failed, in controlling the family.”¹¹

Social anthropologist Peter Klevius also warns against the abuses of “Nordic” socialism on nuclear family kinship. He writes: *“The word religion can namely be traced to Latin re-‘back’ and ligare ‘tie,’ i.e., kinship tied back in the form of ancestor worship. Kinship could therefore be seen as the main element in binding the society together and religion the form in which this is done. Today the base on which most of the child protection laws stand is the view that ‘the child is an independent subject of its own rights’ (Finnish child protection law of 1984) and therefore stands in an obvious state of opposition to kinship systems and religion...Actions severing family bonds take the form not only of taking children into the custody of the state, but also...of marginalizing parenthood by an increasing amount of rather aggressive interventions by the social state in matters of child-rearing. What has been forgotten in legalization of these efforts ‘in the best interests of the child,’ is the child’s right to continuity concerning its family and relatives...In a recent and quite remarkable study, Flinn and England have shown how reduced kinship ties in the rearing environment increase children’s stress measured as cortisol levels...In a Finnish study consisting of 7,000 15-16 years-old children the incest (sexual abuse at home) figures for girls raised by their biological parents was less than 0.15 percent while the figures for girls living with step fathers or in completely non-biological environments, were 15-30 times higher (Sariola 1990).”¹² The heterosexual system of marriage and family is the chief obstacle to this experimental, humanistic and totalitarian future. If traditional marriage and family endures, the realm of the state and its bureaucratic and technocratic intrusion into the affairs of its citizens can be limited. George Gilder warns, *“If the family should widely breakdown, then the world of artificial wombs, clones and child-development centers would become an important reality rather than a laboratory curiosity.”¹³**

And if the heterosexual nuclear family is protected (privileged over others) the feminist family models, birthed for the era of sexual liberation will also remain a rarity. According to Alice Rossi, the following quotation advocating communal families, illustrates explicitly what is implicit in much of feminist literature: *“By always having some children in our unit, we will be able to assume parental roles when and for as long as we want...Our children will have an advantage [in that] from the adults they can select their own parents, brothers, sisters, friends...Our social ties will not be forced nor strained by the mandates of kinship and marital obligation.”* Here the image is clear, in a post-nuclear family era, the adult can turn

¹¹ Siv Westerberg, “The Folly of Sweden’s State Controlled Families,” lecture to The Family Education Trust, London, 19 June 1999.

¹² Peter Klevius, “ANGELS OF ANTICHRIST – Social State vs. Kinship,” first published in *Issues of Child Abuse Accusations*, Spring 1996, Vol. 8, No. 2, pp.94-101. Title taken from 1897 novel “The Miracles of Antichrist,” written by Selma Lagerlof of Sweden, the first female Nobel prize winner in literature. She asserts socialism is the disguise of Antichrist.

¹³ Gilder, p.185.

parenting on and off and exchange children to suit one's "fluid" fancy. Fully measured, with all its ideological and symbolic baggage, same-sex marriage amounts to a huge assault upon the institution of motherhood (and upon heterosexual marriage and family). In her new release titled *Motherhood*, Anne Manne uses a barrage of findings on child development to argue on the dangers and unnaturalness of childcare. Her advice is a fitting closure to this sub-section: "*Children need most not trained, expert, professional care, but the passionate partiality of parental love. That love is not reproducible, just as to be a mother is not reproducible. Caring is. Mothering cannot be bought or sold, or reproduced by the marketplace.*"¹⁴ The state should not be indifferent to motherhood or fatherhood.

7.4 - Nature Keeps Its Own Ideology, Which is Decidedly Not Pro-Gay

Acknowledging the central role of the anus in male homosexual intimacy, Joseph Sonnabend writes in the *New York Native*: "*The rectum is a sexual organ, and it deserves the respect a penis gets and a vagina gets.*"¹⁵ Obviously the Canadian Government agrees. In legislating same-sex marriage the state has adopted a homosexualist worldview which: (1) implies the state is indifferent to how or where people use their sexual organs, indeed, what bodily orifices they claim as sexual "organs;" (2) implies the state is in political (intentional) denial over the medical-biological consequences of gay sexual intimacy; and (3) implies the state has chosen to defend a false ecological reality by accepting that the onus is on government to find a technological "fix" for the hazards of anal sex in lieu of asserting there is something morally and ecologically wrong with the behavior.

Quoted in the book *Positively Gay*, Rev. William R. Johnson argues that the "sex-for-procreation" line of reasoning has caused homosexuals to fragmentize sexuality from a holistic understanding of personhood. He states: "*The quest for integrity is the ongoing process of integrating the components of self into a congruent, meaningful whole. Affirming our same-gender orientation, and its expression in social and erotic relationships, rather than accepting negative cultural or ecclesiastical definitions of our identity, is essential to the process of integration. As human sexuals we have a God-given right to responsibly express, not deny or repress our natural sexuality.*"¹⁶ In homosexuality semen is not seen as nature's "designed" male mechanism for contributing to procreation, but rather semen is downgraded to the notion of a "bodily fluid," to use homosexualist lexicon.¹⁷ Rev. Johnson's premise of a God-given (or to use non-religious terminologies – "natural" or "inherent") right to responsibly express gay and lesbian sexuality flies in the face of ecological realities – so-

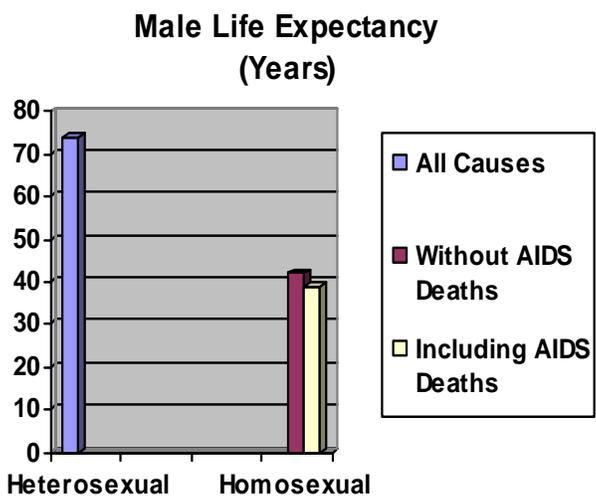
¹⁴ Anne Marie Owens, "Better, cheaper childcare not so family-friendly," *National Post*, 20 September 2005, p.A1 and A6.

¹⁵ Gabriel Rotello, *Sexual Ecology: AIDS and the Destiny of Gay Men* (New York: Dutton, 1997), p.101.

¹⁶ *Positively Gay*, ed. By Betty Berzon, Third Edition, (Berkeley: Celestial Arts, 2001), p.218

¹⁷ Choice of language in homosexuality is widely constrained by political considerations. For example, in the middle of the AIDS crisis in San Francisco, public health officials, anxious gay politicians, and the burgeoning ranks of AIDS activists created AIDSpeak. To speak in public a new lexicon was devised. AIDS victims could not be called victims; instead, they were labeled People With AIDS (PWAs). "Promiscuous" became "sexually active," a less judgmental term. And the most used circumlocution in AIDSpeak was "bodily fluids," an expression that avoided troublesome words like "semen." Taken from Randy Shilts, *And the Band Played On* (New York: St. Martin's Press, 1987), p.315

called “Mother Nature.” It is just not credible to claim rights to a professed “natural sexuality” that is only sustainable under the strictest use of prophylactics, drugs and finely articulated sexual risk reduction guidance, not to mention extensive instructions on performing the physical acts themselves¹⁸. What form of “responsible self-expression” causes the vast majority to live in fear of death; causes Blood Services Canada to reject a blood donation solely upon declaration of one same-sex contact; creates a life expectancy of forty-two; and causes literally millions of people to die from preventable illness? A study by Paul Cameron (1992)¹⁹ of 16 gay publications over an 11 year period (1981-92) found that the median age of death was only 39. Excluding AIDS deaths improved the median age to 42. In 1995, AIDS was the leading cause of death among all Americans aged 25 to 44, and homosexual men who make up less than 3 percent of the population, accounted for 50 percent of all new AIDS cases in 1995 and 1996. A male homosexual has as much as a 50 percent chance of acquiring HIV by middle age. Cameron also found that while 2.9 percent of men aged 18-29 and 4.2 per cent of men aged 30-39 claimed that they were bisexual or homosexual, for those aged 40-49 the proportion dropped to 2.2 percent, and for those 50-59 it declined to 0.5 percent.



AIDS activist Larry Kramer (himself a homosexual) describes the gay sexual reality in his usually offensive, but accurate way: *“Get your heads out of the sand, you turkeys!...Come with me, guys, while I visit a few of our friends in Intensive Care at NYU. Notice the looks in their eyes, guys. They’d give up sex forever if you could promise them life. This is a horrible illness, wasting, wretched, painful, ghastly to watch and witness and to endure.”*²⁰ Sexually transmitted diseases, including AIDS, have not “blown” over in spite of billions spent on both finding a technological fix and spreading risk reduction doctrines. Gabriel Rotello, gay journalist and author of *Sexual Ecology: AIDS and the Destiny of Gay Men*, writes: *“The very behaviors that gay activists had spent years promoting seemed to have*

¹⁸ See references further in this section to *The Gay Men’s Wellness Guide* by Robert E. Penn.
¹⁹ Paul Cameron, letter to Editor, cited in “Correspondence,” *The New Republic*, Washington, February 23, 1998.
²⁰ Larry Kramer, *Reports from the holocaust: the story of an AIDS activist* (New York: St. Martin’s Press, 1994), pp. 46 and 351.

contained the seeds of disaster. But since promiscuity and anal sex were perceived by many (though certainly not all) gay men to be central to liberation...The question then became, if anal sex and promiscuity equal liberation, and AIDS is spreading due to anal sex and promiscuity, how can gay men control the spread of AIDS without sacrificing liberation?...These two challenges created a dual imperative that has characterized gay AIDS prevention to this day: to prevent the spread of HIV, but only in a way that defends gay men against attacks from the right and preserves the multipartnerist ethic of gay sexual revolution. In what was undoubtedly one of the tallest orders a prevention strategy ever had to fill, safer sex was to be a political and social as much as a medical or ecological construction.”²¹

Larry Kramer openly concedes the need to rethink the premise of gay sexuality in the era of AIDS: *“Allowing sex-centrism to remain the sole definition of homosexuality is now coming to be seen as the greatest act of self-destruction. There is a growing understanding that we created a culture that in effect murdered us, and that if we are to remain alive it’s time to redefine homosexuality as something far greater than what we do with our genitals. But that redefinition will require nothing less than remaking our culture.”²²* And the necessary remake according to Tim Vollmer is not incremental - more or better safe sex guidelines. Writing in the *New York Native*, Vollmer says the problem with the current safe sex campaign is that it does not confront the task of restructuring gay culture. Instead, safe sex (also called “The Condom Code”) implies that all gay men can do is simply wait till the AIDS epidemic is over, i.e. a cure discovered, before resuming life as before. It is a holding pattern, a freezing of an obsolete culture at its least dysfunctional level. According to Vollmer, the danger in an indefinitely prolonged need for the Condom Code is that *“it is a policy of confinement and restriction, concentrating on what gay men can’t do, what homosexuality isn’t.”²³* He goes on to argue: *“No matter how valuable the safe sex campaign is, gay men need more nowadays than a list of don’ts. In terms of coping with an injured self-image, sexuality, and lifestyle, today’s situation has an urgency that must at least be equal to anything that existed in the 1950s and 1960s...To avoid the twin dangers of sinking with an obsolete culture or shifting back to an oppressive one, gay men must respond with the same energy and creativity they exhibited in the early days of gay liberation.”²⁴* But Mother Nature will not be coerced or cajoled off her own course.

Gabriel Rotello condemns the idea of the “Condom Code” as the salvation for this sinking culture. He writes: *“In fact, the Condom Code does not seem ever to have been very effective in containing the epidemic. The drop in new infections in the mid-eighties, for example, probably occurred because most of the susceptible gay men were already infected. Now that a new generation of susceptible young men has entered the gay world, they are getting infected at rates that indicate that about half will eventually get AIDS, which is about the same ratio as the older generation. The fact is that many people do not seem*

²¹ Rotello, *Sexual Ecology*, p.92.

²² Larry Kramer, “GAY MEN WILL HAVE TO LIVE BY NEW RULES,” *Seattle Post – Intelligencer*, Seattle, Washington, December 14, 1997.

²³ Betty Berzon, *Permanent Partners: Building Gay & Lesbian Relationships That Last* (New York: E.P. Dutton, 1988), p.232.

²⁴ *Ibid.*, pp.232 and 233.

able to use condoms consistently enough to stem the epidemic...[The Condom Code] provides virtually no room for error, and is in many respects anti-ecological, a classic 'technological fix,' because it has never addressed the larger factors in the gay environment that helped spread HIV."²⁵ In a survey of 205 gay men in Miami's South Beach, Dr. William W. Darrow, a public health professor at Florida International University, found that 45 percent had unprotected anal sex in the past year. The study showed gonorrhea rates were up. Recently, the Centers for Disease Control and Prevention reported that from 1993 to 1996, a survey of clinics in 26 cities found gonorrhea among such men rose 74 percent.²⁶ A Health Canada study of gay men showed that in 2000, gays were increasingly practicing unsafe sex and putting themselves at risk for contracting HIV and AIDS. Gay men made up half the new AIDS cases, an increase of 10 percent over 1999. Between 1996 and 1999, there was a 30 percent increase in the number of gay men who tested HIV positive. This figure spiked another 10 percent in 2000.²⁷

Rotello explains: "From an ecological perspective, human cultures are far more than just 'life styles' comprised of rituals and rules...Cultures are adaptive strategies for survival, ways of life that allow their members to cope with complex obstacles that nature, and other people, place in their way."²⁸ And the value here, of addressing the ecology of gay sex, is that it takes the focus away from "why" people make their choices and looks instead at the consequences. Joseph Sonnabend reverences the rectum, Rev. William R. Johnson proclaims "a God-given right to responsibly express, not deny or repress" homosexuality and our state declares its indifference. Robert E. Penn, author of *The Gay Men's Wellness Guide* puts the true face on anal and oral sex. His *Wellness Guide* devotes four pages to gag reflex and biting. Six pages are devoted to handling the pain of penetration. Seven tips are offered to help the penetrated partner to relax: "(1) get to know your anus; (2) practice contracting and relaxing your muscles; (3) become aware of your breathing; (4) practice insertion; (5) try giving yourself an enema; (6) let someone lick you; if you want to, try having anal sex with a man you like. He doesn't have to be your lover or even someone you love, but before you start there should be at minimum agreement of mutual respect; agreed-upon roles; if any; a designated sign for stopping in the event of pain...Remember to gently dilate yourself or let your partner dilate you before penetration and use plenty of lubrication both during the dilation and intercourse."²⁹ In the *Guide* Penn also explains why the drug culture is such a significant part of gay life: "Alcohol and other depressants – heroin, marijuana (grass, weed, spliff, blunts, ganja, etc.), poopers, cocaine – snorted or applied locally, other stimulants, and prescription drugs are often suggested as ways to help ease the pain or tension or embarrassment or discomfort related to receptive anal intercourse. If the drug is being used so that the experience is tolerable, then there is no problem"³⁰

²⁵ Rotello, *Sexual Ecology*, pp.9 and 10.

²⁶ Sheryl Stolberg, "CULTURE: Some flout the orthodoxy of the past decade, saying the freedom to have many partners is the essence of liberation," *The New York Times*; "Promiscuity and AIDS: Gays argue coexistence," *Orange County Register*, Santa Ana, November 23, 1997.

²⁷ Heather Sokoloff, "AIDS, HIV on the rise among gay men, study suggests," *National Post*, 30 November 2001.

²⁸ Rotello, *Sexual Ecology*, p.12.

²⁹ Robert E. Penn, *The Gay Men's Wellness Guide* (New York: Henry Holt, 1997), pp.236 and 237.

³⁰ *Ibid.*, p.237.

Incredibly, some forty some years into the homosexual liberation era, with the deconstruction of heterosexism essentially complete, many hetero- and homosexuals still hold to the notion that the excesses, the low self-esteem, the drugs and the suicidal behaviors of a majority of homosexual men are the result of “*societal homophobia*.” The assumption of this “*societal oppression*” line of thinking is that the problematic issues of gay culture will surely disappear once homosexuals achieve full “equality” and acceptance by the state and society. Ian Young captures this *cognitive dissonance* construct in *The Stonewall Experiment*, his psycho-history of gay culture. He writes: “*Centuries of sexual repression and distortion are not quickly or simply overcome, though they can be easily repackaged and labeled Pleasure or Freedom. A society that had made heterosexuality into an absolute had provided no rules, no guidelines, no ways for men to relate affectionately and erotically with one another... Only an insistent sexual need persisted.*”³¹ William N. Eskridge Jr. brings this argument to its conclusion in *The Case For Same-Sex Marriage: From Sexual Liberty to Civilized Commitment*. He writes: “*Whether because of the biology of masculinity or the furtiveness of illegality, gay men have been known for their promiscuous subcultures. Promiscuity has encouraged a cult of youth worship and has contributed to the stereotype of homosexuals as people who lack a serious approach to life. It is time for gay America to mature, and there can be no more effective path to maturity than marriage.*”³²

It is a huge irony that the solution in the 60s, 70s and 80s for coping with injured self-image, sexuality and “oppressed” lifestyle was separation from the “oppressors,” the rejection and undermining of the heterosexual institutions of marriage and family, and the declaration of a new independent, indeed, superior lifestyle. And now in a despondent attempt “*to avoid the twin dangers of sinking with an obsolete culture or shifting back to an oppressive one*” homosexual activists have demanded the right to marriage hoping for cultural salvation - a “*path to maturity*,” a key to “*civilized commitment*,” and a symbol of societal acceptance. The bid for marriage redefinition is doubly paradoxical, in that many homosexuals are against same-sex marriage and see it as a renewed oppressive threat to their sexually liberated culture. Paula Ettelbrick fears that when gay men and lesbians are given the right to marry, the discriminatory two-tier system already existing among married and unmarried straight couples will occur. Gays and lesbians who don’t marry will become in her words: “*outlaws among outlaws.*”³³ Moreover, redefining marriage will not create a proverbial lifeboat rescuing significant numbers of homosexuals from a turbulent sea of promiscuity, STDs and impending death. Same-sex marriage will only burst a hole in the societal levy (destroy the behavioral breakwater), behind which the heterosexual institutions of marriage and family have been protected for so many millenniums.

Same-sex marriage advocates raise the notion that same-sex marriage will increase monogamy (see sub-section 7.5) and reduce the incidence of sexually transmitted disease

³¹ Randy Shilts, *And The Band Played On* (New York: St. Martin’s Press, 1987), p.56.

³² Eskridge, *The Case For Same-Sex Marriage: From Sexual Liberty to Civilized Commitment*, taken from book jacket.

³³ Frank Browning, *The Culture of Desire: PARADOX AND Perversity in Gay Lives Today* (New York: Crown Publishers, 1993), p.153.

in the homosexual community. However, researchers Martina Morris and Laura Dean found that if the average gay man in New York reduced his sexual contact rate to one “unsafe contact” per year, the level of HIV in that population would probably drop to less than 5 per cent in thirty-five years. But if the average rose to two unsafe contacts per year, HIV prevalence would rise to 60 per cent. They write: *“The implication of temporary returns to unsafe sex practices are not simply an increase in individual risk, but also the persistence of HIV transmission at epidemic levels in the population.”*³⁴ One unsafe contact per year is a level of monogamy with little precedent in gay culture. Moreover, studies show that gay monogamy does not increase risk-reduction practice. In *Sex & Germs*, author Cindy Patton writes: *“Two recent studies from San Francisco and Chicago, however, indicate that coupling [gay monogamy] does not necessarily produce more discussion or safer sexual practices. These studies asked gay men why they had not changed a range of sexual practices, most of which the respondents agreed would decrease the risk of AIDS. In the San Francisco study, men in monogamous couples, in primary relationships with some sexual activity outside the relationship, and with no primary relationships but multiple partners, nearly all agreed that they hadn’t implemented desired [safe-sex] changes because they perceived their partner(s) to be unwilling to make that change. The second and third most common reasons were ‘I like it too much to stop’ and ‘It just seems like what is expected’ – a more diffuse articulation of the notion that certain practices, or a constellation of practices, are what makes someone gay. The Chicago study had similar results.”*³⁵ Frank Browning writes of a 1990 study, *“...unattached gay men were significantly less likely to expose themselves to HIV through risky sex than were men in serial monogamous relationships.”*³⁶

In their book *Boundaries: When to Say YES, When to Say NO, To Take Control of Your Life*, Dr. Henry Cloud and Dr. John Townsend refine the idea of boundaries, particularly as they apply to personal relationships. They write: *“The most basic boundary that defines you is your physical skin. People often use this boundary as a metaphor for saying that their personal boundaries have been violated: ‘He really gets under my skin.’ The skin keeps the good in and the bad out. It protects your blood and bones, holding them inside and all together. It also keeps out germs, protecting you from infection. At the same time skin has openings that let ‘good’ in, like food, and the ‘bad’ out, like waste products.”*³⁷ Regardless of one’s perspective – by God’s design or by millions of years of Darwinian evolution, our bodies are seen as marvels of biological engineering for defense against bacteria and viral diseases, as long as they are properly maintained. An unfortunate fact of our natural skin boundary is that any exchange of “bodily fluids,” whether blood or semen, breaches our defense. From the body’s vantage the “how” is irrelevant; whether by scratch, blood transfusion or sexual act, the result is the same. The AIDS pandemic, as widely acclaimed, is not the result of bad luck.

³⁴ Gabriel Rotello, *Sexual Ecology*, p.235.

³⁵ Cindy Patton, *Sex & Germs* (Montreal:Black Rose Books, 1986), pp.135 and 136.

³⁶ Frank Browning, *Culture of Desire* (New York: Crown Publishers, 1993), pp.84 and 85.

³⁷ Henry Cloud and John Townsend, *Boundaries: When to Say YES, When to Say NO, To Take Control of Your Life* (Grand Rapids, Michigan: Zondervan Publishing House, 1992), p.33.

British sociologist Jeffery Weeks, in *AIDS and Contemporary History*, wrote in 1993: “It was an historic accident that HIV disease first manifested itself in the gay populations of the east and west coasts of the United States. The hypothesis of this line of thinking centers on the idea that two strains of HIV had begun in African monkeys and crossed over to humans. The idea soon became entrenched that AIDS was not just a new pandemic but a new human disease, one that passed from simians to humans in Africa, then swiftly crossed the Atlantic to America. In 1987, Randy Shilts helped popularize this concept in *And the Band Played On*, by speculating on the exact moment of arrival. His theory centered on the Bicentennial celebration of 1976, when the Tall Ships regatta brought thousands of sailors, including many from Africa, in contact with gays from New York.³⁸ This view has been almost universal among the media, gays and AIDS prevention activists, even to this day. Their denial of responsibility for the disease in North America and now the world, keeps silent the good that can be learned from the crisis. Gay author Gabriel Rotello, stands among only a few claiming accountability for the disaster and witnessing to the ecological truths of AIDS. He writes: “Yet there is little ‘accidental’ about the [gay] sexual ecology...Multiple concurrent partners, versatile anal sex, core group behavior centered in commercial sex establishments, wide spread recreational drug abuse, tourism and travel – these factors were no ‘accidents.’ Multipartner anal sex was encouraged, celebrated, considered a central component of liberation. Core group behavior in baths and sex clubs was deemed by many the quintessence of freedom. Versatility was declared a political imperative. Analingus was pronounced the champagne of gay sex, a palpable gesture of revolution. STDs were to be worn like badges of honor, antibiotics to be taken with pride.”³⁹

In the early 80s, in the middle of the AIDS pandemic, Dr. Steve Witkin, of Cornell Medical Center, proved that somebody else’s semen shot into your rectum, can cause your body to produce antibodies to the foreign semen, which in turn can suppress the immune system, leaving it unable to fight off AIDS-associated infection.⁴⁰ According to David Black, Dr. Witkin didn’t have any hidden agenda, any bias to defend; he wasn’t on a moral crusade. And years after Witkin’s experiment, a breakthrough event occurred with the French publication of Mirko Grmek’s landmark *History of AIDS*. Here one of the world’s leading authorities on medical history presented a startling hypothesis that HIV has long existed in human populations, not just in Africa, but the West as well. Grmek described three basic ways to test the hypothesis that HIV is old in humans: (1) search old records for retrospective diagnosis of AIDS; (2) test old blood and tissue samples to see if they contain traces of HIV or antibodies to HIV; and (3) genetically sequence different samples of the virus to attempt to reconstruct its past.

The retrospective diagnosis found that in 1868, Viennese dermatologist, Moritz Kaposi, likely documented the first AIDS deaths in a cluster of five middle-aged men who all died of cancer. This cluster of *Kaposi’s Sarcoma* cases, which ended as abruptly as it began,

³⁸ Randy Shilts, *And The Band Played On Band*, p.3.

³⁹ Gabriel Rotello, *Sexual Ecology*, p.89.

⁴⁰ David Black, *The Plague Years: A Chronicle of AIDS the Epidemics of Our Times* (New York: Simon and Schuster, 1985), p.95.

provided Kaposi with the opportunity to describe the cancer that now bears his name.⁴¹ And in the early 1880s another physician, Tommasco De Amicus, discovered a cluster of twelve cases of Kaposi's sarcoma (KS). Except for one small child, all were Neapolitan men between the ages of thirty-nine and forty-four. Writing in the *Journal of the National Medical Association*, researchers Harold P. Katner and George A. Pankey argued that by using KS as a "probable marker" of pre-epidemic AIDS, they were able to identify tentative AIDS cases back to 1902.⁴² According to Gabriel Rotello these likely clusters of HIV and KS virus died out for lack of the kind of multipartner sexual networks needed to rekindle a full-fledged-epidemic.⁴³

The search for stored tissue samples uncovered more evidence. In 1966, a twenty-year-old Norwegian man checked into Oslo's Rikshospitalet complaining of recurrent colds, lymphadenopathy, and KS-like dark spots on his skin. He did not improve, and the next year his wife came down with candidiasis, cystitis, and other afflictions. A child born to the couple that same year seemed healthy at first, but by age two was suffering from severe bronchial candidiasis. They all died within months of each other, and serum samples were collected and frozen. In 1988, the long-dead family all tested HIV seropositive.⁴⁴ In 1968, Robert R., a fifteen-year-old African-American died beset with Kaposi's sarcoma, Chlamydia trachomatis, STDs and intestinal disorders. In 1987, the samples were tested by microbiologist Robert Garry at Tulane University, who published the results in the *Journal of the American Medical Association*. Robert R.'s lymph nodes tested HIV-positive.⁴⁵ And at the 1996 International AIDS Conference in Vancouver researchers presented genetic data indicating that instead of evolving away from each other as the simian hypothesis would purport, some global strains of HIV are evolving toward each other, joining in a process called recombination. Gabriel Rotello explains: "*While researchers did not say so in their paper, their discovery provided evidence that AIDS is an old disease in humans. The reason is simple. If under the jet-age conditions of the modern world, the different global strains of HIV are combining with each other, then how and under what conditions could those strains have evolved separately in the first place? A logical answer, some say the only logical answer, is that their evolution must have occurred before the jet-age conditions of the modern world, when Africans, Asians, Americans, and Europeans lived in relative isolation from each other. Under those conditions, the theory goes, HIV was able to evolve into major subtypes that existed when the epidemic was first noticed.*"⁴⁶

Marriage redefinition will be claimed as a gay political and ideological victory, but Mother Nature's obstinate laws of ecology will not be altered by political will, liberal ideology or cultural experimentation - just sadly relearned or despondently ignored again. Before closing this section, a brief comment on the ecological place of oral sex. According to Gabriel Rotello, a significant proportion of the long list of diseases that swept the gay male

⁴¹ Gabriel Rotello, *Sexual Ecology*, p.27.

⁴² Ibid., pp.27 and 28.

⁴³ Ibid.

⁴⁴ Ibid.

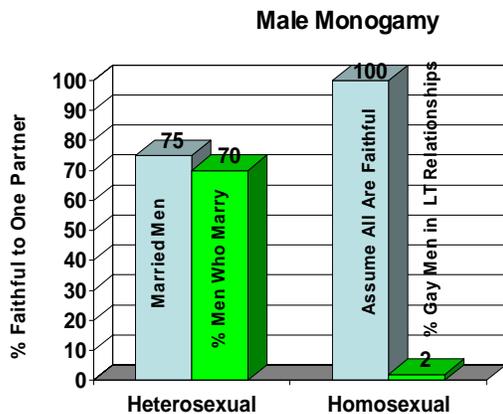
⁴⁵ Ibid.

⁴⁶ Ibid., pp.30 and 31.

world in the years leading up to AIDS, were spread just as readily orally as anally. The list includes all forms of hepatitis, most forms of oral and genital herpes, oral gonorrhea, cytomegalovirus, Epstein-Barr virus, and all of the major intestinal parasites. The common wisdom then and now has been that these diseases are insignificant, mild and easy to cure, and they don't have much to do with AIDS. Says Rotello, *“the common wisdom is largely wrong. Herpes remains incurable in all its forms, as do Epstein-Barr virus and CMV. Gonorrhea has mutated into a deadly and incurable antibiotic-resistant strains.”*⁴⁷ Gastrointestinal parasites are cured only with great difficulty, and the large doses of drugs needed to cure them place a major strain on the immune system. Receptive oral sex while significantly less risky than receptive anal sex, nonetheless carries a risk of HIV infection, but according to Rotello: *“this too, was largely glossed over by the Condom Code.”*⁴⁸ Epidemiologists who have studied the issue find that the risk of infection during receptive oral sex is probably from one fifth to one tenth of the risk during receptive anal sex. The tendency of anal sex to “mask” the risk of oral sex has had a psychological effect on the gay community, reinforcing the popular (but false) conception that oral risk is miniscule. Most studies indicate that people find condoms extremely intrusive during oral sex, quite literally ruining the experience for many. As a result, prevention workers are loath to advise using condoms⁴⁹ and the ecological disaster continues just off the edge of the media and political radar screens. Same-sex marriage symbolizes the state's indifference to sexual practices which go against nature.

7.5 - Marriage can be Unfaithful but Not Occasionally Monogamous

“There is always someone else who would love me more, understand me better, make me feel more sexually alive. This is the best justification we have for monogamy – and fidelity...” *“Monogamy and infidelity: the difference between making a promise and being promising.”*⁵⁰



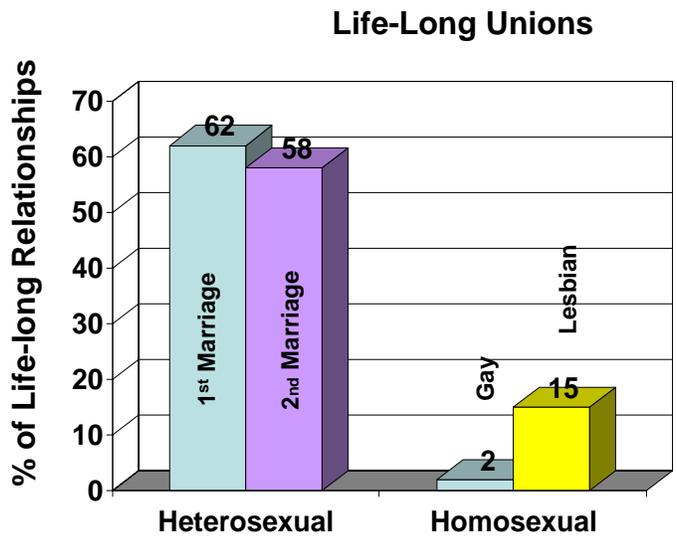
⁴⁷ Gabriel Rotello, *Sexual Ecology*, p.105.

⁴⁸ Ibid., p.106.

⁴⁹ Ibid.

⁵⁰ Adam Phillips, *Monogamy* (New York: Pantheon Books, 1996), pp.81 and 121.

One should not be surprised that to find that a homosexual bid for marriage rights requires proponents to deny the monogamous characteristic of heterosexual marriage, notwithstanding the fact the 1994 *National Health and Social Life Survey (US)* revealed that 75 per cent of heterosexual men and 85 per cent of heterosexual women said they had never cheated in their marriage. Over a lifetime, a typical heterosexual male has only six partners; a woman two.⁵¹ On the other hand, Gareth Kirby, editor of *Xtra West*, characterizes gay culture as a spectrum of love in which gays and lesbians tend to “divvy out emotional ties between different people – lover(s), roomies, f...buddies, best friends, ‘sister(s)’ and ex-lovers who become key members of our support network.” He goes on to say: “Valuing honesty and honouring lust, we almost always open up our relationship to sex with other people after a few years. A federally-funded health study of Vancouver gay men found that only two per cent were in long-term relationships.”⁵² Dr. June Osborn, a National Institute of Health researcher reported on the levels of multipartnerism just before the outbreak of AIDS in New York and San Francisco: “Every time we do an NIH site visit, the definition of ‘multiple sex partners’ has changed. First it was ten to twenty partners a year. That was nineteen seventy-five. Then in nineteen seventy-six it was fifty partners a year. By nineteen seventy-eight we were talking about a hundred sexual partners a year and now we’re using the term to describe five hundred partners in a single year. I am duly in awe.”⁵³



The following table summarizes national divorce statistics for Canada 1998-2003:

⁵¹ Jonathan Eig, “Sex by the numbers,” *Chicago*, Chicago, July 1998.
⁵² REAL Women of Canada, “Homosexual Lobby Group EGALE Hits Turbulance,” *REALity*, www.realwomenca.com/html/newsletter/2002_Jan_Feb/Article_7.html, 4/23/02.
⁵³ Gabriel Rotello, *Sexual Ecology*, p.62.

1998 – 36.1%
1999 – 37.3%
2000 – 37.7%
2001 – 37.9%
2002 – 38.3% ⁵⁴

According to Dr. Anne-Marie Ambert, 70 percent of men and 58 percent of women remarry after their first divorce. She quotes R.Glossop in concluding that the divorce rate in second marriages is likely 48 percent (10 percent higher than for first marriages). And in May 2004, the Institute for Marriage and Public Policy (IMAPP) published a report, which sheds light on the high incidence of “divorce” among homosexuals in the era of same-sex marriage. The IMAPP report surveys the results of a study published by Gunnar Andersson, titled “Divorce-Risk Patterns In Same-Sex ‘Marriage’ in Norway and Sweden.” In Sweden, between 1995 and 2002, 1,526 homosexual partnerships were contracted (0.5 percent of all couples), of which, 62 percent were gay unions. The survey found that gay couples were 50 percent more likely to divorce than were heterosexuals; and lesbian couples were 167 percent more likely to divorce than heterosexuals.⁵⁵

Perhaps the conservative sexual habits of heterosexuals, revealed in the 1994 *National Health and Social Life Survey* had not been released when Stanley Hauerwas wrote that same year: *“Gay men and lesbians are being made to pay the price of our society’s moral incoherence not only about sex, but about most of our moral convictions. As a society, we have no general agreement about what constitutes marriage and/or what goods marriage ought to serve. We allegedly live in a monogamous culture, but in fact we are at best serially polygamous. We are confused about sex, why and with whom we have it, and about our reasons for having children. This moral confusion leads to a need for the illusion of certainty. If nothing is wrong with homosexuality, then it seems everything is up for grabs. Of course, everything is already up for grabs, but the condemnation of gays hides that fact from our lives. So the symbolic ‘no’ to gays becomes the necessary symbolic commitment to show we really do believe in something.”*⁵⁶ Seen through the lens of cognitive dissonance theory and under the light of statistical reality, Hauerwas is writing conjecture while simultaneously denying ownership of the promiscuity problem.

Robert Williams, the first openly gay Episcopal priest to be ordained, similarly declares in *Newsweek*: *“If people want to try, OK. But the fact is, people are not monogamous. It is crazy to hold up this ideal...”*⁵⁷ The “reality” is that after forty years of homosexual feminist assault, a huge majority of heterosexuals are still clear on the merits of monogamy and the

⁵⁴ Dr. Anne-Marie Ambert, “Divorce: Facts, Causes and Consequences,” The Vanier Institute of the Family, based on Statistics Canada, 2005 and earlier, www.vifamily.ca/library/cft/divorce_05.html, 15/09/2005.

⁵⁵ The National Association for Research & Therapy of Homosexuality (NARTH)

⁵⁶ Stanley Hauerwas, *Dispatches from the Front* (Durham, NC: Duke University Press, 1994), pp.153 and 154.

⁵⁷ Joe Dallas, *A Strong Delusion: Confronting the ‘Gay Christian’ Movement* (Eugene, Oregon: Harvest House, 1996),p.31

traditional purposes for marriage. It has been the wish of homosexuals to cause confusion. In "reality" monogamy is only a *crazy* notion for homosexuals. Mark Steyn makes this point in the *American Spectator*: "A grisly plague has not furthered the cause of homosexual monogamy, so why should a permit from the town clerk."⁵⁸ Echoing further the downgraded value placed on monogamy in homosexual culture, Eric Marcus, author of *The Male Couple's Guide*, gives these four relationship guidelines: "(1) Sex with other partners is allowed, but must be kept secret. (2) Sex with other partners is allowed, but must be discussed. (3) Sex is not permitted with mutual friends. (4) Only anonymous sexual encounters are permitted." Moreover, piping the "no rules - no boundaries" ethos of homosexuality, Marcus ends with this advice: "Once you've set rules, leave room for discussion to adjust the boundaries should you find that the original rules aren't working in practice."⁵⁹

In the so-called "morality wars," the trench lines and allied belligerents have for the most part been sorted. Dug in on one side are homosexuals, unorthodox theists, sexual liberationists, feminists, humanists, pro-abortion supporters and a number of secularists. Allied on the other side are heterosexuals, orthodox theists, pro-nuclear family advocates, anti-abortion supporters and certain secularists. In this crucial struggle for the principles underlying our notions of what is right and wrong; marriage fidelity is the ultimate weapon of mass destruction. Happy lifelong monogamous marriages, in combination with responsible and equitable gender-based parenting roles for childrearing (by the biological parents), poses a huge obstacle to the aims of homosexuality and feminism. On the other hand cohabitation, marriage infidelity, divorce, irresponsible parenting role sharing (inequitable roles and dual parent careerism) play into the homosexualist propaganda strategy of discrediting the millenniums-old institutions of marriage and family. Jonathan Ned Katz longs for a demoralized and confused heterosexual majority: "Today's public destabilizing of heterosexual tradition is also clear in the rise of divorce and the creation of new families...By the 1980s the 'traditional two-parent family with children accounted for only three-fifths of all living arrangements.' The idea and reality of the 'family' is pluralizing before America's astonished eyes. Lesbian couples and gay male partners bring up their children from former marriages, or adopt children; single heterosexual women impregnate themselves with the help of an obliging male and a turkey baster, as do numbers of lesbians."⁶⁰

John D'Emilio and Estelle Freedman describe the battlefield over deconstructing heterosexism: "As Americans married later, postponed childbearing, and divorced more often, and as feminists and gay liberationists questioned heterosexual orthodoxy, non-marital sexuality became commonplace and open. Another traditional distinction between hetero- and homosexuals vanishes."⁶¹ As the "gender gap" between women and men narrows, says Katz, so does the sexual orientation gap. The convergence of heterosexuality and homosexuality becomes ever more apparent. The instability of

⁵⁸ Norman Podhoretz, "How the gay-rights movement won," *Commentary*, New York, November 1996.

⁵⁹ Eric Marcus, *The Male's Couple's Guide*, pp.43 and 44.

⁶⁰ Jonathan Ned Katz, *The Invention of Heterosexuality*, p.185.

⁶¹ John D'Emilio and Estelle Freedman, "Dialogue of the Sexual Revolutions: A Conversation with John D'Emilio and Estelle Freedman," *Mass*, 2, p.331. Cited in Katz, *The Invention of Heterosexuality*, p.185.

homosexual relationships (unsupported by law and the dominant culture) no longer serves to distinguish them essentially from the many heterosexual relationships destabilized by divorce.⁶² Katz writes: *“There would be no reason for the hetero/homo division if heteros did not stand above homos in a social hierarchy of superior and inferior pleasures. If homosexuals were to win society-wide equality with heterosexuals, there would be no reason to distinguish them. The homo/ hetero distinction would be retired from use, just as it was once invented.”*⁶³

In the “haughty” days of feminist homosexist separation theories, gays and lesbians were content to declare sexual liberation principles superior to traditional heterosexual moral values and to proceed to create their separate social space characterized by “uniqueness” and “difference.” During this time the aim of decrying the “patriarchal institutions” of marriage and family was to win converts to homosexuality. According to feminist ideology, no woman in her right mind would stay in a heterosexual marriage. Like the Borg on Star Trek, heterosexual woman needed to be liberated from programmed male domination. They were seen as incapable of independent thought. Less than one week after toppling Betty Friedan from her founding presidency of National Organization For Women (NOW), self-declared lesbian Kate Millett (on behalf of lesbians and “other” feminist women) took the reigns. Standing in front of banners declaring “Kate is Great,” “Is the Statute of Liberty a Lesbian Too?” Millett declared: *“Women’s liberation and homosexual liberation are both struggling towards a common goal: a society free from defining and categorizing people by virtue of gender and/or sexual preference. ‘Lesbian’ is a label used as a psychic weapon to keep women locked into their male-defined ‘feminine role.’ The essence of that role is that a woman is defined in terms of her relationship to men. A woman is called a lesbian when she functions autonomously. Women’s autonomy is what women’s liberation is all about.”*⁶⁴ Decades later, Marilyn Frye in “Wilful Virgin, or Do You Have to be a Lesbian to be a Feminist?” writes: *“A vital part of making generalized male dominance as close to inevitable as a human construction can be is the naturalization of female heterosexuality. Men have been creating ideologies and political practices which naturalize female heterosexuality continuously in every culture since the dawns of the patriarchies. Female heterosexuality is not a biological drive or an individual woman’s erotic attraction or attachment to another human animal which happens to be male. Female heterosexuality is a set of social institutions and practices defined and regulated by patriarchal kinship systems, both civil and religious law, and by strenuously enforced mores and deeply entrenched values and taboos. These definitions are about male fraternity and oppression and exploitation of women.”*⁶⁵

Having failed in the movement’s separation goal of converting sizable numbers of women to adopt lesbianism (to take up the new homosexist cosmology), but emboldened by achieving unprecedented social protections and legal equalities in governance, the movement has reversed its strategy to one of integration – the claim of “sameness” with

⁶² Jonathan Ned Katz, *The Invention of Heterosexuality*, p.185.

⁶³ Ibid.

⁶⁴ Marcia Cohen, *The Sisterhood* (New York: Fawcett Columbine, 1988), pp.250 and 251.

⁶⁵ Marilyn Frye, “Wilful Virgin, or Do You Have to be a Lesbian to be a feminist?” in *Wilful Virgin: Essays in Feminism, 1976-1992* (Freedom, California: Crossing Press, 1992), p.132.

emphasis on the similarities of homosexual and heterosexual social space. Now that access to the long disparaged institution of marriage is the goal, the movement acknowledges no incongruity, no little embarrassment over the colossal change in strategy. Ironically, regardless of whether for separation or inclusion, the tactics of the struggle have not changed. Now homosexists disparage traditional marriage and family to show how close heterosexual “reality” is to homosexual culture. The focus remains on what is wrong with heterosexual society – divorce, adultery, abuse, promiscuity.

Feminism aside, the psychological realities of male homosexuality work against so-called “mature” or “serious” long-term relationships. This is not to refute the fact that some two percent of gays experience sustained lengthy partnerships; however, many activists and researchers live in denial of the fact that 98 per cent of homosexuals are to some degree or another, promiscuous “cruisers.” Over a considerable period the scientific community has built up a strong case to contend that same-sex “sexual” relations are intrinsically unlikely to bring lasting monogamy. After conducting a nine year study of male homosexuality, using 77 medical psychoanalysts to interview 106 gay men and 100 heterosexual men, Dr. Irving Bieber gave the following renowned conclusion: *“We have come to the conclusion that a constructive, supportive, warmly-related father precludes the possibility of a homosexual son....”*⁶⁶ According to author A. Karlen, the result of Bieber’s work *“was the most authoritative study of its kind.”*⁶⁷ Substantiating Dr. Bieber’s earlier overall finding, Oxford psychologist Dr. Elizabeth Moberly, writes: *“the homosexual – whether man or woman – has suffered from some deficit in the relationship with the parent of the same-sex...”*⁶⁸ Psychiatrist C. Socarides, after many years of study and practice treating male homosexuals, concludes: *“Homosexuals consistently describe their fathers as a weak, shadowy and distant figure, or an angry, cold or brutalizing one.”*⁶⁹

According to the same-sex modeling deficit theory, each human being learns what it means to be a man or a woman from the adults in his or her childhood family. The same-sex parent provides a lasting model of what he is to be, and the other parent an object for his first important relationship with a person of the opposite sex. These are powerful teachings if they occur. The deficit child; however, has never felt close to the same-sex parent or both. Consequently he reaches puberty with no clear sense of his own sexual identity or how to relate in a healthy manner to those of the opposite sex. Dr. Moberly lists other family conditions which may cause gender identity difficulty: the illness or death of parent; the birth of a sibling; the prolonged absence of a parent; a separation or divorce; and constantly changing “parental” figures.⁷⁰ While the experiences, listed by Dr. Moberly, do not always result in homosexual feelings, they can, in a sensitive child, cause a hurt which leads to such problems. To develop in a healthy way, a child needs love from its parents (or a consistent parent substitute) of the same-sex. She writes: *“Needs for love from, dependency on, and identification with, the parent of the same-sex are met through the*

⁶⁶ I. Bieber et al., *Homosexuality: A Psychoanalytic Study* (New York: Basic Books, 1962), p. 303

⁶⁷ A. Karlen, *Sexuality and Homosexuality: A New View* (New York: Norton, 1971), p.573.

⁶⁸ E. Moberly, *Homosexuality: A New Christian Ethic* (Greenwood, South Carolina: Attic Press, 1983), p.2.

⁶⁹ C. Socarides, “Homosexuality is not just an alternative lifestyle,” in *Male and Female: Christian Approaches to Sexuality*, R.T. Barnhouse, U.T. Holmes, eds., (New York: Seabury Press, 1976), p.145.

⁷⁰ E. Moberly, *Psychogenesis: The Early Development of Gender Identity* (London: Routledge and Keegan Paul Ltd, 1983), p.78.

child's attachment to the parent. If, however, the attachment is disrupted, the needs that are normally met through the medium of such an attachment remain unmet."⁷¹ If these needs go unmet over a period of time, the child develops mixed and contradictory feelings towards its same-sex parent and tries, through a process of detachment, to survive without the love he or she deeply needs. The emotionally hurt youngster says of the same-sex parent, "I don't want to be like you." These feelings are transferred to all members of the same-sex so that the person experiences, at the same time, a deep desire for intimacy with persons of the same-sex and a strong desire to flee such intimacy. When puberty comes, these feelings get confused with erotic intimacy and a homosexual struggle begins.

Homosexual behavior in this analysis is a mistaken attempt to meet a real need for non-sexual, same-sex, parent-child love. This need has been falsely understood as sexual, but homosexual behavior actually lessens the possibility of getting the real need met, because it involves guilt, deepens feelings of inferiority, and increases the ambivalence experienced in same-sex relating. Dr. Earl D. Wilson explains: *The anonymous sex which many homosexuals experience seems only to strengthen the reparative urge and leave the person more desperate.*"⁷² All this reduces a person's ability to have those healthy relationships with members of the same-sex, which are vital to coming to freedom from homosexuality. Dr. Moberly concludes: *"The solution of same-sex deficits is to be sought through the medium of...non-sexual relationships with members of the same-sex."*⁷³ And the outcome of seeking the solution through sexual intimacy is multipartnerism.

Jim Geary, director of the Shani Project of the Pride Center, San Francisco, offers additional reasons to doubt that access to marriage will bring significant increases in homosexual monogamy. Geary discovered that the stereotypical promiscuous gay male draws his sexual compulsion, not from social stigma, but from unmitigated male-to-male high risk sexual psychology. He explains: *"We work a lot with the issue of sexuality and the changes that our clients need to make. That is a hot topic. It divides itself into to key issues: compulsive sexuality and safe sex...you need a constant series of sexual adventures, each one upping the ante of the others, in order to nourish your sense of self. What happens when that need slams up against your instinct for survival? After years indulging in sex for sex's sake, it's hard to break the habit. The brain's pleasure centers are used to being stimulated; like rabid hyenas, they howl and gnash their synaptical teeth when they are not fed. But pleasure can become a taskmaster; it can be as ruthless as guilt. If the purpose of sex is pleasure, you can become obliged to have the most exquisite pleasure possible or feel you have wasted your time. If you add to that the newly revived Elizabethan notion that sex can cause death, that every orgasm brings you closer to the grave, you have a first rate compulsion as exciting as risking your life savings on one roll of the dice. In fact, more exciting. The greater the stakes, the greater the risk. And the greater the risk, the greater the focus of attention. And in sex the closer the attention you pay to the moment, the greater your arousal. At the other extreme, gay men, seeking shelter from the storm of sex abuse and disease, have taken refuge in drugs that block their sex drive. They have tried vitamins and herbs, psychoneuroimmunology counseling, and*

⁷¹ E. Moberly, *Homosexuality: A New Christian Ethic*, p.5.

⁷² E.D. Wilson, *Counseling and Homosexuality* (Waco, Texas: Word Books, 1988), op. cit., p.59.

⁷³ E. Moberly, *Homosexuality: A New Christian Ethic*, p.42.

*stress-reduction seminars. Or they have joined AA-type groups... The goal of the treatment is not to 'cure' the person, but rather to have him keep up his fighting spirit in the face of chronic illness.*⁷⁴

Marriage redefinition opens the monogamous institution to assault by a very hostile 97-98 percent of promiscuous ("liberated") and feminist homosexuals. In conclusion of this section, the dilemma of a "sameness" assertion, symbolized by homosexual marriage, is illustrated by Catherine Wallace, author of *Accounting for Fidelity*. She relates a story involving her young sons: *"Does Daddy use condoms?' I stopped grinding coffee beans and looked across the dark, November-morning kitchen at my eight-year-old son, who had set aside his raisin toast with peanut butter... 'Mark [fifth grade] says - Mark says the teacher says if you don't use condoms then you could both get sick and die. So we want to know. Does he? Every time?'"*

7.6 - The Evolution of Marriage: Bisexual and Polygamous Unions

One of the *Five Guiding Principles* ratified by EGALE in 1997 is: *"Lesbians, gays, and bisexuals should have access to the same range of relationship options as heterosexuals."*⁷⁵ Paula Ettelbrick, Lambda's legal director, says, *"I don't know that any of us are ready to push for more than two people getting married."* However, she fears if only gays and lesbians are given the right to marry, others (transsexuals, bisexuals and group sexuals) who can not marry will become *"outlaws among outlaws."*⁷⁶ Redefinition of marriage opens the right to other orientation groups and will bring more heterosexuals to free sex ethos than homosexuals to virtuosity. According to Maggie Gallagher, author of *Abolition of Marriage*, *"Over the past thirty years, American family law has been rewritten to dilute both the rights and obligations of marriage, while at the same time placing other relationships, from adulterous liaisons to homosexual partnerships, on a legal par with marriage in some respects. To put it another way, by expanding the definition of marriage to the point of meaninglessness, courts are gradually redefining marriage out of existence."*⁷⁷ Sayd Mumtaz Ali, president of the Canadian Society of Muslims said in the *National Post*, *"...if it is legalized in Canada, polygamists would also be within their rights to challenge for their choice of family life to be legalized... Once you change the definition of marriage from one man and one woman, and you move to two persons, what then is the distinction between two persons or three or more persons?"*

When the Liberals say they'll defend religious freedom and that polygamy will remain illegal it's important to remember just how emphatic they were that they would protect traditional marriage six years ago. Then Minister of Justice Anne McLellan said before the House in 1999: *"We on this side agree that the institution of marriage is a central and important institution in the lives of many Canadians. It plays an important part in all societies*

⁷⁴ David Black, *The Plague Years: A Chronicle of AIDS the Epidemic of OUR Times* (New York: Simon and Shuster, 1985), p.159.

⁷⁵ "Motion For Leave to Intervene," by EGALE Canada Inc., Court File No. 29866, November 2003, p.6.

⁷⁶ Frank Browning, *The Culture of Desire* (New York: Crown Publishers, 1993), p.153.

⁷⁷ Maggie Gallagher, *The Abolition of Marriage: How We Destroy Lasting Love* (Washington D.C.: Regenery, 1996), p.31.

worldwide, second only to the fundamental importance of family to all of us...The institution of marriage is of great importance to large numbers of Canadians, and the definition of marriage as found in the hon. member's motion is clear in law...As stated in the motion, the definition of marriage is already clear in law...Let me state again for the record that the government has no intention of changing the definition of marriage or of legislating same sex marriages. No jurisdiction worldwide defines a legal marriage as existing between same sex partners."⁷⁸

7.7 - A State That Stands for Nothing Tolerates Everything

As mentioned before, "tolerance" has its origin in the Latin "tolerare," meaning "to endure." The machinist works within *tolerance* of error from design and the doctor speaks of a patient's *tolerance* to poison. The state associates *tolerance* with rights given or patience shown to opinions and practices that may be regarded as less than exemplary or in minority. For example, we have a law that sets the legal limit differentiating "drunk" driving, which is legally and morally wrong, from "sober" driving, defined as ethically and legally right. The legislation regulates the tolerable limit of intoxication while driving. This is the societal notion of tolerance working at its best. Society can debate and change the exact legal limit to suit realities, but the model is that one should not be intoxicated while driving; yet, the reality is many do. At no time with enforced limits near .08 or less would it be accurate to claim Canadian society is indifferent to the social phenomenon of drinking and driving. If however, the legal limit was raised to 1.8, or some incredibly tolerant level, the societal reality would be characterized as indifference to drunk driving. For the ethical virtues of tolerance to be in effect, there needs to be an ideal standard (model) and an object(s) of toleration. In contrast, "indifference" implies there is no model and purports that everything is tolerable.

The dilemma of the current phase of liberalized governance in the area of homosexual rights, symbolized by marriage redefinition, is that the policy of same-sex marriage is an attempt to remove the "model" and elevate the longstanding "object" of toleration to one of "sameness." Homosexual marriage is not a demonstration of the traditional Canadian notion of tolerance; it is a blatant manifestation of chronic liberal indifference. E.L. Pattulo highlights the dilemma of such indifference towards homosexuality, when he writes: "*The well-nigh total victory, within the universities and among the chattering classes, of the gay movement...make it extraordinarily difficult to speak what many homosexuals... still believe to be the truth: that the man who is sexually attracted only to those of his own sex suffers from an unfortunate...condition from which he deserves pity...That gays today, full of hubris at the success...can spare no sympathy for 'wavering' children is understandable. Having persuaded themselves that gay and straight are co-equal, it would be quite inconsistent to deplore the fact that some young people will move into the gay life when they might happily live straight. It is astonishing, however, that heterosexuals – few of whom actually believe one orientation is as good as another – contentedly accept changes in society that are likely to have that result.*"⁷⁹ The act of marriage redefinition implies that our society is

⁷⁸ "Polygamy and Religious Freedom,"

www.trudeaupia.blogspot.com/2005_01_01_trudeaupia_archive.html#110700785193728428, 10/20/2005.

⁷⁹ E.L. Pattullo, Letter to Editor, "Letters from Readers," *Commentary*, New York, March 1997.

indifferent to homosexuality. Do Canadians understand that in a homosexualist state the message sent to our children will be that there is no purpose behind gender, genitalia and biological sex; no moral significance to how or with whom you have sex; no special importance to marriage; no special significance to the biological nuclear family; no particular worth placed on natural birth; no complementary importance attached to motherhood or fatherhood, to mention only a few of the consequences of the collapse of heterosexism?

Same-sex marriage moves the state from a heterosexist era of advocating tolerance of homosexuality to a new epoch of asserting indifference; simultaneously declaring to religious communities that the state has fully established “public” morality standards in favor of the homosexualist worldview. In an exchange between Supreme Court Chief Justice Beverly McLachlin and University of Chicago theologian and philosopher Jean Bethke Elshtain, during the October 2002 Conference “Pluralism, Religion and Public Policy,” the Chief Justice expressed her understanding of the role of law in relation to the role of religion.⁸⁰ She stated that the relationship between law and religion is “a clash of commitments.” She went on to say that there is “...a tension between the rule of law and the claims of religion” and that this tension is “a dialectic of normative commitments.” The authority of each, she stated, “is internally unassailable...” and both law and religion “...lay some claim to the whole human experience.” McLachlin then asked a rhetorical question: “to which system should the subject adhere? How can the rule of law accommodate a worldview and ethos that asserts its own superior authority and unbounded scope?” To which she continued: “[T]here seems to be no way to reconcile this clash; yet those clashes do occur in a society dedicated to protecting religion, and a liberal state must find some way of reconciling these competing commitments...”

There does not have to be “...a tension between the rule of law and the claims of religion,” after all, was Canada not “founded upon principles that recognize the supremacy of God”? Does this Preamble declaration carry any legal significance? Canada was not always a so-called “liberal state.” How did religion and law get along before liberalization? If there is a “tension” it is between the worldviews upon which the judicial system chooses to interpret the laws. Since the 1960s the justice system and “liberal” state governance has moved Canada towards a secular humanist, homosexualist paradigm. The past forty year struggle over the worldview of the state has been characterized as the “morality wars” over who has the right to decide what is right and what is wrong. Obviously, same-sex marriage must be seen as a huge strategic victory for the secular humanist worldview. However, there is a certain trap of falsity in the notion that making something legal makes it right. Religion predates the Charter of Rights and Freedoms and focuses on addressing “morality issues” of right and wrong. The judicial system, in comparison, addresses “legal issues” of right and wrong based on the interpretations of justices. Here lies the true source of the “tension” in these “dialectic normative commitments.” The judicial-religious friction witnessed these past four decades is rooted in the state’s attempt to: (1) separate church (religion) and state; (2) take over the role of religion in establishing social morality; and (3)

⁸⁰ Iain T. Benson, “The Idolatry of Law: When Law is Seen as ‘Like Religion,’” *Centre Points* 12, Winter 2004/2005, www.culturalrenewal.ca/news/newsletterver2a.pdf, 10/21/05.

convert Canada from its theistic constitutional foundation to a secular humanist “democracy.”

Abortion, for example, may be legal, but the law does not make it morally right. Woe to the government that declares itself indifferent to the numbers of abortions happening in Canada. Shame on a government that claims killing a baby in its womb is legal but once it is born this is murder. Becoming a single (unwed) mother at age fifty through “legal” access to in vitro fertility technologies may be lawful, but this does not make it morally right. Two gay men may legally hire a surrogate womb and legally use in vitro technology to have a child, but this does not make it right. Woe to the state that is indifferent to the numbers of single unwed mothers (of any age) in society. Woe to a state indifferent to baby production. Sodomy may have been decriminalized, but the legislation does not make the act morally right. Woe to the state that is indifferent to the numbers of citizens engaging in anal intercourse. Moreover, the technology to make anal sex safe or pharmaceuticals to overcome the ecological hazards does not change the morality of the matter.

A potent example, using the issue of sodomy, will illustrate the role and value of religion in society and the corresponding need for the state to recognize its judicial limitations; and thereby partner with the churches rather than fighting to limit or undermine their roles. During the AIDS crisis of the early 80s straight politicians were caught in this “trap of falsity.” New York’s Mario Cuomo knew if he did nothing, he’d be attacked and if he did something, he’d be attacked. It had become heresy to suggest that moral questions should be publicly confronted. In his book *The Plague Years: A Chronicle of Aids The Epidemic of Our Times*, David Black writes: *“But why shouldn’t a society confront questions of morality? The danger comes not from the debate but from the belief that moral questions are legislatable. In fact, the courts, simply by addressing a moral issue, undermine morality...Even if the law [closing bathhouses] did have an effect - especially if it had an effect - it removed from the individual the burden of behaving morally. The question becomes not what is right? But what can I get away with? As morality changed from a spiritual to a legal issue, it lost its private hold over people. Courts replaced conscience.”*⁸¹ The Courts can be indifferent to abortion, indifferent to sodomy, indifferent to marriage; but their indifference does not make it right - just legal. Where then will the role of religion fit in this new homosexual epoch? One is reminded that the last time a society held a homosexual worldview, its Christian citizens had to resort to meeting in catacombs to freely express their beliefs.

7.8 - Bill C-250: “Repent” Whispered the Pastor from His Jail Cell

In reality, homosexual liberation history is a record of ideological war. Founder and first president of National Organization for Women (NOW) and author of *The Feminine Mystique*, Betty Friedan, declared in 1971, *“We cannot permit the image of women to be developed by the homosexual.”*⁸² She was soon ousted from NOW in a lesbian coup. The subsequent president, lesbian feminist Kate Millett, wrote, *“There is one more cardinal point in Engels’ theory of sexual revolution, bound to provoke more controversy than all others: ‘with the transformation of the means of production into collective property, the*

⁸¹ Black, *The Plague Years*, p.182.

⁸² Marcia Cohen, *The Sisterhood* (New York: Fawcett Columbine, 1988),p.250.

*monogamous family will cease to be the economic unit of society. The care and education of children becomes a public matter.'...There is something logical and even inevitable in this recommendation, for so long as every female, simply by virtue of her anatomy, is obliged, even forced, to be the sole or primary caretaker of childhood, she is prevented from being a free being. The care of children, even from the period when their cognitive powers first emerge, is infinitely better left to the best trained practitioners of both sexes...rather than to harried and all too frequently unhappy persons with little time nor taste for the work of educating minds, however young or beloved. The radical outcome of Engels' analysis is that the family, as that term is presently understood, must go.*⁸³ Sally Gearhart in *The Miracle of Lesbianism*, writes: *"Ultimately the church as we know it cannot be reformed; it must die. So must the Trinitarian theology on which it is based."* Redefinition of marriage is the latest means to "legislate" pro-homosexual and feminist social transformation, and Bill C-250 is the latest evidence that the homosexual and heterosexual social spaces remain at odds. In responding to the Government's questions in reference to the constitutionality and legalities of same-sex marriage the Supreme Court dismissed the allegation of a *"collision of rights."* In what can only be described as a biased act of nearsightedness, the Court said: *"The Proposed Act has not been passed, much less implemented. Therefore, the alleged collision of rights is purely abstract...Charter decisions should not and must not be made in a factual vacuum."*

There is no "factual vacuum." Catholic School Boards have already been ordered to allow homosexual dating at school proms. Homosexual culture is already privileged over religious orthodoxy in public school curricula; through gay-affirming programs (see 1.1 - Author's Inspiration for Researching and Writing on this Subject for an example). Tony Gosgnach writes: *"Mayors in Hamilton and London, Ont. have been found guilty and penalized by human rights commissions after they refused to proclaim 'gay pride days' in their cities."*⁸⁴ London Mayor, Dianne Haskett, did not respond when requested to proclaim a "gay pride" weekend. "Homophiles," the pro-homosexual group who made the request, complained. Haskett was ordered by an Ontario board of inquiry to make the proclamation, despite her religious convictions, and pay \$5,000 in damages to Homophiles. Haskett refused to obey the order, and the incident became a central issue in the subsequent mayoral election. She was overwhelmingly re-elected. In her victory speech, the mayor said, *"I only sought to maintain my constitutional right as a Canadian to freedom of expression...And no Human Rights Commission, acting outside the law, can take that right away from us."*⁸⁵ Journalist Julie Foster notes that critics share Haskett's disapproval of human rights commissions and see commissioner MacNaughton's actions as overreaching her mandate, much the same as some Americans' complain of "judicial activism."⁸⁶

The Scott Brockie case is a superb example of the zero-sum dynamic of homosexuality and heterosexism in the public realm. Brockie owns a printing company called Imaging

⁸³ Kate Millett, *Sexual Politics* (New York: Simon & Schuster, 1990), pp.126 and 127.

⁸⁴ Tony Gosgnach, "Religious freedom on trial," the *Interim*, September 2001, p.3, www.theinterim.com/2001/sept/01religiousfree.html, 10/26/05.

⁸⁵ Julie Foster, "Testing the Faith, Bible on Trial: Rebellion brewing against Canada's pro-'gay' ruling," *WorldNetDaily*, www.worldnetdaily.com/news/article.asp?ARTICLE_ID=17397, 10/26/05.

⁸⁶ *Ibid.*

Excellence. In 1996 Brockie refused to provide printing services to The Canadian Lesbian and Gay Archives (Archives) on the basis that the cause of homosexuality was offensive to his religious beliefs. Ray Brillinger, President of Archives, filed a human rights complaint under the Ontario Human Rights Code alleging that Scott Brockie discriminated against him on the basis of his sexual orientation. Interveners for Brillinger wrote: *"The appellants [Brockie] seek to create wide exceptions to the general protections afforded by the Code on the basis that their impugned activities are an exercise of Charter rights and freedoms and should be afforded protection by the law. In essence, the appellants seek to shelter what would otherwise be characterized as discriminatory actions under the protection of the Charter."*⁸⁷ Mr. Brockie explained his actions: *"We do work for clients who are gay. We've had staff who said they were gay. I don't have a problem with people who are gay. I can't force them to change. However, I don't think I have to support that cause. If Mr. Brillinger had asked me to print personal business cards, I would have. We must promote the family, but we must not hate those who are gay."*⁸⁸ The Archives stated purpose is to *"promote [lesbian's and gay men's] acceptance in society" by "providing public access to information, records and artifacts, by and about lesbians and gay men in Canada"*⁸⁹ – i.e. to promote the homosexualist worldview. The Archives operates like a registered charity. Donations can be used as a tax shelter. David Laprise, financial analyst at RBC Dominion Securities writes: *"...government tax legislation has created tax incentives to aid charitable organizations like The Canadian Lesbian and Gay Archives in their fund raising."*⁹⁰

The Board of Inquiry appointed under the Ontario Human Rights Code found Brockie guilty of discrimination and fined him. Ms. H.M. McNaughton declared that while the order violates Brockie's freedom of religion, the violation is nevertheless justified. In her February, 2000 decision, she wrote: *"Having considered all of the evidence before me, and in balancing the competing rights, I have concluded that it is reasonable to limit Brockie's freedom of religion in order to prevent the very real harm to members of the lesbian and gay community, and their organizations, by the denial of services because of their sexual orientation. The infringement of the rights of Brockie is warranted in our Canadian society, which has seen fit, through the terms and provisions of the Code, and through the identification of sexual orientation as an analogous ground of protection under the Charter, to protect the rights of its lesbian and gay members from discrimination because of sexual orientation. I conclude that in order to eradicate discrimination by Brockie, I must compel him, and Imaging Excellence, to provide the service they earlier denied. A declaratory order*

⁸⁷ Equality Coalition, FACTUM, Court File No. 179/2000, www.ccdonline.ca/law-reform/Intervention/brockiefactum.htm, 11/02/05.

⁸⁸ Canadian Association for Free Expression, "Scott Brockie -- Christian Victim of Militant Homosexual Lobby & Their Human Rights Commission Allies," p.1, 10/26/05, www.canadianfreespeech.com/updates/brockie/scott_brockie_under_attack.html.

⁸⁹ Lex View, Centre for Cultural Renewal, "The Diminution of Freedom of Religion," No. 38, 24 February 2000, www.culturalrenewal.ca/lex/lex-38.htm, 10/26/05. Researched and written by Iain T. Benson and Brad Miller, lawyers in B.C. Copyright © 2000 Iain Benson and Brad Miller. Reprinted with permission. "Lex View" is a publication of the Centre for Cultural Renewal.

⁹⁰ David Laprise, "Donate As a Tax Shelter!" www.clga.ca/About/LGArchivist/v17.htm#tax, 11/03/05.

*and/or monetary compensation will not achieve this objective.*⁹¹ Tony Gosgnach writes: *"Perhaps most disturbingly for Christians, the human rights commission said Brockie's rights as a Christian were subordinate to those of homosexuals not to be discriminated against. It also said he must restrict the practice of Christianity to his home and church, and not take it with him into the public marketplace."*⁹²

McNaughton said that there are reasonable limits to Brockie's right to practice his religious beliefs - which include the idea that homosexuality is detestable. He may practice them in his home or within his Christian community, but, left unchecked, actions such as Brockie's will lead to what McNaughton described as: *"...the spiral of silence where lesbians and gays modify their behaviour to avoid the impact of prejudice. What (Brockie) is not free to do, when he enters the public marketplace and offers services to the public in Ontario, is to practice his beliefs in a manner that discriminates against lesbians and gays by denying them a service that is available to everybody else."*⁹³ Gosgnach warns: *"Arbitrary rule by a judge is no better than any other arbitrary rule by a dictator. I'm afraid most Canadians aren't going to wake up until it's too late."*⁹⁴ Rory Leishman, national affairs columnist for the London Free Press accuses Canadians of complacency: *"They don't really care. They think they're safe from the arbitrary rule of judicial activists...They have adjusted their thinking to the heresy of court-defined human rights that fly in the face of more than 2,000 years of Judeo-Christian teaching..."*⁹⁵ On the day of the Ontario Human Rights Tribunal decision, Radio Station CFRB took a readers' opinion poll and found that 88 per cent supported Scott Brockie.⁹⁶ The Canadian Civil Liberties Association (CCLA), an intervener of behalf of Brockie, believes businesses do not have the right to discriminate against a person on the basis of sexual orientation, but sided with Brockie because the Archives represents a particular cause. CCLA General counsel, Alan Borovoy, said, *"People should be able to refuse to assist causes they don't agree with."*⁹⁷

The interveners with Brillinger formed the Equality Coalition (led by Equality for Gay and Lesbians Everywhere - EGALE Canada Inc.) and included: the Canadian AIDS Society, the Canadian Association of Elizabeth Fry Societies, the Canadian Ethnocultural Council, the Coalition for Lesbian and Gay Rights in Ontario, the Council of Canadians with Disabilities, Metropolitan Community Church of Toronto, the Minority Advocacy and Rights Council, the National Association of Women and the Law, the Toronto Chinese and Southeast Asian Legal Clinic, and the 2-Spirited People of the First Nations.⁹⁸ The fragility of the homosexist worldview and its dependence on totalitarian enforcement of the ideology is illustrated by the coalition's contention of the collapse of the human rights system if a right of conscientious objection is recognized. The interveners for Brockie, the Canadian

⁹¹ Canadian Association for Free Expression, p.2

⁹² Gosgnash, p.1.

⁹³ CLGA Celebrates Human Rights Decision!: Company ordered to provide printing services to gays and lesbians, www.clga.ca/About/News/20000303ohrc.htm, 11/03/05.

⁹⁴ Gosgnash, p.3

⁹⁵ Ibid.

⁹⁶ Canadian Association for Free Expression, p. 3.

⁹⁷ Art Moore, "Law of the Land, Freedom of conscience debated in Ontario," *WorldNetDaily*, 17 December 2001, www.worldnetdaily.com/news/article.asp?ARTICLE_ID=25673, 11/04/05.

⁹⁸ Equality Coalition, p.2.

Religious Freedom Alliance and the CCLA aptly pointed out that recognition of rights of conscience and religion has not, as yet, brought commerce and human rights to the point of collapse. What is threatened by freedom of conscience is the credibility of homosexuality.

Iain T. Benson and Brad Miller of *Lex View* (a project by the Centre for Cultural Renewal) comment: *“At the core of the adjudicator’s decision is the judgment that the harm caused by ordering Brockie to act contrary to his religious convictions is less significant than the harm caused by Brockie’s refusal to accept the Archives’ business. This is a moral (or if you prefer, evaluative) judgment, and needs to be established by sound moral argument. However, as is often the case in Charter adjudication, the judgment is framed in a technical and almost mechanical terminology of ‘weighing and balancing’ benefits and detriments, ‘minimally impairing’ rights, etc. It is a terminology which suggests a quantitative and value-free analysis and tends to obscure the controversial and necessarily moral nature of the judgment which the adjudicator is required to make. The adjudicator claims to be deferring to the moral standards of ‘Canadian society’ and to ‘publicly-arrived-at community standards.’ Her description of the infringement of Brockie’s religious freedom as ‘warranted in our Canadian society,’ suggests that she is straightforwardly and uncontroversially applying moral norms handed to her by Canadian society through Canadian law. This cannot have been the case.”*⁹⁹ Benson and Miller go on to argue: *“A most troubling aspect of this case is the unwarranted stripping of freedom of religion down to a bare right to private beliefs and actions. In a biased manner it diminishes the role of “religious faith” in the public realm, thereby implicitly elevating other faith claims [homosexism]...The subordination of Brockie’s religious views and the utilization of state-imposed sanctions to force him to act in a manner fundamentally opposed to his convictions should concern all citizens. The respect owed to lesbians and gay men as persons can be achieved without overriding the legitimate exercise of the religious beliefs of those who do not agree with the morality of homosexual acts. A more equitable sharing of the public realm, and a better accommodation of opposing views, is in order.”*¹⁰⁰

In the aftermath to same-sex marriage, orthodox Canadians will only be permitted to voice their religious convictions when cloistered at home or in church. In public (schools, media, courts and government institutions) the state message will be: “the values of your parents and your religion are wrong.” Before the last election, Canadian Revenue Agency (CRA) met with religious officials to warn them that they jeopardize their charitable tax status by addressing “moral” issues such as same-sex marriage during the course of the campaign. No such threat was made to The Gay and Lesbian Archives, The United Church of Canada or EGALE. Lesbians Deborah Chymyshyn and Tracey Smith have filed a discrimination case before the BC Human Rights Tribunal against the Knights of Columbus for canceling the couple’s wedding reception booking. The Catholic men’s group declined the use of their facilities once they realized the planned reception was part of a same-sex marriage celebration. In Sweden, often viewed as a pioneer for secular liberalism, a pastor was given one month in prison for preaching against homosexuality from the pulpit.

7.9 - Civil Unions and Registered Partnerships are the Norm

⁹⁹ *Lex View*.

¹⁰⁰ *Ibid*.

Belgium, the Netherlands and Spain have also opted for same-sex marriage. These states decriminalized homosexuality in 1792, 1811 and 1822 respectively and including Canada, represent only 4 of 260 countries. France, the first European nation to decriminalize homosexuality (1791), rejected marriage redefinition and instituted the idea of *Pacte Civil de Solidarité (PACS)* as a legal category for homosexual unions. In 2004, the United Kingdom enacted *Civil Partnerships*. This act allows homosexual couples access to next of kin rights, social security and pension benefits, and inheritance tax concessions. Other countries have *Registered Partnerships*, *Domestic Partnerships* or *Civil Unions*. In the United States the idea of same-sex marriage has met stiff opposition. A 1993 Hawaii Supreme Court decision in favor of same-sex marriage set in motion a huge backlash. The Hawaii Legislature in 1994 amended the state's marriage law to exclusively one man and one woman. And in November 1998, Hawaii citizens voted to give the state legislature the mandate to decide the issue. In 1999, the Hawaii Supreme Court reversed its earlier decision and ruled the 1998 amendment, ratified by the voters, made the plaintiff's argument for access to marriage moot. In 1996, Congress enacted the Defense of Marriage Act (DOMA), which bars federal recognition of same-sex marriage and allows the states to do the same. Thirty-six states have enacted legislation prohibiting same-sex marriage or the recognition of a same-sex marriage performed elsewhere. Vermont enacted *Civil Unions* to preserve marriage as heterosexual and created a parallel same-sex system. The *reality* is that marriage redefinition is unpopular and that there are alternatives which meet Charter principles of tolerance, respect and equality, without a notwithstanding clause, and address concerns for the welfare of the heterosexual family.

7.10 - "No" is a Boundary-Setting Word

The history of homosexual liberation is a chronology of ideological warfare against heterosexism. However, the *reality* remains that 97 per cent of the population is heterosexual. When EGALE contends that "*formal equality*" is not good enough for recognition of homosexual union rights, the gay, lesbian, bisexual and transgender legal advocacy group (and now Prime Minister Martin) is really demanding the state ignore the 3 to 97 per cent disproportional *spaces*, be indifferent to a host of distinctions, ignore constitutionally sound recognition alternatives, and declare homosexuality and heterosexuality the same. This zero-sum dynamic appears to carry an intrinsic "load" of cognitive dissonance, which either the minority homosexual group must bear in a heterosexual state or which the heterosexual group must endure in a homosexual state. A progressive and democratically principled nation can balance societal values like tolerance, respect and equality without sliding into a valueless state characterized by chronic liberal "inclusivity" and "indifference." Redefinition of marriage seeks to legislate society into making no differentiation between homosexuality and heterosexuality. This demand is a political claim disguised as a human rights argument and should be met with a firm "No!" Saying "Yes" to same-sex union will not bring an end to the warfare, but will initiate a new round of adverse ramifications for heterosexuals. Marriage and family are logically about procreation. Homosexuality is naturally inert. If heterosexual marriages and families are to survive over the long haul, steps must be taken to protect both institutions from pro-homosexual deconstruction. Same-sex marriage crystallizes the Charter of Rights and

Freedoms as an instrument of tyranny, in the hands of a secular humanist homosexualist *Court Party*, for thwarting the democratic will of the majority of Canadians. Only the notwithstanding clause can rescue democracy from “jurocracy.” In concluding this *reality* check, one should reflect on how 0.9 to 3 per cent of the population might imagine their politics could succeed against the opposed political interests of the overwhelming majority. Anarchist, free love advocate and homosexual liberationist, Emma Goldman, reveals the ideology behind such thinking in her turn-of-the-century essay *Minorities Versus Majorities*. Declared at the time the most dangerous woman in the world by her critics, Goldman writes: “*The majority can not reason, it has no judgment. Lacking utterly in originality and moral courage, the majority has always placed its destiny in the hands of others.*” In her wildest dreams Goldman would not have imagined a Supreme Court might one day agree with her notion of anarchist “elitism;” however, in their own words, Ontario Chief Justice Roy McMurtry says the court’s role is to “*forge a new social consensus,*”¹⁰¹ and Justice of the Supreme Court, Rosalie Abella, says they are pushing “*the juggernaut of rights.*”¹⁰²

Actually, it is all right to be in the majority and to show moral courage by voicing your view on marriage redefinition. As stated before, in 1999, the Hawaii Supreme Court reversed its earlier decision and ruled the 1998 amendment that “marriage is the union of one man and one woman to the exclusion of all others,” ratified by the voters, made the argument for access to marriage moot. Say “No” to marriage redefinition in this next federal election, by voting only for candidates campaigning against same-sex marriage. This action is an authentic demonstration of “tolerance.” Burying your thoughts on the issue or wishfully thinking the confrontation will end or miraculously go away only proves Goldman’s dictum and breaks faith with Canadians of the past, by heralding in a new epoch of “indifference,” not “tolerance.”

¹⁰¹ Iain T. Benson, “The Idolatry of Law: When Law is Seen as “like Religion,” *Centre Points* 12, Winter 2004/2005, www.culturalrenewal.ca, 10/16/05.

¹⁰² *Ibid.*