

Born to Win

In Defense of Marriage

by Ronald L. Dart

Maggie Gallagher is a columnist for *The Washington Times*, and she told recently of a conversation she had with a young man—a college student—when they were sitting near each other on an airplane. And he asked her, “Why are you against [same-sex marriage]?” So, Mrs. Gallagher answered him. She said:

Marriage is the place where we not only tolerate people having babies and raising children, we positively welcome and encourage it. Same-sex marriage will be a public and legal declaration that the state of Massachusetts believes that children do not need mothers and fathers. Alternative family forms are not only just as good, they are just the same as a husband and wife raising kids together.

Maggie Gallagher - The Message of Same-Sex Marriage

So she then asked the young man, “Don’t you think that ideally, kids need a mom and a dad?” His answer? “Not really, I don’t think so.” Then Maggie Gallagher, as she said, pulled out her “big gun”. She said “What about you? Do you think you would matter to your kids?” The young man was taken aback by the question; it was obvious he really hadn’t thought about it from that angle. But after a moment, he thought and he said, “No, not really.”

And that’s a measure, I think, of how far we have come. A man can think it over and answer with a straight face—sincerely—that he doesn’t think he would *matter* to his kids. Now, that is almost impossible for me to understand; because I grew up with a father in the home, and to suggest that my father wouldn’t have mattered—that he didn’t make a difference in my life—is just a little bit more than I can get my mind around. And the idea of not having mother *and* father in my life...I just can’t handle it.

According to Maggie Gallagher, “same-sex marriage amounts to a vast social experiment on children.” And, you know, it made me wonder if the people who say they believe in evolution *really* believe in it. My reasons for defending marriage are based on the Bible, but I would think that evolution should warn against experimenting with an institution that, from their point of view, is a result of *thousands of years* of social evolution. Mankind has come *all this way* to get his social institution straightened out, and now we’ve decided we’re going to experiment with it. And there are people who will move heaven and earth to save an endangered species (a minnow when they’re going to build a dam), and they won’t cross the street to save the institution of marriage or the traditional idea of family. I’m sorry, I just don’t get it.

Arnold Beichman, writing in the same issue of *The Washington Times*, quoted Lord Patrick Devlin, a prominent British jurist and statesman, who wrote a book entitled *The Enforcement of Morals* in 1965. Devlin asked three pivotal questions:

(1) Has society the right to judge matters of morality — in other words, to legislate moral behavior? Or are morals always a matter for private judgment?

Arnold Beichman - Deviled by Lord Devlin

Now, that's an important question. Do we have the right to judge matters of morality? But the problem is, where in the world do you draw the line on what is moral and what is not moral? Is murder immoral? We can legislate against murder.

(2) If society has the right to legislate moral behavior, has it also the right to use the coercion of law to enforce it?

(3) If yes, should it use the weapon of law in all cases or in some cases, and in accordance with what principles should it employ the weapon of law?

Arnold Beichman - Deviled by Lord Devlin

Beichman himself added a fourth. He says:

(4) What should be the relationship between morality and secular law?

Arnold Beichman - Deviled by Lord Devlin

Now, here's the way Lord Devlin saw it. He said:

If men and women try to create a society in which there is no fundamental agreement about good and evil they will fail; if having based it upon a common set of core values, they surrender those values, it will disintegrate. For society is not something that can be kept together physically; it is held by the invisible but fragile bonds of common beliefs and values. [...] A common morality is part of the bondage of a good society, and that bondage is part of the price of society which mankind must pay.

Patrick Lord Devlin - The Enforcement of Morals

Now, I think that was *absolutely profound*. He said "if men and women try to create a society in which there is no fundamental agreement about good and evil they will fail". And that should be apparent to anyone. How in the world, without *some* agreement about what's right and wrong, can you ever have a constitution or a set of laws? But then he says this: "If, having based it upon a common set of core values..." Which is essentially what we did in this country. Because if you go back to the origins of this country, our core values were, in truth, based on the Bible. People say that they were not. They say, "No, no, they were based on English common law." My question then is: Well, where do you think English common law was based? The truth is that the entire moral structure of law of the United States of America, in its origins, was based upon a common set of core values, which were based in the laws of the Bible. We are now in the process of surrendering those values. And Lord Devlin said this (he's not God, but he did have some sensibility of what's coming in the future):

if having based it upon a common set of core values, they surrender those values, it will disintegrate. For society is not something that can be kept together physically;

Patrick Lord Devlin - The Enforcement of Morals

Do you know what he's talking about here? He's saying, essentially, you can't use coercion to hold society together. You just can't do it. It won't hold. It'll come apart. And you know what you get when you try to hold society together with coercion? You get Iraq under Saddam Hussein; that's what you get—a society held together by coercion. Someone wrote a long time ago that the Arab peoples have never in all of their history ever been united for any period of time except under coercion. Well, that's all he could do, he felt at that time. With the various factions of Iraq being the way they were, Saddam Hussein and his minions thought the only way you can handle these people is by hard-nosed coercion and forcing them to do what's right. But look where it went when all was said and done.

We don't want to go that way. And yet, we are beginning to see develop in our own society the seeds of just that kind of coercion. It's not going to go like Iraq. It isn't headed in that direction. I'm not trying to say that. All I'm trying to say is that we are going to begin, in the years ahead of us now, to start losing hold of the strings of our society. And when we do, the only way you can then begin to *hold* it together is physically, and that means by coercion—mild coercion perhaps to start with, but a loss of freedom nevertheless.

He said “A common morality is part of the bondage of a good society and that bondage is a part of the price of society which mankind must pay.” In other words, we have to surrender to a common set of values—core values—based on some idea of right and wrong. That means giving up voluntarily some of our freedoms to the common good. But whenever you start trying to *coerce* people into giving up freedom for the common good, you have crossed a line that is *devastating* to human society.

Lord Devlin's book was “directed at Britain's secular democratic society where the issues at the time were homosexuality and novels like D.H. Lawrence's *Lady Chatterley's Lover*.” But, as Arnold Beichman points out, we face the same questions today. But the issues of public morality are more numerous and complex than ever. They are: “partial-birth abortion, on-line pornography, cloning, AIDS, hate speech, assisted suicide, consecration of homosexual clergy as well as same-sex marriage”. Beichman said:

In many cases, society agrees to a common morality and the weapon of law in that it accepts the validity of laws barring polygamy, adults seducing young boys, marriage of children, a father marrying his son's wife, a woman marrying her stepfather, or consanguinity marriages, say, between brother and sister.

Arnold Beichman - Deviled by Lord Devlin

But the question is soon going to be raised (in fact, it is already being raised today), “*Why?* On what basis does society employ the weapon of law on these issues?” And what are we going to answer? What right does society have to tell me I can only have one wife? What is the basis upon which the weapons of law, the courts, and the prisons can punish me for having two or more? And what is the basis for using the weapons of the law to drag Michael Jackson into court for seducing young boys? Who says it's wrong? Where is the morality? Where is the basis of this? In fact, in our country right now, there is an association of men who are in the business of trying to promote the idea of lowering the legal age of consent for sexual activity. Will they succeed? God only knows the answer to that.

A leading Senate Democrat, Joe Biden, says that same-sex marriage is inevitable. “It's going to be something we have to go through as a part of the maturation process of the nation.” “Maturation”. Is that

what you call it? Well, it's not what I would call it. Now, I agree with the Senator that it's probably inevitable, because the country has been convinced that homosexual behavior is a *legitimate lifestyle choice*. Once we cross that threshold, then same-sex marriage became inevitable. In an effort to head it off, Congress passed the Defense of Marriage Act. Now, when I thought about this for a while I thought: Why didn't they just pass a law forbidding hurricanes from coming within 100 miles of the American coast? You know, that could stop a lot of damage. That could really keep a lot of *bad stuff* from happening. Because, if they really think they can turn back the tide on this issue, why not just *command the weather*? The die on this was cast on this long ago, and there does not appear to be any way to turn it back. But, this is what Congress tried to do. It's called the Defense of Marriage Act. (I thought most people knew what it was, but it turned out that John Edwards, in one of the presidential candidate debates, did *not* know.)

The Defense of Marriage Act does two things. First, it allows all states to define marriage as they will, and frees them from responsibility to recognize marriages in any other state. You do understand that the "Full Faith and Credit" matter of the Constitution, up until now, has been applied in these areas—that if you get married in one state, all the other states have to recognize it. Well, Congress said that's not true anymore. Second, it defines "spouse" as a person of the opposite sex. According to a congressional summary of the act:

The second substantive section of the bill amends the U.S. Code to make explicit what has been understood under federal law for over 200 years; that a marriage is the legal union of a man and a woman as husband and wife, and a spouse is a husband or wife of the opposite sex. The DOMA [*Defense of Marriage Act*] definition of marriage is derived most immediately from a Washington state case from 1974, *Singer v. Hara*, which is included in the 1990 edition of *Black's Law Dictionary*. More than a century ago, the U.S. Supreme Court spoke of the "union for life of one man and one woman in the holy estate of matrimony."

Congress of the United States, House of Representatives - Summary and Analysis, Defense of Marriage Act

But congressmen fully expect the law to be challenged in the courts, and the outcome is by no means certain. Just because the Supreme Court 100 years ago said that marriage is the union for life of one man and one woman in the holy estate of matrimony, does not mean that's what they're going to say tomorrow. And I get the distinct impression that even congressmen who support the law believe the Supreme Court will overturn it. And that does seem to be where we are today.

Now, there's a funny thing about all this: There is not a thing in the world to prevent a gay couple from getting married. They can find a minister easily enough to say the words and take their vows. They can run out of the church, pelted with rice from their friends, and go off on a honeymoon. So what's the big deal? Well, you may say it's not a *legal* marriage.

That's true. They don't have a marriage license from the state. But they can do a marriage contract that spells out everything the state license includes and then some. They can add anything they want to it. They can handle the division of property. If they happen to adopt children, then they can make provision for what's to happen to the children. They can have *all* that stuff in their marriage contract, which can do a better job for them than the marriage license and the state law. More and more companies are giving spousal benefits to gay couples, even though they have no status in law. And some states even have a law for civil unions, which is marriage by another name. But there's a curious thing about that: *That's not enough*. Gay activists want the name "marriage" as well. Civil unions won't hack it. Why? I'm just not sure.

And then there is the Bible to consider. The Bible has rather a lot to say about marriage and about appropriate sexual relationships. The Law of Moses, for example, has a *long list* of prohibited sexual

practices in which, along with bestiality and incest, we find homosexual conduct. Now, don't write me and tell me I'm equating incest with homosexuality. Write to Moses, because he most certainly did include *both* of them in a list of prohibited sexual relationships. The New Testament has even more to say about marriage. Jesus used marriage as an illustration in three or four parables. He made water into wine at the marriage in Cana. Paul had some explicit instructions regarding the marriage state.

Now, being a minister, I've had occasion over the years to give sermons on marriage. And you really get through one—you can't very well speak on marriage—without going to the *one staple* of every sermon on marriage—Paul's admonitions that are found in Ephesians chapter 5, beginning in verse 22. Now, bear with me just a moment, because this is going to explain something very important about marriage. Paul wrote:

Ephesians 5

AKJV

22 Wives, submit yourselves to your own husbands, as to the Lord.

23 For the husband is the head of the wife, even as Christ is the head of the church: and he is the savior of the body.

24 Therefore as the church is subject to Christ, so let the wives be to their own husbands in every thing.

Now, if I were speaking to a congregation of gay married men, this scripture becomes essentially useless. For how do I make one man the head of the other one? How do I compare a man being the head of the wife in a family to Christ as the head of the church? None of that makes any sense at all in a lesbian or homosexual marriage.

Now, many people look at this and object to it. And they say, "Oh boy, that is hard on women. Women are supposed to submit to their husbands in everything?" Well, yes, but that's not all this passage says. It goes on:

Ephesians 5

AKJV

25 Husbands, love your wives, even as Christ also loved the church, and gave himself for it;

26 That he might sanctify and cleanse it with the washing of water by the word,

27 That he might present it to himself a glorious church, not having spot, or wrinkle, or any such thing; but that it should be holy and without blemish.

28 So ought men to love their wives as their own bodies. He that loves his wife loves himself.

29 For no man ever yet hated his own flesh; but nourishes and cherishes it, even as the Lord the church[.]

The comparison between Jesus and the church and marriage—a husband and a wife—is inescapable. It's the very core—the very point—of everything that Paul is talking about here. But notice: this is a two-sided deal, here. No man can ever demand that his wife submit herself *to him* unless he is willing to give himself *for her* as Christ gave himself for the church. What you are reading here is a description of a covenant relationship. And when the covenant is broken by one side, the other side retains no obligations in it. So you can't just demand certain things of the wife when you're not willing to do those things yourself. But, in the context I'm talking about now, that's not exactly the point. The point is: How on earth do I adapt this to a marriage between two men or two women? Paul continued:

Ephesians 5

AKJV

31 For this cause shall a man leave his father and mother, and shall be joined to his wife, and they two shall be one flesh.

³² This is a great mystery: but I speak concerning Christ and the church.

³³ Nevertheless let every one of you in particular so love his wife even as himself; and the wife see that she reverence her husband.

Now, we're talking about a *very distinct* family relationship, based upon male and female, and the relationship of the authority shared between those two people. And for the life of me, I can't think of *any way* to adapt this sermon to a homosexual couple. And you already know this, but let me tell it to you just the same: There is *nothing*—not a word—in the pages of the Bible, to give guidance for couples in a homosexual marriage, because the Bible would never sanction such a marriage. If civil society decides to do it, civil society can, but let's not attempt to lean on the Bible. It just won't support that.

In an article titled *Beyond Gay Marriage*, Stanley Kurtz wrote in *National Review* not long ago:

After gay marriage, what will become of marriage itself? Will same-sex matrimony extend marriage's stabilizing effects to homosexuals? Will gay marriage undermine family life? A lot is riding on the answers to these questions. But the media's reflexive labeling of doubts about gay marriage as homophobia has made it almost impossible to debate the social effects of this reform. Now with the Supreme Court's ringing affirmation of sexual liberty in *Lawrence v. Texas*, that debate is unavoidable.

Stanley Kurtz - Beyond Gay Marriage

The debate is necessary, he's trying to tell us. He's trying to tell us that it's necessary, but that it's almost *impossible* because of the way media reports this thing and because of the insistence that, if you don't agree with it, you're a homophobe. He continued:

Among the likeliest effects of gay marriage is to take us down a slippery slope to legalized polygamy and "polyamory" (group marriage). Marriage will be transformed into a variety of relationship contracts, linking two, three, or more individuals (however weakly and temporarily) in every conceivable combination of male and female. A scare scenario? Hardly. The bottom of this slope is visible from where we stand. Advocacy of legalized polygamy is growing.

Stanley Kurtz - Beyond Gay Marriage

And, in fact...It was fascinating. I had read this little article, and then I was listening this morning and, all of a sudden, major issues are beginning to arise over some of the sects in Utah that practice polygamy (under what really amounts to a "don't ask, don't tell" law in Utah about polygamy). He says:

A network of grass-roots organizations seeking legal recognition for group marriage already exists. The cause of legalized group marriage is championed by a powerful faction of family law specialists. Influential legal bodies in both the United States and Canada have presented radical programs of marital reform. Some of these quasi-governmental proposals go so far as to suggest the abolition of marriage.

Stanley Kurtz - Beyond Gay Marriage

They can't really abolish it, of course. But they can abolish it from the perspective of *the state*, and make it a purely religious function.

The ideas behind this movement have already achieved surprising influence with a prominent American politician. [Whom Stanley Kurtz does not name.] None of this is well known. Both the media and public spokesmen for the gay marriage movement treat the issue as an unproblematic advance for civil rights.

Stanley Kurtz - *Beyond Gay Marriage*

Gay people, they say, should have the same rights as straight people. And, of course, they do. Any gay man can marry a woman if he wants to. He has the same right I do. But the article goes on to point out that there is a slippery slope that finally leads to the abolition of marriage. Too strong? I don't think so. One of these days, when God turns his back on us (or, worse, turns his hand against us) we're going to ask the same question the Israelites asked Jeremiah. They came and said to Jeremiah (you'll find this in Jeremiah 16, verse 10):

Jeremiah 16

AKJV

¹⁰ Why has the LORD pronounced all this great evil against us? or what is our iniquity? or what is our sin that we have committed against the LORD our God?

¹¹ Then shall you say to them, Because your fathers have forsaken me, said the LORD, and have walked after other gods, and have served them, and have worshipped them, and have forsaken me, and have not kept my law;

Well now, you might stop there and say, "Well, wait a minute. That was our fathers; that's not us." But then he continues:

Jeremiah 16

AKJV

¹² And you have done worse than your fathers; for, behold, you walk every one after the imagination of his evil heart, that they may not listen to me:

¹³ Therefore will I cast you out of this land into a land that you know not, neither you nor your fathers; and there shall you serve other gods day and night; where I will not show you favor.

Do you realize this is a *generational* thing? First of all, you have a generation that throws the Law of God out the window. They *break* the Law of God. They no longer consider the Law of God important. And they remove it from public life and as any part of the foundation—the basis—upon which public morality and the weapons of law may be used. And once they have done that, they leave the generation following with *no basis at all* for their morality except their own imagination. "Your fathers broke my law, and you have abandoned it *entirely*. Your standard of right and wrong is the imagination of your evil heart."

And how are we better than they? Isn't it our own imagination that guides us in matters of right and wrong? Isn't it our own imagination that tells us what we're going to do? It isn't even the written words of our Constitution that guide us any longer, it's the imagination of our judges. That's where we've come.

I speak to you in defense of marriage. And I pray you, in God's name: *Protect your family. Protect marriage.*

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