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Bigotry on the Ballot? No, Dishonesty in the Editorial



Thursday, May 3, 2012

Many of the nation's leading newspapers serve as advocacy agents for the normalization of homosexuality and the legalization of same-sex marriage. Leading this charge for some time, *The New York Times* regularly promotes same-sex marriage in its editorials and news coverage. Even so, the paper's latest editorial serves as a display of how the argument for homosexual marriage is often pressed with what can only be described as undisguised intellectual dishonesty.



In "Bigotry on the Ballot," the paper editorialized against Amendment One, the effort to amend the constitution of North Carolina in order to preclude the legal recognition of same-sex marriage. That question will be put before the voters of North Carolina on May 8, and the result will be an important signal of where the nation now stands on the question. No similar effort has yet failed when put before the voters of a state, but polls indicate that the vote in North Carolina may be close.

The editorial begins:

"North Carolina already has a law barring same-sex marriage, but the state's Republican-

controlled Legislature is not satisfied. It devised a measure to enshrine this obvious discrimination in the State Constitution and placed it on the ballot of the state's May 8 primary election — a test of tolerance versus bigotry that ought to be watched closely nationwide.”

The paper has every right to editorialize as it chooses, and an editorial against Amendment One is no surprise to any informed reader of that paper. But look closely at the language used. The effort to limit marriage to the union of a man and a woman is described as “obvious discrimination.”

That is meant to insinuate that the effort is therefore wrong, and even immoral. But that is just not intellectually honest. Discrimination — even “obvious discrimination” — is not necessarily wrong at all. Indeed, any sane society discriminates at virtually every turn, as do individuals. The law is itself an instrument of comprehensive discrimination. We classify some crimes as misdemeanors and others as felonies. We allow some persons to teach in our schools, but not others. We recognize certain persons as citizens, but not others.

Often, we discriminate on moral terms. No sane person would ask a convicted child molester to be a baby sitter. No sane society would elect a known embezzler as state treasurer. These acts of discrimination are necessary and morally right.

The real question is whether discrimination is right or wrong, justified or without justification. Calling any law “obvious discrimination” is not yet an argument. What the editors mean, we can presume, is that the proper line of discrimination should be drawn elsewhere, but this is not what the editorial states. In order to make this argument, the editors would have to summon the courage to define how the law should properly discriminate in defining marriage. No such courage is apparent.

As a matter of fact, when the editors do acknowledge that the law must define marriage in some way, they offer an even more egregious example of intellectual dishonesty.

Consider this sentence:

“Opponents of marriage equality have never been able to show any evidence that any harm is caused to heterosexual marriages by granting all American adults the right to marry as they choose — because there is no such evidence.”

The editors demand “evidence” that heterosexual marriages will be harmed by the legalization of same-sex marriage, but this is an evasion. Legalizing same-sex marriage redefines marriage as an institution, leading to a fundamental redefinition of society. Opponents of same-sex marriage believe that such a redefinition, in itself, is a harm to the entire society.

The larger problem with this sentence from the editors is the argument that the nation should grant “all American adults the right to marry as they choose.”

Really?

I do not believe for a moment that the editors of *The New York Times* mean what they said — at least I hope not. The editorial is aiming for a conclusive argument, but the editors have made an argument I doubt they can own or sustain.

All American adults should have the right to marry as they choose? All? This means the legalization of polygamy and incest. Proponents of same-sex marriage respond to such assertions with anger and vitriol, but they cannot deny that polygamy is a very real issue and that at least some American adults have demanded a right to marry their closest relations.

Jonathan Turley, Shapiro Professor of Public Interest Law at George Washington University Law School, has argued that laws against polygamy are evidence of hypocrisy, and should be repealed.

Stanley Kurtz of *The Weekly Standard* stated the matter plainly:

“Advocacy of legalized polygamy is growing. 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.”

We are living in an age marked by what philosopher John Haldane calls “erotic entitlements.” Those promoting these entitlements now demand marriage as the ultimate recognition and normalization of their relationships.

The New York Times has the right to press the case for same-sex marriage, but it does bear the responsibility to make its arguments with intellectual honesty. Just where would the paper draw the lines of rightful discrimination in marriage law, and for how long will it be willing to hold those lines?

I am always glad to hear from readers. Write me at mail@albertmohler.com. Follow regular updates on Twitter at www.twitter.com/AlbertMohler

“Bigotry on the Ballot,” *The New York Times*, Sunday, April 29, 2012.

<http://www.nytimes.com/2012/04/30/opinion/bigotry-on-the-ballot.html>

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