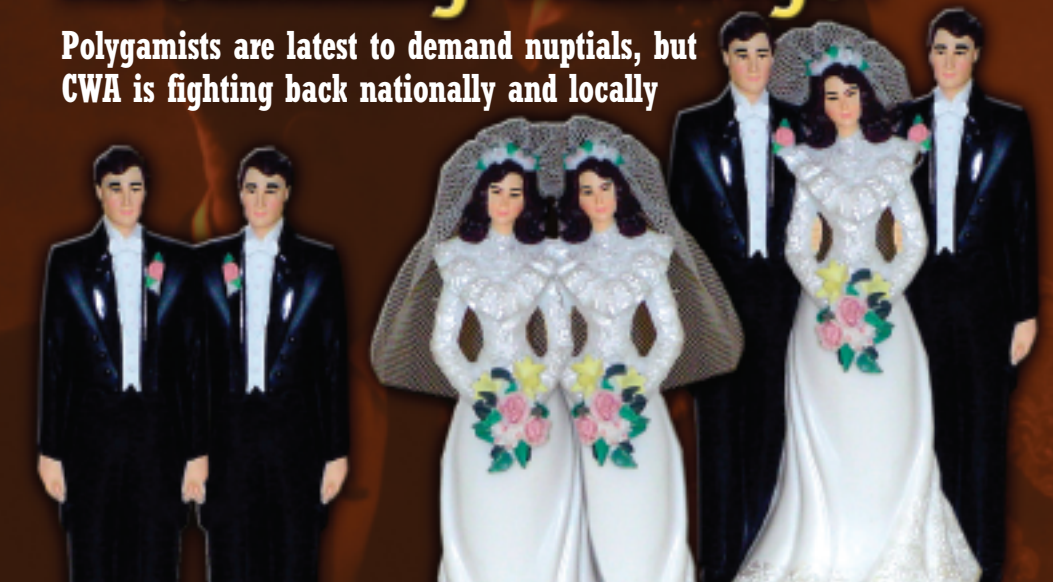


Multiplying-or Abolishing-Marriage?

**Polygamists are latest to demand nuptials, but
CWA is fighting back nationally and locally**



By Robert Knight

If anyone asks why “marrying” two people of the same sex is a threat to real marriage, just point north.

Canadians, whose courts have ordered the onset of homosexual “marriage,” are now considering legalizing polygamy. It’s one more step toward the real goal—abolishing marriage altogether.

Several Canadian government reports advocate polygamy, and a prominent scholar has written an article about why she thinks Canada should consider abandoning “conjugal,” that is, sexual fidelity, as a marital requirement.¹

The drive for homosexual “marriage” has led directly to a campaign to get rid of marriage, substituting in its place a “modern domestic partnership system (allowing

any combination of number or gender),” according to Hoover Institution fellow Stanley Kurtz, who has written about how homosexual victories have sped the demise of marriage in Canada, Scandinavia and the Netherlands.

In the United States, the campaign to

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abolish marriage got a big boost on June 26, 2003, when the U.S. Supreme Court in *Lawrence v. Texas* struck down that state’s sodomy law. Majority-opinion writer Justice Anthony Kennedy wrote that morality is no longer a rational basis

¹ Martha Bailey, “Regulation of Cohabitation and Marriage in Canada,” *Law and Policy*, January 2004, Vol. 26, No. 1, pp. 153-175.

for upholding any law and that “privacy” trumps all other concerns.

In dissent, Justice Antonin Scalia accurately warned that *Lawrence* would unleash challenges to laws against “bigamy, same-sex marriage, adult incest, prostitution, masturbation, adultery, fornication, bestiality, and obscenity.”

Five months later, on November 18, 2003, the Massachusetts Supreme Judicial Court cited *Lawrence* while striking down the Massachusetts marriage law. In 2004, a polygamist in Utah also cited *Lawrence* in filing a suit against his state’s marriage law. On January 20, 2006, a state judge overturned Maryland’s marriage law, sparking an unsuccessful drive for a state constitutional amendment.

Fighting Back

Alarmed by the court-ordered imposition of homosexual “marriage” in Massachusetts, pro-family leaders have been rushing to add more legal protections at the state and federal levels. A flood of state constitutional amendments passed in 2004, and in 2005 Texas became the 19th state to approve a state amendment.

This year, at least seven states will have constitutional marriage amendments on the ballot: Alabama, Idaho, South Carolina, South Dakota, Tennessee, Virginia and Wisconsin. Efforts are underway to place amendments on the ballot in Arizona, California, Colorado, Florida and Illinois. In Maryland, Del. Don Dwyer (R) introduced a bill on March 6 to impeach M. Brooke Murdock, the judge who overturned Maryland’s marriage law.

In New York, appeals courts have delivered stinging blows to homosexual



The entertainment industry pulls out all stops in promoting alternative “marriages.” HBO’s Big Love focuses on polygamy and Academy-Award-winner Brokeback Mountain glamorizes homosexuality.

plaintiffs seeking the “right” to marry, but homosexual activists are redoubling their efforts there.

In New Jersey and Washington state, despite solid lower-court decisions, liberal Supreme Courts are poised to imitate Massachusetts’ high court and order licenses for homosexual couples.

Momentum is growing for a federal constitutional amendment. Senate Majority Leader Bill Frist (R-Tennessee) has promised a vote on a marriage amendment on June 5. The Marriage Protection Amendment (MPA), sponsored by Rep. Marilyn Musgrave (R-Colorado) and Sen. Wayne Allard (R-Colorado), passed the House in 2004 with a 227-186 vote, far short of the two-thirds (290) majority needed.

CWA did not support the MPA² because the second sentence not only is

² “Marriage in the United States shall consist solely of the union of a man and a woman. Neither this Constitution, nor the constitution of any State, shall be construed to require that marriage or the legal incidents thereof be conferred upon any union other than the union of a man and a woman.”

open to differing interpretations, but its initial backers acknowledged that it was specifically worded so that state legislators could create civil unions, domestic partnerships and other forms of counterfeit marriage.

CWA supports the language of the Institution of Marriage Amendment crafted by Home School Legal Defense Association President Michael Farris, which says:

“Marriage in the United States shall consist only of the union of a man and a woman. Neither the United States nor any State shall recognize or grant to any unmarried person the legal rights or status of a spouse.”

Part of a Culture War

The battle over marriage is raging on many levels, including in the popular culture. Having savaged marriage for years and promoted divorce, infidelity and promiscuous sex, Hollywood is pulling out all stops. Films like *Brokeback Mountain*, which won three Academy Awards, mock marital commitment and promote the idea that homosexuality is in-born and irresistible. Hollywood crossed another line this spring when the cable network HBO introduced *Big Love*, a show about a man and his three wives.

It's all part of an accelerated drive to make natural marriage just one among many options, thus destroying marriage as the unique foundation of community, and the best protection and hope for children.

While Hollywood softens up the public, homosexual activists are pursuing a well-funded, “hardball” political strategy, according to E.J. Graff, who writes for the left-leaning *The American Prospect*.³

Graff notes that “gay” activists are

using Massachusetts as a model. First, they worked to prevent the people from voting on the issue. Then, “[t]he political group MassEquality went all out to reelect friends and defeat enemies.”

It's all part of an accelerated drive to make natural marriage just one among many options.

“We spent more money on direct mail than the state Democratic Party spent in 2004 Massachusetts elections,” MassEquality Director Marty Rouse boasted about defending pro-homosexual seats and replacing a pro-family legislator with an open homosexual. The National Gay and Lesbian Task Force has received a \$3 million grant for “movement-building” and state organizing efforts, and the Gill Foundation, a spigot for homosexual causes, is pouring money into research on opinions and voting patterns.

Chaos in Canada

Meanwhile, Canadians are waking up to a post-modern redefinition of marriage that has swept their nation. As Stanley Kurtz notes in *Dissolving Marriage*,⁴ Canadians missed the point in 2001, when the Law Commission of Canada published the report “Beyond Conjuality”:

“Few recognized, grasped, or could bring themselves to take seriously, the central thrust of ‘Beyond Conjuality’: that after the legalization of same-sex marriage, Canadian marriage itself ought to be abolished. ... The way to abolish marriage,

³ E.J. Graff, “Marital Blitz,” *The American Prospect*, March 10, 2006, at <http://www.prospect.org/web/page.www?section=root&name=viewPrint&articleId=11177>.

⁴ Stanley Kurtz, “Dissolving Marriage,” National Review Online at <http://www.nationalreview.com/kurtz/kurtz200602030805.asp>.

without seeming to abolish it, is to redefine the institution out of existence. If everything can be marriage, pretty soon nothing will be marriage. ... The whole idea of marriage will be meaningless."

The "polyamory" movement is seeking to abolish any restrictions involving the number or sex of the partners, so that any combination of three or more people can "marry." As columnist Mark Steyn warned, Canada's elites would allow Muslim polygamy "to slip through under the guise of multiculturalism." From there, Kurtz notes, it's a quick trip to polyamory.

Rallying to Protect Marriage

In the face of these challenges near and far, Concerned Women for America (CWA) staff and volunteers around the nation are working to protect marriage. In South Dakota: "We'll be working with other pro-family advocates in the state to educate people about why we need a constitutional amendment to protect natural marriage," said Linda Schauer, CWA State Director.

In Virginia, where the Legislature recently passed a "super-DOMA (Defense of Marriage Act)," strengthening its marriage law and barring civil unions, an equally tough marriage amendment is on the 2006 ballot.

"The opposition is formidable, but we're confident that the amendment will pass in Virginia," said Patricia Phillips, CWA of Virginia State Director. "Our challenge is to overcome apathy and overconfidence and get people working to assure the amendment passes."

It also means thanking all the people who make this kind of effort possible. CWA could not defend marriage on so many levels without your generous support.

Robert Knight, who helped draft the current federal law, the Defense of Marriage Act, directs CWA's Culture & Family Institute. To read Knight's written testimony to the Maryland Legislature in support of a state constitutional marriage amendment, visit www.cwfa.org, or call 1-800-323-2200 to request your copy. ■

IN MEMORY

Lois M. Morrow (1910 - 2005)

In December Lois M. Morrow of Milwaukee, Wisconsin, went to be with the Lord after a life a relative described as full and fun. Lois was born and married in Indiana and was a member of the Roman Catholic Church. For more than 45 years, she was an employee with the New York Mutual Life Insurance Company, retiring from an office in Milwaukee. Lois loved the work of Concerned Women for America and provided for a substantial bequest upon her death. CWA remembers with gratitude the memory of Lois Morrow, a faithful steward whose generosity continues to make possible our mutual mission to protect and promote Biblical values.

For information about how you can provide for the work of CWA, and possibly reduce estate taxes, contact Robert Stuber at (800) 458-8797.